



THE CITY RECORD

Official Journal of The City of New York

THE CITY RECORD U.S.P.S. 0114-660
Printed on paper containing 30% post-consumer material

VOLUME CXLVIII NUMBER 165

THURSDAY, AUGUST 26, 2021

Price: \$4.00

TABLE OF CONTENTS

PUBLIC HEARINGS AND MEETINGS

City Planning Commission	5651
Community Boards	5681
Board of Education Retirement System	5682
Franchise and Concession Review Committee	5682
Office of Labor Relations	5682
Transportation	5682

PROPERTY DISPOSITION

Citywide Administrative Services	5684
Housing Preservation and Development	5684

PROCUREMENT

Administration for Children's Services	5685
<i>Administration</i>	5685
Administrative Trials and Hearings	5685
<i>Oath Information Technology</i>	5685
Aging	5685
<i>External Affairs</i>	5685
Education	5685
<i>Contracts and Purchasing</i>	5685
Environmental Protection	5686

Wastewater Treatment	5686
Finance	5686
<i>Sheriff-General Sheriff</i>	5686
Health and Mental Hygiene	5686
Homeless Services	5686
Housing Authority	5687
<i>Procurement</i>	5687
Mayor's Fund to Advance New York City	5687
<i>Finance and Operations</i>	5687
NYC Health + Hospitals	5687
<i>Supply Chain Services</i>	5687
Parks and Recreation	5688
<i>Capital Program Management</i>	5688
<i>Revenue and Concessions</i>	5688
Police Department	5689
<i>Management and Budget</i>	5689
Transportation	5689
<i>Transportation Planning and Management</i>	5689
AGENCY RULES	
Environmental Protection	5689
SPECIAL MATERIALS	
Comptroller	5691
Changes in Personnel	5691

THE CITY RECORD

BILL DE BLASIO

Mayor

LISETTE CAMILO

Commissioner, Department of Citywide Administrative Services

JANAE C. FERREIRA

Editor, The City Record

Published Monday through Friday except legal holidays by the New York City Department of Citywide Administrative Services under Authority of Section 1066 of the New York City Charter.

Subscription \$500 a year, \$4.00 daily (\$5.00 by mail). Periodicals Postage Paid at New York, NY
POSTMASTER: Send address changes to THE CITY RECORD, 1 Centre Street, 17th Floor, New York, NY 10007-1602

Editorial Office/Subscription Changes:
The City Record, 1 Centre Street, 17th Floor, New York, NY 10007-1602 (212) 386-0055

Visit The New City Record Online (CROL) at www.nyc.gov/cityrecord for a searchable database of all notices published in the City Record.

PUBLIC HEARINGS AND MEETINGS

See Also: *Procurement; Agency Rules*

CITY PLANNING COMMISSION

■ PUBLIC HEARINGS

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



The public hearing will be held, on Thursday, September 2, 2021, starting, at 10:00 A.M. Eastern Daylight Time. The public hearing will be held in person in the NYC City Planning Commission Hearing Room, Lower Concourse, 120 Broadway, New York, NY. An overflow space will be provided, at 1 Centre Street, North Mezzanine, New York, NY.

Masks are required to be worn to enter the buildings and during the hearing.

The meeting will be live streamed through Department of City Planning's (DCP's) website and accessible from the following webpage, which contains specific instructions on how to observe and participate remotely via the teleconferencing application Zoom, as well as materials relating, to the meeting: <https://www1.nyc.gov/site/nycengage/events/city-planning-commission-special-public-meeting/302209/1>

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

- 877 853 5247 US Toll-free
- 888 788 0099 US Toll-free
- 253 215 8782 US Toll Number
- 213 338 8477 US Toll Number

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

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

Please inform the Department of City Planning if you need a reasonable accommodation, such as a sign language interpreter, in order to participate in the meeting. The submission of testimony, verbal or written, in a language other than English, will be accepted, and real time interpretation services will be provided based on available

resources. Requests for a reasonable accommodation or foreign language assistance during the meeting should be emailed to [AccessibilityInfo@planning.nyc.gov] or made by calling [212-720-3508]. Requests must be submitted, at least five business days before the meeting.

BOROUGH OF MANHATTAN
Nos. 1 & 2
SoHo/NoHo NEIGHBORHOOD PLAN
No. 1

CD 2 **C 210422 ZMM**

IN THE MATTER OF an application submitted by New York City Department of City Planning, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 12a & 12c:

1. changing from an M1-5A District to an M1-5/R7X District property, bounded by West Houston Street, Mercer Street, Broome Street, a line midway between West Broadway and Wooster Street, a line perpendicular, to the easterly street line of West Broadway distant 70 feet northerly (as measured along the street line) from the point of intersection of the easterly street line of West Broadway and the northerly street line of Canal Street, West Broadway, Broome Street, and a line midway between Thompson Street and West Broadway;
2. changing from an M1-5B District to an M1-5/R7X District property, bounded by:
 - a. Great Jones Street, a line 100 westerly of Bowery, Bleecker Street, Lafayette Street, a line 122 feet southerly of Bond Street, and a line 140 feet easterly of Broadway;
 - b. a line passing through two points: one on the easterly street line of Lafayette Street distant 120 feet southerly (as measured along the street line) from the point of intersection of the southerly street line of Jersey Street and the easterly street line of Lafayette Street and the other on the westerly street line of Mulberry Street distant 100 feet southerly (as measured along the street line) from the point of intersection of the southerly street line of Jersey Street and the westerly street line of Mulberry Street, Mulberry Street, Prince Street, and Lafayette Street;
 - c. Prince Street, Lafayette Street, Broome Street, Centre Street, Grand Street, a line 100 feet easterly of Crosby Street, Howard Street, and Crosby Street; and
 - d. Broome Street, Mercer Street, the westerly centerline prolongation of Howard Street, Greene Street, a line perpendicular, to the easterly street line of Wooster Street distant 150 feet northerly (as measured along the street line) from the point of intersection of the easterly street line of Wooster Street and the northerly street line of Canal Street, Wooster Street, a line perpendicular, to the easterly street line of West Broadway distant 70 feet northerly (as measured along the street line) from the point of intersection of the easterly street line of West Broadway and the northerly street line of Canal Street, and a line midway between West Broadway and Wooster Street;
3. changing from an M1-5A District to an M1-5/R9X District property, bounded by a line perpendicular, to the easterly street line of West Broadway distant 70 feet northerly (as measured along the street line) from the point of intersection of the easterly street line of West Broadway and the northerly street line of Canal Street, a line midway between West Broadway and Wooster Street, Canal Street, and West Broadway;
4. changing from an M1-5B District to an M1-5/R9X District property, bounded by Astor Place, Lafayette Street, a line 100 feet southerly of Astor Place, a line 100 feet westerly of Fourth Avenue, a line 100 feet westerly of Bowery, Great Jones Street, a line 140 feet easterly of Broadway, a line 122 feet southerly of Bond Street, Lafayette Street, Bleecker Street, Mulberry Street, East Houston Street, Lafayette Street, Prince Street, Crosby Street, Howard Street, the southerly prolongation of a line 100 feet easterly of Crosby Street, a line perpendicular, to the northerly street line of Canal Street distant 110 feet westerly (as measured along the street line) from the point of intersection of the northerly street line of Canal Street and the westerly street line of Lafayette Street, Canal Street, a line midway between West Broadway and Wooster Street, a line perpendicular, to the easterly street line of West Broadway distant 70 feet northerly (as measured along the street line) from the point of intersection of the easterly street line of West Broadway and the northerly street line of Canal Street, Wooster Street, a line perpendicular, to the easterly street line of Wooster Street distant 150 feet northerly (as measured along the street line) from the point of intersection of the easterly street line of Wooster Street and the northerly street line of Canal Street, Greene Street, the westerly centerline prolongation of Howard Street, Mercer Street, West Houston Street, and Broadway;

5. changing from an M1-5A District to an M1-6/R10 District property, bounded by Broome Street, West Broadway, Canal Street, and a line midway between West Broadway and Thompson Street;
6. changing from an M1-5B District to an M1-6/R10 District property, bounded by:
 - a. a line 100 feet southerly of Astor Place, Fourth Avenue, Bowery, Great Jones Street, 100 feet westerly of Bowery, and a line 100 feet westerly of Fourth Avenue;
 - b. a line 200 feet northerly of Broome Street, a line midway between Thompson Street and West Broadway, Canal Street, Avenue of the Americas, Watt Street, and Thompson Street; and
 - c. Grand Street, Baxter Street, Canal Street, a line perpendicular, to the northerly street line of Canal Street distant 110 feet westerly (as measured along the street line) from the point of intersection of the northerly street line of Canal Street and the westerly street line of Lafayette Street, and a line 100 feet easterly of Crosby Street and its southerly prolongation; and
7. establishing a Special SoHo-NoHo Mixed Use District (SNX), bounded by Astor Place, Lafayette Street, a line 100 feet southerly of Astor Place, Fourth Avenue, Bowery, Great Jones Street, a line 100 feet westerly of Bowery, Bleecker Street, Mulberry Street, East Houston Street, Lafayette Street, a line passing through two points: one on the easterly street line of Lafayette Street distant 120 feet southerly (as measured along the street line) from the point of intersection of the southerly street line of Jersey Street and the easterly street line of Lafayette Street and the other on the westerly street line of Mulberry Street distant 100 feet southerly (as measured along the street line) from the point of intersection of the southerly street line of Jersey Street and the westerly street line of Mulberry Street, Mulberry Street, Prince Street, Lafayette Street, Broome Street, Centre Street, Grand Street, Baxter Street, Canal Street, Avenue of the Americas, Watts Street, Thompson Street, a line 200 northerly of Broome Street, a line midway between Thompson Street and West Broadway, West Houston Street, and Broadway;

as shown on a diagram (for illustrative purposes only) dated May 17, 2021, and subject, to the conditions of CEQR Declaration of E-619.

No. 2

CD 2 **N 210423 ZRM**

IN THE MATTER OF an application submitted by New York City Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York establishing the Special SoHo-NoHo Mixed Use District (Article XIV, Chapter 3), and modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area and other related Sections.

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

ARTICLE I
GENERAL PROVISIONS

Chapter 1
Title, Establishment of Controls and Interpretation of Regulations

* * *

11-10

ESTABLISHMENT AND SCOPE OF CONTROLS, ESTABLISHMENT OF DISTRICTS AND INCORPORATION OF MAPS

* * *

11-12
Establishment of Districts

* * *

11-122
Districts established

In order to carry out the purposes and provisions of this Resolution, the following districts are hereby established:

* * *

Special Purpose Districts

* * *

Establishment of the Special Sheepshead Bay District

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

Establishment of the Special SoHo-NoHo Mixed Use District

In order to carry out the special purposes of this Resolution as set forth in Article XIV, Chapter 3, the #Special SoHo-NoHo Mixed Use District# is hereby established.

Establishment of the Special South Richmond Development District

In order to carry out the special purposes of this Resolution as set forth in Article X, Chapter 7, the #Special South Richmond Development District# is hereby established.

* * *

Chapter 2 Construction of Language and Definitions

* * *

12-10 DEFINITIONS

* * *

Accessory use, or accessory

An "accessory use"

* * *

(2) Living or sleeping accommodations for caretakers in connection with any #use# listed in Use Groups 3 through 18 inclusive, provided that:

* * *

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

* * *

Joint living-work quarters for artists

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

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

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

* * *

Special Sheepshead Bay District

The "Special Sheepshead Bay District" is a Special Purpose District designated by the letters "SB" in which special regulations set forth in Article IX, Chapter 4, apply.

Special SoHo-NoHo Mixed Use District [date of adoption]

The "Special SoHo-NoHo Mixed Use District" is a Special Purpose District designated by the letters "SNX" in which special regulations set forth in Article XIV, Chapter 3, apply.

Special South Richmond Development District

The "Special South Richmond Development District" is a Special Purpose District designated by the letters "SR" in which special regulations set forth in Article X, Chapter 7, apply.

* * *

Chapter 4 Sidewalk Cafe Regulations

* * *

14-41 Locations Where Certain Sidewalk Cafes Are Not Permitted

No #enclosed# or #unenclosed sidewalk cafes# shall be permitted on any of the following #streets#, portions of #streets# and areas, except

that #small sidewalk cafes# may be permitted pursuant, to the provisions of Section 14-43 (Locations Where Only Small Sidewalk Cafes Are Permitted).

Citywide:

All #streets# with elevated rail transit lines, unless specifically permitted in Section 14-43.

Manhattan:

All #streets#, bounded by 38th Street on the south, 59th Street on the north, Third Avenue on the east and Eighth Avenue on the west

All #streets# within the M1-5A and M1-5B Districts and the #Special SoHo-NoHo Mixed Use District#, south of Houston Street

Bowery — from East Broadway to Canal Street

* * *

14-44 Special Zoning Districts Where Certain Sidewalk Cafes Are Permitted

#Enclosed# or #unenclosed sidewalk cafes# shall be permitted, as indicated, in the following special zoning districts, where allowed by the underlying zoning. #Small sidewalk cafes#, however, may be located on #streets# or portions of #streets# within special zoning districts pursuant, to the provisions of Section 14-43 (Locations Where Only Small Sidewalk Cafes Are Permitted).

Table with 3 columns: District, #Enclosed Sidewalk Cafe#, #Unenclosed Sidewalk Cafe#

* * *

Table with 3 columns: District, No, Yes

* * *

#Unenclosed sidewalk cafes# are not permitted south of Houston Street, except for #small sidewalk cafes# in locations designated in Section 14-43 (Locations Where Only Small Sidewalk Cafes Are Permitted)

* * *

Chapter 5 Residential Conversion within Existing Buildings

* * *

15-01 Applicability

* * *

15-012 Applicability within C6-1G, C6-2G, M1-5A, M1-5B or M1-6D Districts

#Conversions# in #buildings#, or portions thereof, in C6-1G or C6-2G Districts shall be permitted only by special permit, pursuant to Section 74-782 (Residential conversion in C6-1G, C6-2G, C6-2M, C6-4M, M1-5A, M1-5B, M1-5M and M1-6M Districts).

Except as specifically set forth in Sections 15-013 and 15-024, the provisions of this Chapter are not applicable in M1-5A or M1-5B Districts.

In M1-6D Districts, the conversion to #dwelling units# of #non-residential buildings# erected prior to January 1, 1977, or portions thereof, shall be permitted, subject to Sections 15-11 (Bulk Regulations), 15-12 (Open Space Equivalent) and 15-30 (MINOR MODIFICATIONS), paragraph (b), except as superseded or modified by the provisions of Section 42-481 (Residential use).

* * *

15-02 General Provisions

* * *

15-021 Special use regulations

* * *

- (e) In C6-1G and C6-2G Districts, in all #manufacturing# and #commercial buildings# except police stations, courthouses and fire houses, or portions thereof, erected prior to December 15, 1961, #residential use# shall not be permitted unless the Commission has granted a special permit, pursuant to Section 74-782 (Residential conversion in C6-1G, C6-2G, C6-2M, C6-4M, M1-5A, M1-5B, M1-5M and M1-6M Districts). However, if the

Chairperson determines that #floor area# in such #buildings# was occupied for #residential use# on April 1, 1984, such #residential use# shall be permitted to remain and no special permit shall be required, provided that a complete application for determination of occupancy is filed by the owner of the #building# or the occupant of a #dwelling unit# in such #building# not later than April 17, 1985.

* * *

**15-50
SPECIAL PERMIT**

* * *

**15-51
Residential Conversion in C6-1G, C6-2G, C6-2M, C6-4M, M1-5M and M1-6M Districts**

In C6-1G, C6-2G, C6-2M, C6-4M, M1-5M and M1-6M Districts, the City Planning Commission may permit modification of the requirements of Sections 15-021 paragraph (e), or 15-21 in accordance with the provisions of Sections 74-711 (Landmark preservation in all districts) or 74-782 (Residential conversion in C6-1G, C6-2G, C6-2M, C6-4M, M1-5A, M1-5B, M1-5M and M1-6M Districts).

* * *

**ARTICLE II
RESIDENCE DISTRICT REGULATIONS**

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

* * *

**23-03
Street Tree Planting in Residence Districts**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the following shall provide #street# trees in accordance with Section 26-41 (Street Tree Planting):

- (a) #developments#, or #enlargements# that increase the #floor area# on a #zoning lot# by 20 percent or more. However, #street# trees shall not be required for #enlargements# of #single-# or #two-family residences#, except as provided in paragraphs (b) and (c) of this Section;
- (b) #enlargements# of #single-# or #two-family residences# by 20 percent or more within the following special purpose districts:

* * *

- #Special Ocean Parkway District# ;
- #Special SoHo-NoHo Mixed Use District# ;
- #Special South Richmond Development District# ;

* * *

**ARTICLE IV
MANUFACTURING DISTRICT REGULATIONS**

**Chapter 1
Statement of Legislative Intent**

* * *

**41-10
PURPOSES OF SPECIFIC MANUFACTURING DISTRICTS**

* * *

**41-11
M1 Light Manufacturing Districts (High Performance)**

These districts are designed for a wide range of manufacturing and related uses which can conform to a high level of performance standards. Manufacturing establishments of this type, within completely enclosed buildings, provide a buffer between Residence (or Commercial) Districts and other industrial uses which involve more objectionable influences. New residences are excluded from these districts, except for:

- (a) joint living-work quarters for artists in M1-5A and M1-5B Districts;
- (b) dwelling units in M1-5M and M1-6M Districts;

* * *

**Chapter 2
Use Regulations**

* * *

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

* * *

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

* * *

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

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

* * *

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

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

* * *

**42-13
Use Groups 6C, 9A and 12B**

* * *

**42-131
M1-5A and M1-5B Districts**

M1-5A M1-5B

The regulations governing M1 Districts shall apply in M1-5A and M1-5B Districts except where the special #use# regulations set forth in Section 42-14, paragraph D. (Special Uses in M1-5A and M1-5B Districts) provide otherwise.

* * *

**42-14
Use Group 17**

M1 M2 M3

* * *

- D. Special #uses# in M1-5A and M1-5B Districts

M1-5A M1-5B

- (1) #Joint living-work quarters for artists# in #buildings# in M1-5A and M1-5B Districts, provided:

- (a) Such #building# was erected prior to December 15, 1961.
- (b) The #lot coverage# of such #building# does not exceed 5,000 square feet except that in #buildings# with frontage along Broadway the #lot coverage# shall not exceed 3,600 square feet. However, such quarters may also be located in a #building# occupying more than 5,000 square feet of #lot area# if the entire #building# was held in cooperative ownership by #artists# on September 15, 1970. #Joint living-work quarters for artists# are permitted in other #buildings# or other structures# only by special permit of the City Planning Commission, pursuant to Section 74-782, by minor modification of the Chairperson of the City Planning Commission, pursuant to Section 42-141 (Modification by certification of the Chairperson of the City Planning Commission of uses in M1-5A and M1-5B Districts), paragraph (e), or by authorization of the City Planning Commission, pursuant to Section 42-142 (Modification by authorization of the City Planning Commission of use regulations in M1-5A and M1-5B Districts).

- (c) In M1-5B Districts in #buildings# occupying less than 3,600 square feet of #lot area#, #joint living-work quarters for artists# may not be located below the floor level of the second #story# unless modified by the Chairperson of the City Planning Commission, pursuant to Section 42-141, Section 74-781 (Modification by special permit of the City Planning Commission of uses in M1-5A and M1-5B Districts), or by authorization of the City Planning Commission, pursuant to Section 42-142.

* * *

- (2) #Commercial# and #manufacturing uses# below the floor level of the second #story# provided,

- (a) In M1-5A Districts, in #buildings# occupying more than 3,600 square feet of #lot area#, only #uses# listed in Use Groups 7, 9, 11, 16, 17A, 17B, 17C or 17E shall be allowed below the floor level of the second #story# of

such #buildings#, unless modified by the Chairperson of the City Planning Commission, pursuant to Sections 42-141 or 74-781;

(b) in M1-5B Districts, in any #buildings#, only #uses# listed in Use Groups 7, 9, 11, 16, 17A, 17B, 17C or 17E shall be allowed below the floor level of the second #story# of such #buildings# unless modified by the Chairperson of the City Planning Commission, pursuant to Sections 42-141 or 74-781;

(3) In addition, to the above restrictions, the following #uses# are not permitted as of right in any #building# or other structure# or on any tract of land in M1-5A or M1-5B Districts:

* * *

(4) (a) Any #use# which became #non-conforming# after April 27, 1976, shall be governed by Article V (Non-Conforming Uses and Non-Complying Buildings), except that in M1-5A and M1-5B Districts, Section 52-37 is hereby suspended and replaced by paragraph D.(4)(b) of this Section.

(b) In M1-5A and M1-5B Districts, any #non-conforming use# listed in Use Groups 5, 6, 8, 10, 12, 13, 14 or 15 may be changed, initially or in any subsequent change, only to a conforming #use# or a #use# listed in Use Group 6.

* * *

(5) Museums or non-commercial art galleries, subject, to the #bulk# regulations applicable for #manufacturing uses#, and subject, to the provisions of this Section.

(a) As of right

In any #building#, a museum or non-commercial art gallery is permitted on the ground floor where a #use# in Use Group 6 is permitted pursuant, to the provisions of paragraphs D.(2) or D.(4) of this Section and, above the ground floor where #joint living-work quarters for artists# are permitted, pursuant to paragraph D.(1) of this Section.

(b) By authorization of the City Planning Commission

In an M1-5A District, the City Planning Commission may authorize a museum or non-commercial art gallery where it is not permitted as-of-right, provided that the Commission finds that:

(i) the #use# of such space as a museum or non-commercial art gallery will not harm #manufacturing uses# in the M1-5A District or the industrial sector of the City's economy;

(ii) any commercial or manufacturing tenants in such space were given the opportunity by the owner or predecessors in title to remain in the space, at fair market rentals, and the property owners or predecessors in title did not cause the vacating of the space through harassment, non-renewal of leases, or the charging of rents in excess of the then fair market value; and

(iii) any such museum or non-commercial art gallery will be supportive of the local art industry.

The Commission may set such conditions on the grant of an authorization to allow such #uses# as it deems necessary to protect #manufacturing uses# or the industrial sector of the City's economy. In no case shall such museum or non-commercial art gallery occupy more than 65,000 square feet of #floor area#.

* * *

42-141 Modification by certification of the Chairperson of the City Planning Commission of uses in M1-5A and M1-5B Districts

In M1-5A and M1-5B Districts, the requirements of paragraphs D.(1)(b), D.(1)(c), D.(1)(d) and D.(1)(e) or D.(2) of Section 42-14 (Use Group 17) may be modified by certification of the Chairperson of the City Planning Commission as provided in this Section. A copy of any request for modification under this Section shall be sent by the applicant, to the applicable Community Board, at least 20 days prior, to the next regularly scheduled Community Board meeting. If the Community Board elects to comment on such requests, it must do so within 31 days of such notification.

* * *

42-142 Modification by authorization of the City Planning Commission of use regulations in M1-5A and M1-5B Districts

In M1-5A and M1-5B Districts, the requirements of Section 42-14 (Use Group 17), paragraphs D.(1)(b), (c), and (d), may be modified by

authorization of the City Planning Commission, provided that:

* * *

42-30 USES PERMITTED BY SPECIAL PERMIT

* * *

42-31 By the Board of Standards and Appeals

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

* * *

M1-5A M1-5B Eating and drinking establishments, with entertainment but not dancing, with a capacity of 200 persons or less [PRC-D]

M1-5A M1-5B M1-5M M1-6M Eating or drinking establishments, with entertainment and a capacity of more than 200 persons or establishments of any capacity with dancing [PRC-D]

* * *

42-32 By the City Planning Commission

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

* * *

M1

Indoor interactive entertainment facilities with eating and drinking* [PRC-D]

* * *

* In M1-1; M1-5A; and M1-5B Districts, and in M1 Districts with a suffix "D," indoor interactive entertainment facilities with eating and drinking are not permitted

* * *

42-50 SIGN REGULATIONS

* * *

42-54 Permitted Projection or Height of Signs

* * *

42-541 Permitted projection

M1 M2 M3

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

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

* * *

Chapter 3 Bulk Regulations

* * *

43-10 FLOOR AREA REGULATIONS

* * *

43-17 Special Provisions for Joint Living-Work Quarters for Artists in M1-5A and M1-5B Districts

M1-5A M1-5B

In the districts district indicated, no #building# containing #joint living-work quarters for artists# shall be #enlarged#.

Mezzanines are allowed within individual quarters, in #buildings# with an existing #floor area ratio# of 12.0 or less, and only between floors, or between a floor and a roof, existing on January 22, 1998, that are to remain, provided that such mezzanines do not exceed 33 and 1/3 percent of the gross #floor area# of such individual quarters. Such mezzanines shall not be included as #floor area# for the purpose of calculating minimum required size of a #joint living-work quarters for artists#.

In the districts district indicated no #building# containing #joint living-work quarters for artists# shall be subdivided into quarters of less than 1,200 square feet except where no #story# contains more than one #joint living-work quarters for artists# unless modified, pursuant to Section 43-171.

However, the minimum size requirement may be replaced by the requirements of Section 15-024 for #joint living-work quarters for artists#:

* * *

ARTICLE VII ADMINISTRATION

Chapter 3

Special Permits by the Board of Standards and Appeals

* * *

73-20

THEATERS

* * *

73-202

In M1-5A or M1-5B Districts

In M1-5A or M1-5B Districts, the Board of Standards and Appeals may permit theaters for a term not to exceed five years, provided that the following findings are made:

* * *

73-24

Eating or Drinking Places

73-241

In C1-1, C1-2, C1-3, C1-4, C2-1, C2-2, C2-3, C2-4, C3, C5, M1-5A or M1-5B Districts

In C1-1, C1-2, C1-3, C1-4, C2-1, C2-2, C2-3, C2-4, C3, C5, M1-5A or M1-5B Districts, the Board of Standards and Appeals may permit eating or drinking establishments with entertainment but not dancing, with a capacity of 200 persons or less, for a term not to exceed five years, provided that the following findings are made:

- (a) that such #use# will not impair the character or the future use or development of the surrounding residential or mixed use neighborhood;
(b) that such #use# will not cause undue congestion in local #streets#;
(c) that in M1-5A and M1-5B Districts, eating and drinking places shall be limited to not more than 5,000 square feet of floor space;
(d) that in C1-1, C1-2, C1-3, C1-4, C2-1, C2-2, C2-3, C2-4, C5, M1-5A and M1-5B Districts, such #use# shall take place in a #completely enclosed building#; and
(e) that the application is made jointly by the owner of such #building# and the operators of such eating or drinking establishment.

* * *

73-60

MODIFICATIONS OF BULK REGULATIONS

* * *

73-62

Modification of Bulk Regulations for Buildings Containing Residences

* * *

73-625

Modification of Affordable Housing Fund payment options in the SoHo NoHo Mixed Use District

Within the #Special Soho-NoHo Mixed Use District#, for #conversions# from non-#residential# to #residential use# in #buildings# existing prior to [date of adoption] that are not otherwise subject to paragraph (d)(3)(v) of Section 23-154 (Inclusionary Housing), the Board of

Standards and Appeals may permit a contribution, to the #affordable housing fund#, pursuant to such paragraph to satisfy the requirements of paragraph (d)(3), inclusive, of such Section, provided that the Board finds that:

- (a) the configuration of the #building# imposes constraints, including, but not limited to, deep, narrow or otherwise irregular #building# floorplates, limited opportunities to locate #legally required windows#, or pre-existing locations of vertical circulation or structural column systems, that would create practical difficulties in reasonably configuring the required #affordable floor area# into a range of apartment sizes and bedroom mixes serving a number of lower-income residents comparable to what such quantity of #affordable floor area# would serve in a more typical configuration, pursuant, to the #guidelines# of the Inclusionary Housing Program. In order to make such determination, the Board may consult with the Department of Housing Preservation and Development. Such practical difficulties shall be shown on a floor plan; and
(b) the practical difficulties existed on [date of enactment].

For the purposes of this Section, defined terms include those set forth in Sections 12-10 and 23-911.

The Board may prescribe such conditions and safeguards as it deems necessary to minimize adverse effects upon the surrounding area and the community, at large.

* * *

Chapter 4

Special Permits by the City Planning Commission

* * *

74-71

Landmark Preservation

* * *

74-712

Developments in Historic Districts

Within Historic Districts designated by the Landmarks Preservation Commission, the City Planning Commission may grant a special permit, in accordance with the following provisions:

- (a) In M1-5A and M1-5B Districts, on a #zoning lot# that, as of December 15, 2003, is vacant, is #land with minor improvements#, or has not more than 40 percent of the #lot area# occupied by existing #buildings#, the Commission may modify #use# regulations to permit #residential development# and, below the floor level of the second #story# of any #development#, #uses# permitted under Section 32-15 (Use Group 6), provided:

* * *

ARTICLE XIV

SPECIAL PURPOSE DISTRICTS

Chapter 3

Special SoHo-NoHo Mixed Use District

143-00

GENERAL PURPOSES

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

- (a) to enhance neighborhood economic diversity by broadening the range of housing choices for residents of varied incomes;
(b) to reinforce the longstanding mixed-use character of the area by allowing a wider range of residential, commercial and community facility uses while retaining significant concentration of commercial and manufacturing space;
(c) to ensure the development of buildings is compatible with existing neighborhood character;
(d) to sustain SoHo/NoHo's cultural legacy and support New York City's creative economy with provisions that support arts, cultural and creative uses, organizations and their broader public audience;
(e) to retain jobs within New York City; and
(f) to promote the most desirable use of land in accordance with a well-considered plan and thus conserve the value of land and buildings, and thereby protect City tax revenues.

143-01 General Provisions

The provisions of this Chapter shall apply within the #Special SoHo-NoHo Mixed Use District#. The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented or modified by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control.

143-02 Definitions

Definitions specifically applicable to this Chapter are set forth in this Section. Other defined terms are set forth in Section 12-10 (DEFINITIONS).

Qualifying building

For the purposes of this Chapter, a "qualifying building" shall be any #building#, where, prior to [date of adoption]:

- such #building# contained, at least 60,000 square feet of #floor area#; and
- at least 20 percent of the #floor area# within such #building# was allocated to non-#residential floor area#, as such term is utilized in Section 143-14.

SoHo-NoHo Arts Fund

For the purposes of this Chapter inclusive, the "SoHo-NoHo Arts Fund" (the "Arts Fund") shall be a separate interest-bearing account established for the deposit of contributions made when converting #joint living-work quarters for artists# to #residences# through in accordance with the provisions of Section 143-13 (Joint Living-Work Quarters for Artists). The Arts Fund shall be allocated by the New York City Department of Cultural Affairs, or a not-for-profit entity designated by the Department of Cultural Affairs, to support arts programming, projects, organizations, and facilities that promote the public presence of the arts within the Special District and surrounding neighborhoods and extend the cultural legacy of SoHo and NoHo generally. Such allocation should prioritize under-resourced organizations and under-served areas within Lower Manhattan neighborhoods south of 14th Street.

143-03 District Plan and Map

In order to carry out the purposes and provisions of this Chapter, a district map is located in the Appendix to this Chapter and is hereby incorporated and made an integral part of this Resolution. It is incorporated for the purpose of specifying locations where special regulations and requirements, as set forth in the text of this Chapter, apply.

Appendix A

Map 1. Ground Floor Use Requirements

Such map is hereby incorporated and made part of this Resolution for the purpose of specifying locations where the special regulations and requirements set forth in the text of this Chapter apply.

143-04 Applicability of the Inclusionary Housing Program

For the purposes of applying the Inclusionary Housing Program provisions set forth in Sections 23-154 and 23-90, inclusive, #Mandatory Inclusionary Housing areas# within the #Special SoHo-NoHo Mixed Use District# are shown on the maps in APPENDIX F of this Resolution. Such provisions are modified as follows:

- #Conversions# from #joint living-work quarters for artists# to #residences#, as set forth in Section 143-13 (Joint Living-Work Quarters for Artists), shall not be subject, to the provisions of paragraph (d)(1) of Section 23-154.
- The provisions of paragraph (d)(4)(i) of Section 23-154 shall apply only to a #development# or #enlargement# on a #zoning lot# on which the maximum permitted #residential floor area#, less the #lot area#, does not exceed 12,500 square feet on [date of adoption].
- For #conversions# in #buildings# existing prior to [date of adoption] that are not otherwise subject to paragraph (d)(3)(v) of Section 23-154, the Board of Standards and Appeals may permit a contribution, to the #affordable housing fund#, pursuant, to the provisions of Section 73-625.

[Note: references, to the provisions of Article VI, Chapter 6 reflect the proposed zoning text amendment Elevate Transit: Zoning for Accessibility (application number N 210270 ZRY), which is currently in public review.]

143-05 Applicability of Article VI, Chapters 4 and 6

In #flood zones#, or for #transit-adjacent sites# or #qualifying transit improvement sites#, as defined in Section 66-11 (Definitions), in the

event of a conflict between the provisions of this Chapter and the provisions of Article VI, Chapter 4 (Special Regulations Applying in Flood Zones), or Article VI, Chapter 6 (Special Regulations Applying Around Mass Transit Stations), the provisions of Article VI shall control.

43-06 Applicability of Article XII, Chapter 3

In the #Special SoHo-NoHo Mixed Use District#, M1 Districts are paired with a #Residence District#. In paired districts, the special #use#, #bulk#, and parking and loading provisions of Article XII, Chapter 3 (Special Mixed Use District) shall apply, except where modified by the provisions of this Chapter.

Notwithstanding the provisions of Section 123-10 (GENERAL PROVISIONS), in the event of a conflict between the provisions of this Chapter and the provisions of Article XII, Chapter 3, the provisions of this Chapter shall control.

143-07 Applicability of Quality Housing regulations

All #buildings# shall be #developed# or #enlarged# in accordance with the Quality Housing Program and the regulations of Article II, Chapter 8 shall apply. The #bulk# regulations of this Chapter shall be considered the applicable #bulk# regulations for #Quality Housing buildings#.

143-10 SPECIAL USE REGULATIONS

Within the #Special SoHo-NoHo Mixed Use District#, the #use# provisions of Article XII, Chapter 3 are modified by the provisions of this Section.

143-11 Retail Uses

All #uses# listed in Use Group 10A shall be permitted as-of-right.

143-12 Home Occupation

The #home occupation# provisions of Section 12-10 (DEFINITIONS - Home occupation) shall apply, except that up to 49 percent of the total #floor area# of a #dwelling unit# may be used for a #home occupation#, and such #home occupation# may occupy more than 500 square feet of #floor area#.

In addition, in connection with such #home occupation#, up to three persons not residing in such #dwelling unit# may be employed, and a #home occupation# may include any permitted #commercial use#, subject, to the limitations set forth in paragraph (b) of the definition of #home occupation#.

143-13 Joint Living-Work Quarters for Artists

#Conversions# to #joint living-work quarters for artists#, as listed in Use Group 17D, shall not be permitted after [date of adoption] within the #Special SoHo-NoHo Mixed Use District#.

For #joint living-work quarters for artists# existing on [date of adoption], any #conversion# to a #residence# shall only be permitted upon certification by the Chairperson of the City Planning Commission, to the Commissioner of the Department of Building that instruments in a form acceptable, to the City are executed and recorded and that, thereafter, a contribution has been deposited in the #SoHo-NoHo Arts Fund#. The execution and recording of such instruments and the payment of such non-refundable contribution shall be a precondition, to the filing for or issuing of any #building# permit allowing the #conversion# a #joint living-work quarters for artists# to a #residence#.

The contribution amount shall be \$100.00 per square foot of #floor area# to be #converted# from a #joint living-work quarters for artists# to a #residential use# as of [date of adoption], and shall be adjusted by the Chairperson annually. Such adjustment shall occur on August 1 of each calendar year, based on the percentage change in the Consumer Price Index for all urban consumers as defined by the U.S. Bureau of Labor Statistics for the 12 months ended on June 30 of that year. The contribution amount shall be determined based upon the rate which is in effect, at the time the contribution is received.

143-14 Non-Residential Retention for Qualifying Buildings

For #developments#, #enlargements#, and #conversions# on #zoning lots# with #qualifying buildings# existing on [date of adoption], #residential uses# shall only be permitted upon certification by the Chairperson of the City Planning Commission, to the Commissioner of the Department of Buildings that the #zoning lot#, as it existed on [date of adoption], will contain, at least the amount of non-#residential floor area# that existed within such #qualifying buildings# on the #zoning lot# on [date of adoption]. For the purposes of this Section, non-#residential floor area# shall not include #residences#, including

#dwelling units# that are registered Interim Multiple Dwellings or are covered by the New York City Loft Board, pursuant to Article 7-C of the New York State Multiple Dwelling Law or that the Loft Board determines were occupied for #residential use# on September 1, 1980, #joint living-work quarters for artists#, #community facility uses# with sleeping accommodations or #transient hotels#, where permitted.

A restrictive declaration acceptable, to the Department of City Planning shall be executed and recorded, binding the owners, successors and assigns, to provide the amount of non-#residential floor area# that existed within #qualifying buildings# on [date of adoption], on the #zoning lot#. Such restrictive declaration shall be recorded in the Office of the City Register.

143-15 Ground Floor Use Requirements

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

For the purposes of applying the special #ground floor level# streetscape provisions set forth in Section 37-30 to this Chapter, any portion of a #ground floor level street# frontage along #streets# designated on Map 1 in the Appendix to this Chapter shall be considered #primary street frontages#. A #ground floor level street# frontage along any other #street# shall be considered a #secondary street frontage#. For the purposes of this Section, defined terms shall include those in Sections 12-10 and 37-311.

(a) Along #primary street frontages#

For #buildings#, or portions thereof, with #primary street frontage#, #uses# on the #ground floor level#, to the minimum depth set forth in Section 37-32 (Ground Floor Depth Requirements for Certain Uses), shall be limited to non-#residential uses#, except for Type 1 lobbies and entrances and exits to #accessory# parking spaces provided in accordance with the applicable provisions of Section 37-33 (Maximum Width of Certain Uses). #Ground floor level street walls# shall be glazed in accordance with the provisions set forth in Section 37-34 (Minimum Transparency Requirements).

(b) Along #secondary street frontages#

Any #street wall# width exceeding 50 feet with no transparent elements on the #ground floor level# shall provide visual mitigation elements in accordance with the provisions for Type 1 blank walls set forth in Section 37-361 (Blank wall thresholds).

143-16 Physical Culture or Health Establishments

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

143-17 Transient Hotels

In all districts, the #development# of a #transient hotel#: a change of #use# or #conversion# to a #transient hotel#, or an #enlargement#, containing a #transient hotel#, of a #building# that, as of [date of adoption], did not contain such #use#; or an #enlargement# or #extension# of a #transient hotel# that existed prior to [date of adoption] that increases the #floor area# of such #use# by 20 percent or more, shall be permitted only by special permit of the City Planning Commission pursuant to the provisions of this Section.

In order to permit such a #transient hotel#, the Commission shall find that such #transient hotel# is so located as not to impair the essential character of, or the future #use# or #development# of, the surrounding area.

Any #transient hotel# existing prior to [date of adoption] shall be considered a conforming #use# and may be continued, structurally altered, #extended# or #enlarged# subject, to the limitations set forth in this Section, and subject, to the applicable district #bulk# regulations. However, if for a continuous period of two years such #transient hotel# is discontinued, or the active operation of substantially all the #uses# in the #building# or other structure# is discontinued, the space allocated to such #transient hotel# shall thereafter be used only for a conforming #use#, or may be #used# for a #transient hotel# only if the Commission grants a special permit for such #use# in accordance with the provisions of this Section. In addition, in the event a casualty damages or destroys a #transient hotel# that was in such #use# as of [date of adoption], such #building# may be reconstructed and used as a #transient hotel# without obtaining a special permit. A #non-complying building# may be reconstructed, pursuant to Section 54-40 (DAMAGE OR DESTRUCTION IN NON-COMPLYING BUILDINGS).

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

143-20 SPECIAL BULK REGULATIONS

Within the #Special SoHo-NoHo Mixed Use District#, the #bulk# provisions of Article XII, Chapter 3 are modified by the provisions of this Section.

143-21 Special Floor Area Regulations

The applicable #floor area# regulations shall be modified as follows:

- (a) the #floor area ratio# for #community facility uses# shall be 6.5; and
- (b) in M1-5 Districts paired with an R9X District north of Howard Street, the #floor area ratio# for all other non-#residential uses# shall be 6.0.

143-22 Density

For all #residential buildings#, or portions thereof, including those existing on December 15, 1961, the factor to determine the maximum number of #dwelling units# shall be 680.

143-23 Special Yard Regulations

The applicable #rear yard# and #rear yard equivalent# regulations shall be modified as follows:

(a) Permitted obstructions

In any #rear yard# or #rear yard equivalent#, any #building# or portion of a #building# used for #commercial#, #manufacturing#, or #residential uses#, other than dwelling units, shall be a permitted obstruction, provided that the height of such #building# shall not exceed one #story#, excluding #basement#, nor in any event 23 feet above #curb level#.

In addition, in M1-5 Districts paired with an R9X District north of Howard Street, in any #rear yard#, any #building# or portion of a #building# used for any permitted non-#residential use#, shall be a permitted obstruction, provided that the height of such #building#, or portion thereof, shall not exceed two #stories#, excluding #basements#, nor in any event 30 feet above #curb level#.

Decks, parapet walls, roof thickness, skylights, vegetated roofs, and weirs, pursuant to Section 43-42 (Permitted Obstructions), shall be permitted above such height limitations.

(b) Required #rear yards#

For all #uses#, a #rear yard# with a depth of not less than 20 feet shall be provided, at every #rear lot line# on any #zoning lot#, except as follows:

- (1) no #rear yard# shall be required within 100 feet of the point of intersection of two #street lines# intersecting, at an angle of 135 degrees or less;
- (2) whenever a #front lot line# of a #zoning lot# coincides with all or part of a #street line# measuring less than 230 feet in length between two intersecting #streets#, no #rear yard# shall be required within 100 feet of such #front lot line#; and
- (3) for #interior lots# where the depth of such #zoning lot#, or a portion thereof, is less than 90 feet, and such shallow depth was in existence on December 15, 1961 and the date of application for a #building# permit, the required #rear yard# for such #interior lot#, or portion thereof, may be reduced by six inches for each foot by which the depth of a #zoning lot#, or portion thereof, is less than 90 feet. However, in no event shall the minimum depth of a #required yard#, or portion thereof, be reduced to less than 10 feet.

(c) Required #rear yard equivalents#

For #buildings#, or portions thereof, containing non-#residential uses#, no #rear yard equivalent# shall be required on any #through lot# or #through lot# portion of a #zoning lot#.

For #buildings#, or portions thereof, containing #residential# uses, on any #through lot# that is 110 feet or more in maximum depth from #street# to #street#, a #rear yard equivalent# consisting of an open area with a minimum depth of 40 feet midway, or within 10 feet of being midway between the two #street lines# upon which such #through lot# fronts, shall be provided.

However, for #through lots# where the depth of such #zoning lot#, or a portion thereof, is less than 180 feet, and such shallow depth was in existence on December 15, 1961 and on the date of application for a building permit, the required #rear yard equivalent# for such #through lot#, or portion thereof, may be reduced by one foot for each foot by which the depth of a #zoning lot#, or portion thereof, is less than 180 feet. However, in no event

shall the minimum depth of a #required yard#, or portion thereof, be reduced to less than 20 feet.

(d) Along district boundaries

The provisions of 43-30 (Special Provisions Applying Along District Boundaries), shall not apply along the district boundaries of two M1 Districts paired with #Residence Districts#.

**143-24
Special Height and Setback regulations**

For the purposes of this Section, Watts Street, West Broadway, Centre Street, and Great Jones Street shall be considered #wide streets#.

The applicable height and setback regulations are modified as follows:

(a) #Street wall# location

Along all #street# frontages, the #street wall# regulations applicable to #Quality Housing buildings# on a #wide street# in a C6 District, as set forth in Section 35-651 (Street wall location), shall apply. On #through lots#, the additional regulations set forth in paragraph (b) of Section 35-655 shall not apply.

For the purposes of applying such regulations, the minimum base height a #street wall# shall rise to, without setback, shall be those set forth in paragraph (b) of this Section.

(b) Base heights and maximum #building# heights

The table below sets forth the minimum and maximum base height, and maximum #building# height for all #buidings#.

A setback is required for all portions of a #building# that exceed the maximum base height specified for the applicable district, and shall be provided in accordance with paragraph (c) of this Section.

**MINIMUM BASE HEIGHT, MAXIMUM BASE HEIGHT,
AND MAXIMUM BUILDING HEIGHTS**

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

However, for any #zoning lot# located in a Historic District designated by the Landmarks Preservation Commission, the minimum and maximum base heights may be modified as follows:

- (1) the minimum base height of a #street wall# may vary between the minimum height set forth in the table above, and the height of the #street wall# of an adjacent #building# before setback, if such height is lower than the minimum base height; and
- (2) the maximum base height of a #street wall# may vary between the maximum base height set forth in the table above, and the height of the #street wall# of an adjacent #building# before setback, if such height is higher than the maximum base height.

(c) Setbacks

At a height not lower than the minimum base height or higher than the maximum base height specified for the applicable district in the table in paragraph (b) of this Section, a setback shall be provided in accordance with paragraph (c) of Section 23-662 (Maximum height of buildings and setback regulations) shall apply to such setbacks.

(d) Dormers

As an alternative, to the dormer provisions of paragraph (c) of Section 23-621, dormers may be a permitted obstruction within a required front setback distance above a maximum base height, provided that the aggregate width of all dormers, at the maximum base height does not exceed 40 percent of the width of the #street wall# of the highest #story# entirely below the maximum base height. Such dormers need not decrease in width as the height above the maximum base height increases.

**143-25
Additional bulk modifications**

For #buildings# containing #residences#, or portions thereof, the following additional #bulk# modifications shall apply.

(a) #Outer court# modifications

For #outer courts# containing #legally required windows#, if an #outer court# is less than 20 feet wide, the width of such #outer court# shall be, at least equal, to the depth of such #outer court#.

If an #outer court# is 20 feet or more in width, it may extend to any depth.

(b) #Inner court# modifications

For #inner courts# containing #legally required windows#, the area shall not be less than 600 square feet, and the minimum dimension of such #inner court# shall not be less than 20 feet.

The minimum horizontal distance between a #legally required window# opening on an #inner court# and any wall opposite such window on the same #zoning lot# shall not be less than 20 feet.

(c) Distance between #legally required windows# and #lot lines#

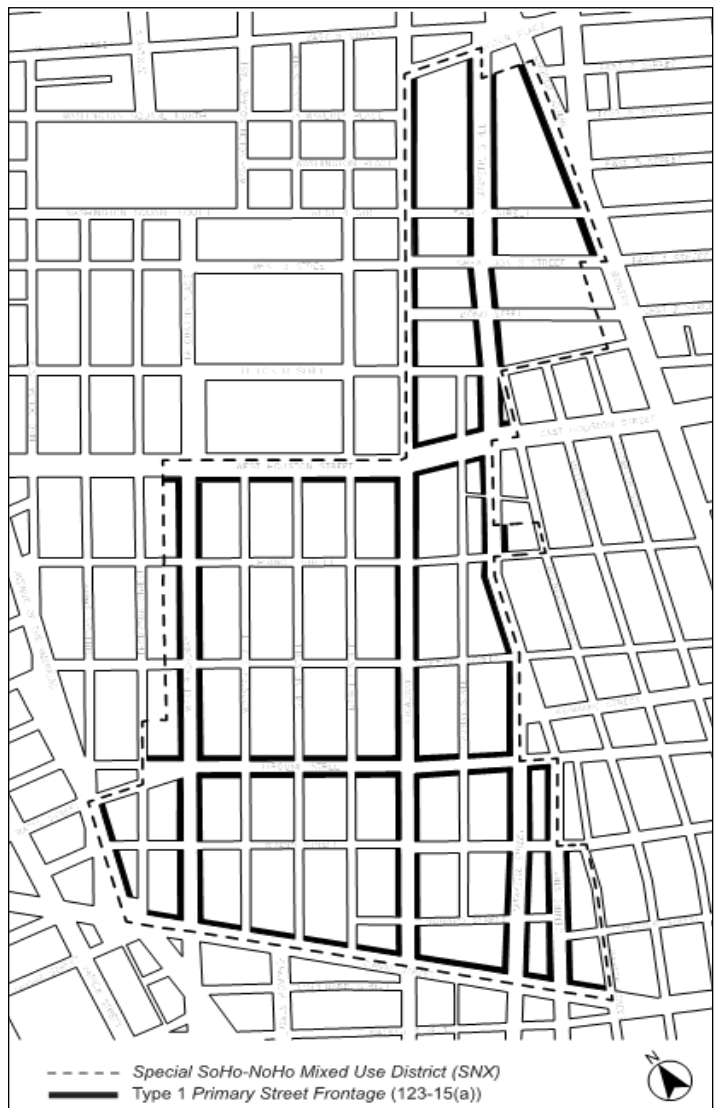
The minimum distance between a #legally required window# and: any wall; a #rear lot line#, or vertical projection thereof; or a #side lot line#, or vertical projection thereof; shall be 20 feet, measured in a horizontal plane, at the sill level of, and perpendicular to, such window for the full width of the rough window opening.

(d) Distance between #buildings#

The required minimum distance between the portion of a #building# containing #dwelling units# and any other #building# on the same #zoning lot# shall be 40 feet below a height of 125 feet. Portions of #buildings# above 125 feet that exceed, in aggregate, a #lot coverage# of 40 percent, shall be spaced, at least 80 feet apart.

**APPENDIX A
Special SoHo-NoHo Mixed Use District Plan**

Map 1: Ground Floor Use Requirements



APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

MANHATTAN

* * *

Manhattan Community District 2

Map 1 – [date of adoption]



the south, and Sixth Avenue, West Broadway, and Broadway, to the west. The Proposed Actions would affect an approximately 56-block, 146-acre area (the “Project Area”) of the SoHo and NoHo neighborhoods of Manhattan Community District 2. The Reasonable Worst-Case Development Scenario (RWCDS) for the Proposed Actions identifies 26 projected development sites. On the projected development sites, the Proposed Actions are expected to result in a net increase of approximately 1,829 projected dwelling units (DUs) (including approximately 382 to 573 permanently affordable DUs for lower-income New Yorkers in accordance with the Mandatory Inclusionary Housing Program (MIH)); 61,789 gross square feet (gsf) of projected retail space (local and destination retail and supermarket space); and 20,778 gsf of projected community facility space. The RWCDS also identifies 58 potential development sites, which are considered less likely to be developed by the analysis year. On the potential development sites, the Proposed Actions may result in a net increase of approximately 1,719 DUs, including 365 to 545 permanently affordable DUs; 52,360 gsf of potential destination retail space; and 16,272 gsf of potential community facility space. Development on some of these sites, due, to the sites’ location within New York City-designated historic districts, would be subject to future review and approval by the New York City Landmarks Preservation Commission (LPC) in accordance with the New York City Landmarks Law.

Written comments on the DEIS are requested and will be received and considered by the Lead Agency through Monday, September 13, 2021.

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

This hearing is being held pursuant, to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 21DCP059M.

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



a19-s2

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

The public hearing will be held on Wednesday, September 1, 2021, starting at 10:00 A.M. Eastern Daylight Time. The public hearing will be held in person in the NYC City Planning Commission Hearing Room, Lower Concourse, 120 Broadway, New York, NY. Masks are required to be worn to enter the building and during the hearing.

The meeting will be live streamed through Department of City Planning’s (DCP’s) website and accessible from the following webpage, which contains specific instructions on how to observe and participate remotely via the teleconferencing application Zoom, as well as materials relating to the meeting: <https://www1.nyc.gov/site/nycengage/events/city-planning-commission-public-meeting/287261/1>.

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

- 877 853 5247 US Toll-free
- 888 788 0099 US Toll-free
- 253 215 8782 US Toll Number
- 213 338 8477 US Toll Number

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

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

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

BOROUGH OF BROOKLYN
Nos. 1 & 2
1045 ATLANTIC AVENUE
No. 1

CD 3 C 210276 ZMK

IN THE MATTER OF an application submitted by Atlantic Brooklyn LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 16c & 17a, by changing from an M1-1 District to a C6-3A District property bounded by a line midway between Lefferts Place and Atlantic Avenue, a line perpendicular to the northeasterly street line of Atlantic Avenue distant 180 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of Atlantic Avenue and the westerly street line of Franklin Avenue, the northeasterly boundary line of the Long Island Rail Road right-of-way (Atlantic Division), and a line perpendicular to the northeasterly street line of Atlantic Avenue distant 210 feet southeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of Atlantic Avenue and the easterly street line of Classon Avenue, as shown on a diagram (for illustrative purposes only) dated June 21, 2021, and subject to the conditions of CEQR Declaration E-631.

No. 2

CD 3 N 210277 ZRK

IN THE MATTER OF an application submitted by Atlantic Brooklyn LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Article III Chapter 5 for the purpose of amending street wall location regulations and modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

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

* * *

ARTICLE III
COMMERCIAL DISTRICT REGULATIONS

* * *

Chapter 5
Bulk Regulations for Mixed Buildings in Commercial Districts

* * *

35-66
Special Height and Setback Provisions for Certain Areas

* * *

35-662
Special height and setback provisions in C6-3A Districts along Atlantic Avenue within Community District 3, Borough of Brooklyn

In C6-3A Districts in Community District 3, in the Borough of Brooklyn, for a #zoning lot# with frontage along Atlantic Avenue, the #street wall# provisions of paragraph (a) of Section 35-651 shall apply along the Atlantic Avenue #street# frontage, and shall also apply along #street# frontages intersecting Atlantic Avenue, within 50 feet of the intersection.

* * *

APPENDIX F
Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

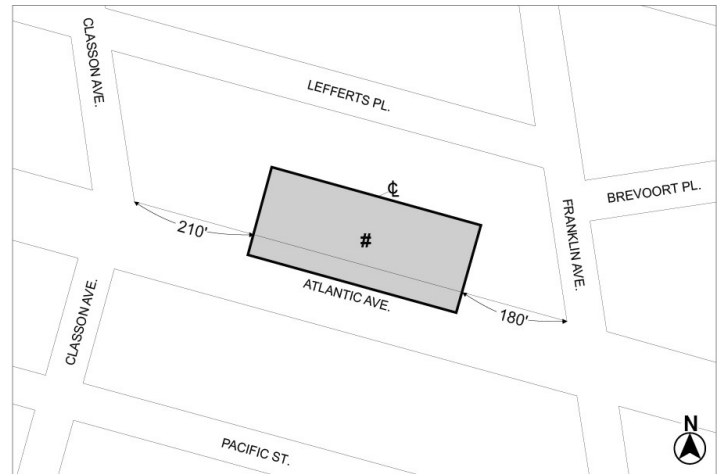
BROOKLYN

* * *

Brooklyn Community District 3

* * *

Map 7 - [date of adoption]



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

Portion of Community District 3, Brooklyn

* * *

Nos. 3-7
COOPER PARK COMMONS
No. 3

CD 1 C 210480 ZMK

IN THE MATTER OF an application submitted by Maspeth Manager, LLC and the New York City Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 13a and 13b:

- 1. changing from an R6 District to an R7-2 District property bounded by Jackson Street, Debevoise Avenue, Maspeth Avenue, and Kingsland Avenue; and
2. establishing within the proposed R7-2 District a C2-4 District bounded by a line 150 feet northerly of Maspeth Avenue, Debevoise Avenue, Maspeth Avenue, and Kingsland Avenue.

as shown on a diagram (for illustrative purposes only) dated June 21, 2021 and subject to the terms of CEQR Declaration E-629.

No. 4

CD 1 C 210481 ZSK

IN THE MATTER OF an application submitted by Maspeth Manager, LLC and the New York City Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 23-66 (Height and Setback Requirements for Quality Housing Buildings) and Section 23-711 (Standard minimum distance between buildings), in connection the development of two new buildings and the enlargement and conversion of two existing buildings, within a large-scale general development generally bounded by Jackson Street, Debevoise Avenue, Maspeth Avenue, and Kingsland Avenue/ Grandparents Avenue (Block 2885, Lots 1, 20, 23, 28, and 32), in R7-2* and R7-2/C2-4* Districts.

* Note: The development site is proposed to be rezoned by changing an existing R6 District to R7-2 and R7-2/C2-4 Districts under a concurrent related application for a Zoning Map change (C 210480 ZMK).

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

No. 5

CD 1 N 210482 ZRK

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

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

APPENDIX F
Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

BROOKLYN

Brooklyn Community District 1

* * *

Map 2 – [date of adoption]

[EXISTING MAP]



Inclusionary Housing designated area
 Excluded Area

[PROPOSED MAP]



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

Portion of Community District 1, Brooklyn

* * *

No. 6

CD 1
IN THE MATTER OF an application submitted by the New York City Department of Housing Preservation and Development (HPD)

C 210483 HAK

1. pursuant to Article 16 of the General Municipal Law of New York State for:
 - a. the designation of property, located at 288 Jackson Avenue (Block 2885, Lot 1) as an Urban Development Action Area; and
 - b. an Urban Development Action Area Project for such area; and
2. pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

to facilitate the enlargement of two existing buildings and the construction of two new buildings containing approximately 556 affordable and senior housing units, a 200-bed homeless shelter and community facility and commercial space.

No. 7

CD 1
IN THE MATTER OF an application submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Sections 197-c of the New York City Charter, to modify the restriction limiting use of property located at 20 Kingsland Avenue (Block 2885, Lot 10) from a health care facility use to general community facility uses.

C 210484 PPK

Nos. 8, 9 & 10
SPECIAL BROOKLYN NAVY YARD DISTRICT
No. 8

CD 2
IN THE MATTER OF an application submitted by Building 77 QALICB, Inc. and the NYC Small Business Services, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12d:

C 210462 ZMK

1. changing from an R6B District to an M2-1 District property bounded by the following courses:
 - (i) a line 400 feet northeasterly of Navy Street;
 - (ii) a line perpendicular to the last named course at a point 400 feet southeasterly (as measured on such named course) from the point of intersection of the southerly street line of Evans Street and the easterly street line of Little Street;
 - (iii) a line passing through a point along the northeasterly street line of Navy Street, 95 feet southeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of Navy Street and the easterly prolongation of a line 100 feet northerly of York Street and proceeding northerly at an angle 138 degrees to the northeasterly street line of Navy Street;
 - (iv) a line passing through a point along the last named course, 170 feet northerly of the northeasterly street line of Navy Street (as measured along the last named course), proceeding easterly at an angle 92 degrees to the last named course; and
 - (v) a line passing through a point along the last named course, 131 feet easterly of the intersection of the last named course and Course 1(iii) above (as measured along the last named course), proceeding northeasterly at an angle 117 degrees to the last named course;
2. changing from an M1-2 District to an M2-1 District property bounded by:
 - a. a line 400 feet northeasterly and easterly of Navy Street, the easterly centerline prolongation of Sands Street, Navy Street, and Course 1(ii); and
 - b. a line 400 feet northerly of Flushing Avenue, the northerly centerline prolongation of North Oxford Street, Flushing Avenue, and a line 680 feet easterly of Navy Street;
3. changing from an M3-1 District to an M2-1 District property bounded by:
 - a. a line 400 feet northerly of Flushing Avenue, a line 3,515 feet easterly of Navy Street, Flushing Avenue, and the northerly centerline prolongation of North Oxford Street; and
 - b. the following courses:
 - (i) Kent Avenue;
 - (ii) the southwesterly prolongation of the northwesterly street line of Clymer Street;
 - (iii) a line passing through the intersection of the southwesterly prolongation of the northwesterly street line of Clymer Street and the southwesterly street line of Kent Avenue and proceeding southerly at an angle 46 degrees from the southwesterly street line of Kent Avenue;
 - (iv) the southwesterly centerline prolongation of Taylor Street;
 - (v) a line passing through a point along the last named course 311 feet southwesterly (as measured along the last named course) of the intersection of the last named course and Course 3b(iii), proceeding northwesterly at an angle 100 degrees to the last named course;
 - (vi) the U.S. Pierhead and Bulkhead Line;
 - (vii) a line passing through a point along Course 3b(v) distant 919 feet northwesterly (as measured along Course 3b(v)) from the intersection of Course 3b(v) and Course 3b(iv), proceeding northeasterly at an angle 90 degrees to Course 3b(v);
 - (viii) a line passing through two points, the first being a point along the last named course 350 feet

northeasterly of the intersection of the last named course and **Course 3b(vi)** and the second being a point on the U.S. Pierhead and Bulkhead Line distant 149 feet southerly (as measured along the US Pierhead and Bulkhead Line) from the point of intersection of the U.S. Pierhead and Bulkhead Line and a southerly boundary line of the NYC Pierhead Line;

- (ix) the U.S. Pierhead and Bulkhead Line; and
(x) the easterly prolongation of the NYC Pierhead Line; and

c. the following courses:

- (i) a line 400 feet northeasterly and easterly of Navy Street;
(ii) a line passing through the point of intersection of the last named course and Course 1(v) proceeding easterly at an angle 115 degrees to Course 1(v);
(iii) a line passing through a point along the last named course 540 feet easterly (as measured along the last named course) from the intersection of the last named course and Course 1(v) proceeding southerly at an angle 90 degrees to the last named course; and
(iv) a line passing through a point along the last named course 294 feet southerly (as measured along the last named course) from the intersection of the last named course and Course 3c(ii) proceeding southwesterly at an angle 141 degrees to the last named course;

4. establishing a Special Brooklyn Navy Yard District (BNY) bounded by the following courses:

- (i) the U.S. Pierhead and Bulkhead Line;
(ii) the NYC Pierhead Line and its easterly prolongation;
(iii) Kent Avenue;
(iv) the northerly centerline prolongation of Classon Avenue;
(v) Williamsburg Street West;
(vi) Flushing Avenue;
(vii) a line 680 feet easterly of Navy Street;
(viii) a line 350 feet northerly of Flushing Avenue;
(ix) a line passing through a point on the last named course 272 feet westerly of the intersection of the last named course and Course 4(vii) proceeding northwesterly at an angle 135 degrees to the last named course;
(x) a line 34 feet southerly of the easterly centerline prolongation of Sands Street;
(xi) a line 132 feet easterly of Navy Street;
(xii) a line 50 feet southerly of the easterly centerline prolongation of Sands Street;
(xiii) Navy Street;
(xiv) Course 1(iii)
(xv) Course 1(iv)
(xvi) Course 1(v)
(xvii) Course 3c(ii)
(xviii) the northerly prolongation of Course 3c(iii)

as shown on a diagram (for illustrative purposes only) dated June 7, 2021.

No. 9

CD 2 N 210463 ZRK

IN THE MATTER OF an application submitted by Building 77 QALICB, Inc. and NYC Small Business Services, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York establishing the Special Brooklyn Navy Yard District (Article XIV, Chapter 4) and modifying other related Sections.

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

ARTICLE I
GENERAL PROVISIONS

Chapter 1
Title, Establishment of Controls and Interpretation of Regulations

11-12
Establishment of Districts

11-122
Districts established

In order to carry out the purposes and provisions of this Resolution, the following districts are hereby established:

Special Purpose Districts

* * *

Establishment of the Special Bay Street Corridor District

In order to carry out the special purposes of this Resolution as set forth in Article XIII, Chapter 5, the #Special Bay Street Corridor District# is hereby established.

Establishment of the Special Brooklyn Navy Yard District

In order to carry out the special purposes of this Resolution as set forth in Article XIV, Chapter 4, the #Special Brooklyn Navy Yard District# is hereby established.

Establishment of the Special City Island District

In order to carry out the special purposes of this Resolution as set forth in Article XI, Chapter 2, the #Special City Island District# is hereby established.

* * *

Chapter 2
Construction of Language and Definitions

* * *

12-10
Definitions

* * *

Special Bay Street Corridor District (6/26/19)

The "Special Bay Street Corridor District" is a Special Purpose District designated by the letters "BSC" in which special regulations set forth in Article XIII, Chapter 5, apply.

Special Brooklyn Navy Yard District ((date of adoption))

The "Special Brooklyn Navy Yard District" is a Special Purpose District designated by the letters "BNY" in which special regulations set forth in Article XIV, Chapter 4, apply.

Special City Island District (2/2/11)

The "Special City Island District" is a Special Purpose District designated by the letters "CD" in which special regulations set forth in Article XI, Chapter 2, apply.

* * *

Chapter 4
Sidewalk Café Regulations

* * *

14-44
Special Zoning Districts Where Certain Sidewalk Cafes Are Permitted

#Enclosed# or #unenclosed sidewalk cafes# shall be permitted, as indicated, in the following special zoning districts, where allowed by the underlying zoning. #Small sidewalk cafes#, however, may be located on #streets# or portions of #streets# within special zoning districts pursuant to the provisions of Section 14-43 (Locations Where Only Small Sidewalk Cafes Are Permitted).

* * *

Table with 3 columns: District Name, #Enclosed Sidewalk Café#, #Unenclosed Sidewalk Café#. Rows include Brooklyn, Bay Ridge District, Brooklyn Navy Yard District, and Coney Island District.

ARTICLE VI
SPECIAL REGULATIONS APPLICABLE TO CERTAIN AREAS

Chapter 2
Special Regulations Applying in the Waterfront Area

* * *

62-13
Applicability of District Regulations

* * *

The provisions of this Chapter shall not apply to the following Special Purpose Districts unless expressly stated otherwise in the special district provisions:

- #Special Battery Park City District#
Special Bay Street Corridor District (6/26/19)

The "Special Bay Street Corridor District" is a Special Purpose District designated by the letters "BSC" in which special regulations set forth in Article XIII, Chapter 5, apply.

Special Brooklyn Navy Yard District ((date of adoption))

The "Special Brooklyn Navy Yard District" is a Special Purpose District designated by the letters "BNY" in which special regulations set forth in Article XIV, Chapter 4, apply.

Special City Island District (2/2/11)

The "Special City Island District" is a Special Purpose District designated by the letters "CD" in which special regulations set forth in Article XI, Chapter 2, apply.

* * *

Chapter 4 Sidewalk Café Regulations

* * *

14-44 Special Zoning Districts Where Certain Sidewalk Cafes Are Permitted

#Enclosed# or #unenclosed sidewalk cafes# shall be permitted, as indicated, in the following special zoning districts, where allowed by the underlying zoning. #Small sidewalk cafes#, however, may be located on #streets# or portions of #streets# within special zoning districts pursuant to the provisions of Section 14-43 (Locations Where Only Small Sidewalk Cafes Are Permitted).

* * *

Table with 3 columns: District Name, #Enclosed Sidewalk Café#, #Unenclosed Sidewalk Café#. Rows include Bay Ridge District, Brooklyn Navy Yard District, and Coney Island District.

ARTICLE VI SPECIAL REGULATIONS APPLICABLE TO CERTAIN AREAS

Chapter 2 Special Regulations Applying in the Waterfront Area

* * *

62-13 Applicability of District Regulations

* * *

The provisions of this Chapter shall not apply to the following Special Purpose Districts unless expressly stated otherwise in the special district provisions:

- #Special Battery Park City District#
#Special Brooklyn Navy Yard District#
#Special Governors Island District#

* * *

ARTICLE XIV SPECIAL PURPOSE DISTRICTS

* * *

[All below text is new, to be underlined]

Chapter 4 Special Brooklyn Navy Yard District (BNY)

144-00 GENERAL PURPOSES

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

- (a) to encourage investment in the Brooklyn Navy Yard and facilitate the expansion of the Brooklyn Navy Yard as a modern manufacturing complex;
(b) to promote job growth;
(c) to allow for a mix of office, community facility, retail, and other commercial uses to complement the industrial and manufacturing facilities at the Brooklyn Navy Yard;
(d) to use traffic management planning to meet loading and parking needs including through alternate means of travel
(e) to better integrate the Brooklyn Navy Yard with the urban fabric of surrounding residential and mixed-use communities and to introduce publicly accessible open space areas within the perimeter of the Yard; and

- (f) to promote the most desirable use of land in accordance with a well-considered plan and thus conserve the value of land and buildings, and thereby protect the City's tax revenues.

144-01 Definitions

Definitions specifically applicable to this Chapter are set forth in this Section and may modify definitions set forth in Section 12-10 (DEFINITIONS). Where a term in italics is defined in both Section 12-10 and in this Chapter, the definitions in this Chapter shall govern. The terms #pier#, #platform#, and #floating structure# shall have the meaning set forth in Section 62-11 (Definitions).

Barge Basin

#Barge Basin# shall mean that inlet from the East River identified on Map 2 in the Appendix to this Chapter as the Barge Basin.

Shoreline

The definition of #shoreline# set forth in Section 12-10 is modified to mean the line identified as the Brooklyn Navy Yard Shoreline in that certain survey dated [date of survey] on file in the Office of the Department of City Planning.

144-02 General Provisions

The provisions of this Chapter shall apply within the #Special Brooklyn Navy Yard District#. The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented, or modified by the provisions of this Chapter or where excluded from application by the terms of such other Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control. However, in #flood zones#, in the event of a conflict between the provisions of this Chapter and the provisions of Article VI, Chapter 4 (Special Regulations Applying in Flood Zones), the provisions of Article VI, Chapter 4 shall control.

144-03 District Plan and Maps

The regulations of this Chapter are designed to implement the #Special Brooklyn Navy Yard District# Plan. The district plan includes the following maps in the Appendix to this Chapter:

- Map 1 Special Brooklyn Navy Yard District and Subdistricts
Map 2 Barge Basin Subareas and Public Access Areas
Map 3 Navy Street Central Subarea
Map 4 Flushing Avenue Subareas and View Corridors

The maps are hereby incorporated and made part of this Resolution for the purpose of specifying locations where the special regulations and requirements set forth in the text of this Chapter apply.

144-04 Subdistricts and Subareas

In order to carry out the purposes and provisions of this Chapter, four subdistricts are established within the #Special Brooklyn Navy Yard District# comprised of three perimeter subdistricts and one core subdistrict for the remainder of the Yard. In addition, one subarea is established in the Navy Street Subdistrict, two subareas are established within the Flushing Subdistrict and two subareas are established within the Barge Basin Subdistrict.

- Perimeter Subdistricts
Navy Street Subdistrict
Navy Street Central Subarea
Flushing Subdistrict
Flushing West Subarea
Flushing East Subarea
Barge Basin Subdistrict
Barge Basin East Subarea
Barge Basin West Subarea
Core Subdistrict

The boundaries of the Subdistricts are shown in Map 1 and the boundaries of the Subareas are shown on Maps 2 through 4 in the Appendix to this Chapter.

144-05 Applicability of Special Regulations Applying in the Waterfront Area

The provisions of Article VI, Chapter 2 (Special Regulations Applying in the Waterfront Area) shall not apply in the #Special Brooklyn Navy Yard District# except as expressly provided in this Chapter.

144-06 Single Zoning Lot

For all purposes of this Chapter, the #Special Brooklyn Navy Yard District# shall be deemed to be a single #zoning lot# except where expressly provided otherwise in this Chapter. #Floor area# attributable to the #zoning lot# may be located anywhere on the #zoning lot# without regard to Subdistrict boundary lines, and all #floor area# located within a Subdistrict shall be subject to the #use# and #bulk# requirements of such Subdistrict.

144-10 SPECIAL USE REGULATIONS

The provisions of Article IV, Chapter 2 (Use Regulations) are modified within the #Special Brooklyn Navy Yard District# by the provisions of Section 144-11 (Additional Uses Permitted in M2-1 zones) through Section 144-13 (Additional Uses in M3-1 Districts).

144-11 Additional Uses Permitted in All Districts

The following modifications to the underlying district regulations shall be applicable throughout the #Special Brooklyn Navy Yard District#:

- (a) Alcoholic beverages and breweries

The manufacture of alcoholic beverages and breweries, as specified in Section 42-15 (Use Group 18), shall be permitted, subject to the applicable performance standards, except that the provisions of Section 42-27 (Performance Standards Regulating Fire and Explosive Hazards) shall not apply.

- (b) Water-dependent #uses#

The provisions of Section 62-21 (Classification of Uses in the Waterfront Area), Section 62-22 (Commercial Docking Facilities), Section 62-24 (Uses on Piers and Platforms), and Section 62-25 (Uses on Floating Structures) shall apply, provided that all #uses# existing on #piers# and #platforms# as of [date of adoption] shall be deemed conforming #uses#.

- (c) #Physical culture or health establishments#

#Physical culture or health establishments# shall be permitted as-of-right and. For the purposes of applying the underlying regulations, such #use# shall be considered a Use Group 9A #use#, and shall be within parking requirement category (PRC) B.

144-12 Additional Uses Permitted in M2-1 Districts

The provisions of Section 42-10 (USES PERMITTED AS-OF-RIGHT) shall be modified to permit the following uses in M2-1 Districts, subject to the requirements of Section 144-212 (Floor area limitations on additional uses):

- (a) all Use Group 3A #uses#, as set forth in Section 22-13, not otherwise permitted by the underlying regulations other than #uses# containing sleeping accommodations; and
- (b) Use Groups 6C, 9A, 10A and 12B, as set forth in Sections 32-15, 32-18, 32-19 and 32-21, respectively, all #uses# not otherwise permitted by the underlying regulations.

144-13 Additional Uses in M3-1 Districts

Within M3-1 Districts, the City Planning Commission may allow, by authorization, #schools#, colleges or universities, as listed in Use Group 3A, provided that the Commission finds that:

- (a) such #school#, college or university has an academic program compatible with a tenant or industrial operation in the #Brooklyn Navy Yard Special District#; and
- (b) the location of the #school#, college or university will not interfere with any industrial #use# or alter the essential industrial character of the #Special Brooklyn Navy Yard District#.

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

144-20 SPECIAL BULK REGULATIONS

144-21 Floor Area Regulations

The #floor area# regulations of the underlying controls shall apply as modified by Sections 144-211 (Floor area ratio) through 144-213 (Floor area limitations on additional uses).

144-211 Floor area ratio

The maximum #floor area ratio# for all #uses# within the #Special Brooklyn Navy Yard Special District# shall be 2.0.

144-212 Floor area ratio calculations

Section 62-31 (Bulk Computations on Waterfront Zoning Lots) shall apply in the #Special Brooklyn Navy Yard District#.

144-213 Floor area limitations on additional uses

The additional #uses# allowed pursuant to Section 144-11 (Additional Uses Allowed in M2 Districts) shall be limited to 300,000 square feet of #floor area# within each Subdistrict where such additional #uses# are allowed, and the total #floor area# allocated to such additional #commercial uses# shall not exceed 100,000 square feet in each Subdistrict where the additional #uses# are allowed.

144-22 Yard Regulations

Section 43-20 (YARD REGULATIONS) and Section 43-31 (Other Special Provisions for Rear Yards) shall not apply in the #Special Brooklyn Navy Yard District#. In lieu thereof, no #yards# shall be required.

144-23 Height and Setback Regulations

The height and setback regulations set forth in Section 43-40 (HEIGHT AND SETBACK REGULATIONS) shall apply, except as modified by the regulations of this Section, inclusive.

144-231 Flushing East Subarea

- (a) Wide street designation

For purposes of applying the height and setback controls, Flushing Avenue shall be deemed a #wide street#.

- (b) Street wall location

The #street wall# of any #development# or horizontal #enlargement# within the Flushing East Subarea shall be located at least 50 feet from the Flushing Avenue #street line#. The area between such #development# or horizontal #enlargement# and the adjoining #street# shall be improved as publicly accessible space in accordance with Section 144-30 (SPECIAL PUBLIC ACCESS AREA REGULATIONS).

- (c) View corridors

View corridors with a minimum width of 50 feet shall be provided:

- (1) within the Vanderbilt Avenue view corridor; and
- (2) within one of the Clinton Avenue or Waverly Avenue view corridors.

The locations of such required view corridors are designated on Map 4 in the Appendix to this Chapter.

No #development# or horizontal #enlargement# may be located in the required view corridors, provided that gates and fencing, entry signage, sentry booths, and other entry and security measures may be located within such areas. Any gates or fencing shall be designed to allow for views into the #Special Brooklyn Navy Yard District#.

144-232 Barge Basin Subdistrict

In the Barge Basin Subdistrict, the underlying height and setback regulations shall not apply. In lieu thereof, all #buildings or other structures# shall comply with the provisions of this Section.

- (a) Sidewalk widening and Barge Basin setback

- (1) A sidewalk with a minimum width of 15 feet inclusive of any sidewalk located within the adjoining #street# shall be located along the Barge Basin Subdistrict. Any open area within the Barge Basin Subdistrict required to meet such minimum width shall be improved as a sidewalk to Department of Transportation standards,

shall be at the same level as the adjoining public sidewalk, and shall be accessible to the public at all times. Any required sidewalk widening line shall be deemed the #street line# for purposes of this Section 144-232.

- (2) No portion of any #development# or #enlargement# other than a #cellar# level located completely below grade shall be located within forty feet of the eastern boundary of the #Barge Basin# in the Barge Basin East Subarea or within fifty feet of the western boundary of the #Barge Basin# in the Barge Basin West Subarea. The area between the #Barge Basin# and any #building# within the Barge Basin Subdistrict shall be improved as publicly accessible space in accordance with Section 144-30 (SPECIAL PUBLIC ACCESS AREA REGULATIONS).

(b) Base height

The maximum base height of any #building# prior to the setbacks required by paragraph (e) of this Section shall be 85 feet or six stories, whichever is less.

(c) Building wall continuity

- (1) Any wall of any #building# #developed# or horizontally #enlarged# and facing the #Barge Basin# shall be located within eight feet of the setback distance required under paragraph (a)(ii) of this Section for a minimum of 70 percent of the length of the #building# frontage to a minimum height of 30 feet or two #stories# whichever is lower.
- (2) The #street wall# of any #building# #developed# or horizontally #enlarged# in the Barge Basin East Subarea shall be located within eight feet of the #street line# for a minimum of 70 percent of the length of the #building# frontage to a minimum height of 30 feet or two #stories# whichever is lower

For purposes of this paragraph #buildings# that abut one another shall be considered a single #building#.

(d) Building articulation

For walls of any #building# #developed# or horizontally #enlarged# and facing the #Barge Basin# having a length of more than 200 feet and subject to the building wall continuity requirement of paragraph (c), a minimum of 20 percent and maximum of 50 percent of the surface area of the #building# wall up to the height of the ceiling of the second #story# or 30 feet, whichever is lower, shall either recess or project from the plane of the #building# wall by a minimum of three feet. Such recesses and projections shall be treated as permitted obstructions.

(e) Required setback

Any portion of a #building# that exceeds the maximum base height set forth in paragraph (b) shall set back at least 15 feet from any #street line,# at least 70 feet from the eastern boundary of the #Barge Basin# in the Barge Basin East Subarea, and at least 80 feet from the western boundary of the #Barge Basin# in the Barge Basin West Subarea. In addition, in any location where a #building# or portion of a #building# is set back at least 60 feet from the boundary of the #Barge Basin# for a length of at least 50 feet, such portion may rise without setback subject to the requirements of paragraphs (f) and (g), provided that the length of any such #building wall# shall be limited to 100 feet.

(f) Sky Exposure Planes

- (i) Kent Avenue. Any portion of a #development# or horizontal #enlargement# facing Kent Avenue and located above the maximum base height set forth in paragraph (b) shall fit within a #sky exposure plane# of 5.6:1 commencing at the #street line# at such maximum base height.
- (ii) Barge Basin. Any portion of a #building# facing the Barge Basin and located above the maximum base height set forth in paragraph (b) shall fit within a #sky exposure plane# of 5.6:1.
- (iii) Southern Boundary. Any portion of a #building# facing the southern boundary of the Barge Basin Subdistrict shall fit within a #sky exposure plane# of 5.6:1 commencing at the southern boundary of the Subdistrict at a height of 85 feet above #base plane#.

For purposes of this paragraph, the setback lines set forth in paragraph (a)(ii) of Section 144-232 (Barge Basin Subdistrict) and the southern boundary of the Barge Basin Subdistrict shall be deemed #street lines#.

(g) Towers

#Buildings# may encroach on the #sky exposure planes# set forth in paragraph (f) and such portion of a #building# shall be deemed a tower, provided that (i) the #lot coverage# of such portion of the #building# shall not exceed, in the aggregate with any other #buildings# in the Subarea, 40 percent of the #lot area# of the relevant Subarea, and (ii) the width of the wall closest to Barge Basin of any tower portion shall not exceed 200 feet. For purposes of this paragraph, the Barge Basin East Subarea and the Barge Basin West Subarea shall each be considered a #zoning lot#.

(h) Permitted Obstructions

The provisions of Section 43-42 (Permitted Obstructions), as modified by paragraph (d) of this Section shall apply in the Barge Basin Subdistrict.

144-24

Shoreline Setback

Except as provided in Section 144-241 (Certification for resiliency measures) no #building# shall be located closer to the #shoreline# than 30 feet within the #Special Brooklyn Navy Yard District# other than (i) #buildings# used for #water dependent uses#, and (ii) #buildings# containing not more than 5,000 square feet of #floor area#.

The #shoreline# setback requirement set forth in Section 144-24 (Shoreline Setback) shall be eliminated or reduced in distance if the Chair of the City Planning Commission certifies to the Commissioner of the Department of Buildings or the Commissioner of the Department of Small Business Services, as applicable, that either:

- (a) a #building# proposed to be located within such 30 foot setback area incorporates flood protection measures for the immediate area of the #building# that protect the #building# to a level that is fifty-eight inches above the mean high water line existing on [date of adoption]; or
- (b) A district-wide resiliency plan for the #Special Brooklyn Navy Yard# has been adopted and the measures to be incorporated in connection with the #development# or already in place are in furtherance of the district-wide plan.

Measures shall be deemed protective if they alone or together with other measures in place at the time of construction protect the #building# from flooding to the elevation set forth in paragraph (a) of this Section or if they would support protection of the entire #Special Brooklyn Navy Yard District# to such elevation without further improvement of the portion of area directly seaward of the proposed #building#.

The Chairperson shall certify the application within 45 days of receipt of a complete application. Failure to certify within the 45-day period will release the Department of Buildings or the Department of Small Business Services from any obligation to withhold the excavation or building permit and authorize such agency to determine compliance with the provisions of this Section.

144-25

Modification of Bulk Regulations

Within the #Special Brooklyn Navy Yard District# the City Planning Commission may, by special permit, allow a modification of the #bulk# regulations of this Chapter and the underlying #bulk# regulations, except #floor area# regulations, provided the Commission finds that:

- (a) such modifications further the needs and objectives of the #Special Brooklyn Navy Yard District#;
- (b) such distribution of #bulk# will result in better site planning and will thus benefit both the residents, occupants or users of the #Special Brooklyn Navy Yard District# and the surrounding neighborhood;
- (c) such distribution of #bulk# will permit adequate access of light and air to surrounding public access areas, #streets# and properties; and
- (d) such distribution of #bulk# will not unduly increase the #bulk# of #buildings# in the #Special Brooklyn Navy Yard District# to the detriment of the occupants or users of #buildings# in the #Special Brooklyn Navy Yard District# or on nearby #blocks#.

The Commission may impose appropriate conditions and safeguards to assure that such modifications will not adversely affect the surrounding area.

144-30

SPECIAL PUBLIC ACCESS AREA REGULATIONS

Public access areas shall be provided in connection with #developments# located within the Subareas identified in this Section,

inclusive, as applicable. For purposes of determining the amount of public access area required in the Navy Street Central Subarea, the Barge Basin East Subarea, and the Barge Basin West Subarea, each such Subarea shall be deemed a single #zoning lot#.

**144-31
Required Public Access Areas**

(a) Navy Street Central Subarea

Except as set forth in paragraph (g), public access area in an amount equal to not less than 15 percent of the #lot area# of the Navy Street Central Subarea shall be provided within the Navy Street Central Subarea in connection with any #development# or #enlargement#. The required public access area shall have a minimum dimension in all directions of 50 feet for at least eighty percent of the public access area and shall have no dimension of less than 30 feet for the remainder of the required public access area.

If the Navy Street Central Subarea is #developed# with more than one #building# or horizontally #enlarged# in phases, the public access area may be constructed in phases provided that each phase includes an amount of public access area proportionate to the amount of #lot area# being #developed# with #buildings# or horizontally #enlarged# in each phase by certification of the Chairperson of City Planning, as set forth in paragraph (e) of this Section.

(b) Flushing East Subarea

Except as set forth in paragraph (g), public access area with a minimum depth of 50 feet from the #street line# extending along the entire length of the #street wall line# of a #building# shall be provided within the Flushing East Subarea in connection with any #development# or #enlargement# and shall extend to any visual corridor required under paragraph (c) of Section 144-231 (Flushing East Subarea) adjacent to the site of the #development# or #enlargement#.

(c) Barge Basin East Subarea

Except as set forth in Paragraph (g), public access area in an amount of at least 30 percent of the #lot area# of Barge Basin East Subarea shall be provided within the Barge Basin East Subarea in connection with any #development# or #enlargement#.

The Barge Basin East Subarea public access area shall consist of:

- (i) a pedestrian esplanade with a seaward edge contiguous with the eastern edge of the #Barge Basin# and a minimum width, measured from such edge, of 40 feet;
- (ii) a pedestrian connection with a minimum width of 30 feet located along the shared boundary between the Barge Basin East Subarea and the contiguous property to the northeast connecting the Kent Avenue and eastern portion of the pedestrian esplanade required by clause (i);
- (iii) a pedestrian connection with a minimum width of 60 feet located within 150 feet of the southern boundary of the Barge Basin East Subarea connecting Kent Avenue and the pedestrian esplanade required by clause (i); and
- (iv) such supplemental publicly accessible space contiguous to one or more of the elements set forth above as may be required to achieve the required percentage of publicly accessible area.

If the Barge Basin East Subarea is #developed# with more than one #building# or horizontally #enlarged# in phases, the required public access area may be constructed in phases provided that each phase includes an amount of public access area proportionate to the amount of #lot area# being #developed# with #buildings# or horizontally #enlarged# in each phase, as set forth in paragraph (e) of this Section.

(d) Barge Basin West Subarea

Except as set forth in paragraph (g), public access area in an amount of at least 20 percent of the #lot area# of Barge Basin West Subarea shall be provided within such parcel in connection with any #development# or #enlargement#.

The Barge Basin West Subarea public access area shall consist of:

- (i) a pedestrian esplanade with a seaward edge contiguous with the western edge of the #Barge Basin# and a minimum width measured from such edge of 50 feet;

- (ii) an esplanade entry area at the southern end of the Barge Basin West Subarea having a minimum width of 60 feet and a minimum length of 30 feet measured parallel to western edge of the #Barge Basin#; and
- (iii) such supplemental publicly accessible open space contiguous to one or more of the elements set forth above as may be required to achieve the percentage of publicly accessible area required by this paragraph.

If the Barge Basin West Subarea is #developed# with more than one #building# or horizontally #enlarged# in phases, the required public access area may be constructed in phases provided that each phase includes an amount of public access area proportionate to the amount of #lot area# being #developed# with #buildings# or horizontally #enlarged# in each phase, as set forth in paragraph (f) of this Section.

(e) Public Access Area Phasing in the Navy Street Central Subarea and in the Barge Basin East Subarea

Except in the Barge Basin West Subarea, where public access areas required under this Section may be phased, any such phased portion shall meet the following criteria:

- i. The amount of public access area being provided in any phase shall be in proportion to the total public access requirement based on the area of the Subarea being #developed# or horizontally #enlarged# as compared to the #lot area# of the Subarea. Any public access area provided in an earlier phase in excess of the amount required for such phase may be applied to a later phase;
- ii. The public access area being proposed in any phase shall not prevent the total amount of public access area required for a Subarea from being achieved;
- iii. Any phased portion of the required public access area shall comply with the minimum widths and other dimensions required for the public access areas;
- iv. Any phased portion of the required public access area shall connect directly to one or more of (i) a #street#, and (ii) an improved public access area; and
- v. Planting shall be included within the phase.

(f) Public Access Area Phasing in the Barge Basin West Subarea

Where public access in the Barge Basin West Subarea is phased, any such phased portion shall meet the following criteria:

- i. The public access area to be provided in the phase shall include the portion of the required public access area located between the #development# or horizontal #enlargement# and the Barge Basin;
- ii. If the #development# or #enlargement# included in a phase is located within 100 feet the southern boundary of the Subarea, the public access area shall also include the required public access area between the southern boundary and the #development# or horizontal #enlargement#;
- iii. The public access area being proposed in any phase shall not prevent the total amount of public access area required for a Subarea from being achieved;
- iv. Any phased portion of the required public access area shall comply with the minimum widths and other dimensions required for the public access areas;
- v. Any phased portion of the required public access area shall connect directly to one or more of (i) a #street#, (ii) a private street if the required public access area is required for the first phase of #development# or #enlargement#, and (iii) an improved public access area; and
- vi. A proportionate amount of planted areas shall be included within the phase.

(g) Exceptions to Public Access Area Requirements for Minor Developments

The public access area required under paragraphs (a) through (d) shall not apply to any #development# or #enlargement# adding #floor area# of an amount less than or equal to five percent of the #lot area# of the Subdistrict in which the Subarea is located, provided that the #use# that occupies such #floor area# is #accessory# to a Use Group 11, 16, 17, or 18 #use# or #uses# existing within the #Special Brooklyn Navy Yard District at the time of such #development# or #enlargement#. Any #development# or #enlargement# allowed, pursuant to this paragraph (g) must be located at least fifty feet away from the #street line# in the Navy Street Central Subarea and the Flushing East Subarea, and may not be located in the areas where public access areas are required within the Barge Basin Subdistrict.

144-32 Design Requirements

The required public access areas in each Subarea shall comply with the following provisions:

- (a) The required public access area shall be open to the sky, provided that #building# awnings, entrance canopies, solar shading devices, and similar structures attached to an adjoining #building# and extending over the public access area shall be permitted;
- (b) The required public access area shall include planted areas in an amount not less than 20% of the area of the required open space;
- (c) Except as set forth below in this Section, at least one linear foot of seating shall be provided for each 200 square feet of required public access areas;
- (d) Public access area signage complying with the requirements of Section 37-751 (Public space signage systems) shall be located at all entry points to the public access areas.

The requirements of paragraphs (b) and (c) shall not apply to the public access areas required under paragraph (c)(ii) of Section 144-31 (Required Public Access Areas). Additional amenities including pathways, seating steps, entrances to adjoining #buildings#, artwork, maritime or industrial elements, tables, seating above the required minimum, lighting fixtures, litter receptacles, kiosks, children play areas, railings, drinking fountains, water features, planting and trees may be included in the public access areas and shall be permitted obstructions.

144-33 Additional Barge Basin Design Requirements

In addition to the requirements set forth in Section 144-32 (Design Requirements), required public access areas in the Barge Basin Subdistrict shall comply with the following provisions:

- (a) The pedestrian esplanade around the #Barge Basin# and the pedestrian connections from Kent Avenue to the eastern pedestrian esplanade shall include a primary circulation path along the length of such elements with a minimum clear width of 10 feet.
- (b) At least three different types of seating shall be provided, which may include moveable seating, fixed individual seats, fixed benches with and without backs, and design-feature seating such as seat walls, planter ledges, or seating steps.

144-34 Hours of Operation

All public access areas shall be open to the public from 6:00 a.m. to 10:00 p.m. from April 15th to October 31st and from 7:00 a.m. to 8:00 p.m. from November 1st to April 14th, except when required to be closed for repairs.

144-35 Maintenance

The owner of each applicable portion of a Subarea, or a ground tenant if the applicable portion is subject to a ground lease, shall be responsible for the maintenance and operation of the required public access area. Maintenance shall include, but not be limited to, necessary repairs, litter control and the care and replacement of vegetation. The owner or ground tenant of a public access area may temporarily close the smallest portion reasonably necessary for the shortest period of time reasonably necessary to make repairs or to mitigate hazardous or emergency conditions, or in connection with construction on adjacent areas.

144-36 Chairperson Certification of Waterfront Compliance and Phasing

No excavation or building permit shall be issued for any #development# or #enlargement# requiring the provision of public access area in the Navy Street Central Subarea, the Barge Basin East Subarea, or the Barge Basin West Subarea until the Chairperson of the City Planning Commission certifies to the Department of Buildings or Department of Small Business Services, as applicable, that a complete application has been submitted showing compliance with the provisions of Section 144-31 (Required Public Access Areas), 144-32 (Design Requirements), and for the Barge Basin East Subarea and the Barge Basin West Subarea Section 144-33 (Additional Barge Basin Design Requirements), including the requirements of Section 144-31(e) or 144-31(f) for any phased public access area.

Within 45 days of submission of such complete application, the Chairperson shall either certify that the proposed public access area complies with the requirements of this Section or disapprove such complete application in writing, citing the nature of any failure to comply. Failure to certify or disapprove such complete application within the 45-day period will release the Department of Buildings or the Department of Small Business Services from any obligation to

withhold the excavation or building permit and authorize such agency to determine compliance with the provisions of this Section.

144-37 Timing of Public Access Areas

No temporary certificate of occupancy allowing for the actual occupancy by tenants or users of more than 10 percent of the #manufacturing floor area# in a #development# or horizontal #enlargement# resulting in a public access area requirement under Section 144-31 (Required Public Access Areas) shall be issued by the Department of Buildings or the Department of Small Business Services, as applicable, without the substantial completion of the public access area required for such #development# or horizontal #enlargement#, and no final certificate of occupancy allowing for the actual occupancy of any such #development# or horizontal #enlargement# shall be issued prior to the final completion of the required public access area.

144-40 MANDATORY DISTRICT PLAN ELEMENTS

The provisions of Section 144-40 (MANDATORY DISTRICT PLAN ELEMENTS) shall apply to new #developments# and horizontal #enlargements# within the #Navy Street Central Subarea, the Flushing East Subarea, and the Barge Basin East Subarea and the Barge Basin West Subarea subject to the requirements of Section 144-30 (SPECIAL PUBLIC ACCESS AREA REGULATIONS).

144-41 Ground Floor Streetscape Provisions

The provisions of this Section shall apply to #developments# and horizontal #enlargements# within the Special District Subareas subject to a public access area requirement under Section 144-30 (SPECIAL ACCESS AREA REGULATIONS), and shall apply to (a) #ground floor level street walls# more than 50 feet in length, (b) to #ground floor level# walls facing a public access area provided, pursuant to Section 144-30 (SPECIAL PUBLIC ACCESS AREA REGULATIONS) more than 50 feet in length, and (c) #ground floor level# walls within 50 feet of the frontages set forth in clauses (a) and (b). For purposes of the Section, #ground floor level# shall have the meaning set forth in Section 37-311 (Definitions).

#Ground floor level walls# meeting the requirements of clauses (a) and (b) shall be deemed "primary street frontages" and #ground floor level walls# meeting the requirements of (c) shall be deemed "secondary street frontages".

- (a) Along #primary street frontages#

Along #primary street frontages#, at least 50 percent of the width of the #ground floor level# shall be occupied by #floor area#, that extends to a minimum depth of thirty feet, provided that the depth may be reduced to not less than fifteen feet in areas where there are no walls parallel to the building frontage or #street wall# within such lesser depth.

The portion of the #ground floor level street wall# allocated to such minimum #floor area# requirement shall be glazed in accordance with the following requirements:

- (i) 50 percent of the surface area of such #street wall# and ground floor level walls, measured between a height of two feet above the level of the adjoining sidewalk or publicly accessible open area and a height of 12 feet above the average level of the sidewalk or public access area immediately adjacent to the #building# façade where the #use# adjacent to the #building# wall is a #community facility use# or a #commercial use# other than a #commercial use# listed in use Groups 11 or 16; and
- (ii) 25 percent of the surface area of such #street wall# and ground floor level walls, measured between a height of two feet above the level of the adjoining sidewalk or publicly accessible open area and a height of 12 feet above the average level of the sidewalk or public access area immediately adjacent to the #building# façade where the #use# adjacent to the #building# wall is a #manufacturing use# or a #commercial use# listed in use Groups 11 or 16.
- (c) Blank wall provisions along #primary# and #secondary street frontages#

Along both #primary# and #secondary street frontages#, any #street wall# width of 50 feet or more with no transparent elements on the #ground floor level# shall provide visual mitigation elements in accordance with the provisions for Type 1 blank walls set forth in Section 37-361 (Blank wall thresholds).

**144-50
SPECIAL PARKING AND LOADING REGULATIONS**

The requirements of Article IV, Chapter 4 (Accessory Off-Street Parking and Loading Regulations) shall not apply in the #Special Brooklyn Navy Yard District# except as specifically set for the in this Section. In lieu thereof, the provisions of this Section shall apply.

**144-51
Permitted Accessory Parking**

#Accessory# parking shall be permitted in the #Special Brooklyn Navy Yard District# without limitation subject to Section 144-54 (Curb Cuts).

**144-52
Required Accessory Off-Street Parking**

The requirements of Section 44-21 (General Provisions) shall apply within in the #Special Brooklyn Navy Yard District#, provided that in the event that a Transportation Management Plan has been prepared in accordance with Section 144-56 (Transportation Management Planning), Section 44-21 (General Provisions) shall not be applicable and no parking shall be required.

**144-53
Loading Berths**

Loading berths are not required but are permitted within the #Special Brooklyn Navy Yard District# subject to Section 144-54 (Curb Cuts), and any loading berths provided shall be deemed required loading berths for purposes of determining the amount of #floor area# in any #building#.

**144-54
Curb Cuts**

Access to any #accessory# off-street loading berth and parking areas for a #development# within the Navy Street Central Subarea, the Flushing East Subarea, and the Barge Basin East Subarea shall be limited to one curb cut from the adjoining #street#.

Additional curb cuts may be added in the Barge Basin East Subarea upon certification by the Chairperson of the City Planning Commission to the Commissioner of Buildings or the Department of Small Business Services, as applicable, that an additional curb cut has been approved by the Commissioner of the Department of Transportation.

The Chairperson shall issue the certification within 45 days of receipt of a communication from the Department of Transportation approving an additional curb cut. Failure to certify within the 45-day period will release the Department of Buildings or the Department of Small Business Services from any obligation to withhold the excavation or building permit and authorize such agency to determine compliance with the provisions of this Section.

**144-55
Bicycle Parking**

The requirements of Section 44-60 (BICYCLE PARKING) shall apply in the #Special Brooklyn Navy Yard District#, provided that up to half of the required spaces may be provided as unenclosed bicycle parking spaces, and may be located anywhere on the #zoning lot#.

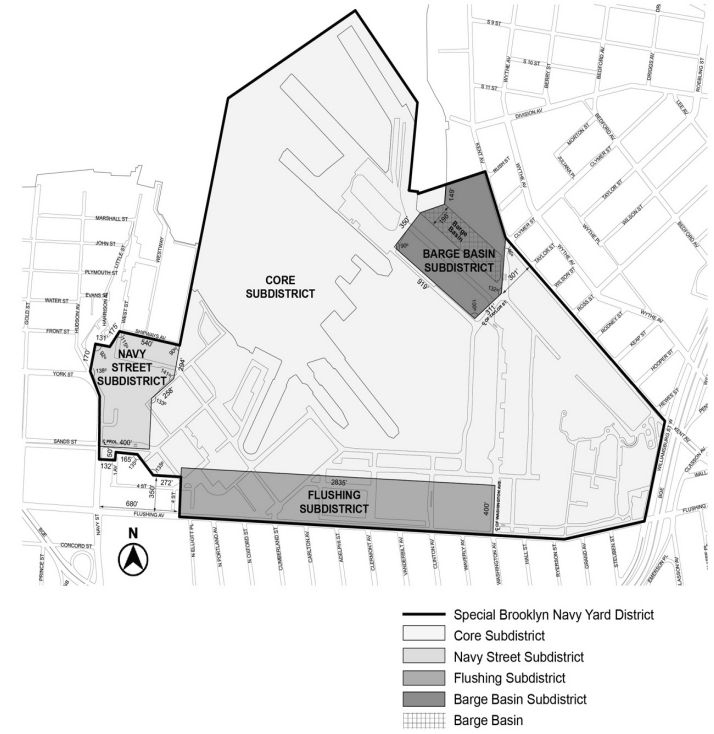
**144-56
Transportation Management Planning**

In lieu of the requirements of Section 44-21 (General Provisions), a Transportation Management Plan may be prepared for the #Special Brooklyn Navy Yard District# that documents: (i) existing parking within the Special District; (ii) parking and bicycle parking utilization rates; (iii) transportation mode choice; (iv) plans, if any, for additional parking within the Special District; (v) public transportation options in and around the Special District; (vi) indoor and outdoor bicycle parking facilities, including any covered outdoor bicycle spaces, and (vii) measures being employed and planned to incentivize alternate means of transportation. Any Transportation Management Plan shall be filed with the Department of City Planning and made available to the public via a website. The Transportation Management Plan shall be updated not less than every three (3) years with surveys or other data collection undertaken not less than annually to document changes in parking facilities and utilization; the average number of employees and visitors arriving at the #Special Brooklyn Navy Yard District# and their modes of arrival; bike parking availability and utilization of both open and enclosed facilities; transit options, and new technologies and strategies for managing the number of private vehicles accessing the #Special Brooklyn Navy Yard District#. Such updates shall be submitted to the Department of City Planning, and made available to the public via a website and the submission to the Department of City Planning shall be accompanied by an affidavit from the owner or ground tenant stating that the Transportation Management Plan remains in effect, or if it is no longer in effect the date that the Transportation Management Plan terminated.

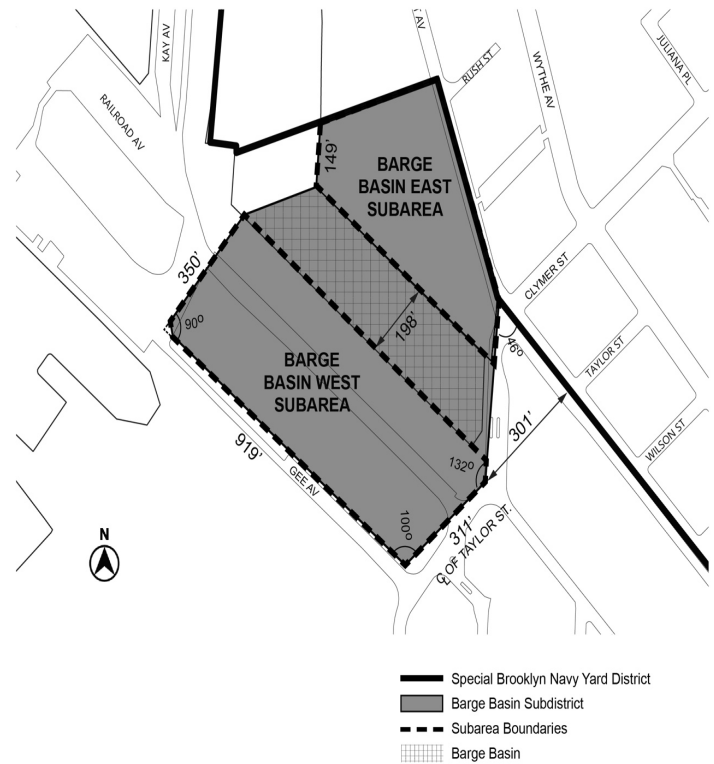
Any #development# or #enlargement# occurring after the date a Transportation Management Plan has terminated will be subject to the requirements of Section 44-21 (General Provisions).

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

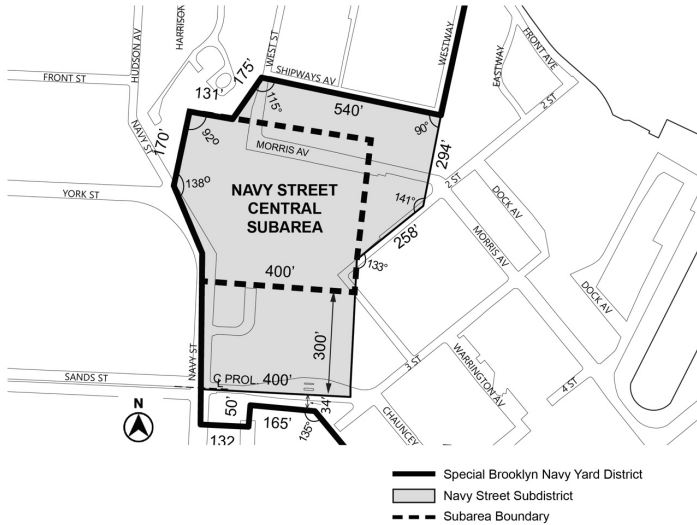
Map 1 - Special Brooklyn Navy Yard District and Subdistricts



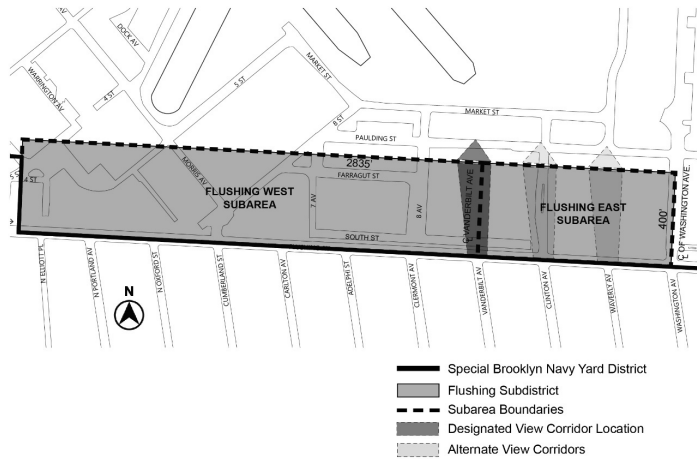
Map 2 - Barge Basin Subareas and Public Access Areas



Map 3 - Navy Street Central Subarea



Map 4 - Flushing Avenue Subareas and View Corridors



Resolution for adoption scheduling September 1, 2021 for a public hearing.

No. 10

N 210463(A) ZRK

CD 2
IN THE MATTER OF an application submitted by Building 77 QALICB, Inc., and NYC Small Business Services, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York establishing the Special Brooklyn Navy Yard District (Article XIV, Chapter 4) and modifying other related Sections.

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

**ARTICLE I
GENERAL PROVISIONS**

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

**11-12
Establishment of Districts**

**11-122
Districts established**

In order to carry out the purposes and provisions of this Resolution, the following districts are hereby established:

Special Purpose Districts

Establishment of the Special Bay Street Corridor District

In order to carry out the special purposes of this Resolution as set forth in Article XIII, Chapter 5, the #Special Bay Street Corridor District# is hereby established.

Establishment of the Special Brooklyn Navy Yard District

In order to carry out the special purposes of this Resolution as set forth in Article XIV, Chapter 4, the #Special Brooklyn Navy Yard District# is hereby established.

Establishment of the Special City Island District

In order to carry out the special purposes of this Resolution as set forth in Article XI, Chapter 2, the #Special City Island District# is hereby established.

**Chapter 2
Construction of Language and Definitions**

**12-10
Definitions**

Special Bay Street Corridor District (6/26/19)

The "Special Bay Street Corridor District" is a Special Purpose District designated by the letters "BSC" in which special regulations set forth in Article XIII, Chapter 5, apply.

Special Brooklyn Navy Yard District ([date of adoption])

The "Special Brooklyn Navy Yard District" is a Special Purpose District designated by the letters "BNY" in which special regulations set forth in Article XIV, Chapter 4, apply.

Special City Island District (2/2/11)

The "Special City Island District" is a Special Purpose District designated by the letters "CD" in which special regulations set forth in Article XI, Chapter 2, apply.

**Chapter 4
Sidewalk Café Regulations**

**14-44
Special Zoning Districts Where Certain Sidewalk Cafes Are Permitted**

#Enclosed# or #unenclosed sidewalk cafes# shall be permitted, as indicated, in the following special zoning districts, where allowed by the underlying zoning. #Small sidewalk cafes#, however, may be located on #streets# or portions of #streets# within special zoning districts pursuant to the provisions of Section 14-43 (Locations Where Only Small Sidewalk Cafes Are Permitted).

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

**ARTICLE VI
SPECIAL REGULATIONS APPLICABLE TO CERTAIN AREAS**

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

**62-13
Applicability of District Regulations**

The provisions of this Chapter shall not apply to the following Special Purpose Districts unless expressly stated otherwise in the special district provisions:

- #Special Battery Park City District#
- #Special Brooklyn Navy Yard District#
- #Special Governors Island District#

* * *

[All below text is new, to be underlined]

ARTICLE XIV SPECIAL PURPOSE DISTRICTS

* * *

Chapter 4 Special Brooklyn Navy Yard District (BNY)

144-00 GENERAL PURPOSES

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

- (a) to encourage investment in the Brooklyn Navy Yard and facilitate the expansion of the Brooklyn Navy Yard as a modern manufacturing complex;
- (b) to promote job growth;
- (c) to allow for a mix of office, community facility, retail, and other commercial uses to complement the industrial and manufacturing facilities at the Brooklyn Navy Yard;
- (d) to use traffic management planning to meet loading and parking needs including through alternate means of travel
- (e) to better integrate the Brooklyn Navy Yard with the urban fabric of surrounding residential and mixed-use communities and to introduce publicly accessible open space areas within the perimeter of the Yard; and
- (f) to promote the most desirable use of land in accordance with a well-considered plan and thus conserve the value of land and buildings, and thereby protect the City's tax revenues.

144-01 Definitions

Definitions specifically applicable to this Chapter are set forth in this Section and may modify definitions set forth in Section 12-10 (DEFINITIONS). Where a term in italics is defined in both Section 12-10 and in this Chapter, the definitions in this Chapter shall govern. The terms #pier#, #platform#, and #floating structure# shall have the meaning set forth in Section 62-11 (Definitions).

Barge Basin

#Barge Basin# shall mean that inlet from the East River identified on Map 2 in the Appendix to this Chapter as the Barge Basin.

Shoreline

The definition of #shoreline# set forth in Section 12-10 is modified to mean the line identified as the Brooklyn Navy Yard Shoreline in that certain survey dated [date of survey] on file in the Office of the Department of City Planning.

144-02 General Provisions

The provisions of this Chapter shall apply within the #Special Brooklyn Navy Yard District#. The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented, or modified by the provisions of this Chapter or where excluded from application by the terms of such other Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control. However, in #flood zones#, in the event of a conflict between the provisions of this Chapter and the provisions of Article VI, Chapter 4 (Special Regulations Applying in Flood Zones), the provisions of Article VI, Chapter 4 shall control.

144-03 District Plan and Maps

The regulations of this Chapter are designed to implement the #Special Brooklyn Navy Yard District# Plan. The district plan includes the following maps in the Appendix to this Chapter:

- Map 1 Special Brooklyn Navy Yard District and Subdistricts
Map 2 Barge Basin Subareas and Public Access Areas
Map 3 Navy Street Central Subarea
Map 4 Flushing Avenue Subareas and View Corridors

The maps are hereby incorporated and made part of this Resolution for the purpose of specifying locations where the special regulations and requirements set forth in the text of this Chapter apply.

144-04 Subdistricts and Subareas

In order to carry out the purposes and provisions of this Chapter, four subdistricts are established within the #Special Brooklyn Navy Yard District# comprised of three perimeter subdistricts and one core subdistrict for the remainder of the Yard. In addition, one subarea is established in the Navy Street Subdistrict, two subareas are established within the Flushing Subdistrict and two subareas are established within the Barge Basin Subdistrict.

Perimeter Subdistricts
Navy Street Subdistrict
Navy Street Central Subarea
Flushing Subdistrict
Flushing West Subarea
Flushing East Subarea
Barge Basin Subdistrict
Barge Basin East Subarea
Barge Basin West Subarea
Core Subdistrict

The boundaries of the Subdistricts are shown in Map 1 and the boundaries of the Subareas are shown on Maps 2 through 4 in the Appendix to this Chapter.

144-05 Applicability of Special Regulations Applying in the Waterfront Area

The provisions of Article VI, Chapter 2 (Special Regulations Applying in the Waterfront Area) shall not apply in the #Special Brooklyn Navy Yard District# except as expressly provided in this Chapter.

144-06 Single Zoning Lot

For all purposes of this Chapter, the #Special Brooklyn Navy Yard District# shall be deemed to be a single #zoning lot# except where expressly provided otherwise in this Chapter. #Floor area# attributable to the #zoning lot# may be located anywhere on the #zoning lot# without regard to Subdistrict boundary lines, and all #floor area# located within a Subdistrict shall be subject to the #use# and #bulk# requirements of such Subdistrict.

144-10 SPECIAL USE REGULATIONS

The provisions of Article IV, Chapter 2 (Use Regulations) are modified within the #Special Brooklyn Navy Yard District# by the provisions of Section 144-11 (Additional Uses Permitted in M2-1 zones) through Section 144-14 (Special Sign Regulations).

144-11 Additional Uses Permitted in All Districts

The following modifications to the underlying district regulations shall be applicable throughout the #Special Brooklyn Navy Yard District#:

Alcoholic beverages and breweries

The manufacture of alcoholic beverages and breweries, as specified in Section 42-15 (Use Group 18), shall be permitted, subject to the applicable performance standards, except that the provisions of Section 42-27 (Performance Standards Regulating Fire and Explosive Hazards) shall not apply.

Water-dependent #uses#

The provisions of Section 62-21 (Classification of Uses in the Waterfront Area), Section 62-22 (Commercial Docking Facilities), Section 62-24 (Uses on Piers and Platforms), and Section 62-25 (Uses on Floating Structures) shall apply, provided that all #uses# existing on #piers# and #platforms# as of [date of adoption] shall be deemed conforming #uses#.

#Physical culture or health establishments#

#Physical culture or health establishments# shall be permitted as-of-right and. For the purposes of applying the underlying regulations, such #use# shall be considered a Use Group 9A #use#, and shall be within parking requirement category (PRC) B.

144-12 Additional Uses Permitted in M2-1 Districts

The provisions of Section 42-10 (USES PERMITTED AS-OF-RIGHT) shall be modified to permit the following uses in M2-1 Districts, subject to the requirements of Section 144-212 (Floor area limitations on additional uses):

all Use Group 3A #uses#, as set forth in Section 22-13, not otherwise permitted by the underlying regulations other than #uses# containing sleeping accommodations; and

Use Groups 6C, 9A, 10A and 12B, as set forth in Sections 32-15, 32-18, 32-19 and 32-21, respectively, all #uses# not otherwise permitted by the underlying regulations.

144-13 Additional Uses in M3-1 Districts

Within M3-1 Districts, the City Planning Commission may allow, by authorization, #schools#, colleges or universities, as listed in Use Group 3A, provided that the Commission finds that:

such #school#, college or university has an academic program compatible with a tenant or industrial operation in the #Brooklyn Navy Yard Special District#; and

the location of the #school#, college or university will not interfere with any industrial #use# or alter the essential industrial character of the #Special Brooklyn Navy Yard District#.

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

144-14 Special Sign Regulations

In the #Special Brooklyn Navy Yard District#, the underlying #sign# regulations of Section 42-50 (SIGN REGULATIONS) shall apply, except as modified by the provisions of Section 144-141 (Illuminated non-flashing signage) through Section 144-143 (Special provisions near certain parks):

144-141 Illuminated non-flashing signage

The provisions of Section 42-533 (Illuminated or flashing signs) shall be modified to allow one #accessory# non-flashing illuminated sign# to have a #surface area# of 750 square feet in the Navy Street Central Subarea, between Clinton Avenue and Washington Avenue in the Flushing East Subarea, the Barge Basin East Subarea, and the Barge Basin West Subarea. All other #illuminated signs# shall comply with the requirements of Section 42-533 (Illuminated or flashing signs).

144-142 Special provisions along district boundaries

The provisions of Section 42-56 (Special Provisions Applying Along District Boundaries) shall be modified as follows:

within the Flushing East Subarea, the provisions of Section 42-561 (Restrictions along the district boundary located in a street) shall not apply to any #sign# provided in accordance with Section 144-141 (Illuminated non-flashing signage); and

within the Navy Street Central Subarea, the Flushing East Subarea, and the Barge Basin Subdistrict, the orientation provisions of Section 42-562 (Restriction on angle and height above curb level) shall not apply to #signs# provided in accordance with Section 144-141 (Illuminated non-flashing signage).

144-143 Special provisions near certain parks

The provisions of Section 42-55 (Additional Regulations for Signs Near Certain Parks and Designated Arterial Highways) shall not apply to any #signs# provided in accordance with Section 144-141 (Illuminated non-flashing signage) within the Barge Basin East Subarea.

144-20 SPECIAL BULK REGULATIONS

144-21 Floor Area Regulations

The #floor area# regulations of the underlying controls shall apply as modified by Sections 144-211 (Floor area ratio) through 144-213 (Floor area limitations on additional uses).

144-211 Floor area ratio

The maximum #floor area ratio# for all #uses# within the #Special Brooklyn Navy Yard Special District# shall be 2.0.

144-212 Floor area ratio calculations

Section 62-31 (Bulk Computations on Waterfront Zoning Lots) shall apply in the #Special Brooklyn Navy Yard District#.

144-213 Floor area limitations on additional uses

The additional #uses# allowed pursuant to Section 144-11 (Additional Uses Allowed in M2 Districts) shall be limited to 300,000 square feet of #floor area# within each Subdistrict where such additional #uses# are allowed, and the total #floor area# allocated to such additional #commercial uses# shall not exceed 100,000 square feet in each Subdistrict where the additional #uses# are allowed.

144-22 Yard Regulations

Section 43-20 (Yard Regulations) and Section 43-31 (Other Special Provisions for Rear Yards) shall not apply in the #Special Brooklyn Navy Yard District#. In lieu thereof, no #yards# shall be required.

144-23 Height and Setback Regulations

The height and setback regulations set forth in Section 43-40 (Height and Setback Regulations) shall apply, except as modified by the regulations of this Section, inclusive.

144-231 Flushing East Subarea

Wide street designation

For purposes of applying the height and setback controls, Flushing Avenue shall be deemed a #wide street#.

Street wall location

The #street wall# of any #development# or horizontal #enlargement# within the Flushing East Subarea shall be located at least 50 feet from the Flushing Avenue #street line#. The area between such #development# or horizontal #enlargement# and the adjoining #street# shall be improved as publicly accessible space in accordance with Section 144-30 (Special Public Access Area Regulations).

(c) View corridors

View corridors with a minimum width of 50 feet shall be provided: within the Vanderbilt Avenue view corridor; and

within one of the Clinton Avenue or Waverly Avenue view corridors.

The locations of such required view corridors are designated on Map 4 in the Appendix to this Chapter.

No #development# or horizontal #enlargement# may be located in the required view corridors, provided that gates and fencing, entry signage, sentry booths, and other entry and security measures may be located within such areas. Any gates or fencing shall be designed to allow for views into the #Special Brooklyn Navy Yard District#.

144-232 Barge Basin Subdistrict

In the Barge Basin Subdistrict, the underlying height and setback regulations shall not apply. In lieu thereof, all #buildings# or other structures# shall comply with the provisions of this Section.

Sidewalk widening and Barge Basin setback

A sidewalk with a minimum width of 15 feet inclusive of any sidewalk located within the adjoining #street# shall be located along the Barge Basin Subdistrict. Any open area within the Barge Basin Subdistrict required to meet such minimum width shall be improved as a sidewalk to Department of Transportation standards, shall be at the same level as the adjoining public sidewalk, and shall be accessible to the public at all times. Any required sidewalk widening line shall be deemed the #street line# for purposes of this Section 144-232.

No portion of any #development# or #enlargement# other than a #cellar# level located completely below grade shall be located within forty feet of the eastern boundary of the #Barge Basin# in the Barge Basin East Subarea or within fifty feet of the western boundary of the #Barge Basin# in the Barge Basin West Subarea. The area between the #Barge Basin# and any #building# within the Barge Basin Subdistrict shall be improved as publicly accessible space in accordance with Section 144-30 (Special Public Access Area Regulations).

Base height

The maximum base height of any #building# prior to the setbacks required by paragraph (e) of this Section shall be 85 feet or six stories, whichever is less.

Building wall continuity

Any wall of any #building# #developed# or horizontally #enlarged# and facing the #Barge Basin# shall be located within eight feet of the setback distance required under paragraph (a)(ii) of this Section for a minimum of 70 percent of the length of the #building# frontage to a minimum height of 30 feet or two #stories# whichever is lower.

The #street wall# of any #building# #developed# or horizontally #enlarged# in the Barge Basin East Subarea shall be located within eight feet of the #street line# for a minimum of 70 percent of the length of the #building# frontage to a minimum height of 30 feet or two #stories# whichever is lower

For purposes of this paragraph #buildings# that abut one another shall be considered a single #building#.

Building articulation

For walls of any #building# #developed# or horizontally #enlarged# and facing the #Barge Basin# having a length of more than 200 feet

and subject to the building wall continuity requirement of paragraph (c), a minimum of 20 percent and maximum of 50 percent of the surface area of the #building# wall up to the height of the ceiling of the second #story# or 30 feet, whichever is lower, shall either recess or project from the plane of the #building# wall by a minimum of three feet. Such recesses and projections shall be treated as permitted obstructions.

(e) Required setback

Any portion of a #building# that exceeds the maximum base height set forth in paragraph (b) shall set back at least 15 feet from any #street line,# at least 70 feet from the eastern boundary of the #Barge Basin# in the Barge Basin East Subarea, and at least 80 feet from the western boundary of the #Barge Basin# in the Barge Basin West Subarea. In addition, in any location where a #building# or portion of a #building# is set back at least 60 feet from the boundary of the #Barge Basin# for a length of at least 50 feet, such portion may rise without setback subject to the requirements of paragraphs (f) and (g), provided that the length of any such #building wall# shall be limited to 100 feet.

(f) Sky Exposure Planes

Kent Avenue. Any portion of a #development# or horizontal #enlargement# facing Kent Avenue and located above the maximum base height set forth in paragraph (b) shall fit within a #sky exposure plane# of 5.6:1 commencing at the #street line# at such maximum base height.

Barge Basin. Any portion of a #building# facing the Barge Basin and located above the maximum base height set forth in paragraph (b) shall fit within a #sky exposure plane# of 5.6:1.

Southern Boundary. Any portion of a #building# facing the southern boundary of the Barge Basin Subdistrict shall fit within a #sky exposure plane# of 5.6:1 commencing at the southern boundary of the Subdistrict at a height of 85 feet above #base plane#.

For purposes of this paragraph, the setback lines set forth in paragraph (a)(ii) of Section 144-232 (Barge Basin Subdistrict) and the southern boundary of the Barge Basin Subdistrict shall be deemed #street lines#.

(g) Towers

#Buildings# may encroach on the #sky exposure planes# set forth in paragraph (f) and such portion of a #building# shall be deemed a tower, provided that (i) the #lot coverage# of such portion of the #building# shall not exceed, in the aggregate with any other #buildings# in the Subarea, 40 percent of the #lot area# of the relevant Subarea, and (ii) the width of the wall closest to Barge Basin of any tower portion shall not exceed 200 feet. For purposes of this paragraph, the Barge Basin East Subarea and the Barge Basin West Subarea shall each be considered a #zoning lot#.

(h) Permitted Obstructions

The provisions of Section 43-42 (Permitted Obstructions), as modified by paragraph (d) of this Section shall apply in the Barge Basin Subdistrict.

**144-24
Shoreline Setback**

Except as provided in Section 144-241 (Certification for resiliency measures) no #building# shall be located closer to the #shoreline# than 30 feet within the #Special Brooklyn Navy Yard District# other than (i) #buildings# used for #water dependent uses#, and (ii) #buildings# containing not more than 5,000 square feet of #floor area#.

The #shoreline# setback requirement set forth in Section 144-24 (Shoreline Setback) shall be eliminated or reduced in distance if the Chair of the City Planning Commission certifies to the Commissioner of the Department of Buildings or the Commissioner of the Department of Small Business Services, as applicable, that either:

a #building# proposed to be located within such 30 foot setback area incorporates flood protection measures for the immediate area of the #building# that protect the #building# to a level that is fifty-eight inches above the mean high water line existing on [date of adoption]; or

A district-wide resiliency plan for the #Special Brooklyn Navy Yard# has been adopted and the measures to be incorporated in connection with the #development# or already in place are in furtherance of the district-wide plan.

Measures shall be deemed protective if they alone or together with other measures in place at the time of construction protect the #building# from flooding to the elevation set forth in paragraph (a) of this Section or if they would support protection of the entire #Special Brooklyn Navy Yard District# to such elevation without further improvement of the portion of area directly seaward of the proposed #building#.

The Chairperson shall certify the application within 45 days of receipt of a complete application. Failure to certify within the 45-day period will release the Department of Buildings or the Department of Small Business Services from any obligation to withhold the excavation or

building permit and authorize such agency to determine compliance with the provisions of this Section.

**144-25
Modification of Bulk Regulations**

Within the #Special Brooklyn Navy Yard District# the City Planning Commission may, by special permit, allow a modification of the #bulk# regulations of this Chapter and the underlying #bulk# regulations, except #floor area# regulations, provided the Commission finds that:

- such modifications further the needs and objectives of the #Special Brooklyn Navy Yard District#;
- such distribution of #bulk# will result in better site planning and will thus benefit both the residents, occupants or users of the #Special Brooklyn Navy Yard District# and the surrounding neighborhood;
- such distribution of #bulk# will permit adequate access of light and air to surrounding public access areas, #streets# and properties; and
- such distribution of #bulk# will not unduly increase the #bulk# of #buildings# in the #Special Brooklyn Navy Yard District# to the detriment of the occupants or users of #buildings# in the #Special Brooklyn Navy Yard District# or on nearby #blocks#.

The Commission may impose appropriate conditions and safeguards to assure that such modifications will not adversely affect the surrounding area.

**144-30
SPECIAL PUBLIC ACCESS AREA REGULATIONS**

Public access areas shall be provided in connection with #developments# located within the Subareas identified in this Section, inclusive, as applicable. For purposes of determining the amount of public access area required in the Navy Street Central Subarea, the Barge Basin East Subarea, and the Barge Basin West Subarea, each such Subarea shall be deemed a single #zoning lot#.

**144-31
Required Public Access Areas**

(a) Navy Street Central Subarea

Except as set forth in paragraph (g), public access area in an amount equal to not less than 15 percent of the #lot area# of the Navy Street Central Subarea shall be provided within the Navy Street Central Subarea in connection with any #development# or #enlargement#. The required public access area shall have a minimum dimension in all directions of 50 feet for at least eighty percent of the public access area and shall have no dimension of less than 30 feet for the remainder of the required public access area.

If the Navy Street Central Subarea is #developed# with more than one #building# or horizontally #enlarged# in phases, the public access area may be constructed in phases provided that each phase includes an amount of public access area proportionate to the amount of #lot area# being #developed# with #buildings# or horizontally #enlarged# in each phase by certification of the Chairperson of City Planning, as set forth in paragraph (e) of this Section.

(b) Flushing East Subarea

Except as set forth in paragraph (g), public access area with a minimum depth of 50 feet from the #street line# extending along the entire length of the #street wall line# of a #building# shall be provided within the Flushing East Subarea in connection with any #development# or #enlargement# and shall extend to any visual corridor required under paragraph (c) of Section 144-231 (Flushing East Subarea) adjacent to the site of the #development# or #enlargement#.

(c) Barge Basin East Subarea

Except as set forth in Paragraph (g), public access area in an amount of at least 30 percent of the #lot area# of Barge Basin East Subarea shall be provided within the Barge Basin East Subarea in connection with any #development# or #enlargement#.

The Barge Basin East Subarea public access area shall consist of:

- a pedestrian esplanade with a seaward edge contiguous with the eastern edge of the #Barge Basin# and a minimum width, measured from such edge, of 40 feet;
- a pedestrian connection with a minimum width of 30 feet located along the shared boundary between the Barge Basin East Subarea and the contiguous property to the northeast connecting the Kent Avenue and eastern portion of the pedestrian esplanade required by clause (i);
- a pedestrian connection with a minimum width of 60 feet located within 150 feet of the southern boundary of the Barge Basin East Subarea connecting Kent Avenue and the pedestrian esplanade required by clause (i); and

(iv) such supplemental publicly accessible space contiguous to one or more of the elements set forth above as may be required to achieve the required percentage of publicly accessible area.

If the Barge Basin East Subarea is #developed# with more than one #building# or horizontally #enlarged# in phases, the required public access area may be constructed in phases provided that each phase includes an amount of public access area proportionate to the amount of #lot area# being #developed# with #buildings# or horizontally #enlarged# in each phase, as set forth in paragraph (e) of this Section.

(d) Barge Basin West Subarea

Except as set forth in paragraph (g), public access area in an amount of at least 20 percent of the #lot area# of Barge Basin West Subarea shall be provided within such parcel in connection with any #development# or #enlargement#.

The Barge Basin West Subarea public access area shall consist of:

(i) a pedestrian esplanade with a seaward edge contiguous with the western edge of the #Barge Basin# and a minimum width measured from such edge of 50 feet;

(ii) an esplanade entry area at the southern end of the Barge Basin West Subarea having a minimum width of 60 feet and a minimum length of 30 feet measured parallel to western edge of the #Barge Basin#; and

(iii) such supplemental publicly accessible open space contiguous to one or more of the elements set forth above as may be required to achieve the percentage of publicly accessible area required by this paragraph.

If the Barge Basin West Subarea is #developed# with more than one #building# or horizontally #enlarged# in phases, the required public access area may be constructed in phases provided that each phase includes an amount of public access area proportionate to the amount of #lot area# being #developed# with #buildings# or horizontally #enlarged# in each phase, as set forth in paragraph (f) of this Section.

(e) Public Access Area Phasing in the Navy Street Central Subarea and in the Barge Basin East Subarea

Except in the Barge Basin West Subarea, where public access areas required under this Section may be phased, any such phased portion shall meet the following criteria:

The amount of public access area being provided in any phase shall be in proportion to the total public access requirement based on the area of the Subarea being #developed# or horizontally #enlarged# as compared to the #lot area# of the Subarea. Any public access area provided in an earlier phase in excess of the amount required for such phase may be applied to a later phase; The public access area being proposed in any phase shall not prevent the total amount of public access area required for a Subarea from being achieved; Any phased portion of the required public access area shall comply with the minimum widths and other dimensions required for the public access areas; Any phased portion of the required public access area shall connect directly to one or more of (i) a #street#, and (ii) an improved public access area; and Planting shall be included within the phase.

(f) Public Access Area Phasing in the Barge Basin West Subarea

Where public access in the Barge Basin West Subarea is phased, any such phased portion shall meet the following criteria:

The public access area to be provided in the phase shall include the portion of the required public access area located between the #development# or horizontal #enlargement# and the Barge Basin; If the #development# or #enlargement# included in a phase is located within 100 feet the southern boundary of the Subarea, the public access area shall also include the required public access area between the southern boundary and the #development# or horizontal #enlargement#;

The public access area being proposed in any phase shall not prevent the total amount of public access area required for a Subarea from being achieved; Any phased portion of the required public access area shall comply with the minimum widths and other dimensions required for the public access areas; Any phased portion of the required public access area shall connect directly to one or more of (i) a #street#, (ii) a private street if the required public access area is required for the first phase of #development# or #enlargement#, and (iii) an improved public access area; and A proportionate amount of planted areas shall be included within the phase.

(g) Exceptions to Public Access Area Requirements for Minor Developments

The public access area requirements of paragraphs (a) through (f) of this Section shall not apply to any #development# or #enlargement# where:

the additional #floor area# created through such #development# or #enlargement# in the respective Subarea, as compared to the #floor area# existing on [date of enactment], does not exceed: 10,000 square feet in either the Barge Basin East or the Navy Street Central Subareas; or 20,000 square feet in either the Barge Basin West or Flushing East Subareas; such #floor area# is allocated exclusively to #uses# in Use Group 11, 16, 17, or 18; and such #floor area# is not located within the boundaries of designated public access areas required pursuant to this Section, or if located in the Navy Street Central Subarea, is not within 50 feet of a #street#.

**144-32
Design Requirements**

The required public access areas in each Subarea shall comply with the following provisions:

The required public access area shall be open to the sky, provided that #building# awnings, entrance canopies, solar shading devices, and similar structures attached to an adjoining #building# and extending over the public access area shall be permitted;

The required public access area shall include planted areas in an amount not less than 20% of the area of the required open space;

Except as set forth below in this Section, at least one linear foot of seating shall be provided for each 200 square feet of required public access areas;

Public access area signage complying with the requirements of Section 37-751 (Public space signage systems) shall be located at all entry points to the public access areas.

The requirements of paragraphs (b) and (c) shall not apply to the public access areas required under paragraph (c)(ii) of Section 144-31 (Required Public Access Areas). Additional amenities including pathways, seating steps, entrances to adjoining #buildings#, artwork, maritime or industrial elements, tables, seating above the required minimum, lighting fixtures, litter receptacles, kiosks, children play areas, railings, drinking fountains, water features, planting and trees may be included in the public access areas and shall be permitted obstructions.

**144-33
Additional Barge Basin Design Requirements**

In addition to the requirements set forth in Section 144-32 (Design Requirements), required public access areas in the Barge Basin Subdistrict shall comply with the following provisions:

The pedestrian esplanade around the #Barge Basin# and the pedestrian connections from Kent Avenue to the eastern pedestrian esplanade shall include a primary circulation path along the length of such elements with a minimum clear width of 10 feet.

At least three different types of seating shall be provided, which may include moveable seating, fixed individual seats, fixed benches with and without backs, and design-feature seating such as seat walls, planter ledges, or seating steps.

**144-34
Hours of Operation**

All public access areas shall be open to the public from 6:00 A.M. to 10:00 P.M., from April 15th to October 31st and from 7:00 A.M. to 8:00 P.M. from November 1st to April 14th, except when required to be closed for repairs.

**144-35
Maintenance**

The owner of each applicable portion of a Subarea, or a ground tenant if the applicable portion is subject to a ground lease, shall be responsible for the maintenance and operation of the required public access area. Maintenance shall include, but not be limited to, necessary repairs, litter control and the care and replacement of vegetation. The owner or ground tenant of a public access area may temporarily close the smallest portion reasonably necessary for the shortest period of time reasonably necessary to make repairs or to mitigate hazardous or emergency conditions, or in connection with construction on adjacent areas.

**144-36
Chairperson Certification of Waterfront Compliance and Phasing**

No excavation or building permit shall be issued for any #development# or #enlargement# requiring the provision of public access area in the Navy Street Central Subarea, the Barge Basin East Subarea, or the Barge Basin West Subarea until the Chairperson of the City Planning Commission certifies to the Department of Buildings or Department of Small Business Services, as applicable, that a complete application has been submitted showing compliance with the

provisions of Section 144-31 (Required Public Access Areas), 144-32 (Design Requirements), and for the Barge Basin East Subarea and the Barge Basin West Subarea Section 144-33 (Additional Barge Basin Design Requirements), including the requirements of Section 144-31(e) or 144-31(f) for any phased public access area.

Within 45 days of submission of such complete application, the Chairperson shall either certify that the proposed public access area complies with the requirements of this Section or disapprove such complete application in writing, citing the nature of any failure to comply. Failure to certify or disapprove such complete application within the 45-day period will release the Department of Buildings or the Department of Small Business Services from any obligation to withhold the excavation or building permit and authorize such agency to determine compliance with the provisions of this Section.

144-37 Timing of Public Access Areas

No temporary certificate of occupancy allowing for the actual occupancy by tenants or users of more than 10 percent of the #manufacturing floor area# in a #development# or horizontal #enlargement# resulting in a public access area requirement under Section 144-31 (Required Public Access Areas) shall be issued by the Department of Buildings or the Department of Small Business Services, as applicable, without the substantial completion of the public access area required for such #development# or horizontal #enlargement#, and no final certificate of occupancy allowing for the actual occupancy of any such #development# or horizontal #enlargement# shall be issued prior to the final completion of the required public access area.

144-40 MANDATORY DISTRICT PLAN ELEMENTS

The provisions of Section 144-40 (Mandatory District Plan Elements) shall apply to new #developments# and horizontal #enlargements# within the #Navy Street Central Subarea, the Flushing East Subarea, and the Barge Basin East Subarea and the Barge Basin West Subarea subject to the requirements of Section 144-30 (SPECIAL PUBLIC ACCESS AREA REGULATIONS).

144-41 Ground Floor Streetscape Provisions

The provisions of this Section shall apply to #developments# and horizontal #enlargements# within the Special District Subareas subject to a public access area requirement under Section 144-30 (SPECIAL ACCESS AREA REGULATIONS), and shall apply to (a) #ground floor level street walls# more than 50 feet in length, (b) to #ground floor level# walls facing a public access area provided pursuant to Section 144-30 (SPECIAL PUBLIC ACCESS AREA REGULATIONS) more than 50 feet in length, and (c) #ground floor level# walls within 50 feet of the frontages set forth in clauses (a) and (b). For purposes of the Section, #ground floor level# shall have the meaning set forth in Section 37-311 (Definitions).

#Ground floor level walls# meeting the requirements of clauses (a) and (b) shall be deemed "primary street frontages" and #ground floor level walls# meeting the requirements of (c) shall be deemed "secondary street frontages".

(a) Along #primary street frontages#

Along #primary street frontages#, at least 50 percent of the width of the #ground floor level# shall be occupied by #floor area#, that extends to a minimum depth of thirty feet, provided that the depth may be reduced to not less than fifteen feet in areas where there are no walls parallel to the building frontage or #street wall# within such lesser depth.

The portion of the #ground floor level street wall# allocated to such minimum #floor area# requirement shall be glazed in accordance with the following requirements:

50 percent of the surface area of such #street wall# and ground floor level walls, measured between a height of two feet above the level of the adjoining sidewalk or publicly accessible open area and a height of 12 feet above the average level of the sidewalk or public access area immediately adjacent to the #building# façade where the #use# adjacent to the #building# wall is a #community facility use# or a #commercial use# other than a #commercial use# listed in use Groups 11 or 16; and

25 percent of the surface area of such #street wall# and ground floor level walls, measured between a height of two feet above the level of the adjoining sidewalk or publicly accessible open area and a height of 12 feet above the average level of the sidewalk or public access area immediately adjacent to the #building# façade where the #use# adjacent to the #building# wall is a #manufacturing use# or a #commercial use# listed in use Groups 11 or 16.

Blank wall provisions along #primary# and #secondary street frontages#

Along both #primary# and #secondary street frontages#, any #street wall# width of 50 feet or more with no transparent elements on the #ground floor level# shall provide visual mitigation elements in

accordance with the provisions for Type 1 blank walls set forth in Section 37-361 (Blank wall thresholds).

144-50 SPECIAL PARKING AND LOADING REGULATIONS

The requirements of Article IV, Chapter 4 (Accessory Off-Street Parking and Loading Regulations) shall not apply in the #Special Brooklyn Navy Yard District# except as specifically set for the in this Section. In lieu thereof, the provisions of this Section shall apply.

144-51 Permitted Accessory Parking

#Accessory# parking shall be permitted in the #Special Brooklyn Navy Yard District# without limitation subject to Section 144-54 (Curb Cuts).

144-52 Required Accessory Off-Street Parking

The requirements of Section 44-21 (General Provisions) shall apply within in the #Special Brooklyn Navy Yard District#, provided that in the event that a Transportation Management Plan has been prepared in accordance with Section 144-56 (Transportation Management Planning), Section 44-21 (General Provisions) shall not be applicable and no parking shall be required.

144-53 Loading Berths

Loading berths are not required but are permitted within the #Special Brooklyn Navy Yard District# subject to Section 144-54 (Curb Cuts), and any loading berths provided shall be deemed required loading berths for purposes of determining the amount of #floor area# in any #building#.

144-54 Curb Cuts

Access to any #accessory# off-street loading berth and parking areas for a #development# within the Navy Street Central Subarea, the Flushing East Subarea, and the Barge Basin East Subarea shall be limited to one curb cut from the adjoining #street#.

Additional curb cuts may be added in the Barge Basin East Subarea upon certification by the Chairperson of the City Planning Commission to the Commissioner of Buildings or the Department of Small Business Services, as applicable, that an additional curb cut has been approved by the Commissioner of the Department of Transportation.

The Chairperson shall issue the certification within 45 days of receipt of a communication from the Department of Transportation approving an additional curb cut. Failure to certify within the 45-day period will release the Department of Buildings or the Department of Small Business Services from any obligation to withhold the excavation or building permit and authorize such agency to determine compliance with the provisions of this Section.

144-55 Bicycle Parking

The requirements of Section 44-60 (Bicycle Parking) shall apply in the #Special Brooklyn Navy Yard District#, provided that up to half of the required spaces may be provided as unenclosed bicycle parking spaces, and may be located anywhere on the #zoning lot#.

144-56 Transportation Management Planning

In lieu of the requirements of Section 44-21 (General Provisions), a Transportation Management Plan may be prepared for the #Special Brooklyn Navy Yard District# that documents: (i) existing parking within the Special District; (ii) parking and bicycle parking utilization rates; (iii) transportation mode choice; (iv) plans, if any, for additional parking within the Special District; (v) public transportation options in and around the Special District; (vi) indoor and outdoor bicycle parking facilities, including any covered outdoor bicycle spaces, and (vii) measures being employed and planned to incentivize alternate means of transportation. Any Transportation Management Plan shall be filed with the Department of City Planning and made available to the public via a website. The Transportation Management Plan shall be updated not less than every three (3) years with surveys or other data collection undertaken not less than annually to document changes in parking facilities and utilization; the average number of employees and visitors arriving at the #Special Brooklyn Navy Yard District# and their modes of arrival; bike parking availability and utilization of both open and enclosed facilities; transit options, and new technologies and strategies for managing the number of private vehicles accessing the #Special Brooklyn Navy Yard District#. Such updates shall be submitted to the Department of City Planning, and made available to the public via a website and the submission to the Department of City Planning shall be accompanied by an affidavit from the owner or ground tenant stating that the Transportation Management Plan remains in effect, or if it is no longer in effect the date that the Transportation Management Plan terminated.

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

**BOROUGH OF MANHATTAN
No. 11
LAS RAICES**

CD 11 **C 210428 PPM**
IN THE MATTER OF an application submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Section 197-c of the New York City Charter, for the disposition of a city owned property, located at 303 East 102nd Street (Block 1674, Lot 104), 338 East 117th Street (Block 1688, Lot 34), 505-507 East 118th Street (Block 1815, Lots 5 and 6), 1761-1763 Park Avenue (Block 1771, Lots 1 and 2) for four new buildings containing approximately 81 affordable dwelling units and community facility space.

NOTICE

On Wednesday, September 1, 2021, a public hearing is being held by the City Planning Commission (CPC), accessible both in person and remotely, in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning an application for a CPC discretionary action by the New York City Department of Housing Preservation and Development (NYC HPD), on behalf of Las Raices East Harlem LLC, the Project Sponsor, that would facilitate the development of four new affordable housing developments “the proposed project” on four separate development sites in the East Harlem neighborhood of Manhattan, Community District 11 (CD 11). The proposed project would be facilitated by disposition of City-owned property through the Uniform Land Use Review Procedure (“the proposed action”). The proposed project would develop six tax lots grouped into four Development Sites (named A through D for identification purposes) with a total of four buildings containing a total of approximately 81 affordable dwelling units (DUs) (plus two superintendent’s units for a total of 83 units) and approximately 10,740 gross square feet (gsf) of community facility space. All six lots are City-owned and would be conveyed by HPD to the Project Sponsor as a result of the proposed action. Construction of the Proposed Project is expected to be completed in 2023.

Written comments on the DEIS are requested and will be received and considered by the Lead Agency through Monday, September 13, 2021.

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

This hearing is being held, pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 20HPD002M.

**Nos. 12, 13 & 14
250 WATER STREET
No. 12**

CD 1 **C 210438 ZSM**
IN THE MATTER OF an application submitted by 250 Seaport District, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of special permits, pursuant to the following sections of the Zoning Resolution:

1. Section 74-743(a)(1) – to allow the distribution of total allowable floor area without regard for zoning lot lines; and
2. Section 74-743(a)(2) – to modify the height and setback requirements of Section 62-341 (Development on land and platforms), Section 35-652 (Maximum height of buildings and setback regulations), and Sections 23-662 (Maximum height of buildings and setback regulations), and the street wall location requirements of Section 35-651 (Street wall location);

in connection with a proposed mixed use development on property located at 250 Water Street (Block 98, Lot 1), in a C6-2A District, within a Large-Scale General Development generally bounded by Pearl Street, Peck Slip, Water Street, Beekman Street and its easterly prolongation, the U.S. Pierhead line and John Street and its easterly prolongation (Block 73, p/o Lot 10, p/o Lot 8, Lot 11 & a portion of Marginal Street, Wharf or Place, Block 98, Lot 1, Block 74, p/o Lot 20, and the de-mapped portions of Fulton Street, Water Street & Front Street), in C4-6, C5-3, and C6-2A Districts, within the Special Lower Manhattan District.

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

No. 13

CD 1 **C 210438(A) ZSM**
IN THE MATTER OF an application submitted by 250 Seaport District, LLC, pursuant to Sections 197-c and 201 of the New York City Charter and proposed for modification pursuant to Section 206(c)(1) of

the Uniform Land Use Review Procedure for the grant of special permits, pursuant to the following sections of the Zoning Resolution:

1. Section 74-743(a)(1) – to allow the distribution of total allowable floor area without regard for zoning lot lines; and
2. Section 74-743(a)(2) – to modify the height and setback requirements of Section 62-341 (Development on land and platforms), Section 35-652 (Maximum height of buildings and setback regulations), and Section 23-662 (Maximum height of buildings and setback regulations), and the street wall location requirements of Section 35-651 (Street wall location);

in connection with a proposed mixed use development on property located at 250 Water Street (Block 98, Lot 1), in a C6-2A District, within a Large-Scale General Development generally bounded by Pearl Street, Peck Slip, Water Street, Beekman Street and its easterly prolongation, the U.S. Pierhead line and John Street and its easterly prolongation (Block 73, p/o Lot 10, p/o Lot 8, Lot 11 & a portion of Marginal Street, Wharf or Place, Block 98, Lot 1, Block 74, p/o Lot 20, and the de-mapped portions of Fulton Street, Water Street & Front Street), in C4-6, C5-3, and C6-2A Districts, within the Special Lower Manhattan District.

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

No. 14

CD 1 **N 210439 ZRM**
IN THE MATTER OF an application submitted by 250 Seaport District, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying the provisions of the South Street Seaport Subdistrict in Article IX Chapter 1 (Special Lower Manhattan District).

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

**ARTICLE IX
SPECIAL PURPOSE DISTRICTS**

**Chapter 1
Special Lower Manhattan District**

**91-60
REGULATIONS FOR THE SOUTH STREET SEAPORT
SUBDISTRICT**

* * *

**91-62
Definitions**

For purposes of this Section, matter in italics is defined in Section 12-10 (DEFINITIONS) or within this Section.

* * *

Receiving lot

Within the South Street Seaport Subdistrict, a “receiving lot” is a #zoning lot# identified on the map of transfer areas (Map 6 in Appendix A) to which #development rights# may be added. Such “receiving lots” are identified on the map as Parcels 1, 2, 8, 15, 16, 20, 21 and 22.

* * *

**91-68
Designated Pedestrian Ways**

Within the South Street Seaport Subdistrict, the volume situated above the subsurface #streets# shown on the City Map, and listed in this Section are designated pedestrian ways and are governed by paragraph (b) of the definition of #street# as set forth in Section 91-62 (Definitions):

- (a) Fulton Street, between Water and South Streets
- (b) Water Street, between Fulton and Beekman Streets
- (c) Front Street, between Fulton and Beekman Streets, and between John and Fulton Streets
- (d) South Street (the 18-foot-wide strip located on the northwesterly side), between Beekman and John Streets.

In addition, the designated pedestrian ways referenced in paragraphs (a), (b) and (c) of this Section may be considered a single #zoning lot# for purposes of the definition of #large-scale general development# in Section 12-10 (Definitions).

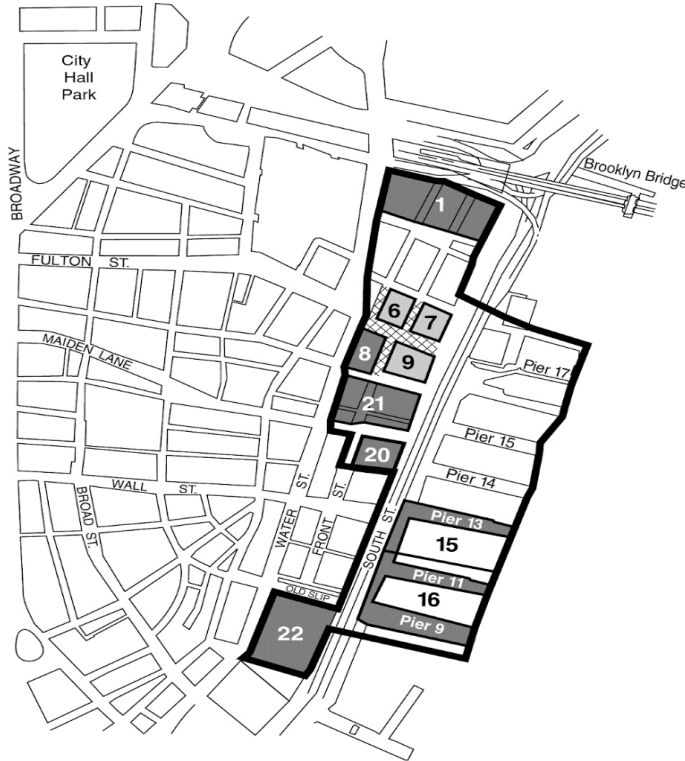
* * *

**Appendix A
Lower Manhattan District Plan Maps**

* * *

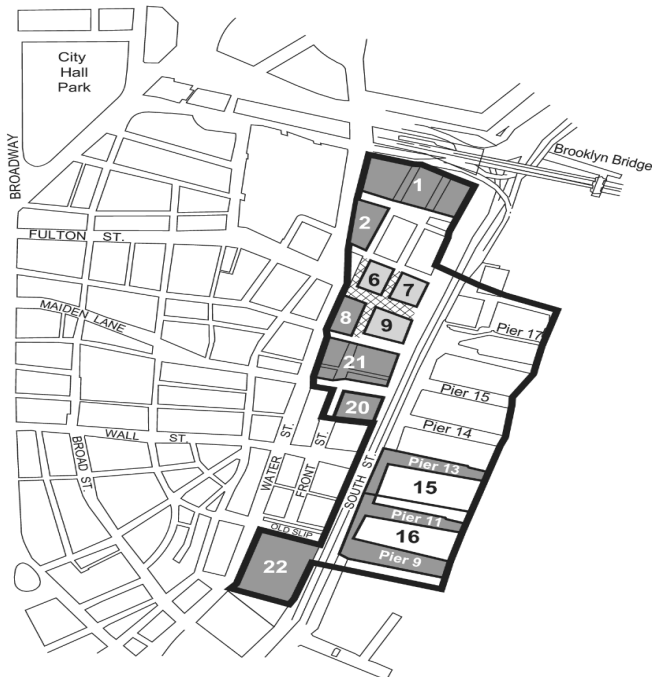
Map 6 - South Street Seaport Subdistrict (91-A6)

[EXISTING MAP]



— South Street Seaport Subdistrict
 ■ Receiving Lot
 ■ Granting Lot
 ▨ Designated Pedestrian Ways
 Numbers indicate Brooklyn Bridge Southeast Urban Renewal Plan Parcels

[PROPOSED MAP]



— South Street Seaport Subdistrict
 ■ Receiving Lot
 ■ Granting Lot
 ▨ Designated Pedestrian Ways
 Numbers indicate Brooklyn Bridge Southeast Urban Renewal Plan Parcels

* * *

Appendix A

NOTICE

On Wednesday, September 1, 2021, a public hearing is being held by the City Planning Commission (CPC), accessible both in person and remotely, in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning an application by 250 Seaport District, LLC (the Applicant). The Applicant is seeking a special permit, modifications to a previously approved large-scale general development (LSGD), zoning text amendments, and authorizations (the Proposed Actions) from the City Planning Commission (CPC) to facilitate the development of an up to approximately 680,500-gross square foot (gsf), up to 395-foot tall mixed-use building (the Proposed Project) containing market-rate and affordable housing, retail, office, and community facility spaces as well as parking at 250 Water Street (Block 98, Lot 1; the Development Site) in the South Street Seaport neighborhood in Lower Manhattan, Community District 1. The Proposed Project would also facilitate the restoration, reopening, and potential expansion of the South Street Seaport Museum (the Museum) at 89-93 South Street, 2-4 Fulton Street, 167-175 John Street (Block 74, a portion of Lot 1; the Museum Site). The Proposed Project would additionally include operational changes to facilitate passenger drop off on the Pier 17 access drive as well as minor improvements to the Pier 17 access drive area and building, and may include streetscape, open space, or other improvements (e.g., planters) under the Proposed Actions on the Project Area. The Project Area is also located within the South Street Seaport Historic District, and the construction and design of the proposed development is subject to Landmarks Preservation Commission (LPC) approval.

The public hearing will also consider a modification to the application (ULURP No. C 210438(A) ZSM).

Written comments on the DEIS are requested and will be received and considered by the Lead Agency through Monday, September 13, 2021.

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

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 21DCP084M.

Nos. 15-20
 175 PARK AVENUE
 No. 15

CD 5

C 210412 ZSM

IN THE MATTER OF an application submitted by Commodore Owner LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit, pursuant to Section 81-685* of the Zoning Resolution, in conjunction with a special permit pursuant to 81-64 (Special Floor Area Provisions for Qualifying Sites), to modify:

1. the qualifying site definition of Section 81-613* (Definitions) to include two or more zoning lots that are contiguous and in include the zoning lot occupied by Grand Central Terminal;
2. the requirement that a development exceed the basic maximum floor area ratio set forth in Row A of the table in Section 81-64 (Special Floor Area Provisions for Qualifying Sites) as a pre-condition to an increase in floor area pursuant to such table, where a qualifying site includes the zoning lot occupied by Grand Central Terminal;
3. the street wall regulations of Sections 81-43 (Street Wall Continuity along Designated Streets) and 81-671 (Special Street Wall Requirements);
4. the height and setback requirements of Section 81-27 (Alternative Height and Setback Regulations – Daylight Evaluation) and Section 81-66 (Special Height and Setback Requirements);
5. the mandatory district plan elements of Section 81-42 (Retail Continuity along Designated Streets), and 81-45 (Pedestrian Circulation Space), Section 81-674 (Ground floor use provisions) & Section 37-53 (Design Standards for Pedestrian Circulation Space);
6. the requirement that the publicly accessible space required pursuant to Section 81-681 (Mandatory Requirements for Qualifying Sites), comply with the provisions of Section 37-70 (Public Plazas); and
7. the requirements of Section 11-42 (Lapse of Authorization or Special Permit Granted by the City Planning Commission Pursuant to the 1961 Zoning Resolution) to extend the time period not to exceed 10 years, for substantial construction to

be completed prior to the lapse of any special permit granted for the qualifying site;

in connection with a proposed commercial building, on property located at 175 Park Avenue (Block 1280, Lot 30), within a qualifying site consisting of two zoning lots – Development Site Zoning Lot (Block 1280, Lot 30) and Grand Central Zoning Lot (Block 1280, Lots 1, 54, 154, 8154, 8254, 9001 & 9154), in a C5-3 District, within the Special Midtown District (Grand Central Subdistrict).

* Note: A zoning text amendment is proposed to Sections 81-613 and 81-685 under a concurrent related application for a Zoning Text change (N 210416 ZRM).

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

No. 16

CD 5 C 210413 ZSM

IN THE MATTER OF an application submitted by Commodore Owner LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit, pursuant to Section 81-621 of the Zoning Resolution to allow Use Group 5 uses (transient hotel), on property, located at 175 Park Avenue (Block 1280, Lot 30), in a C5-3 District, within the Special Midtown District (East Midtown Subdistrict).

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

No. 17

CD 5 C 210414 ZSM

IN THE MATTER OF an application submitted by Commodore Owner LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit, pursuant to Section 81-644* of the Zoning Resolution to allow an increase in the amount of floor area permitted, up to the amount specified in Row F of the table in Section 81-64 (Special Floor Area Provisions for Qualifying sites) where subway station and/or rail mass transit facility improvements are made in accordance with the provisions of Section 81-292 (Subway station improvements) and Section 74-634 (Subway station improvements in Downtown Brooklyn and in Commercial Districts of 10 FAR and above in Manhattan), in connection with a proposed commercial building, on property located at 175 Park Avenue (Block 1280, Lot 30), within a qualifying site consisting of two zoning lots – Development Site Zoning Lot (Block 1280, Lot 30) and Grand Central Zoning Lot (Block 1280, Lots 1, 54, 154, 8154, 8254, 9001 & 9154), in a C5-3 District, within the Special Midtown District (Grand Central Subdistrict - Grand Central Transit Improvement Zone Subarea).

* Note: A zoning text amendment is proposed to Section 81-644 under a concurrent related application for a Zoning Text change (N 210416 ZRM).

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

No. 18

CD 5 C 210415 ZSM

IN THE MATTER OF an application submitted by Commodore Owner, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit, pursuant to Section 81-645* of the Zoning Resolution as follows:

1. to allow an increase in the amount of floor area permitted, up to the amount specified in Row G of the table in Section 81-64 (Special Floor Area Provisions for Qualifying sites) where an above-grade public concourse, in the form of an open or enclosed, publicly accessible space for public use and enjoyment on the qualifying site; and
2. to modify the off-street loading berth requirements of Section 36-62 (Required Accessory Off-street Loading Berths) to allow a reduction in the required number of berths;

in connection with a proposed commercial building, on property located at 175 Park Avenue (Block 1280, Lot 30), within a qualifying site consisting of two zoning lots – Development Site Zoning Lot (Block 1280, Lot 30) and Grand Central Zoning Lot (Block 1280, Lots 1, 54, 154, 8154, 8254, 9001 & 9154), in a C5-3 District, within the Special Midtown District (Grand Central Subdistrict).

* Note: A zoning text amendment is proposed to Section 81-645 under a concurrent related application for a Zoning Text change (N 210416 ZRM).

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

No. 19

CD 5 N 210416 ZRM

IN THE MATTER OF an application submitted by Commodore Owner LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York modifying the provisions of the East Midtown Subdistrict in Article VIII, Chapter 1 (Special Midtown District).

Matter underlined is new, to be added;

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

ARTICLE VIII
SPECIAL PURPOSE DISTRICTS

Chapter 1
Special Midtown District

* * *

81-60
SPECIAL REGULATIONS FOR THE EAST MIDTOWN
SUBDISTRICT

* * *

81-61
General Provisions

* * *

81-613
Definitions

* * *

Public Realm Improvement Fund

For the purposes of Section 81-60, inclusive, the “Public Realm Improvement Fund” (the “Fund”) shall be a separate interest-bearing account established for the deposit of contributions made when #developments# or, where permitted, #enlargements# on #qualifying sites# in the East Midtown Subdistrict will exceed the basic maximum #floor area ratio# set forth in Section 81-64 (Special Floor Area Provisions for Qualifying Sites) through their utilization of the provisions of Sections 81-642 (Transfer of development rights from landmarks to qualifying sites), or 81-643 (Special provisions for retaining non-complying floor area in commercial buildings) or 81-685 (Special permit to modify qualifying site provisions). The Fund shall be utilized, at the discretion of the #Public Realm Improvement Fund Governing Group#, to provide funding to implement improvements to the East Midtown Subdistrict, and its immediate vicinity, in the Borough of Manhattan. Upon receipt of any contribution, the #Public Realm Improvement Fund Governing Group# or the Department of City Planning shall notify the Comptroller of the City of New York and the Speaker of the New York City Council and promptly deposit it into the Fund.

* * *

81-644
Special permit for transit improvements

For #qualifying sites# located in the Grand Central Transit Improvement Zone Subarea, or the Other Transit Improvement Zone Subarea, as shown on Map 2 (East Midtown Subdistrict and Subareas) in Appendix A of this Chapter, the City Planning Commission may permit an increase in the amount of #floor area ratio# permitted on such #zoning lots#, up to the amount specified in Row F of the table in Section 81-64 (Special Floor Area Provisions for Qualifying Sites), as applicable, where subway station and/or rail mass transit facility improvements are made in accordance with the provisions of Sections 81-292 (Subway station improvements) and 74-634 (Subway station improvements in Downtown Brooklyn and in Commercial Districts of 10 FAR and above in Manhattan).

As a pre-condition to applying for such special permit, an applicant shall demonstrate that the maximum as-of-right #floor area ratio# for #qualifying sites# set forth in Row E of the table in Section 81-64 has been achieved prior to, or in conjunction with, the special permit application.

81-645
Special permit for a public concourse

For #qualifying sites#, the City Planning Commission may permit an increase in the amount of #floor area ratio# permitted on such #zoning lots#, up to the amount specified in Row G of the table in Section 81-64 (Special Floor Area Provisions for Qualifying Sites), as applicable, where an above-grade public concourse, in the form of an open or enclosed, publicly accessible space for public use and enjoyment, is provided on the #qualifying site#. Such publicly accessible spaces shall include amenities that are characteristic of #public plazas# or public atriums, as applicable, for the comfort and convenience of the public. In addition, to facilitate such public concourse, the Commission may permit the modification of provisions, other than #floor area ratio# regulations, of this Resolution.

As a pre-condition to applying for such special permit, an applicant shall demonstrate that the maximum as-of-right #floor area ratio# for #qualifying sites# set forth in Row E of the table in Section 81-64 has been achieved prior to, or in conjunction with, the special permit application.

In order for the City Planning Commission to approve a special permit application for additional #floor area#, the Commission shall determine that such #development# or, where permitted, #enlargement#, complies

with the conditions and application requirements of paragraph (a), the findings of paragraph (b) and the additional requirements of paragraph (c) of this Section.

- (a) Applications shall include information and justification sufficient to provide the Commission with the basis for:
 - (1) evaluating the benefits to the general public;
 - (2) determining the appropriate amount of increased #floor area# to grant; and
 - (3) determining whether the applicable findings set forth in paragraph (b) of this Section have been met. Such application materials shall also include initial plans for the maintenance of the proposed improvements.
- (b) The Commission shall find that:
 - (1) to the extent practicable, the open or enclosed public concourse will:
 - (i) consist of a prominent space of generous proportions and quality design that is inviting to the public;
 - (ii) improve pedestrian circulation and provide suitable amenities for the occupants;
 - (iii) front upon a #street# or a pedestrian circulation space in close proximity to and within view of, and accessible from, an adjoining sidewalk;
 - (iv) provide or be surrounded by active #uses#;
 - (v) be surrounded by transparent materials;
 - (vi) provide connections to pedestrian circulation spaces in the immediate vicinity; and
 - (vii) be designed in a manner that combines the separate elements within such space into a cohesive and harmonious site plan, resulting in a high-quality public space; and
 - (2) the public benefit derived from the proposed public concourse merits the amount of additional #floor area# being granted to the proposed #development# or, where permitted, #enlargement#, pursuant to this special permit; and
 - (3) with regard to a modification to regulations of this Resolution, other than #floor area ratio# regulations, such modification:
 - (i) is the minimum extent necessary and will facilitate an improved public concourse, inclusive of enhancements described in the findings of paragraph (b)(1) of this Section; and
 - (ii) will not have adverse effects on the #qualifying site#, surrounding #zoning lots#, or adjacent #streets#.
- (c) Prior to obtaining a foundation permit or building permit for a #development# or, where permitted, an #enlargement# on a #qualifying site#, from the Department of Buildings, a written declaration of restrictions, in a form acceptable to the Chairperson of the City Planning Commission, setting forth the obligations of the owner to construct, maintain and provide public access to public improvements provided pursuant to this Section, shall be recorded against such property in the Office of the Register of the City of New York (County of New York). Proof of recordation of the declaration of restrictions shall be submitted in a form acceptable to the Department of City Planning.

No temporary certificate of occupancy shall be granted by the Department of Buildings for the portion of the #building# utilizing increased #floor area# granted pursuant to the provisions of this Section until the required improvements have been substantially completed, as determined by the Chairperson, and such improvements are usable by the public. Such portion of the #building# utilizing increased #floor area# shall be designated by the Commission in drawings included in the declaration of restrictions filed pursuant to this paragraph.

No permanent certificate of occupancy shall be granted by the Department of Buildings for the portion of the #building# utilizing increased #floor area# until all improvements have been finally completed in accordance with the approved plans, as determined by the Chairperson.

* * *

**81-685
Special permit to modify qualifying site provisions**

In conjunction with any application that would allow additional #floor area# permitted beyond the basic maximum #floor area# for a #qualifying site# set forth in Section 81-64 (Special Floor Area Provisions for Qualifying Sites), the City Planning Commission may permit modifications to certain #qualifying site# criteria, as well as height and setback regulations and mandatory plan elements, as set

forth in paragraph (a) of this Section, provided that the Commission determines that the application requirements set forth in paragraph (b) and the findings set forth in paragraph (c) of this Section are met.

- (a) The Commission may modify the following, whether singly or in any combination:
 - (1) the following #qualifying site# criteria:
 - (i) the requirement for minimum #wide street# frontage, including the requirement that no existing #buildings# will remain on such #wide street# frontage, set forth in paragraphs (b) and (c) of the definition of a #qualifying site# in Section 81-613 (Definitions);
 - (ii) the #building# performance and publicly accessible space requirements in paragraph (f) of the definition of a #qualifying site# and Section 81-681 (Mandatory requirements for qualifying sites); or
 - (iii) the requirement that the additional #floor area# permitted through the provisions of Section 81-64 be achieved exclusively through a #development#;
 - (iv) the requirement that a #qualifying site# be comprised of a single #zoning lot#, provided that the two or more #zoning lots# constituting such #qualifying site# are contiguous and include the #zoning lot# occupied by Grand Central Terminal. All #bulk# regulations of this Chapter shall apply to such modified #qualifying site# without regard to #zoning lot lines#; or
 - (v) the requirement that a #development# or #enlargement# exceed the basic maximum #floor area ratio# set forth in Row A of the table in Section 81-64 as a pre-condition to an increase in #floor area# pursuant to such table, where a #qualifying site# includes the #zoning lot# occupied by Grand Central Terminal;
 - (2) the provisions for #zoning lots# divided by district boundaries set forth in Sections 77-02 (Zoning Lots Not Existing Prior to Effective Date or Amendment of Resolution), 77-21 (General Provisions) or 77-22 (Floor Area Ratio), and the provisions of Section 81-612 (Applicability along district boundaries) requiring that #zoning lots# divided by Subarea boundaries utilize the provisions of Article VII, Chapter 7;
 - (3) for #qualifying sites# modified, pursuant to paragraph (a)(1)(iv) and paragraph (a)(1)(v) of this Section:
 - (i) the pre-condition of achieving the maximum as-of-right #floor area ratio# for #qualifying sites# set forth in Row E of the table in Section 81-64 prior to, or in conjunction with, the special permits set forth in Sections 81-644 (Special permit for transit improvements) and 81-645 (Special permit for a public concourse), provided that, prior to obtaining a new building permit for a #development# utilizing bonus #floor area# granted pursuant to Sections 81-644 or 81-645, a contribution is made to the #Public Realm Improvement Fund# in an amount that is commensurate with what the provisions of Section 81-642 (Transfer of development rights from landmarks to qualifying sites) would require if the #zoning lot# occupied by Grand Central Terminal were a #granting lot# and the #development# site were a #receiving lot#; and
 - (ii) the permitted #floor area ratio# attributable to the combination of the special permits set forth in Row F and Row G of the table in Section 81-64, from 3.0 to 6.0;
 - (3)(4) the #street wall# regulations of Sections 81-43 (Street Wall Continuity Along Designated Streets) or 81-671 (Special street wall requirements), inclusive;
 - (4)(5) the height and setback regulations of Sections 81-26 (Height and Setback Regulations – Daylight Compensation), inclusive, 81-27 (Alternate Height and Setback Regulations – Daylight Evaluation), inclusive, or 81-66 (Special Height and Setback Requirements); or
 - (5)(6) the mandatory district plan elements of Sections 81-42 (Retail Continuity Along Designated Streets), 81-44 (Curb Cut Restrictions), 81-45 (Pedestrian Circulation Space), 81-46 (Off-street Relocation or Renovation of a Subway Stair), 81-47 (Major Building Entrances), 81-48 (Off-street Improvement of Access to Rail Mass Transit Facility), 81-674 (Ground floor use provisions), 81-675 (Curb cut restrictions and loading berth requirements), 81-676 (Pedestrian circulation space requirements) or 37-50 (REQUIREMENTS FOR PEDESTRIAN CIRCULATION SPACE), inclusive, except that no modifications to the required amount of pedestrian circulation space set forth in Section 37-51 shall be permitted; or

(7) for #qualifying sites# modified pursuant to paragraph (a)(1)(iv) or paragraph (a)(1)(v) of this Section, the time period for substantial construction to be completed prior to the lapse of any special permit granted for such #qualifying site#, as set forth in Section 11-42 (Lapse of Authorization or Special Permit Granted by the City Planning Commission Pursuant to the 1961 Zoning Resolution), provided that such time period does not exceed 10 years.

(b) Application requirements

Applications for a special permit for modifications pursuant to this Section shall contain materials, of sufficient scope and detail, to enable the Commission to determine the extent of the proposed modifications. In addition, where modifications to #street wall# or height and setback regulations are proposed, any application shall contain the following materials, at a minimum:

- (1) drawings, including but not limited to, plan views and axonometric views, that illustrate how the proposed #building# will not comply with the #street wall# regulations of Section 81-43, or as such provisions are modified, pursuant to Section 81-671, as applicable, and that illustrate how the proposed #building# will not comply with the height and setback regulations of Sections 81-26 or 81-27, or as such provisions are modified pursuant to Section 81-66, as applicable;
- (2) where applicable, formulas showing the degree to which such proposed #building# will not comply with the length and height rules of Section 81-26, or as such provisions are modified pursuant to Section 81-66; and
- (3) where applicable, #daylight evaluation charts# and the resulting daylight evaluation score showing the degree to which such proposed #building# will not comply with the provisions of Section 81-27 or as such provisions are modified pursuant to Section 81-66; and
- (4) for any #development# or #enlargement# on a #qualifying site# that includes Grand Central Terminal, a report from the Landmarks Preservation Commission concerning the harmonious relationship of the #development# or, where permitted, #enlargement# to Grand Central Terminal.

(c) Findings

The Commission shall find that such proposed modifications:

- (1) to the definition of #qualifying site# are the minimum extent necessary, and are harmonious with the Subdistrict objective to protect and strengthen the economic vitality and competitiveness of East Midtown by facilitating the development of exceptional modern and sustainable office towers;
- (2) to the requirement for #wide street# frontage in the definition of #qualifying sites# will not unduly concentrate #bulk# towards the middle of the #block# to the detriment of the surrounding area;
- (3) to the #building# performance requirements in the definition of #qualifying sites# and paragraph (a) of Section 81-681:
 - (i) are necessary due to the presence of existing #buildings# on the site; and
 - (ii) will not detract from the incorporation of innovative sustainable design measures;
- (4) to the publicly accessible space requirements in the definition of #qualifying sites# and paragraph (b) of Section 81-681:
 - (i) are the minimum necessary to accommodate the proposed #building#; and
 - (ii) that any reduction or waiver will result in a better site plan and will not detract from a lively streetscape and pedestrian experience;
- (5) to regulations pertaining to #zoning lots# divided by district boundaries will result in better site planning;
- (6) to #floor area ratio# requirements will facilitate significant improvements to transit infrastructure and the public realm in and around Grand Central Terminal;

(6)(7) to the mandatory district plan elements:

- (i) will result in a better site plan for the proposed #development# or #enlargement# that is harmonious with the mandatory district plan element strategy of the #Special Midtown District#, as set forth in Section 81-41 (General Provisions);
- (ii) any adverse impact on retail continuity is minimized by a site plan that requires pedestrian-oriented #uses# along the boundaries of any open or enclosed public areas within the #zoning lot#; and

(7)(8) to the #street wall# or height and setback regulations:

- (i) are necessary due to constraints or conditions of the #development# or #enlargement# and conditions imposed by the configuration of the site;
- (ii) will not unduly obstruct the access of light and air to surrounding properties;
- (iii) will result in an improved distribution of #bulk# on the #zoning lot# that is harmonious with the height and setback goals of the #Special Midtown District# set forth in Section 81-251 (Purpose of height and setback regulations); and
- (iv) the overall design of the #building# demonstrates an integrated and well-considered facade, taking into account factors such as #street wall# articulation, and fenestration, that creates a prominent and distinctive #building# which complements the character of the surrounding area and constitutes a distinctive addition to the Midtown Manhattan skyline; and

(9) to the time period for substantial construction to be completed prior to the lapse of any special permit granted for such #qualifying site# are necessary due to the complexity of demolition and construction on the site.

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

* * *
No. 20

CD 5 C 210417 PPM
IN THE MATTER OF an application submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the disposition of a city-owned property, located at 175 Park Avenue aka 109 East 42nd Street (Block 1280, Lot 30), pursuant to zoning.

NOTICE

On September 1, 2021 a public hearing is being held by the City Planning Commission (CPC), accessible both in person and remotely, in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning an application by Commodore Owner, LLC (the Applicant). The Applicant is seeking several discretionary approvals from the City Planning Commission (CPC)—including special permits and zoning text amendment (the Proposed Actions)—to facilitate approximately 2,992,161 gsf (2,246,515 zsf) of mixed-use development space, including a hotel, office, and public space (the Proposed Project). The proposed actions also include disposition of city-owned property sought by the Department of Citywide Administrative Services (DCAS). The Development Site would contain approximately 2,108,820 gsf of office space; an approximately 452,950-gsf, 500-room hotel; public space; and retail space on the cellar, ground, and second floors of the proposed building. The Proposed Project would also include significant public realm improvements, as well as subway and mass transit improvements to enhance circulation and reduce congestion at Grand Central Terminal and the Grand Central - 42nd Street subway station. The Terminal and Market are located on an existing merged zoning lot (Lots 1, 54, and 154) and contain approximately 322,664 sf of floor area. The MTA controls Lots 1, 54, and 154 as well as ground-floor and mezzanine-level circulation areas located on the Development Site. The Project Area—comprising the existing hotel, Terminal, and Market on Block 1280, Lots 1, 30, 54, and 154—has a combined area of 203,872 sf, with approximately 340 feet of frontage on Vanderbilt Avenue; 669 feet of frontage on East 42nd Street; and 253 feet of frontage on Lexington Avenue. Pursuant to a proposed zoning text amendment, the Project Area would be treated as a qualifying site under the East Midtown Subdistrict provisions of the Zoning Resolution.

Written comments on the DEIS are requested and will be received and considered by the Lead Agency through Monday, September 13, 2021.

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

This hearing is being held, pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 21DCP057M.

BOROUGH OF QUEENS
No. 23
WILDFLOWER STUDIOS

CD 1 C 210459 ZSQ
IN THE MATTER OF an application submitted by WF Industrial IV LLC, pursuant to Sections 197-c and 201 of the New York City Charter

for the grant of a special permit pursuant to Section 62-837 of the Zoning Resolution to modify the height and setback, maximum width of walls facing shoreline and the ground floor streetscape requirements of Section 62-341 (Development on Land and Platforms), in connection with the construction of an approximately 495,000 square-foot motion picture studio, on property, located at 1 Steinway Place a.k.a. 36-01 19th Avenue (Block 814, Lots 1 and 10), in an M3-1 District.

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

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



a18-s1

COMMUNITY BOARDS

■ PUBLIC HEARINGS

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

BOROUGH OF BROOKLYN

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

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

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

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

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



a24-s1

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

BOROUGH OF BROOKLYN

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

RIVER RING (220062 ZMK, N 220063 ZRK, 220064 ZSK, 220070 ZSK, N 220065 ZAK, N 220068 ZAK, N 220069 ZAK, 220061 MLK, 210425 MMK) - This is an application by River Street Partners LLC (the "Applicant") for the following actions (the "Actions") with respect, to the property, located on Brooklyn Block 2355, Lots 1 and 20, Block 2356, Lot 1, Block 2361, Lots 1, 20 and 21, Block 2362, Lots 1 and 3, Block 2376, Lot 50, and demapped portions of North 1st Street and Metropolitan Avenue (the "Project Area"):

1) A zoning text amendment to a) establish the portion of the Project Area, to the west of River Street as an Mandatory Inclusionary Housing ("MIH") area; b) amend Zoning Resolution Section 74-742 to allow a large scale general development ("LSGD") that does not meet the ownership requirements of Section 74-742, when the site of such LSGD includes the Proposed Development (as defined below) and where the areas in which the State or City have certain property interests; and c) amend Zoning Resolution Section 74-743 to permit, as part of the LSGD, (i) the lot area of a new platform seaward of the bulkhead line to be part of the upland lot area of the waterfront zoning lot, provided that the amount of lot area so incorporated is less than the lot area of shoreline seaward of the bulkhead line to be removed in connection with the LSGD, (ii) additional new piers or platforms to be included as lot area for purposes of floor area, dwelling unit and other bulk regulations, provided

that the amount of floor area generated by such new piers or platforms does not exceed the floor area generated by existing piers or platforms, and (iii) such new piers or platforms to be exempt from certain requirements otherwise applicable to piers and platforms provided as part of a waterfront public access area (the "Text Amendment");

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

3) A zoning special permit, pursuant to Zoning Resolution Sections 74-743(a)(2) and 74-743(a)(13), as modified under the Text Amendment, to allow the construction of new piers and platforms in the seaward portion of the LSGD that are accessible and enjoyable by the public; allow such piers and platforms to generate floor area, provided that the total distribution of floor area is limited, to the floor area generated by existing land seaward of the bulkhead line to be removed and existing piers and platforms; and to modify bulk regulations (the "LSGD Special Permit");

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

5) Zoning authorizations to:

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

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

7) A landfill action to add approximately 6,319 square feet of landfill as part of the waterfront public open space plan (the "Landfill Action"). Concurrent with these Actions, a related application for a City Map change has been filed under Application No. 210425 MMK to demap, discontinue, close, and dispose of a portion of Metropolitan Avenue, to the west of River Street and a portion of North 1st Street west of River Street (the "Demapping Action"). In addition, with respect to each of the special permits and authorizations, the Applicant is requesting an extension of term of such approvals to a period of ten years during which substantial construction of the phased project would be completed.

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

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

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

The Project Area historically contained warehousing, storage and other industrial uses reflective of its M3-1 manufacturing zoning. The Project

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

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

cc a25-s1

BOARD OF EDUCATION RETIREMENT SYSTEM

■ MEETING

The Board of Education Retirement System Board of Trustees Meeting will be held on August 26, 2021 from 4:00 P.M. - 6:00 P.M. via Webex. If you would like to attend this meeting, please contact BERS Executive Director, Sanford Rich, at Srich4@Bers.nyc.gov.

a18-26

FRANCHISE AND CONCESSION REVIEW COMMITTEE

■ MEETING

CORRECTED NOTICE

PUBLIC NOTICE IS HEREBY GIVEN THAT the Franchise and Concession Review Committee public meeting previously scheduled for Wednesday, September 8, 2021, at 2:30 P.M., at the Office of the Manhattan Borough President, David N. Dinkins Municipal Building, 1 Centre Street, South Entrance, Manhattan New York, NY 10007, is **Cancelled**.

a23-s7

OFFICE OF LABOR RELATIONS

■ MEETING

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

a25-s1

TRANSPORTATION

■ PUBLIC HEARINGS

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

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

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

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

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

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

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

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

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

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

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

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

- For the period July 1, 2020 to June 30, 2021 - \$9,129
- For the period July 1, 2021 to June 30, 2022 - \$9,274
- For the period July 1, 2022 to June 30, 2023 - \$9,418
- For the period July 1, 2023 to June 30, 2024 - \$9,563
- For the period July 1, 2024 to June 30, 2025 - \$9,708
- For the period July 1, 2025 to June 30, 2026 - \$9,853
- For the period July 1, 2026 to June 30, 2027 - \$9,998
- For the period July 1, 2027 to June 30, 2028 - \$10,143
- For the period July 1, 2028 to June 30, 2029 - \$10,287
- For the period July 1, 2029 to June 30, 2030 - \$10,432

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

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

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

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

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

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

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

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

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

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

with the maintenance of a security deposit in the sum of \$20,500 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

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

- For the period July 1, 2021 to June 30, 2022 - \$17,356
- For the period July 1, 2022 to June 30, 2023 - \$17,661
- For the period July 1, 2023 to June 30, 2024 - \$17,966
- For the period July 1, 2024 to June 30, 2025 - \$18,271
- For the period July 1, 2025 to June 30, 2026 - \$18,576
- For the period July 1, 2026 to June 30, 2027 - \$18,881
- For the period July 1, 2027 to June 30, 2028 - \$19,186
- For the period July 1, 2028 to June 30, 2029 - \$19,491

- For the period July 1, 2029 to June 30, 2030 - \$19,796
- For the period July 1, 2030 to June 30, 2031 - \$20,101

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

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

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

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

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

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

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

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

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

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

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

- From the Approval Date by the Mayor to June 30, 2022 - \$3,000/per annum
- For the period July 1, 2022 to June 30, 2023 - \$3,049

For the period July 1, 2023 to June 30, 2024 - \$3,098
 For the period July 1, 2024 to June 30, 2025 - \$3,147
 For the period July 1, 2025 to June 30, 2026 - \$3,196
 For the period July 1, 2026 to June 30, 2027 - \$3,245
 For the period July 1, 2027 to June 30, 2028 - \$3,294
 For the period July 1, 2028 to June 30, 2029 - \$3,343
 For the period July 1, 2029 to June 30, 2030 - \$3,392
 For the period July 1, 2030 to June 30, 2031 - \$3,441
 For the period July 1, 2031 to June 30, 2032 - \$3,490

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

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

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

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

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

For the period July 1, 2021 to June 30, 2022 -\$7,248/per annum (prorated from the date of Approval by the Mayor)

For the period July 1, 2022 to June 30, 2023 - \$7,366
 For the period July 1, 2023 to June 30, 2024 - \$7,484
 For the period July 1, 2024 to June 30, 2025 - \$7,602
 For the period July 1, 2025 to June 30, 2026 - \$7,720
 For the period July 1, 2026 to June 30, 2027 - \$7,838
 For the period July 1, 2027 to June 30, 2028 - \$7,956

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

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

From the Approval Date by the Mayor to June 30, 2021 -\$1,654/per annum

For the period July 1, 2021 to June 30, 2022 - \$1,674
 For the period July 1, 2022 to June 30, 2023 - \$1,693
 For the period July 1, 2023 to June 30, 2024 - \$1,712
 For the period July 1, 2024 to June 30, 2025 - \$1,731
 For the period July 1, 2025 to June 30, 2026 - \$1,750
 For the period July 1, 2026 to June 30, 2027 - \$1,769
 For the period July 1, 2027 to June 30, 2028 - \$1,788
 For the period July 1, 2028 to June 30, 2029 - \$1,807
 For the period July 1, 2029 to June 30, 2030 - \$1,826
 For the period July 1, 2030 to June 30, 2031 - \$1,845

with the maintenance of a security deposit in the sum of \$6,500 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

a25-s15

PROPERTY DISPOSITION

CITYWIDE ADMINISTRATIVE SERVICES

■ SALE

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

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

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

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

f23-a4

HOUSING PRESERVATION AND DEVELOPMENT

■ PUBLIC HEARINGS

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

j4-d30

PROCUREMENT

“Compete To Win” More Contracts!

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

- Win More Contracts, at nyc.gov/competetowin

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

HHS ACCELERATOR

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

Important information about the new method

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

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

Participating NYC Agencies

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

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

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

ADMINISTRATION FOR CHILDREN’S SERVICES

ADMINISTRATION

■ INTENT TO AWARD

Human Services/Client Services

EXTRAORDINARY NEEDS FOSTER CARE (ENFC) PROGRAM
- Negotiated Acquisition - Testing or experimentation is required - PIN# 06821N0023001 - Due 9-7-21 at 4:00 P.M.

Pursuant to Section 3-04(b)(2)(i)(D), 3-04(b)(2)(ii), and 3-16(a) of the Procurement Policy Board Rules, the Administration for Children’s Services (ACS) intends to enter into a negotiated acquisition contract with The Children’s Village Inc. (located at One Echo Hills, Dobbs Ferry, NY 10522), for the provision of an Extraordinary Needs Foster Care (ENFC) program for youth with Commercial Sexual Exploitation of Children (CSEC) behaviors. The term of the contract will be from August 31, 2020 to June 30, 2022. The proposed total contract for this negotiated acquisition is \$1,589,153.84. Organizations interested in future solicitations for these services are invited to do so by registering the NYC Mayor’s Office of Contract Services (MOCS) PASSPort system. To register with PASSPort, please go to www.nyc.gov/PASSPort. There you will find additional guides to assist you with the registration process.

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

Administration for Children’s Services, 150 William Street, 9th Floor, New York, NY 10009. Peter Pabon (212) 341-3450; peter.pabon@acs.nyc.gov

a23-27

ADMINISTRATIVE TRIALS AND HEARINGS

OATH INFORMATION TECHNOLOGY

■ INTENT TO AWARD

Services (other than human services)

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

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

a26-s2

AGING

EXTERNAL AFFAIRS

■ INTENT TO AWARD

Services (other than human services)

12522Y0013-SOLE SOURCE FOR AGELESS CAMPAIGN ADVERTISING - Request for Information - PIN# 12522Y0013 - Due 8-26-21 at 2:00 P.M.

Pursuant to Section 3-05 of the PPB rules, the NYC Department for the Aging, intends to enter into a sole source contract, with Outfront Media Group LLC. The vendor will provide advertising placement services on MTA subways, from 10/4/2021 through 10/31/2021.

Any firm or organization which believes they can also provide these services is invited to respond to the RFI “12522Y0013-Sole Source for Ageless Campaign Advertising”, by emailing, “MBhuiyan@aging.nyc.gov”, with the subject line “12522Y0013-Sole Source for Ageless Campaign Advertising”, no later than August 26, 2021, 2:00 P.M.

a20-26

EDUCATION

CONTRACTS AND PURCHASING

■ SOLICITATION

Goods and Services

REQUIREMENTS CONTRACT FOR ATHLETIC EQUIPMENT & SUPPLIES - Competitive Sealed Bids - PIN# B5597040 - Due 9-20-21 at 4:00 P.M.

Bid submissions must be sent via electronic mail (“The Bid Submission Email”), to DCPSubmissions@schools.nyc.gov (the “Bid Submission Email Address”). Bid Submissions sent to any other email address will be disregarded. The subject line of your Bid Submission Email must include the solicitation number and the name of the submitting vendor (e.g. B5597 – 12345 Corporation). Please attach the completed Request for Bids and the Bid Blank documents, to the Bid Submission Email as separate files. Please name the bid blank attachment “Bid Blank” and the completed Request for Bids attachment “RFB.”

If the files accompanying your bid submission are too large to be transmitted as email attachments, please include in the first line of your Bid Submission Email, a link to a Microsoft OneDrive folder containing all of your bid-related documents. Please note that if you are using OneDrive, do not attach any documents to the Bid Submission Email. Further, please include a separate folder within your OneDrive folder, which includes the separate bid blank file. Please name this folder and the bid blank file “Bid Blank.” The name of your OneDrive folder must match the subject line of your bid submission, and your OneDrive folder must not contain any files unrelated to the Bid Submission.

Guidance for first-time Microsoft One-Drive Users:

Microsoft OneDrive (“OneDrive”), is a file hosting and synchronization service operated by Microsoft as part of its web version of Microsoft Office. OneDrive allows users to grant access to files which are too large to transmit, via electronic mail, to other users. If you do not have Office 365, please take the following steps to gain access to a free version of OneDrive, so that you can upload those bid submission documents which are too large to transmit, via electronic mail:

1. Conduct an internet search for “Microsoft OneDrive;”
2. Navigate to the official Microsoft website and sign up for a free account;
3. Once you have created a folder for the solicitation whose name matches the subject line of your Bid Submission Email, upload the documents relevant to your bid submission in this folder.
4. Create a share link for this folder;
5. Be sure to check your share settings so that anyone receiving the link that you create will be able to open the link and access the files. If your share link permissions are restricted (e.g. to

only your organization in Office 365), the DOE will not be able to view your solicitation documents. It is your responsibility to ensure that the link(s) you provide allows the DOE to view, download and/or open your documents; and 6. Include the link which you have created as the first line of your Bid Submission Email.

The Bid opening will be conducted virtually, via Microsoft Teams, on Tuesday September 21, 2021, at 11:00 A.M. Bidders who have submitted their Bid Submission Email by the Bid Submission Deadline, will receive a reply to their Bid Submission Email with a link to view be able to view a livestream of the Bid opening online. The Bid opening will also be recorded and posted on vimeo.com. A link to the video of the bid opening will be available on the first DOE website referenced below.

Please continue to check the DOE website and/or Vendor Portal for updates.

<https://infohub.nyced.org/vendors>

<https://www.finance360.org/vendor/vendorportal/>

Description: The Contractors shall furnish and deliver Athletic Equipment & Supplies to schools and offices under the jurisdiction of the Board of Education of the City School District of the City of New York.

Login to the Vendor Portal to download BID B5597.

If you cannot download this RFB, please send an email, to vendorhotline@schools.nyc.gov, with the RFB's number and title in the subject line of your email.

For all questions related to this RFB, please send an email, BNewman8@schools.nyc.gov, with the RFB's number and title in the subject line of your email.

We recommend that proposers download the free Microsoft Teams Application on their computer and/or mobile device to participate in the Teams Live Event, in advance of the conference and attendees should plan to log in 5 minutes prior to the conference start time.

BID OPENS VIRTUALLY ON: SEPTEMBER 21, 2021, at 11:00 A.M. Please see virtual link below:

https://teams.microsoft.com/l/meetup-join/19%3ameeting_YmVIYmRmYTctNWVIZS00Y2ExLWFjMTUtMGQzM2NjYzI4NDJm%40thread.v2/0?context=%7b%22Tid%22%3a%2218492cb7-ef45-4561-8571-0c42e5f7ac07%22%2c%22Oid%22%3a%22299e628bf-f230-439b-a38c-770d5eb6bdf%22%2c%22IsBroadcastMeeting%22%3atrue%7d&btype=a&role=ahttps://teams.microsoft.com/l/meetup-join/19%3ameeting_YmVIYmRmYTctNWVIZS00Y2ExLWFjMTUtMGQzM2NjYzI4NDJm%40thread.v2/0?context=%7b%22Tid%22%3a%2218492cb7-ef45-4561-8571-0c42e5f7ac07%22%2c%22Oid%22%3a%22299e628bf-f230-439b-a38c-770d5eb6bdf%22%2c%22IsBroadcastMeeting%22%3atrue%7d&btype=a&role=a

The New York City Department of Education (DOE) strives to give all businesses, including Minority and Women-Owned Business Enterprises (MWBES), an equal opportunity to compete for DOE procurements. The DOE's mission is to provide equal access to procurement opportunities for all qualified vendors, including MWBES, from all segments of the community. The DOE works to enhance the ability of MWBES to compete for contracts. DOE is committed to ensuring that MWBES fully participate in the procurement process.

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

Education, 65 Court Street, Room 1201, Brooklyn, NY 11201. Vendor Hotline (718) 935-2300; vendorhotline@schools.nyc.gov

◀ a26

ENVIRONMENTAL PROTECTION

WASTEWATER TREATMENT

■ INTENT TO AWARD

Goods

82622Y0080-BWT - FLYGT PUMPS, CONTROL SYSTEMS AND PARTS - SS - Request for Information - PIN# 82622Y0080 - Due 9-3-21 at 11:00 A.M.

NYC Environmental Protection, intends to enter into a sole source negotiation, with Xylem Water Solutions USA Inc., for Flygt Pumps, Control Systems and Parts. Any firm, which believes they can also provide these products is invited to respond to this RFI.

a23-30

82622Y0079-BWT-BELZONA POLYMER COMPOSITE PRODUCTS-SS - Request for Information - PIN# 82622Y0079 - Due 9-3-21 at 2:00 P.M.

NYC Environmental Protection, intends to enter into a sole source negotiation, with Belzona Inc., for Belzona polymer composite products. Any firm, which believes they can also provide these products are invited to respond to this RFI.

a23-30

FINANCE

SHERIFF-GENERAL SHERIFF

■ INTENT TO AWARD

Services (other than human services)

83621T0002-VILLAGE OF HEMPSTEAD-FIREARMS TRAINING - Government to Government - PIN# 83621T0002 - Due 8-26-21 at 6:00 P.M.

Three year firearm training contract with the incorporated village of Hempstead starts January 1, 2021 and ends December 31, 2023 (renewals?? - up to contracts) funding includes for NYC sheriff general (9101) HRA - Warrants (9102), Kendra (9106); BCI/Sheriff 9019 and OTE - Office of Tax Enforcements 0404 see attachments for contract from Hempstead, estimates for the three year contract village of Hempstead contact: Janis Fowlkes Village Attorney's Office Incorporated Village of Hempstead, 99 James A. Garner Way, Hempstead, NY 11550, (516) 478-6429, jfowlkes@villageofhempsteadny.gov, <http://www.villageofhempstead.org>

a20-26

HEALTH AND MENTAL HYGIENE

■ AWARD

Human Services/Client Services

FY22 NEW CONTRACT / 816-2230-0893.A01 - Required Method (including Preferred Source) - PIN# 81621M0011001 - AMT: \$1,695,609.00 - TO: Brooklyn Community Housing & Services, Inc., 105 Carlton Avenue, Brooklyn, NY 11205.

PIN: 22AZ003201R0X00. The goal of the program, is to provide individuals and families access to permanent and supportive affordable housing in New York City communities. The support services are focused on positively impacting tenants 'quality of life, assist in their personal path of rehabilitation, and recovery from mental illness and/or substance use. For those with children, the program provides the supports needed to maintain a safe home environment conducive to healthy development of their children.

◀ a26

HOMELESS SERVICES

■ AWARD

Human Services/Client Services

WILLOW AVENUE GENERAL SHELTER RENEWAL #1 - Renewal - PIN# 07117P8271KXLR001 - AMT: \$56,127,292.00 - TO: Westhab, Inc., 8 Bashford Street, Yonkers, NY 10701-7099.

Renewal - Willow General Shelter, at 781 East 135th Street, Bronx, NY 10454

◀ a26

PROVIDE SHELTER SERVICES FOR HOMELESS ADULTS JACK RYAN - Renewal - PIN# 07111P8304KXLR001 - AMT: \$50,624,855.00 - TO: Bowery Residents' Committee, Inc., 131 West 25th Street, 12th Floor, New York, NY 10001.

Renewal - Jack Ryan Residence, at 127 West 25th Street, New York, NY 11011.

◀ a26

HOUSING AUTHORITY**PROCUREMENT****■ SOLICITATION***Construction Related Services***SMD SERVICES REPAIRING OF GRAVITY ROOF TANKS LOCATED AT VARIOUS DEVELOPMENTS CITYWIDE - Competitive Sealed Bids - PIN#339887 - Due 9-23-21 at 10:00 A.M.**

The proposed scope of work includes repairs of any leaks, cracks, or damages found to wooden or steel gravity tanks, such may include repairs to: foundation, pipes, valves, gauges, risers and other fittings, vents ladders, railings etc., strainers, leaks, Frostproof insulation, exterior & interior ladders, conical roof, flat decking, plumbing, electrical. The proposed scope of work includes repairs of any leaks, cracks, or damages found to wooden or steel gravity tanks, such may include repairs to: foundation, pipes, valves, gauges, risers and other fittings, vents ladders, railings etc. strainers, leaks, Frostproof insulation, exterior & interior ladders, conical roof, flat decking, plumbing, electrical. The scope of work includes rehabilitation work to tanks City-Wide. The contractor shall be assigned work on any one of the tanks by NYCHA, via work order.

Interested vendors are invited to obtain a copy of the opportunity, at NYCHA's website by going to, the <http://www.nyc.gov/nychabusiness>. On the left side, click on "iSupplier Vendor Registration/Login" link. (1) If you have an iSupplier account, then click on the "Login for registered vendors" link and sign into your iSupplier account. (2) If you do not have an iSupplier account you can Request an account by clicking on "New suppliers register in iSupplier" to apply for log-in credentials. Once you have accessed your iSupplier account, log into your account, then choose under the Oracle Financials home page, the menu option "Sourcing Supplier", then choose "Sourcing", then choose "Sourcing Homepage"; and conduct a search in the "Search Open Negotiations" box for the RFQ Number (s) 339887.

Note: In response to the COVID-19 outbreak, we are accepting only electronic bids submitted online, via iSupplier. Paper bids will not be accepted or considered. Please contact NYCHA Procurement, at procurement@nychanyc.gov, for assistance.

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

Housing Authority, 90 Church Street, 6th Floor, New York, NY 10007. Miriam Rodgers (212) 306-4718; miriam.rodders@nychanyc.gov

• a26

*Construction/Construction Services***SMD SERVICES INSTALLATION OF VINYL COMPOSITION (V/C) FLOOR TILE IN APARTMENTS - SOUTH BEACH HOUSES, STATEN ISLAND - Competitive Sealed Bids - PIN#330894 - Due 9-23-21 at 12:00 A.M.**

The work shall consist of furnishing all labor, materials, equipment and all other incidental items necessary and required to perform the subject work as follows: Installation of vinyl-composition floor tile, over existing floor tile; Installation of vinyl-composition floor tile, over the existing properly prepared concrete floor; The removal and replacement of existing/or missing vinyl cove base molding; and, as directed, remove Non-Asbestos Containing floor coverings, including but not limited to vinyl composition floor tile, linoleum, self-adhesive floor tile, carpet, ceramic floor tile, wood flooring, etc. The work shall consist of furnishing all labor, materials, equipment and all other incidental items necessary and required to perform the subject work as follows: Installation of vinyl-composition floor tile, over existing floor tile; Installation of vinyl-composition floor tile, over the existing properly prepared concrete floor; The removal and replacement of existing/or missing vinyl cove base molding; and, as directed, remove Non-Asbestos Containing floor coverings, including but not limited to vinyl composition floor tile, linoleum, self-adhesive floor tile, carpet, ceramic floor tile, wood flooring, etc.

Interested vendors are invited to obtain a copy of the opportunity at NYCHA's website, by going to, the <http://www.nyc.gov/nychabusiness>. On the left side, click on "iSupplier Vendor Registration/Login" link. (1) If you have an iSupplier account, then click on the "Login for registered vendors" link and sign into your iSupplier account. (2) If you do not have an iSupplier account you can Request an account by clicking on "New suppliers register in iSupplier" to apply for log-in credentials. Once you have accessed your iSupplier account, log into your account, then choose under the Oracle Financials home page, the menu option "Sourcing Supplier", then choose "Sourcing", then choose "Sourcing Homepage"; and conduct a search in the "Search Open Negotiations" box for the RFQ Number (s) 330894.

Note: In response to the COVID-19 outbreak, we are accepting only electronic bids submitted online, via iSupplier. Paper bids will not be accepted or considered. Please contact NYCHA Procurement, at procurement@nychanyc.gov, for assistance.

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

Housing Authority, 90 Church Street, 6th Floor, New York, NY 10007. JoAnn Park (212) 306-4511; joann.park@nychanyc.gov

• a26

MAYOR'S FUND TO ADVANCE NEW YORK CITY**FINANCE AND OPERATIONS****■ SOLICITATION***Goods and Services***ACCELERATING EMPLOYEE OWNERSHIP CLEAN TECH RFP - Request for Proposals - PIN#2021 - Due 9-17-21 at 5:00 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.

Mayor's Fund to Advance New York City, 253 Broadway, 6th Floor, New York, NY 10007. Mayor's Fund (212) 788-7794; fundrfp@cityhall.nyc.gov

a16-26

NYC HEALTH + HOSPITALS**SUPPLY CHAIN SERVICES****■ SOLICITATION***Construction/Construction Services***FACILITY MAINTENANCE INFORMATION SYSTEM - Request for Proposals - PIN#2544 - Due 9-22-21 at 3:00 P.M.**

New York City Health + Hospitals consists of buildings and infrastructure of various ages and conditions across its many campuses. As the patient base has increased and the methods of delivering care has changed, the buildings, many of which are decades old, have to be constantly upgraded or replaced. The Health System's physical assets to be maintained are over 20,000,000 square feet (sf), including both clinical and non-clinical space. The Office of Facilities Development (OFD), is responsible for maintenance and physical plan operations of all campuses and buildings to ensure the clinicians and staff have the facilities needed to deliver care. Campuses within the network range in size from a few thousand to over a 1 million square feet emphasizing the need for a new and robust Facilities Management and Asset Information System with the capability and capacity to organize, identify, and manage preventative maintenance and repairs to all infrastructure assets. This project entails the procurement and implementation of an industry-standard FMIS solution that will fulfill the business requirements of the Health System. The Health System consists of buildings and infrastructure of various ages and conditions across its many campuses. As the patient base has increased and the methods of delivering care has changed, the buildings, many of which are decades old, have to be constantly upgraded or replaced. The Health System's physical assets to be maintained are over 20,000,000 square feet (sf), including both clinical and non-clinical space. The Office of Facilities Development (OFD) is responsible for maintenance and physical plan operations of all campuses and buildings to ensure the clinicians and staff have the facilities needed to deliver care. Campuses within the network, range in size from a few thousand to over a 1 million square feet emphasizing the need for a new and robust Facilities Management and Asset Information System with the capability and capacity to organize, identify, and manage preventative maintenance and repairs to all infrastructure assets. This project entails the procurement and implementation of an industry-standard FMIS solution that will fulfill the business requirements of the Health System.

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

NYC Health + Hospitals, 50 Water Street, 5th Floor, New York, NY 10004. Nishant Kondamudi (332) 215-1558; kondamun@nychhc.org

← a26

PARKS AND RECREATION

CAPITAL PROGRAM MANAGEMENT

■ SOLICITATION

Construction / Construction Services

84621B0179-Q498-117M-SUNSET COVE BOARDWALK AND OUTDOOR CLASSROOM CONSTRUCTION - Competitive Sealed Bids - PIN# 84621B0179 - Due 9-22-21 at 3:30 P.M.

Q498-117M-Sunset Cove Boardwalk and Outdoor Classroom Construction, located at Cross Bay Boulevard between West 19th Road and West 22nd Road, in the Borough of Queens. *Please note that date of Bid Submission is different than date of Bid Opening. Please refer to website, for updated procedures, due to pandemic. This procurement is subject to: Apprenticeship Requirements, NYS DEC Grant Bid Submission Due Date: 9/22/21, Time: 3:30 P.M., by Mail or Drop Box, at Olmsted Center Annex, Date of Bid Opening (via Zoom Conference): 9/24/21, Time: 10:30 A.M.

[https://us02web.zoom.us/j/9573076290?pwd=cnVXVzN2Q014SjBLaktvVzIzWnlvUT09.MeetingID:9573076290Passcode:118035Conf.Number:+1\(929\)205-6099,9573076290#,*118035#](https://us02web.zoom.us/j/9573076290?pwd=cnVXVzN2Q014SjBLaktvVzIzWnlvUT09.MeetingID:9573076290Passcode:118035Conf.Number:+1(929)205-6099,9573076290#,*118035#)

The Cost Estimate Range is \$1 million to \$3 million. Bid documents are available online, for free, through NYC PASSPort System, <https://www1.nyc.gov/site/mocs/systems/about-go-to-passport.page>. To download the bid solicitation documents (including drawings if any), you must have an NYC ID Account and Login.

← a26

REVENUE AND CONCESSIONS

■ SOLICITATION

Goods

OPERATION AND MAINTENANCE OF A FMCP SNACK BAR/ CAFETERIA AND FOOD KIOSK, QUEENS - Competitive Sealed Proposals - Judgment required in evaluating proposals - PIN# Q99-J-SB 2021 - Due 9-21-21 at 3:00 P.M.

In accordance with Section 1-13 of the Concession Rules of the City of New York, the Department of Parks and Recreation ("Parks"), is issuing, as of the date of this notice, an RFP for the operation and maintenance of a Snack Bar/Cafeteria, at Parks' Olmsted Center and a Food Kiosk, located at David Dinkins' Circle, Flushing Meadows-Corona Park, Queens.

There will be a recommended remote proposer meeting and site tour, on September 8, 2021, at 2:00 P.M. If you are considering responding to this RFP, please make every effort to attend this recommended remote meeting and site tour. The Cisco WebEx link for the remote proposer meeting is as follows:

<https://nycparks.webex.com/nycparks/j.php?MTID=mf42ec1e5d7ad0ad013e2b2a1c69ce37e>

Meeting number: 179 624 7182

Password: tpCxPn6ev34

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

+1-646-992-2010 OR +1-408-418-9388

Access code: 179 624 7182

Subject to availability and by appointment only, we may set up a meeting at the proposed concession site, located within Parks and Recreation's Olmsted Center, which is located, at 117-02 Roosevelt Avenue, Flushing, NY 11368 ("Licensed Premises").

All Proposals submitted in response to this RFP, must be submitted by no later than September 21, 2021, at 3:00 P.M.

Hard copies of the RFP can be obtained, at no cost, commencing, August 16, 2021, through September 21, 2021, by contacting Glenn Kaalund, Senior Project Manager, at (212) 360-3482, or via email, glenn.kaalund@parks.nyc.gov.

The RFP is also available for download, commencing August 16, 2021, through September 21, 2021, on Parks' website. To download the RFP, visit, <http://www.nyc.gov/parks/businessopportunities>, click on the link for "Concessions Opportunities at Parks" and, after logging in, click on the "download" link that appears adjacent to the RFP's description.

For more information or if you cannot attend the remote proposer meeting, the prospective proposer may contact Glenn Kaalund, Senior Project Manager, at (212) 360-3482, or via email: glenn.kaalund@parks.nyc.gov.

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

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

Parks and Recreation, The Arsenal, 830 Fifth Avenue, Room 407, New York, NY 10065. Glenn Kaalund (212) 360-3482; glenn.kaalund@parks.nyc.gov

Accessibility questions: Glenn Kaalund (212) 360-3482, by: Thursday, September 16, 2021, 4:00 P.M.



a16-27

Goods and Services

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

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

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

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

Meeting number: 179 179 3821

Password: CloveLakes22

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

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

+1-408-418-9388 United States Toll

Access code: 179 179 3821

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

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

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

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

Parks and Recreation, The Arsenal, 830 5th Avenue, New York, NY 10065. Phylcia Murray (212) 360-3407; phylcia.murray@parks.nyc.gov

a25-s8

POLICE DEPARTMENT**MANAGEMENT AND BUDGET**

■ INTENT TO AWARD

Goods

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

Pursuant to Section 3-05 of the NYC Procurement Policy Board Rules, it is the intent of the New York City Police Department ("NYPD"), to enter into do sole source negotiations with Tesla Inc. ("Tesla") with the expectation that Tesla will be awarded a five-year requirements contract with the NYPD for the provision of new Tesla Model 3 all wheel drive vehicles. It is anticipated that these vehicles will be used primarily within the NYPD's Highway Patrol Units. The Tesla Model 3 has various essential performance features that make it the optimal electric vehicle for NYPD Highway Patrol operations. It is the NYPD's belief that the Model 3 is provided exclusively by Tesla. Any vendor besides Tesla that believes it can provide the Tesla Model 3 vehicle is invited to do so. To respond in PASSPort, please complete the Acknowledgment tab and submit a response in the Manage Responses tab. If you have questions about the details of the RFx, please submit through the Discussion with Buyer tab. If you have questions about the functionality of PASSPort, please contact, help@mocs.nyc.gov.

a25-s1

TRANSPORTATION**TRANSPORTATION PLANNING AND MANAGEMENT**

■ SOLICITATION

Services (other than human services)

84121Y0057-84121RFEI449 - REQUEST FOR EXPRESSION OF INTEREST (RFEI) FOR SHARED USE LOCKERS IN NYC

- Request for Information - PIN#84121Y0057 - Due 10-8-21 at 5:00 P.M.

84121Y0057-84121RFEI449 - Request for Expression of Interest (RFEI) for Shared Use Lockers in NYC. The New York City Department of Transportation ("NYC DOT"), is releasing this Request for Expressions of Interest ("RFEI"), to invite interested respondents to aid it with evaluating the utility and overall benefits of shared use lockers (also referred to as common carrier lockers or multi-user lockers), with respect to: efficiency, carrier and customer usage, ease of use, accessibility, and technology performance. Of primary interest to DOT, are locker facilities that can be placed either indoors or outdoors, with user-friendly technology enabling quick transactions, self-locking mechanisms, and communication of delivery information to customers. This RFEI is released through PASSPort, New York City's online procurement portal. Responses to this RFEI must be submitted via PASSPort. To access the RFEI, vendors should visit the PASSPort public Portal, at <https://www1.nyc.gov/site/mocs/systems/about-go-to-passport.page>, and click on the "Search Funding Opportunities in PASSPort" blue box. Doing so will take one to the public portal of all procurements in the PASSPort system. To quickly locate the RFEI, insert the EPIN, 84121Y0057, into the Keyword search field. In order to respond to the RFEI, vendors must create an account within the PASSPort system if they have not already done so. The deadline for the submission of questions is 9/16/21, by 5:00 P.M. The response due date (submission via PASSPort), is 10/8/21, by 5:00 P.M. Any inquiries concerning this RFEI should be directed by email, under the subject line "Shared Use Lockers NYC" to the email address of the Authorized Agency Contact, David Maco, at dmaco@dot.nyc.gov

◀ a26

AGENCY RULES**ENVIRONMENTAL PROTECTION**

■ NOTICE

NOTICE OF ADOPTION OF FINAL RULE

NOTICE IS HEREBY GIVEN, pursuant to the authority vested in the Commissioner of the Department of Environmental Protection ("Department" or "DEP") by Section 1043(a) of the New York City Charter and section 24-523(e) of the Administrative Code of the City of New York that the Department promulgates and adopts amendments to 15 RCNY Chapter 19, Section 19-01 to define "food waste liquefier," and Section 19-03(b) to prohibit the use of devices that break down food waste for the purpose of discharging it into the sewer system, except for food waste disposers within dwelling units. This amendment will protect the sewer system, public health, and the waterways from a new potential cause of sewer backups and overflows, while ensuring that those who have already invested in the banned devices will not lose their investment.

Statement of Basis and Purpose

The New York City Department of Environmental Protection ("DEP" or "Department") is amending Title 15, Chapter 19 of the Rules of the City of New York ("RCNY") to prohibit the use of devices that break down food waste for the purpose of discharging it into the sewer system, except for food waste disposers within dwelling units. Food waste liquefiers can cause backups of sewage into homes and businesses, creating hazardous and unsanitary conditions, which can jeopardize health and wellbeing and cause property damage. Such blockages could also threaten the health of the general public, wildlife, and the environment by leading to combined or sanitary sewer overflows into water bodies.

On December 18, 2015, the New York City Department of Sanitation (DSNY) published in the City Record rules governing organic waste generated by designated commercial establishments. Under 16 RCNY § 1-11(b) such establishments must either hire a private carter to haul away their organic wastes for the purpose of beneficial organic waste use, transport their own organic wastes to an organic waste processing facility or authorized transfer station, or provide for a beneficial organic waste use on-site at their premises.

Having chosen the last option, a number of establishments have installed devices that manufacturers may call "digesters," but which rely heavily on breaking down food waste into smaller solids by mechanical means and dilution with water, and then discharging it into the public sewer. This rule amendment designates such devices as "food waste liqueifiers" and "biological liquefaction systems," because the terms "biodigesters" or "digesters" do not accurately represent the amount of digestion that takes place in the systems. While some aerobic digestion occurs in some of these devices, aided by the addition of enzymes or other additives, it is only partial digestion and is part of the process of liquefying the food waste, over the course of several hours to up to 48 hours for a full load, to discharge it into the sewer. (Northeastern University, 2013; California Department of Resources Recycling and Recovery, 2018; BioCycle Magazine, 2013).

Full digestion is a much longer process. For example, in an anaerobic digester (in contradistinction to aerobic digestion in a food waste liquefier), full digestion would require a minimum 15-day retention time, as shorter retention times are not conducive to proper digestion of food waste. (USEPA, 2008; Metcalf and Eddy, 1991). Properly digested food waste is also not suitable for discharge to the sewer, as the water drains out of it over the course of the digestion process, resulting in a solid waste product that must be removed from the digester for off-site uses or disposal, rather than put down the drain.

The waste stream discharged from food waste liqueifiers is high in total suspended solids, oil and grease as revealed by DEP sampling. Discharging such substances is contrary to the prohibitions in 15 RCNY 19-03(a)(1) against, amongst other things, "fats, oils, grease, or any solids or viscous substances capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewerage system." The DSNY rule at 16 RCNY § 1-11(b)(3)(iii) requires that establishments that install organic waste processing systems ensure that such systems are installed in accordance with "all applicable laws and rules governing the discharge of waste and waste water, including section 19-11 of title 15 of the rules of the city of New

York governing the discharge of grease into the city sewer system, and any other applicable regulations enforced by the department of environmental protection or the New York state department of environmental conservation.”

DEP conducted sampling of the discharge from various devices that are claimed by their manufacturers to be digesters, and that have been installed to meet the requirements in 16 RCNY § 1-11(b). Most of the results revealed oil and grease concentrations in the hundreds of milligrams per liter, with several in the thousands. Eighty percent of the results were above the oil and grease limit of 300 mg/L that DEP applies in the Industrial Wastewater Discharge Permits it issues to industrial users of the public sewer. For total suspended solids (TSS), all of the results were above the 350 mg/L limit that DEP imposes in Industrial Wastewater Discharge Permits. Most of these results were in the thousands of milligrams per liter. A properly sized grease interceptor could theoretically handle the high fat, oil, and grease (FOG) component of the discharge, if the establishment frequently maintained the interceptor and if the TSS were low. However, the TSS numbers are so high that solids would very rapidly fill a grease interceptor and even a solids interceptor. It is not realistic to think that establishments would clean out the solids from the grease and/or solids interceptor as frequently as needed and incur the heavy costs of transporting them offsite on such a frequent basis.

The reason that the FOG and TSS numbers are so high is that these devices break down solids by mechanical means such as turning, agitation, maceration, shredding, or grinding. They commonly employ motor driven paddles that churn the food waste while water is added, until the waste is broken down into smaller particles that get discharged down the drain and into the sewer. Some manufacturers sell enzymes or other additives to add to the food waste for the stated purpose of accelerating the process of breaking down the food. All of the food waste is discharged into the sewer.

Both FOG and TSS can cause blockages in the sewer. Either of them can cause blockages on their own, but together the effect is even greater because FOG and TSS can adhere to each other, thereby increasing the size of the obstruction to the flow in the sewer. This obstruction can cause backups of sewage into homes and businesses, creating hazardous and unsanitary conditions, which can jeopardize health and wellbeing and cause property damage. Such blockages could also threaten the health of the general public, wildlife, and the environment by leading to combined or sanitary sewer overflows into water bodies.

For this reason, DEP is prohibiting the use of devices that break down food waste for the purpose of discharging it into the sewer system, except for food waste disposers within dwelling units (which are permitted under Plumbing Code § 413.1 and Administrative Code § 24-518.1(b)). Under the amendment, a definition for “food waste liquefier” is being added to the definition section at 15 RCNY § 19-01 because most of the devices that have been installed in the City that would fall under the ban can be properly identified as such. An entry for “biological liquefaction system” is also inserted in the definition section which refers back to “food waste liquefier,” as both terms are synonymous.

Then at 15 RCNY § 19-03(b), a new subsection (2) is added after the existing prohibition against food waste disposers that are not in dwelling units. The new subsection 15 RCNY § 19-03(b)(2) prohibits any device that breaks down food waste (except for food waste disposers within dwelling units), by whatever means, for the purpose of discharging it into the sewer system, including but not limited to food waste liquefiers.

The same subsection also provides for the grandfathering of installations that before the effective date of the amendment have been registered with the Department of Sanitation, are connected to a grease interceptor as a result of an order issued by DEP, or appear on engineering plans approved by DEP. However, when any such device reaches the end of its useful life, if it is replaced, it may only be replaced with on-site processing methods that do not break down food waste for the purpose of discharging it into the sewer system, and which comply with all applicable federal, state, and local requirements. These provisions will ensure that establishments that have either obtained permission from the City to have these devices, or have expended money to connect them to grease interceptors by order of the City, will be able to keep them until they are no longer serviceable. After that time, they may not be replaced by another such device.

The addition of food waste from these devices to the already constrained wastewater conveyance and treatment system would require significant expenditures on system upgrades, and would jeopardize water quality standards. The amendment will protect the sewer system, the public health, and the waterways from a new potential cause of sewer backups and overflows, while ensuring that those who have already invested in the banned devices will not lose their investment.

A minor amendment to correct a typographical error in 15 RCNY § 19-11(o) is also being made by removing the last sentence in that

subsection, which had been inadvertently left in, at the time of the 3/19/20 amendments, from an earlier draft.

A public hearing on the proposed rule was held on May 28, 2021. Comments were submitted either orally or in writing from six commenters, four of which were on behalf of two manufacturers of food waste liquefier devices opposing the proposed rule. After careful review and consideration of these comments, DEP has decided to go forward with the rule for the reasons stated above.

The comments in opposition to the proposed amendment rely heavily on the issue of reducing the amount of trucked food wastes going to landfills and greenhouse gas emissions, while failing to refute DEP’s concerns over the potential impact to the sewer from high FOG and TSS.

One commenter asserted that his company’s device uses a minimum amount of water. While sampling these devices, DEP sampling staff encountered a food waste liquefier installed at a hotel where the manager informed DEP that the device being used was initially discharging a thick slurry which would clog the discharge pipes. After complaining to the manufacturer, the manufacturer fixed the problem by increasing the use of water as a means of diluting the discharge to achieve better flow. The manager said that after that, the problem was solved. The necessity of using large amounts of water to thin out the discharge demonstrates the heavy solids and FOG loading that is present in the discharge from food waste liquefiers, and which was confirmed by DEP sampling.

The same commenter also asserted that his company exercises a level of care that avoids waste generators that produce greasy foods. DEP cannot rely on manufacturers’ assurances that they will screen out dischargers that are heavily laden with grease.

Another commenter cited rodent infestation problems in New York City which could be helped by using food waste liquefiers to dispose of food waste through the sewer rather than waiting to have it transported off-site which can attract rodents. Problems with rodents should not be addressed through improper disposal of food wastes to the sewer.

The commenter also stated that a biofilm that is formed by the microorganisms used in their company’s food waste liquefier has been shown to improve the cleanliness of the sanitary system. Although evidence has not been submitted to substantiate this, DEP could not in any event, legally carve out an exception for a particular manufacturer’s product.

The aforementioned commenters also said that the literature cited by DEP is outdated, and that the technology has changed a lot in the past decade. However, the literature presented which was from the relatively small amount of available information on food waste liquefiers was referenced only for general background information about these devices. Also, these commenters did not explain how food waste liquefiers are fundamentally different now than they were a decade ago.

Another commenter stated that this rule phases out grease interceptors. The rule does not such thing. In the statement of basis and purpose DEP explained that establishments are unlikely to clean out their rapidly filling grease and solids interceptors that are tributary to food waste liquefiers with the frequency necessary to continuously keep them properly maintained. However, there is no mention of grease interceptors in the proposed amendment.

The same commenter asked what has a greater impact, trucks for cleaning grease interceptors or vehicles to haul solid wastes. If grease and solids interceptors tributary to food waste liquefiers were cleaned out with the frequency needed to capture and properly dispose of 90 percent of the grease and other extractable matter - as required under 15 RCNY 19-11(f), the amount of hauled waste should be comparable to what it would be without the devices. That would defeat the purpose of even having a food waste liquefier.

One company representative asserted that such company has over 100 devices throughout New York City and that there are no reports of sewage backups, and that DEP has not presented any data. Another commenter also asked for data showing the strain on the public sewer. Notably, one of the manufacturer representatives admitted that the effluent from food waste liquefiers is high in TSS and FOG, but said it is a small contribution compared to the 1.3 billion gallon daily flow through the public sewers. Sewer blockage data specific to actual food waste liquefiers is difficult if not impossible to attain given the many sources of discharge in a city like New York and the still relatively small number of devices.

Nevertheless, DEP should not wait until the number of devices grows before addressing the issue. It is sufficient that the devices discharge high levels of FOG and TSS which already fall under the discharge prohibition of 15 RCNY 19-03(f), which prohibits in pertinent part: *(1) Construction materials, concrete or concrete contaminated water, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastic, wood, paunch manure, coffee grounds, fur, wax, power wash waste, building wash waste, fats, oils grease, or any solids or viscous substances capable of causing obstruction to the flow in sewers or other interference with the proper operation of the*

sewerage system. [emphasis added] Therefore, as a matter of compliance with City regulations, DEP cannot allow food waste liquefiers to continue to be installed.

For the above-stated reasons, DEP did not find the public comments critical of the proposed amendment to have provided sufficient reason for changing or withdrawing it.

REFERENCES

Northeastern University (2013) "On-Site Systems for Processing Food Waste – A Report to the Massachusetts Department of Environmental Protection," Isaac Griffith-Onnen, Zak Patten, and Jennifer Wong, Northeastern University, Boston, Mass.

California Department of Resources Recycling and Recovery – CalRecycle (2018) <https://www.calrecycle.ca.gov/Organics/food/commercial/Liquefiers/>

BioCycle Magazine (2013) "Analysis of Biodigesters and Dehydrators to Manage Organics On-Site," Zoë Neale.

USEPA (2008) "Anaerobic Digestion of Food Waste" U.S. Environmental Protection Agency," Prepared by East Bay Municipal Utility District.

Metcalf and Eddy (1991) "Wastewater Engineering Treatment, Disposal, and Reuse, Third Edition."

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

Section 1. Section 19-01 of Chapter 19 of Title 15 of the Rules of the City of New York is amended by adding the following definitions in alphabetical order to read as follows:

Biological liquefaction system. See "food waste liquefier."

Food waste liquefier. "Food waste liquefier" also known as "biological liquefaction system" means a device that breaks down food waste into liquefied form typically, but not exclusively, by mechanical turning, agitation, maceration, shredding, grinding, and/or aerobic digestion, as well as dilution with water, and may use additives such as microorganisms, enzymes, vitamins, and/or minerals. The resulting liquefied food waste is discharged into the drainage system.

Section 2. Subdivision (b) of Section 19-03 of Chapter 19 of Title 15 of the Rules of the City of New York is amended to read as follows:

(b) (1) Food waste disposers shall be permitted only within dwelling units. Under no circumstances will the discharge of garbage or refuse whether shredded or unshredded, other than ground putrescible food waste from food waste disposers in dwelling units, be permitted into a combined or sanitary sewer.

(2) Except for food waste disposers within dwelling units, any device that breaks down food waste by whatever means for the purpose of discharging it into the sewer system, including but not limited to food waste liquefiers, is prohibited in both residential and non-residential premises unless such device, prior to the effective date of this paragraph, either was connected to a grease interceptor as a result of an Order issued by the Department, appeared on engineering plans approved by the Department, or was registered with the New York City Department of Sanitation. When any such device reaches the end of its useful life, if it is replaced, it may only be replaced with on-site processing methods that do not break down food waste for the purpose of discharging it into the sewer system, and which comply with all applicable federal, state, and local requirements.

Section 3. Subdivision (o) of Section 19-11 of Chapter 19 of Title 15 of the Rules of the City of New York is amended to read as follows:

(o) Discharges from the cleaning of kitchen hoods which may extract grease from cooking operations must be made to receptacles or floor drains that are connected to a grease interceptor or automatic grease removal device. The minimum flow rate of the required grease interceptor or automatic grease removal device as per Table II for an automatic hood wash unit shall be equivalent to such unit's discharge rate in gallons per minute, as indicated on the manufacturer's specification sheet or based on the number of gallons of water the device uses per wash cycle, or based on the length of the hood system (0.7 gallons per minute per foot), whichever is greater. The minimum flow rate of the required grease interceptor or automatic grease removal device as per Table I for an electrostatic precipitator shall be equivalent to the precipitator's discharge rate in gallons per minute, as indicated on the manufacturer's specification sheet, or based on the number of gallons of water the precipitator uses per wash cycle, whichever is greater. [The minimum grease retention capacity in pounds shall be that which corresponds to such flow rate in Table II.]

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 Street, Room 629, New York, NY 10007, on **8/31/2021**, to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Damage Parcel No.	Block	Lot
18A, 19A, 20A, 20B, 20C, 90A, 91A, 92A	13629, 13605 32, 31, 28	ADJACENT TO LOT 11, 9, 6,

Acquired in the proceeding entitled: ROSEDALE AVENUE AREA STREETS – STAGE 1 subject to any liens and encumbrances of record on such property. The amount advanced shall cease to bear interest on the specified date above.

Scott M. Stringer
Comptroller
a17-30

NOTICE OF ADVANCE PAYMENT OF AWARDS PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that the Comptroller of the City of New York, will be ready to pay, at 1 Centre Street, Room 629, New York, NY 10007 on **9/8/2021** to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Damage Parcel No.	Block	Lot
93A, 93B, 94A, 95A, 96A, 97A, 98A, 99A, 100A, 101A	13605	ADJACENT TO LOT 27, 24, 23, 21, 19, 18, 16, 13, 11

Acquired in the proceeding entitled: ROSEDALE AVENUE AREA STREETS – STAGE 1 subject to any liens and encumbrances of record on such property. The amount advanced shall cease to bear interest on the specified date above.

Scott M. Stringer
Comptroller
a24-s7

CHANGES IN PERSONNEL

DEPARTMENT OF CORRECTION FOR PERIOD ENDING 07/09/21							
NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
NELSON	TAMIKA	L 70410	\$92073.0000	RETIRED	NO	07/01/21	072
PASTIERA	ANNA	70410	\$67196.0000	RESIGNED	NO	07/03/21	072
PAYTON	LYTRESSA	K 70467	\$114617.0000	RETIRED	NO	07/01/21	072
PHILLIPS	TRENACE	A 31164	\$58186.0000	RESIGNED	YES	06/25/21	072
PHILLIPS JR	EDWARD	C 70410	\$56318.0000	RESIGNED	NO	06/14/21	072
PUREWAL	BALRAJ	70410	\$92073.0000	RETIRED	NO	07/02/21	072
QUINONEZ	WILLIAM	G 70410	\$52216.0000	RESIGNED	NO	06/18/21	072
RAMBALI	CHETRAM	70410	\$62166.0000	RESIGNED	NO	06/26/21	072
RICHARDS	STANLEY	O 13005	\$220000.0000	APPOINTED	YES	07/02/21	072

DEPARTMENT OF CORRECTION FOR PERIOD ENDING 07/09/21							
NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
ROBINSON	NATHAN	T 56058	\$54100.0000	APPOINTED	YES	06/27/21	072
SAINT-SAUVEUR	DONNETT	P 70410	\$92073.0000	RETIRED	NO	07/03/21	072
SANCHEZ	ANDREW	J 70410	\$56318.0000	RESIGNED	NO	06/23/21	072
SANDERS	DOROTHEA	L 90210	\$41549.0000	RETIRED	YES	07/02/21	072

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Includes names like SBARATTA, SCHIANCHI, SCHMIDT, SMALL, SMITH, STEVENSON, SUBIMAL, TAN, TCHAO, THOM, THOMPSON, TSUI, TURNER, WALDEN, WILLIAMS, WILLIAMS, WRIGHT, YOUNG.

MAYORS OFFICE OF CONTRACT SVCS FOR PERIOD ENDING 07/09/21

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Includes names like FOSTER, KEWAL, LIM.

PUBLIC ADVOCATE FOR PERIOD ENDING 07/09/21

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Includes name MISHAL.

CITY COUNCIL FOR PERIOD ENDING 07/09/21

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Includes names like CHIARITO, DENNIE, DYJA, GINSBERG, JUNG, LUPERENA, MAJOR, PECORINO, WILSON.

DEPARTMENT FOR THE AGING FOR PERIOD ENDING 07/09/21

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Includes names like ANDERSON, CHIEW, FREDERICK, HONG, JOHNSON, JONES, SANTIAGO.

CULTURAL AFFAIRS FOR PERIOD ENDING 07/09/21

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Includes name HENRY.

FINANCIAL INFO SVCS AGENCY FOR PERIOD ENDING 07/09/21

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Includes name DELUCA.

OFF OF PAYROLL ADMINISTRATION FOR PERIOD ENDING 07/09/21

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Includes name TAGOTINA.

INDEPENDENT BUDGET OFFICE FOR PERIOD ENDING 07/09/21

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Includes names like NEARY, ROSENBERG, SEGOBLIND, STEFANSKI.

LANDMARKS PRESERVATION COMM FOR PERIOD ENDING 07/09/21

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Includes names like STEIN, STOKES.

TAXI & LIMOUSINE COMMISSION FOR PERIOD ENDING 07/09/21

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Includes names like HARETOPOULOS, JACKMAN, LIANG, MOROTE, PEDONE.

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Includes names like RIZZO, TORRES, YOSEF.

NYC FIRE PENSION FUND FOR PERIOD ENDING 07/09/21

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Includes names like HINCKSON-GIBSON, WINGATE.

DEPT OF YOUTH & COMM DEV SVCS FOR PERIOD ENDING 07/09/21

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Includes names like BAIN, BOBBITT, BORGES, BREITMAN, CHAPMAN, DALEY, GAO, HERNANDEZ, JURADO.

DEPT OF YOUTH & COMM DEV SVCS FOR PERIOD ENDING 07/09/21

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Includes names like MASON, MONTANEZ, MORALES-MASON, RIVERA, WANG, ZHANG.

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

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Includes names like ABBADY, ABDELMLULA, ABDIN, ACOSTA, ADAMS, ADEBAYO, ADKINS-COURTNEY, ADOLPHE, AGADJANOV, AGOSTINI, AGRAN, AHMAD, AHMAD, AHMED, ALLERU, AJASIN, AKHTAR, ALAM, ALBERT, ALDON, ALEKSANDROV, ALLAH, ALMANZAR, ALMEYDA, ANDERSON, ANDONOV, ANDREW, ANDREWS, ARMSTRONG, ARTREY, ASENDIO, ASIF, ATTILUS, AYERS, AZOR.

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

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Includes names like BAILEY, BAILY, BALDASSARO, BARNETT, BARRENO, BARROTT GONZALE, BASTIAN, BEGUM, BEGUM, BEGUM, BELGRAVE, BENJAM, BENITEZ-GADDA, BENJAMIN, BENNETT, BENNETT, BERNARDEZ, BERTONI, BEST, BHATTI, BHOLAI, BHUIYAN.

Table with columns: NAME, CITY, TYPE, SALARY, ACTION, PROV, EFF DATE, AGENCY. Rows include BILAL, BINGHAM, BONILLA SR, BOODIE, BOOTH, BOSTON, BOU, BOWMAN, BRACETTY, BRADY, BRANNON, BRATHWAITE, BRAXTON, BREWSTER, BRIGGS, BRITTON, BROOKS, BROWN, BRUNO, BUENA, BURNETT, BURNETT-ROOKWOOD, CADET, CADORE-SMITH, CAESAR, CAMACHO, CAMPBELL, CANDELARIO.

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

Table with columns: NAME, CITY, TYPE, SALARY, ACTION, PROV, EFF DATE, AGENCY. Rows include CANNON, CANTZLAAR, CAPASSO, CARABALLO, CARAVAJJO, CARIGNANO, CATO, CHAN, CHANG, CHANG, CHARLES, CHARLES, CHAUDHRY, CHEMIAA, CHEN, CHEN, CHEN, CHEN, CHEN, CHEN, CHEN, CHEN, CHEN, CHENG, CHESTER, CHEUNG, CHEUNG, CHISTI, CHOEDON, CHOY, CHRISTIAN, CHUNG, CIGGAN, CIPRIANO, CISNERO, CLARKE, CLARKE, CLAPELL, COBURN, COHEN, COHEN, COLANDER, COLE, COLEMAN, COLON, COLPOYS, COOMBS, COOPER, CORDERO, COTTO, CRANFORD.

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

Table with columns: NAME, CITY, TYPE, SALARY, ACTION, PROV, EFF DATE, AGENCY. Rows include CRUZ, CRUZ, CUNG, DANIS, DARLINGTON, DAUGHERTY, DAVIDSON, DAVIS, DAVIS, DAVIS, DE JESUS.

Table with columns: NAME, CITY, TYPE, SALARY, ACTION, PROV, EFF DATE, AGENCY. Rows include DE LA VEGA, DE LAGARDE, DECOPLAIN, DEEMER, DELEON, DELGADO, DELGADO, DELUCA, DIAKITE, DIANA, DIAZ, DICKEY, DICKSON, DIPIETRA, DONG, DONG, DONNAY, DOUGLAS, DURAN-MEJIA, ECHEVARRIA, EDMONDS, EDMUND, EDWARDS, EL, ELLIOTT, ELLIS, ELLIS, ENCARNACION, ENOE, ERVIN, ESPINET JR, ESPINOSA, EUGENE, FALCON, FANG, FEEFER, FENG, FENG.

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

Table with columns: NAME, CITY, TYPE, SALARY, ACTION, PROV, EFF DATE, AGENCY. Rows include FENIK, FLORAN, FORBES, FORD, FORDE, FORTUNE, FOWLER, FRAGE SR, FRANCHEBOIS, FRANCO, FRASER, FREEMAN, FRIEDMAN, FRYAR, FULTON, FURMAN, GABY, GARCIA, GELLENNE, GENAO, GETTY, GIBBS, GIBBS, GIORDANO, GIRALDO, GIRGIS, GIWA, GLAUDIN, GONCHAROV, GOWINS, GRAMA, GRAVES, GRAY, GREEN, GREENE, GREGORY, GRIFFITH, GRIFFITTS, GRILL, GUAMAN, GUAN, GULOTTA, GUTIERREZ, GUTIERREZ, HAN, HARDATT, HARKIN, HARKIN, HARRIS, HART, HAS.

THE CITY NEVER SLEEPS.

Your business keeps it running. Subscribe to *The City Record* to reach thousands of opportunities in New York City government business today and every day. *The information you need to get the business you want.*

VISIT US ONLINE AT www.nyc.gov/cityrecord



SUBSCRIBE TODAY! CITY RECORD ORDER FORM

6-month print subscription: by mail \$300 by fax \$400
1-year print subscription: by mail \$500 by fax \$700
Pay by: Visa MasterCard AMEX Discover Check
 Renewal (Customer No. _____) New Subscription

To Pay by Credit Card Call (212) 386-6221

2% of the payment amount will be added if you pay by credit card.

Send check payable to: **The City Record**
1 Centre Street, 17th Floor, New York, NY 10007-1602

Name: _____
Company: _____
Address: _____
City: _____ State: _____ Zip+4: _____
Phone: (____) _____ Fax: (____) _____
Email: _____
Signature: _____

Note: This item is not taxable and non-refundable. The City Record is published five days a week, except legal holidays. For more information call: 212-386-0055, fax: 212-669-3211 or email csubscriptions@dcas.nyc.gov

