

SUPPLEMENT TO

THE CITY RECORD

THE COUNCIL —STATED MEETING OF

THURSDAY, OCTOBER 11, 2012

THE COUNCIL

Minutes of the Proceedings for the
STATED MEETING
of
Thursday, October 11, 2012, 2:47 p.m.

The President Pro Tempore (Council Member Rivera)
Acting Presiding Officer

Council Members

Christine C. Quinn, Speaker

Maria del Carmen Arroyo	Vincent J. Gentile	Michael C. Nelson
Charles Barron	Sara M. Gonzalez	James S. Oddo
Gale A. Brewer	David G. Greenfield	Annabel Palma
Fernando Cabrera	Daniel J. Halloran III	Domenic M. Recchia, Jr.
Margaret S. Chin	Vincent M. Ignizio	Joel Rivera
Leroy G. Comrie, Jr.	Robert Jackson	Ydanis A. Rodriguez
Elizabeth S. Crowley	Letitia James	Deborah L. Rose
Inez E. Dickens	Peter A. Koo	James Sanders, Jr.
Daniel Dromm	G. Oliver Koppell	Eric A. Ulrich
Mathieu Eugene	Karen Koslowitz	James Vacca
Julissa Ferreras	Bradford S. Lander	Peter F. Vallone, Jr.
Lewis A. Fidler	Jessica S. Lappin	Albert Vann
Helen D. Foster	Stephen T. Levin	James G. Van Bramer
Daniel R. Garodnick	Melissa Mark-Viverito	Mark S. Weprin
James F. Gennaro	Darlene Mealy	Jumaane D. Williams
	Rosie Mendez	Ruben Wills

Excused: Council Members Dilan and Reyna.

The Majority Leader (Council Member Rivera) assumed the Chair as the President Pro Tempore and Acting Presiding Officer.

After being informed by the City Clerk and Clerk of the Council (Mr. McSweeney), the presence of a quorum was announced by the President Pro Tempore (Council Member Rivera).

There were 48 Council Members marked present at this Stated Meeting held in the Council Chambers of City Hall, N.Y., N.Y. 10007.

INVOCATION

The Invocation was delivered by Rev. Vanessa Brown, Rivers at Rehoboth Church, P.O. Box 617, New York, New York 10030.

Let us pray.

Universal loving God,
thank you for this day,
thank you for your creation,
we marvel at your work.
We thank you
for our New York City Council members
and those who are assembled
here in this Council chamber.
We thank you for those
who are active in our city government,
those that have been appointed
by the people and by your hand
to look after this city.
We pray for them,
and lift them up before you,
as they govern over this city.
We lift up all of our city officials,
we pray for skillful godly wisdom
through this City Council,
as they exercise their ability
to make decisions in the best interests
of the people and this city.
We pray for this session
That will take place right now,
we pray that you will be with them
as they speak of this city,
as this legislative body
prepares to vote on today,
let their decisions be right and good.
We thank you for giving this session
new and refreshing ways
to re-energize this city
and revitalize our boroughs.
We thank you for giving them innovative ideas
to make our communities better.
We thank you, God,
for hearing our prayer this afternoon.
We pray in the name of all that is righteous,
just, sacred, loving, kind and merciful.
Amen.

Council Member Jackson moved to spread the Invocation in full upon the Record.

At this point, the Speaker (Council Member Quinn) asked for a Moment of Silence in memory of the following individuals:

William Karas, 92, father of long-time City Council staff member and Deputy Chief General Counsel, James Karas, passed away suddenly at his home in New Jersey. Mr. Karas was born in Manhattan in 1920 and was raised in Queens, N.Y. He served as a sergeant in the Army Air Corps during World War II, attended college under the G.I. Bill, and later became a CPA and established his own accounting firm in Hoboken, New Jersey. An active member of St. John the Theologian Greek Orthodox Cathedral in Tenaflly, Mr. Karas was survived by his wife Tina of 51 years, his sons Nicholas and James, and his grandson William.

Barry Commoner, 95, Brooklyn Heights resident and founder of the modern ecology movement and a a leader among scientist-activists who recognized the toxic consequences of America's post-World War II technology boom, passed away on September 30, 2012. Dr. Commoner's work on the global effects of radioactive fallout contributed to the passage of the 1963 Nuclear Test Ban Treaty. In 1970, the year of the first Earth Day, Time Magazine put Dr. Commoner on its cover and called him the "Paul Revere of Ecology". Born in Brooklyn in 1917 to Jewish immigrants from Russia, he was a founding director of the Center for Biology of Natural Sciences in St. Louis where his investigations included lead poisoning, river pollution and organic farming. In 1981, Dr. Commoner moved the Center to Queens College, and was often seen testifying at City Council hearings on environmental issues. He is survived by his wife Lisa, his two children and a granddaughter. At this point, the floor was yielded to Council Member Gennaro, chair of the Committee on Environmental Protection, who spoke in respectful memory of Dr. Barry Commoner.

ADOPTION OF MINUTES

Council Member Wills moved that the Minutes of the Stated Meeting of September 12, 2012 be adopted as printed.

MESSAGES & PAPERS FROM THE MAYOR

M-908

Communication from the Mayor - Submitting the name of Nicholas Scoppetta to the Council for its advice and consent regarding his appointment to the New York City Conflicts of Interest Board, Pursuant to Sections 2602 of the City Charter.

September 20, 2012

Hon. Michael McSweeney
City Clerk, Clerk of the Council
Municipal Building
1 Centre Street, 2nd Floor South
New York, NY 10007

Dear Mr. McSweeney:

Pursuant to Section 3-204 of the Election Law of the State of New York, I enclose herewith a certificate of party recommendation setting forth the name of JOSE M. ARAUJO as Elections Commissioner, which was duly voted upon at a meeting of the Democratic County Committee of Queens County held on September 20, 2012 at Antun's, 96-43 Springfield Boulevard, New York.

Thank you for your cooperation.

Sincerely,

MICHAEL H. REICH
Executive Secretary
Queens County Democratic Organization

Referred to the Committee on Rules, Privileges and Elections.

COMMUNICATION FROM CITY, COUNTY & BOROUGH OFFICES

Preconsidered M-909

Communication from the Queens County Democratic Organization - Recommending the name of José M. Araujo to the Council regarding his re-appointment to the New York City Board of Elections, Pursuant to Sections 3-204 of the Election Law of the State of New York.

October 3, 2012

The Honorable Christine C. Quinn
Council Speaker

City Hall
New York, NY 10007

Dear Speaker Quinn:

Pursuant to Section 2602 of the City Charter, I am very pleased to present the name of Nicholas Scoppetta to the City Council for advice and consent prior to his appointment to the New York City Conflicts of Interest Board.

Mr. Scoppetta is a graduate of Bradley University and Brooklyn Law School. He has served the City of New York with distinction in many capacities, most recently as the 31st Commissioner of the Fire Department. When appointed to the Board, Mr. Scoppetta will succeed Steven Rosenfeld and serve for the remainder of a six-year term that will expire on March 31, 2014.

Thank you for reviewing the appointment of Nicholas Scoppetta.


Sincerely,

Michael R. Bloomberg
Mayor

Referred to the Committee on Rules, Privileges and Elections.

M-910

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a new base station license A C Car Services, Council District 28, pursuant to Section 19-511(i), of the administrative code of the city of New York.



David Yassky Commissioner

Licensing and Standards
32-02 Queens Boulevard
Long Island City, NY 11101

+1 212 227 6324 tel
+1 718 391 5786 fax

September 21, 2012

The Honorable Speaker Christine C. Quinn
Attention: Mr. Gary Altman
Council of the City of New York
250 Broadway, 15th Floor
New York, New York 10007

Re: Taxi & Limousine Commission
For-Hire Vehicle Base License approvals

Dear Speaker Quinn:

Please be advised that on September 20, 2012 the Taxi & Limousine Commission voted to approve the following for-hire vehicle base license application:

NEW (7):	LICENSE #	COUNCIL DISTRICT
A C Car Service	B02561	28
Aden Car & Limousine Service Inc.	B02543	48
Gogreenride Inc.	B02569	1
Hiba Car & Limo. Service Inc.	B02541	26
Jackson Heights Car Service Inc.	B02565	25
Metropolitan Area L.L.C.	B02580	51
Sunset Park Car Service Inc.	B02573	38
RENEWALS (15):	LICENSE #	COUNCIL DISTRICT
Bangla Car & Limo. Service Inc.	B02183	26

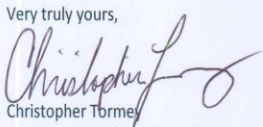
DIAL 311 – Government Services and Information for NYC
www.nyc.gov/tlc

Printed on paper containing 30% post-consumer material.

D & J Services Inc.	B01277	13
Discount Car Service	B01311	23
Georgetown Management Inc.	B01081	42
Keshet Car Service Ltd.	B00751	39
Personal Touch Car Service	B00941	27
Prestij Transportation Inc. D/b/a Prestige Car Service	B01289	47
Quick Ride Corp.	B01764	1
Rachel's Car Service Inc.	B01263	39
Rainbow Radio Dispatch Inc.	B00149	35
Rochdale Car Service Inc.	B02335	31
RPO Car & Limousine Service Inc.	B01069	28
The Metro Marine Car Service Inc. D/b/a Marine Limo. & Car Service Inc.	B01079	43
United Express Car & Limousine Service	B01109	36
Yours Car Service Inc.	B01601	43
RENEWAL & RELOCATION (1):	LICENSE #	COUNCIL DISTRICT
Kings Plaza Car Service Inc.	B02121	42
RENEWAL & OWNERSHIP CHANGE (1):	LICENSE #	COUNCIL DISTRICT
Concorde Express of New York	B01751	48
RELOCATIONS (3):	LICENSE #	COUNCIL DISTRICT
Flamingo Transportation & Limousine Service	B01485	40
Go Car Corp.	B01231	33
La Poblanita Car Service Corp.	B02206	34

DIAL 311 – Government Services and Information for NYC
www.nyc.gov/tlc
Printed on paper containing 30% post-consumer material.

The complete application packages compiled for the above bases are available for your review upon request. If you wish to receive a copy please contact Ms. Michelle Lange, Business Licensing Unit, at langem@tlc.nyc.gov. Please find enclosed herein the original applications for the approved base stations.

Very truly yours,

Christopher Torme
Director of Applicant Licensing
Licensing & Standards Division
Taxi & Limousine Commission

Referred to the Committee on Transportation.

M-911

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a new base station license Aden Car & Limousine Service Inc., Council District 48, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC Letter, please see M-910 printed in this Communication from City County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-912

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a new base station license Gogreenride Inc., Council District 1, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC Letter, please see M-910 printed in this Communication from City County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-913

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a new base station license Hiba Car & Limo. Service Inc., Council District 26, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC Letter, please see M-910 printed in this Communication from City County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-914

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a new base station license Jackson Heights Car Services Inc., Council District 25, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC Letter, please see M-910 printed in this Communication from City County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-915

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a new base station license Metropolitan Area L.L.C., Council District 51, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC Letter, please see M-910 printed in this Communication from City County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-916

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a new base station license Sunset Park Car Services Inc., Council District 38, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC Letter, please see M-910 printed in this Communication from City County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-917

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Bangla Car & Limo. Services Inc., Council District 26, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC Letter, please see M-910 printed in this Communication from City County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-918

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station D & J Services Inc., Council District 13, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC Letter, please see M-910 printed in this Communication from City County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-919

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Discount Car Service, Council District 23, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC Letter, please see M-910 printed in this Communication from City County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-920

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station Georgetown Management Inc., Council District 42, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC Letter, please see M-910 printed in this Communication from City County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-921

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Keshet Car Service Ltd., Council District 39, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC Letter, please see M-910 printed in this Communication from City County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-922

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station Personal Touch Car Service, Council District 27, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC Letter, please see M-910 printed in this Communication from City County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-923

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Prestij

Transportation Inc. D/b/a Prestige Car Service, Council District 47, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC Letter, please see M-910 printed in this Communication from City County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-924

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station Quick Ride Corp., Council District 1, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC Letter, please see M-910 printed in this Communication from City County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-925

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Rachel’s Car Service Inc., Council District 39, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC Letter, please see M-910 printed in this Communication from City County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-926

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station Rainbow Radio Dispatch Inc., Council District 35, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC Letter, please see M-910 printed in this Communication from City County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-927

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Rochdale Car Service Inc., Council District 31, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC Letter, please see M-910 printed in this Communication from City County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-928

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station RPO Car & Limousine Service Inc., Council District 28, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC Letter, please see M-910 printed in this Communication from City County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-929

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license The Metro Marine Car Service Inc. D/b/a Marine Limo. & Car Service Inc., Council District 43, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC Letter, please see M-910 printed in this Communication from City County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-930

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station United Express Car & Limousine Service., Council District 36, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC Letter, please see M-910 printed in this Communication from City County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-931

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Yours Car Service Inc., Council District 43, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC Letter, please see M-910 printed in this Communication from City County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-932

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal and relocation base station Kings Plaza Car Service Inc., Council District 42, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC Letter, please see M-910 printed in this Communication from City County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-933

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal and ownership change base station Concorde Express of New York, Council District 48, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC Letter, please see M-910 printed in this Communication from City County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-934

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a relocation base station Flamingo Transportation & Limousine Service, Council District 40, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC Letter, please see M-910 printed in this Communication from City County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-935

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a relocation base station Go Car Corp., Council District 33, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC Letter, please see M-910 printed in this Communication from City County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-936

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a relocation base station La Poblanita Car Service Corp., Council District 34, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC Letter, please see M-910 printed in this Communication from City County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

LAND USE CALL UPS

M-937

By Council Member Chin:

Pursuant to Rule 11.20(c) of the Council and Section 197-d(b)(3) of the New York City Charter, the Council hereby resolves that the action of the City Planning Commission on Uniform Land Use Procedure Application no. C 120267 PPM, a disposition of two city owned properties, shall be subject to Council review.

Coupled on Call – Up Vote

M-938

By Council Member Chin:

Pursuant to Rule 11.20(c) of the Council and Section 197-d(b)(3) of the New York City Charter, the Council hereby resolves that the action of the City Planning Commission on Uniform Land Use Procedure in the matter of an application submitted by 54 Greene Street Realty Corp. Application no. C 090002 ZSM, shall be subject to Council review.

Coupled on Call – Up Vote

M-939

By Council Member Vallone Jr.:

Pursuant to Rule 11.20(b) of the Council and Section 20-226(g) or 20-225(g) of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an unenclosed/enclosed sidewalk café located at 34-19 30th Avenue, Borough of Queens, Community Board No. 1, Application no. 20125755 TCQ shall be subject to review by the Council.

Coupled on Call – Up Vote

LAND USE CALL UP VOTE

The President Pro Tempore (Council Member Rivera) put the question whether the Council would agree with and adopt such motions which were decided in the **affirmative** by the following vote:

Affirmative – Arroyo, Barron, Brewer, Cabrera, Chin, Comrie, Crowley, Dickens, Dromm, Eugene, Ferreras, Fidler, Foster, Garodnick, Gennaro, Gentile, Gonzalez, Greenfield, Halloran, Ignizio, Jackson, James, Koo, Koppell, Koslowitz, Lander, Lappin, Levin, Mark-Viverito, Mealy, Mendez, Nelson, Palma, Recchia, Rodriguez, Rose, Sanders, Ulrich, Vacca, Vallone Jr., Van Bramer, Vann, Weprin, Williams, Wills, Oddo, Rivera and the Speaker (Council Member Quinn) – **48**.

At this point, the President Pro Tempore (Council Member Rivera) declared the aforementioned items **adopted** and referred these items to the Committee on Land Use and to the appropriate Land Use subcommittee.

REPORTS OF THE STANDING COMMITTEES

Report of the Committee on Economic Development

Report for Int. No. 733-A

Report of the Committee on Economic Development in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to the boundaries of the Far Rockaway empire zone.

The Committee on Economic Development, to which the annexed amended proposed local law was referred on December 8, 2011 (Minutes, page 5255), respectfully

REPORTS:

I. Introduction

On October 11, 2012, the Committee on Economic Development, chaired by Council Member Karen Koslowitz, will hold a hearing to consider Proposed Int. No. 733-A, a Local Law to amend the administrative code of the city of New York, in relation to the boundaries of the Far Rockaway empire zone. The Committee held a hearing on the original bill on October 4, 2012. At such hearing the committee received testimony from representatives of the New York City Department of Small Business Services (SBS), the developer of the Arverne by-the-Sea project and other interested parties.

II. Background on the Empire Zone Program

The Empire Zone Program, a statewide economic development program, was created in 1986. Empire Zones are designated areas within the state that offer tax benefits and incentives to private businesses to encourage economic development, business investment, and job creation in impoverished areas. The tax benefits and incentives are granted to businesses that locate or expand within an empire zone.¹ To be eligible for zone designation, a sponsoring locality (city, county, village, or town) must meet certain criteria including demonstrating that the proposed area is severely distressed in relation to poverty, unemployment and economic distress measures.² There are more than 80 Empire Zones designated in New York State, 11 of which are located in New York City.³

Once an area receives an empire zone designation, the local governmental entity designates a local Empire Zone Administrative Board (ZAB)⁴ whose members include representatives from a local business, community organization, organized labor, financial institution, a local educational institution, and a resident of the community.⁵ Zone Administrative Boards are responsible for establishing economic goals, objectives to achieve the goals, and monitoring and evaluating zone performance. The New York City Department of Small Business Services through a

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¹ See http://www.empire.state.ny.us/Tax_and_Financial_Incentives/Empire_Zones/descriptions_benefits.asp Accessed November 22, 2009.

² See, GML §958(a)(iii).

³ See, State Department of Economic Development website, http://www.nylovesbiz.com/Tax_and_Financial_Incentives/Empire_Zones/default.asp. Accessed November 22, 2009; see also, SBS website, http://www.nyc.gov/html/dof/html/property/property_tax_reduc_incentive.shtml. November 22, 2009.

⁴ See, GML §963.

⁵ See, GML §957(d).

zone coordinator for each area is responsible for overseeing the activities of the 11 zones.⁶

In order to be certified as an Empire Zone business and to receive the related benefits, a business must submit a completed application for certification to the local ZAB and the Local Zone Certification Officer. The application is required to contain projected capital investments or investments in other tangible personal property that the applicant will provide in the Empire Zone and an estimate of the projected number of new or shifted jobs (jobs moved from a New York State non-zone location to the zone location) for the five-year period beginning with the year the application is submitted.

Empire Zone Benefits to Businesses

The following incentives are available to businesses taking part in the Program:⁷

Wage Tax Credit

Employee Wage Tax Credits are applied against a business's state tax liability and are available for businesses employing full-time employees in new jobs. An Empire Zone employer, paying employees at least 135 percent of minimum wage, may be entitled to a \$3,000 credit for targeted employees⁸ or \$1,500 credit for all non-targeted employees for up to five consecutive years.

EZE Sales Tax Exemptions:

Qualified Empire Zone Enterprises (QEZE) are granted a 10-year exemption from state sales tax on purchases of goods (personal tangible property) and services (including utility services) used predominantly in an Empire Zone by a certified empire zone business. The exemption is on the state portion of the sales tax and can be applied for all purchases by an empire zone certified business.

QEZE Credit for Real Property Taxes:

Qualified Empire Zone Enterprises are allowed a refundable credit against business or income tax equal to a percentage of real property taxes paid in the zone (effective for taxable years beginning on or after January 1, 2001).⁹

QEZE Tax Reduction Credit:

Qualified Empire Zone Enterprises are allowed a credit against business or income tax equal to a percentage of taxes attributable to the zone enterprise (effective for taxable years beginning on or after January 1, 2001). Through this credit, as additional jobs are created and/or investments made, a company can reduce its corporate franchise tax liability to zero. Unused credits cannot be carried forward or refunded.

EZ Investment Tax and Employment Incentive Credits:

Businesses that create new jobs and make new investments in production, property and equipment may qualify for tax credits of up to 19% of the company's eligible investment.

New Business Refund:

Businesses new to New York State are entitled to a 50% cash refund of unused EZ-WTC and ITC amounts. Other businesses may carry forward unused credits indefinitely.

Utility Rate Savings:

Special reduced electric and gas rates may be available through investor-owned utilities in New York State. Businesses that locate or expand their operations in an empire zone may receive significantly reduced rates.

Zone Capital Credit:

A 25% tax credit against personal or corporate income taxes is available for contributing or purchasing shares in a zone capital corporation or for a direct equity investment in a certified zone business or for contributions to approved community development projects within an empire zone. A Zone Capital Corporation is an entity incorporated for the purpose of raising funds through private and public grants, donations or investments, to be used in making investments in and loans to certified zone businesses to encourage the establishment or expansion of such businesses, thereby providing new job opportunities within an economic development zone.¹⁰

Sales Tax Refund or Credit:

Purchases of building materials to be used for commercial or industrial real property located in an empire zone are eligible for a refund or credit of state sales taxes. A similar refund or credit of local sales tax may also be available from the locality.

Real Property Tax Abatement:

Empire zones may offer tax abatements from an increased assessment, with the abatement value based on improvements to real property for up to 10 years. This holds true for up to seven years at 100%, decreasing over the last three years of the exemption.

Technical Assistance:

Each local zone office is staffed with professionals qualified to assist businesses locating or expanding in an empire zone.

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⁶ See, generally, NYC Administrative Code §§22-701–22-719.

⁷ Information available at <http://www.tax.state.ny.us/sbc/qeze.htm>, and <http://www.labor.state.ny.us/businessservices/EDSU/EDSU%20EDZ%20ZEA.shtm>. Accessed November 22, 2009

⁸ Certain disadvantaged workers qualifying for other federal tax credit programs.

⁹ Ibid.

¹⁰ 5 NYCRR 10.2 (n).

II. *Background on the Far Rockaway Empire Zone*

In 1994, Local Law 5 established the boundaries and designation of an economic development zone within the Far Rockaway section of Queens. This area was originally measured and marked by metes and bounds¹¹ and is now known as the Far Rockaway Empire Zone.¹²

In 2005, in an effort to improve the effectiveness of the program, the State Legislature amended the Empire Zone program and required that the boundaries of empire zones be reconfigured to meet certain requirements of effectiveness and certainty.¹³ On October 25, 2006, the Council passed Local Law 45 which codified boundary changes in the City’s empire zones from a metes and bounds measurement to block and lot designations.¹⁴

The Far Rockaway Empire Zone has revitalized the community by providing commercial and residential opportunities and improving the area’s public infrastructure. One of the projects in this zone includes, the Arverne by-the-Sea (ABTS), a community plan facilitated by HPD. This plan proposed the development of significant residential, commercial and retail space encompassing a large area of the Far Rockaway peninsular. The ABTS development is bounded generally by the Rockaway Freeway to the north, Beach 59th Street to the east, the Boardwalk on the south and Beach Beach 81st Street to the west.¹⁵ In July 2002, the developer and HPD broke ground to mark the beginning the project.

To date, the ABTS project has served as an impetus for development throughout the Rockaway Peninsula by transforming 117 acres of previously blighted neighborhoods to millions of dollars in improved infrastructure.¹⁶

Revising the Empire Zone

The existing Empire Zone does not include the full area which is encompassed in the ABTS project. Parts of this project was excluded when the boundary lines for the zone was converted to block and lot designations rather than a metes and bounds designation. As a result, the 2005 boundary revision pursuant to Local Law 45 did not include a portion of the ABTS project representing approximately 150,000 sq. ft. of commercial overlay within the approved Arverne urban renewal plan.¹⁷

Section 969 of the General Municipal Law allows for revisions to the boundaries of empire zones. The statute requires that the boundaries of empire zones and the active operation of a zone remain in effect until June 30, 2010 when all empire zone programs in the state expired. Although the expiration of the program means new businesses within the zone will not qualify for zone benefits¹⁸, the law does permit changes in a zone’s boundaries subsequent to the program’s expiration¹⁹. Businesses existing and certified within the zone prior to the program’s expiration date however will continue to receive benefits so long as they submit annual reports and adhere to other program requirements.²⁰

As provided in the General Municipal Law, a ZAB may, at any time prior to June 30, 2010, submit a preliminary application requesting a boundary revision to “accommodate a project that would result in the creation of jobs within the zone”²¹. If the commissioner approves the application, the effective date of the boundary revision may be retroactively set to a date prior to the program’s expiration. This would allow businesses certified within the newly added boundary area to receive empire zone benefits. SBS, in a letter addressed to the Council on December 6, 2011, stated that the:

... the Far Rockaway Zone Administrative Board met on June 25, 2010 and passed a resolution to authorize the boundary revision application to the Empire State Development Corporation (ESDC). The ESDC approved the preliminary boundary revision application, which included all necessary documentation, including a letter from the New York City Department of City Planning which sets forth the block and lots to be included in the boundary amendment. Accordingly ..., the City has taken all necessary steps towards completion of the application.²²

Proposed Int. No. 733-A

Proposed Int. No. 733-A amends section 22-712 of the administrative code, by adding certain properties as identified by block and lot numbers to the existing 746-acre bounded area of the Far Rockaway Empire Zone. These parcels represent the remaining portions of the ABTS development and commercial areas deemed

for the Lower Ma_____

¹¹ See Local Law 5 of 1994. Note: The bounded zones were originally named “economic development” in the 1986 state legislation creating the program. In 2000, the State Legislature changed the program and zone names to empire zones.

¹² See section 15 of part GG of chapter 63 of the laws of 2000.

¹³ Transcript, September 14, 2006, New York City Council Committee on Economic Development, Hum, Carl, Director, Mayor’s Office of Manufacturing and Industrial Business.

¹⁴ See Local Law 45 of 2006 and Section 22-712(c) of the New York City Administrative Code.

¹⁵ Second Amended Arverne Urban Renewal Plan, at page 5.

¹⁶ Representation by SBS officials during meeting with Committee Staff, February 2012.

¹⁷ Representation by SBS officials during meeting with Committee Staff, February 2012.

¹⁸ Empire State Development, <http://www.esd.ny.gov/BusinessPrograms/EmpireZones.html>, accessed 9/28/12

¹⁹ General Municipal Law, Section 969(f).

²⁰ Empire State Development, <http://www.esd.ny.gov/BusinessPrograms/EmpireZones.html>, accessed 9/28/12.

²¹ General Municipal Law Section 969(f).

²² Letter, dated December 6, 2011 from Andrew Schwartz, First Deputy Commissioner, Department of Small Business Services, addressed to Robert Newman, Legislative Director, New York City Council.

critically important to the economic success and the continued development of the area. The bill adds the following blocks and lots to the existing empire zone:

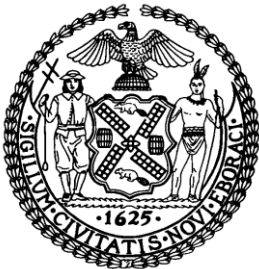
- Block: 15905 Lots: 1; 135, 136, 137; 138; 139; 140; 141; 165; 166; 167; 168; 169; 170; 171; 172; 197; 198; 199; 200; 201; 202; 203; 204; 205; 206; 207; 208; 210; 211; 212; 213; 214; 215; 216; 217; 218; 227; 228; 229; 230; 235; 236; 237; 238; 239; 240; 241; 243; 244; 245; 246; 247; 248; 249; 250; 251; 252; 254; 255; 256; 257; 258; 259; 260; 261; 262; 263; 264; 265; 267; 268; 269; 270; 271; 272; 273; 274; 276; 277; 278; 279; 280; 281; 282; 283; 284; 285; 286; 287; 288; 289; 290; 291; 292; 293.
- Block 15917 Lot 114.;
- Block 15918 Lots 1; 2; 10; 18; 85.
- Block 15939 Lots: 1.
- Block 15940 Lots 93; 103.
- Block 15941 Lots: 71.
- Block 15942 Lots: 1.
- Block 16092 Lots: 1, 2; 3; 4; 5; 6; 7; 8; 9; 10; 11; 12; 13; 14; 15; 16; 17; 18; 19; 20; 21; 22; 23; 24; 25; 26; 27; 28; 29; 30; 31; 32; 33; 34; 35; 36; 37; 38; 39; 40; 41; 42; 43; 44; 45; 46; 47; 48; 49; 51; 52; 53; 54; 55; 56; 57; 58; 59; 60; 61; 62; 63; 64; 65; 66; 67; 68; 69; 70; 71; 72; 73; 74; 75; 76; 77; 78; 79; 80; 81; 82; 83; 84; 85; 86; 87; 88; 89; 90; 91; 92; 93; 94; 95; 96; 97; 98; 99; 100; 101; 102; 103; 104; 105; 106; 107; 108; 109; 110; 111; 112; 113; 114; 115; 116; 117; 118; 119; 120; 121; 122; 123; 124; 125; 126; 127; 128; 129; 130; 131; 132; 133; 134; 135; 137; 138; 139; 140.
- Block 16093 Lots: 1.
- Block: 16094 Lots: 1.
- Block: 16095 Lots: 55.

This bill would be effective immediately and be retroactive to June 25, 2010.

Amendments to Int. 733:

- Lots 135 through 141; 165 through 172; 197 through 218; 227 through 230; 235 through 247; 243 through 252; 254 through 265; 267 through 274; and 276 through 293 were added to Block 15905. These lots were added to include all property that is encompassed in the ABTS project.
- Two lots (lot 1 and 18) were deleted from Block 15917 as Lot 1 no longer exists on the city tax map and Lot 18 is not included in the ABTS project.
- Lot 1 was added to Block 15918 to identify this property as part of the ABTS project.
- Lots 2 through 36; 38 through 49; 51 through 87; 89 through 131; 133 through 135 and 137 through 140 were added to Block 16092. These parcels were included as they are part of the ABTS project.
- The bill’s effective date was revised to provide that the new boundaries of the Far Rockaway empire zone will be retroactive to and deemed to have been in full force and effect as of June 25, 2010. This new effective date reflects the date that the local ZAB approved revisions of this empire zone to include additional property that are part of the ABTS project.

(The following is the text of the Fiscal Impact Statement for Int. No. 733-A:)



THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION
PRESTON NIBLACK, DIRECTOR
FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 733-A
COMMITTEE:
Economic
Development

TITLE: To amend the administrative code of the city of New York, in relation to the boundaries of the Far Rockaway empire zone.

SPONSOR: Council Member Sanders, Cabrera, Comrie, James, Mealy, and Williams

SUMMARY OF LEGISLATION: This legislation would amend Section 22-712 of the administrative code of the city of New York by adding 55 acres to the existing 746-acred bounded area of the Far Rockaway Empire Zones. The blocks and lots that will be added are listed after the HISTORY section.

EFFECTIVE DATE: This legislation would take effect immediately and would be retroactive to and deemed to have been in full force and effect as of June 25, 2010.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: 2013

FISCAL IMPACT STATEMENT:

	Effective FY13	FY Succeeding Effective FY14	Full Fiscal Impact FY13
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: There would be no revenues generated by the enactment of this legislation.

IMPACT ON EXPENDITURES: None. The State, not the City, will bear the costs as the State manages the Empire Zone tax credits.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: Not applicable.

SOURCE OF INFORMATION: City Council Finance Division

ESTIMATE PREPARED BY: Ralph P. Hernandez, Principal Legislative Financial Analyst

Nathan Toth, Deputy Director,
City Council Finance Division

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 733-A:)

Int. No. 733-A

By Council Member Sanders, Cabrera, Comrie, James, Mealy, Williams, Arroyo, Rose and Gennaro.

A Local Law to amend the administrative code of the city of New York, in relation to the boundaries of the Far Rockaway empire zone.

Be it enacted by the Council as follows:

Section 1. Section 22-712 of the administrative code of the city of New York is amended by adding two new subdivisions, d and e, to read as follows:

d. In accordance with general municipal law section nine hundred sixty-nine (c), the city of New York hereby requests that the commissioner of the New York state department of economic development approve a proposed revision of the boundaries of the Far Rockaway empire zone. Upon approval by the commissioner of the proposed revision, the boundaries of the zone as set forth in subdivision c of this section shall be superseded by the revised boundaries as set forth in subdivision e of this section.

e. There is hereby established in the borough of Queens an empire zone consisting of the following blocks and lots:

- Block: 15529 Lots: 4; 9; 10; 19; 38; 42; 48; 54; 65; 102; 105; 110; 115; 121; 122; 123; 129; 134; 136; 142; 143; 161.
- Block: 15536 Lots: 1; 6; 12; 15; 18; 22; 28; 31.
- Block: 15537 Lots: 1; 5; 40; 46; 50; 51; 53; 54; 55; 56; 57; 58; 59; 60; 63; 65; 71; 79; 89; 92; 94; 99; 100; 112; 125; 128; 130; 133; 137; 147; 148; 150; 152; 153.
- Block: 15544 Lots: 1; 6; 8; 10; 12; 15; 18; 21; 24; 26; 28; 31; 34; 40; 46; 51; 57; 63.
- Block: 15545 Lots: 1; 4; 7; 10; 13; 19; 23; 26; 28; 29; 32; 41; 43; 44; 48.
- Block: 15557 Lots: 1; 4; 14; 17; 25; 81; 83; 84; 86; 7501.
- Block: 15559 Lots: 1; 8; 12; 25; 40; 42; 44; 51; 54; 58; 62; 151.
- Block: 15560 Lots: 1; 8; 12; 17; 22; 23; 24; 26; 30; 34; 41; 43; 44; 45; 50; 52; 54.
- Block: 15561 Lots: 1; 4; 8; 10; 13; 16; 18; 19; 21; 22; 23; 26; 29; 34; 58.
- Block: 15564 Lots: 1; 11; 14; 15; 16; 17; 19; 21; 23; 25; 33; 36; 38; 40; 42;

- 45; 50; 51; 52; 53; 55; 63; 79; 7501.
- Block: 15566 Lots: 1; 9; 17; 22; 23; 25; 26; 28; 30; 32; 36; 38; 40; 42; 43; 44; 45; 46; 47; 48; 49; 50; 53; 55; 56; 57; 58; 60; 65; 146; 148; 149.
- Block: 15636 Lots: 1; 7; 61; 64.
- Block: 15637 Lots: 1; 10; 12; 14; 15; 17; 19; 20; 21; 23; 27; 31; 34; 36; 39; 50; 56; 58; 68; 69; 73; 75; 78; 79; 82; 84; 86; 171.
- Block: 15704 Lots: 1; 5; 6; 17; 26; 30; 36; 40; 53; 55; 57; 60; 66; 72; 75.
- Block: 15705 Lots: 1; 6; 9; 10; 11; 12; 13; 14; 15; 18; 21; 22; 25; 26; 28; 29; 30; 31; 32; 33; 34; 35; 36; 37; 59; 69; 78; 81; 84; 88; 125; 135; 136; 140.
- Block: 15747 Lots: 1.
- Block: 15750 Lots: 1; 29; 33; 37; 40; 42; 43; 45; 46; 50; 54.
- Block: 15751 Lots: 4; 10; 16; 19; 24; 26; 28; 30; 34; 36; 39; 45.
- Block: 15760 Lots: 1; 3; 6; 9; 12; 21; 23; 25; 27; 30; 33; 36; 39; 42; 45.
- Block: 15761 Lots: 1; 3; 5; 9; 11; 13; 14; 26; 32; 42; 44.
- Block: 15767 Lots: 1; 7; 14; 17; 24; 26; 28; 32; 41; 48; 50.
- Block: 15768 Lots: 7501.
- Block: 15769 Lots: 1; 3; 5; 10; 11; 13; 14; 15; 16; 17; 25; 26; 27; 28; 30; 32; 34.
- Block: 15770 Lots: 6; 7; 9; 12; 13; 16; 20; 22; 24; 26; 28; 30; 33; 36; 38; 39; 41; 43; 46; 48; 49; 50; 53; 55; 57; 60.
- Block: 15780 Lots: 15; 20; 75; 100.
- Block: 15781 Lots: 1; 4; 8; 10; 11; 12; 13; 15; 16; 17; 19; 21; 23; 25; 27; 29; 32; 34; 36; 38; 40; 42; 44; 46; 48; 50; 52; 70; 75; 76.
- Block: 15782 Lots: 1; 7; 14; 21; 32; 33; 34; 35; 36; 37; 38; 39; 40; 42; 43; 46; 48; 50; 51; 53; 54.
- Block: 15783 Lots: 45; 47; 48; 50; 51; 53; 55; 56; 58; 60; 63; 64; 65; 67; 68.
- Block: 15784 Lots: 1; 20; 22; 25; 26; 28; 29; 31; 33.
- Block: 15786 Lots: 42; 44; 46; 48; 50; 51; 54; 56; 58; 59; 62; 63; 64; 65; 66; 67; 69; 71; 72; 75; 77; 79; 82; 83; 84; 85; 86; 87; 88; 93; 94; 95; 99; 101; 103; 105; 108; 109; 110; 112; 114; 190; 195; 206.
- Block: 15788 Lots: 2; 4; 6; 7; 9; 10; 11; 12; 15; 16; 18; 22; 25; 37; 107; 109; 110; 117; 119; 120; 123; 125; 127; 129; 130; 132.
- Block: 15801 Lots: 1; 9; 10; 15; 26.
- Block: 15802 Lots: 1; 5; 7; 12; 14; 15; 17; 26; 28; 30.
- Block: 15803 Lots: 1; 4; 7; 10; 12; 14; 16; 18; 23; 25; 26; 28; 29; 30; 31; 32; 33; 34; 35; 36; 37; 38; 39; 40; 41; 42; 43; 46; 48; 49; 50; 51; 52; 55; 56; 57; 58; 59; 60; 61; 62; 63; 141; 143.
- Block: 15804 Lots: 1; 4; 7; 10; 15; 17; 23; 25; 27; 28; 33; 34; 35; 36; 37; 38; 41; 138.
- Block: 15805 Lots: 1; 6; 8; 10; 12; 14; 16; 18; 20; 25; 32; 34; 36; 38; 40; 42.
- Block: 15806 Lots: 1; 4; 7; 9; 11; 13; 15; 17; 19; 21; 23; 25; 27; 29; 31; 33; 35; 37.
- Block: 15807 Lots: 1; 5; 10; 11; 13; 14; 15; 16; 19; 22; 24; 25; 27; 28; 29; 30; 31; 32; 33; 34; 35; 36; 38; 122; 123; 131.
- Block: 15808 Lots: 1; 2; 3; 4; 5; 7; 8; 9; 10; 11; 16; 24; 29; 53; 57; 59; 60; 61; 62; 64; 65; 66; 67; 68; 109; 110; 166.
- Block: 15810 Lots: 1; 25; 30; 40; 55; 71; 75; 80.
- Block: 15815 Lots: 1; 20; 21; 22; 23; 24; 25; 26; 27; 28; 30; 31; 32; 33; 35; 36; 38; 39; 40; 42; 43; 45; 46; 48; 51; 53; 54; 61; 62; 63; 65; 67; 68; 69; 70; 71; 91; 122; 123; 124; 125; 126; 127; 128; 130; 131; 132; 133; 134; 136; 137; 138; 140; 142; 143; 145; 146; 148; 150; 151; 153; 161; 162; 163; 165; 167; 168; 169; 170; 212; 220; 280.
- Block: 15817 Lots: 1; 11; 16; 17; 18; 20; 21; 26; 31; 36; 37; 38; 40; 41; 46; 48; 49; 50; 51; 57; 59; 60; 61; 62; 63; 68; 70; 71; 73; 74; 75; 76; 78; 79; 81; 82; 83; 88; 103; 140; 146; 148.
- Block: 15818 Lots: 1; 5; 7; 8; 9; 11; 12; 14; 15; 17; 19; 20; 21; 23; 27; 29; 30; 31; 32; 34; 35; 37; 38; 39; 41; 43; 48; 49; 50; 51; 53; 58; 59; 61; 62; 63; 64; 65; 68; 73; 78; 86; 87; 88; 89; 90; 91; 92; 93; 94; 95; 110; 139; 141; 148; 149; 150; 151.
- Block: 15819 Lots: 36; 40; 42; 44; 46; 48; 50; 52; 54; 56; 58; 59; 61; 62; 63; 64; 66; 67; 73; 77; 79; 122; 123; 124; 125; 126; 128; 131; 133; 134; 135; 136; 138; 139; 142; 145; 148; 153; 156; 7501.
- Block: 15820 Lots: 1.
- Block: 15821 Lots: 1; 9; 16; 18; 22; 25; 31; 32; 33; 34; 35; 36; 37; 38; 42; 46.
- Block: 15822 Lots: 1; 20; 23; 30; 35; 42; 44; 48.
- Block: 15823 Lots: 1; 23; 26; 29; 30; 32; 34; 37; 40; 42.
- Block: 15825 Lots: 1; 7; 9.
- Block: 15826 Lots: 1; 3; 4; 5; 6; 8; 9; 11; 12; 13; 15; 16; 17; 18; 31.
- Block: 15827 Lots: 12; 15; 25; 29; 31.
- Block: 15828 Lots: 1; 3; 4; 5; 7; 9; 11; 13; 15; 17; 18; 20; 22; 23; 30; 37; 40; 42; 43; 44; 45; 46; 50; 51; 52; 53; 78; 80; 98; 100; 117; 118; 120; 140.
- Block: 15829 Lots: 1; 2; 6; 8; 9; 11; 13; 15; 21; 23; 24; 25; 27; 28; 29; 30; 31; 40; 41; 42; 43; 44; 46; 47; 49; 51; 52; 54; 58.
- Block: 15830 Lots: 1; 2; 4; 5; 6; 7; 9; 11; 12; 14; 15; 16; 17; 19; 23; 26; 28; 30; 38; 39; 42; 43; 45; 46; 50; 51; 52; 53; 54; 55; 59; 60; 61.
- Block: 15831 Lots: 1; 6; 11; 12; 13; 14; 15; 16; 17; 20; 24; 25; 29; 32; 50.
- Block: 15832 Lots: 60; 75.
- Block: 15833 Lots: 1; 7; 9; 10; 12; 14; 16; 18; 20; 22; 24; 26; 28; 30; 31; 32; 33; 39; 41; 44; 45; 46; 55; 58; 61; 66; 67; 68; 69; 70; 71; 73.
- Block: 15834 Lots: 1; 9; 11; 13; 16; 17; 19; 21; 22; 23; 24; 25; 26; 28; 30; 38; 42; 43; 45; 47; 49; 51; 53; 54; 56; 58; 60; 62; 64; 158.
- Block: 15835 Lots: 25; 27; 29; 30; 32; 33; 34; 35; 37; 38; 39; 42; 43; 54; 56;

59; 61; 63; 65; 67; 69; 71.
Block: 15836 Lots: 1; 7; 10; 12; 13; 22.
Block: 15837 Lots: 1; 5; 7; 9; 10; 12; 13; 15; 17; 19; 23; 25; 27; 29; 31; 33; 41; 47; 49; 51; 52; 54; 56; 58; 59; 60; 62; 64; 65; 66; 67; 69.
Block: 15838 Lots: 3; 7; 9; 11; 12; 13; 15; 17; 19; 20; 21; 23; 25; 27; 29; 33; 35; 37; 39; 41; 43; 45; 47; 48; 49; 51; 53; 55; 57; 59; 61; 63; 67; 70; 72; 74; 76.
Block: 15839 Lots: 1; 3; 5; 7; 9; 13; 15; 17; 19; 21; 22; 24; 25; 26; 34; 36; 38; 40; 42; 43; 44; 46; 47; 49; 51; 58; 60; 61; 63; 64; 67; 68; 70; 72; 75.
Block: 15840 Lots: 1; 6; 64; 65.
Block: 15841 Lots: 3; 5; 7; 8; 10; 14; 19; 70.
Block: 15842 Lots: 1; 100.
Block: 15843 Lots: 1.
Block: 15845 Lots: 1; 4; 8; 10; 13; 14; 15; 21; 28; 29; 30; 32; 35; 44.
Block: 15847 Lots: 75; 79; 80; 81; 82; 83; 84; 85; 86; 87; 88; 89.
Block: 15848 Lots: 36; 41; 45; 46; 48; 50; 52; 54; 55; 57; 58; 60; 62; 63; 65; 67.
Block: 15849 Lots: 1; 6; 8; 9; 10; 15; 16; 17; 18; 19; 20; 21; 22; 27; 28; 29.
Block: 15850 Lots: 1; 6; 16; 28; 30; 31.
Block: 15851 Lots: 33; 35; 40; 42; 44; 45; 48; 58; 59.
Block: 15852 Lots: 60; 64; 68; 73; 84; 86; 88.
Block: 15853 Lots: 39; 40; 48; 53; 60; 90; 95; 96; 97; 98; 102.
Block: 15855 Lots: 1; 90.
Block: 15857 Lots: 1; 7; 40; 42; 75.
Block: 15859 Lots: 1.
Block: 15860 Lots: 1.
Block: 15861 Lots: 1; 35; 47.
Block: 15862 Lots: 1.
Block: 15863 Lots: 1.
Block: 15864 Lots: 1.
Block: 15865 Lots: 1.
Block: 15866 Lots: 1.
Block: 15867 Lots: 1.
Block: 15868 Lots: 1.
Block: 15869 Lots: 1.
Block: 15870 Lots: 60; 71.
Block: 15871 Lots: 1.
Block: 15873 Lots: 1.
Block: 15874 Lots: 8; 41.
Block: 15875 Lots: 1.
Block: 15876 Lots: 1.
Block: 15890 Lots: 8; 13; 16; 17; 18; 28; 30; 37; 41; 42; 54; 58; 62; 64; 66; 69; 84; 89; 94; 97.
Block: 15891 Lots: 1; 5; 9; 10; 21; 30; 55; 57.
Block: 15892 Lots: 1.
Block: 15894 Lots: 1; 11.
Block: 15895 Lots: 50.
Block: 15897 Lots: 1; 17; 18; 36; 40; 42; 44; 130; 133; 134; 135; 137; 139; 141; 143; 145.
Block: 15898 Lots: 35.
Block: 15900 Lots: 2; 4; 8.
Block: 15901 Lots: 1; 5; 8; 57.
Block: 15904 Lots: 1; 19; 20; 25; 27; 29; 31; 33; 34; 35; 37.
Block: 15905 Lots: 1; 135, 136, 137; 138; 139; 140; 141; 165; 166; 167; 168; 169; 170; 171; 172; 197; 198; 199; 200; 201; 202; 203; 204; 205; 206; 207; 208; 210; 211; 212; 213; 214; 215; 216; 217; 218; 227; 228; 229; 230; 235; 236; 237; 238; 239; 240; 241; 243; 244; 245; 246; 247; 248; 249; 250; 251; 252; 254; 255; 256; 257; 258; 259; 260; 261; 262; 263; 264; 265; 267; 268; 269; 270; 271; 272; 273; 274; 276; 277; 278; 279; 280; 281; 282; 283; 284; 285; 286; 287; 288; 289; 290; 291; 292; 293.
Block: 15907 Lots: 50.
Block: 15908 Lots: 3; 5; 162.
Block: 15909 Lots: 1; 6; 7; 65; 70.
Block: 15910 Lots: 7.
Block: 15913 Lots: 26; 37.
Block: 15917 Lots: 14.
Block: 15918 Lots: 1; 2; 10; 18; 85.
Block: 15939 Lots: 1.
Block: 15940 Lots: 93; 103.
Block: 15941 Lots: 71.
Block: 15942 Lots: 1.
Block: 15947 Lots: 1.
Block: 15948 Lots: 1.
Block: 15950 Lots: 1; 14; 24; 29; 42; 55.
Block: 15973 Lots: 1; 38.
Block: 16014 Lots: 1; 22.
Block: 16076 Lots: 1; 14; 118.
Block: 16077 Lots: 1; 28; 40; 42.
Block: 16078 Lots: 1; 3; 6; 8; 10; 12; 14; 15; 17; 18; 20; 21; 23; 25; 27; 28; 29; 35; 37; 45; 47; 48; 49; 51; 52; 53; 54; 55; 56; 57; 58.
Block: 16079 Lots: 1; 7; 9; 18; 20; 22; 24; 26; 28; 29; 31; 33; 34; 36; 43; 45;

47.
Block: 16080 Lots: 1; 37; 100.
Block: 16081 Lots: 45.
Block: 16083 Lots: 39; 42; 43; 84.
Block: 16085 Lots: 44; 47; 48; 92.
Block: 16087 Lots: 12; 15.
Block: 16088 Lots: 1; 11; 12; 15; 40.
Block: 16089 Lots: 1; 11; 12; 15.
Block: 16090 Lots: 1; 20; 24; 25; 29; 85.
Block: 16091 Lots: 1; 6.
Block: 16092 Lots: 1; 2; 3; 4; 5; 6; 7; 8; 9; 10; 11; 12; 13; 14; 15; 16; 17; 18; 19; 20; 21; 22; 23; 24; 25; 26; 27; 28; 29; 30; 31; 32; 33; 34; 35; 36; 37; 38; 39; 40; 41; 42; 43; 44; 45; 46; 47; 48; 49; 51; 52; 53; 54; 55; 56; 57; 58; 59; 60; 61; 62; 63; 64; 65; 66; 67; 68; 69; 70; 71; 72; 73; 74; 75; 76; 77; 78; 79; 80; 81; 82; 83; 84; 85; 86; 87; 88; 89; 90; 91; 92; 93; 94; 95; 96; 97; 98; 99; 100; 101; 102; 103; 104; 105; 106; 107; 108; 109; 110; 111; 112; 113; 114; 115; 116; 117; 118; 119; 120; 121; 122; 123; 124; 125; 126; 127; 128; 129; 130; 131; 132; 133; 134; 135; 137; 138; 139; 140.
Block: 16093 Lots: 1.
Block: 16094 Lots: 1.
Block: 16095 Lots: 55.
Block: 16096 Lots: 10; 11; 12; 13; 14; 15; 16; 17; 18; 19; 20; 21; 22; 23; 24; 25; 26; 27; 28; 29; 30; 31; 32; 33; 34; 35; 36; 37; 38; 39; 40; 41; 42; 44; 50.
Block: 16100 Lots: 1; 7; 14; 18; 20; 24; 28; 29; 31; 33; 34; 37; 38; 56; 85; 175.
Block: 16103 Lots: 1; 60; 136; 140; 200.
Block: 16104 Lots: 1; 25; 28; 201.
Block: 16105 Lots: 1.
Block: 16106 Lots: 1.
Block: 16111 Lots: 1; 25.
Block: 16112 Lots: 1; 41; 45; 66.
Block: 16113 Lots: 1; 9.
Block: 16114 Lots: 2; 125; 9999.
Block: 16115 Lots: 4; 36.
Block: 16117 Lots: 24; 84.
Block: 16119 Lots: 18; 25; 27; 31; 32; 33; 36; 40; 41; 44; 45; 51; 54; 56; 58; 60; 61; 62; 63; 64; 65; 67; 71; 74; 78; 79; 80; 81; 84; 85; 86; 87; 90; 92; 94; 97; 100; 101; 102; 104; 109; 110; 111; 112; 113; 115; 120; 122; 178; 236; 289; 294; 297.
Block: 16120 Lots: 1; 5; 6; 10; 12; 14; 65; 68; 69; 70; 71; 72; 79; 80.
Block: 16121 Lots: 1; 4; 5; 7; 9; 13; 14; 15; 126; 133; 136; 138; 143; 145; 146; 148.
Block: 16122 Lots: 1; 3; 5; 7; 9; 10; 12; 14; 15; 17; 18; 19; 22; 23; 25; 27; 29; 30;32; 36; 38; 39; 42; 43; 44; 45; 46; 47; 48; 50; 52; 54; 56; 58; 60; 107; 133; 134; 137.
Block: 16123 Lots: 1; 2; 9; 10; 11; 12; 13; 15; 16; 17; 18; 20; 21; 22; 23; 25; 26; 28; 30; 32; 34; 36; 38; 44; 46; 48; 50; 52; 54; 56; 58; 60; 62; 64; 66; 68; 70; 79; 85; 86; 92; 94; 95; 98; 99.
Block: 16124 Lots: 1; 3; 4; 5; 7; 11; 12; 14; 16; 17; 18; 20; 21; 22; 23; 25; 26; 27; 28; 29; 33; 76; 78; 84; 91; 92; 94; 95; 96; 97; 104; 107; 108; 111; 114; 115; 119.
Block: 16125 Lots: 1; 3; 5; 6; 8; 9; 10; 11; 12; 13; 14; 15; 16; 17; 18; 19; 20; 22; 23; 24; 64; 69; 70; 71; 72; 73; 74; 75; 76; 77; 78; 79; 80; 81; 82; 85; 86; 87; 89; 90; 92; 97; 98; 100; 101; 102; 103; 104; 105; 107; 108; 111; 114; 118; 120; 121; 122; 123; 124; 188.
Block: 16126 Lots: 1.
Block: 16127 Lots: 1; 7; 8; 9; 10; 11; 12; 13; 16; 22; 23; 24; 25.
Block: 16128 Lots: 1; 50.
Block: 16129 Lots: 1.
Block: 16131 Lots: 10; 50.
Block: 16151 Lots: 6; 14; 15; 18; 36; 91; 92.
Block: 16152 Lots: 1; 3; 5; 10; 11; 14; 26; 46; 65; 66; 67; 69; 71; 74; 75; 77; 78; 80; 81; 82; 83; 84; 101.
Block: 16153 Lots: 1; 7; 8; 11; 12; 13; 14; 15; 18; 21; 23; 25; 28; 69; 71; 72; 80; 81; 82; 83; 84; 89; 91; 95; 108; 185; 208; 285.
Block: 16154 Lots: 2; 4; 6; 8; 10; 12; 14; 15; 16; 18; 20; 22; 24; 26; 28; 30; 32; 101.
Block: 16155 Lots: 1; 5; 7; 10; 12; 15; 17; 18; 80; 81; 82; 83; 84; 87; 91; 92.
Block: 16156 Lots: 1; 6; 7; 8; 9; 12; 19; 80; 94; 95; 96; 97; 98; 99; 100; 101; 102; 103.
Block: 16157 Lots: 1; 2; 3; 4; 6; 10; 24; 25; 89; 90; 91; 92; 95.
Block: 16158 Lots: 5.
Block: 16159 Lots: 8; 9.
Block: 16160 Lots: 8; 9.
Block: 16161 Lots: 29; 50; 9999.
Block: 16162 Lots: 3; 18; 100; 120.
Block: 16164 Lots: 1; 2; 3; 4; 5; 10; 11; 12; 13; 14; 20; 22; 23; 103; 104; 204; 304.
Block: 16166 Lots: 1; 3; 5; 6; 7; 8; 9; 11; 13; 15; 17; 19; 20; 22; 23; 24; 25; 26; 27; 29; 31; 32; 35; 38; 40; 43; 45; 47; 49; 50; 53; 55; 56; 57; 59; 61; 63; 65; 68; 69; 71; 72; 73; 74; 75; 76; 77; 78; 79; 80; 81; 85; 94; 100; 101; 110; 155; 177; 250; 260; 269; 281; 286; 293; 299; 304; 311; 312; 315; 317; 322; 336; 350; 400;

425; 426; 434; 449; 450; 453; 460; 470; 482; 483; 485; 486; 487.
Block: 16167 Lots: 151; 160.
Block: 16171 Lots: 11; 12; 13; 14; 15; 16; 17; 18; 19; 20; 27; 28; 29; 30; 31; 32; 34; 35; 39; 46; 47; 48; 50; 51; 52; 53; 58; 59; 60; 62; 64; 65; 68; 69; 70; 71; 72; 73.
Block: 16172 Lots: 11; 20; 60.
Block: 16176 Lots: 1; 25.
Block: 16178 Lots: 1; 50; 60; 65; 70; 80.
Block: 16180 Lots: 1; 2; 3; 8; 9.
Block: 16188 Lots: 1; 4; 6; 8; 12; 15; 17; 19; 21; 23; 25; 28; 30; 34; 62; 66; 68; 70; 73; 75; 78.
Block: 16190 Lots: 10; 100; 130.

§ 2. This local law shall take effect immediately and shall be retroactive to and deemed to have been in full force and effect as of June 25, 2010.

KAREN KOSLOWITZ Chairperson; JAMES SANDERS, Jr., ALBERT VANN, LETITIA JAMES, MATHIEU EUGENE, JULISSA FERRERAS, STEPHEN T. LEVIN, MARK S. WEPRIN, RUBEN WILLS; Committee on Economic Development, October 11, 2012.

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Report of the Committee on Finance

At this point the Speaker (Council Member Quinn) announced that the following items had been **preconsidered** by the Committee on Finance and had been favorably reported for adoption.

Report for Res. No. 1539

Report of the Committee on Finance in favor of approving a Resolution approving the new designation and changes in the designation of certain organizations to receive funding in the Expense Budget.

The Committee on Finance, to which the annexed resolution was referred on October 11, 2012, respectfully

REPORTS:

Introduction. The Council of the City of New York (the “Council”) annually adopts the City’s budget covering expenditures other than for capital projects (the “expense budget”) pursuant to Section 254 of the Charter. On June 28, 2012, the Council adopted the expense budget for fiscal year 2013 with various programs and initiatives (the “Fiscal 2012 Expense Budget”). On June 29, 2011, the Council adopted the expense budget for fiscal year 2011 with various programs and initiatives (the “Fiscal 2012 Expense Budget”).

Analysis. This Resolution, dated October 11, 2012, amends the description for the Description/Scope of Services for the New York Center, Inc., an organization receiving youth discretionary funding in accordance with the Fiscal 2013 Expense Budget in the amount of \$3,500 within the budget of the Department of Youth and Community Development. This Resolution changes the Description/Scope of Services to read: “The funds are to be used to support New York City Center’s Musical Theater Residency program, which will provide after school musical theater workshops to students.”

Additionally, this Resolution amends the description for the Description/Scope of Services for

The Council of Senior Center Services (CSCS), an organization receiving local discretionary funding in accordance with the Fiscal 2013 Expense Budget in the amount of \$10,000 within the budget of the Department for the Aging. This Resolution changes the Description/Scope of Services to read: “To request funding for CSCS' caregiving initiative which will address the needs of caregivers and community-based caregiving services by providing 1) educational opportunities, 2) a coordinated forum for networking, and 3) an online resource portal for best practices and policy.”

Moreover, this Resolution amends the description for the Description/Scope of Services for Grand Street District Management Association, Inc., an organization receiving local discretionary funding in accordance with the Fiscal 2013 Expense Budget in the amount of \$10,000 within the budget of the Department of Small Business. This Resolution changes the Description/Scope of Services to read: “To provide general programming to the BID for enhancement of Business corridor.”

Moreover, this Resolution amends the description for the Description/Scope of Services for Southside Community Mission, Inc., an organization receiving local discretionary funding in accordance with the Fiscal 2013 Expense Budget in the amount of \$20,000 within the budget of the Department of Youth and Community Development. This Resolution changes the Description/Scope of services to read: “We offer seniors, families and individuals a wide range of social services (Benefits and Entitlements). Additionally, we connect our clients to other programs of our Mission: Food Pantry, Shelter, Health Education, Legal Immigration Services (naturalization, residency and family petitions), Translations, Citizenship and English classes. Requested funds will be used to cover part of the staff salaries and operating costs.”

Additionally, this Resolution amends the description for the Description/Scope of Services for Maspeth Chamber of Commerce, Inc., an organization receiving local discretionary funding in accordance with the Fiscal 2013 Expense Budget in the amount of \$8,000 within the budget of the Department of Youth and Community Development. This Resolution changes the Description/Scope of services to read: “Marketing the Area to include Printing of Sales Guide and Install Holiday Lights.”

Further, this Resolution amends the description for the Description/Scope of Services for The Metropolitan New York Coordinating Council on Jewish Poverty, an organization receiving local discretionary funding in accordance with the Fiscal 2013 Expense Budget in the amount of \$2,000 within the budget of the Department for the Aging. This Resolution changes the Description/Scope of services to read: “Support for in home senior services; case assistance; financial assistance and legal assistance for seniors.”

Also, this Resolution amends the description for the Description/Scope of Services for the Council on Jewish Organization of Flatbush, Inc., an organization receiving local discretionary funding in accordance with the Fiscal 2013 Expense Budget in the amount of \$3,500 within the budget of the Department of Youth and Community Development. This Resolution changes the Description/Scope of services to read: “Funding will be used to support Comprehensive Human Services Programs.”

Moreover, this Resolution amends the Description/Scope of Services for the Legal Aid Society, an organization receiving funding in accordance with the Fiscal 2013 Expense Budget under the Immigrant Opportunities Initiative in the amount of \$585,000 within the budget of the Department of Youth and Community Development. This Resolution changes the Description/Scope of services to read: “Legal services and representation for immigrants in New York City; training and technical assistance to community-based organizations funded under the IOI Legal Services initiative.”

Additionally, this Resolution amends the Description/Scope of Services for Bedford Stuyvesant Community Legal Services Corporation, an organization receiving funding in accordance with the Fiscal 2013 Expense Budget under the Immigrant Opportunities Initiative in the amount of \$70,000 within the budget of the Department of Youth and Community Development. This Resolution changes the Description/Scope of services to read: “Legal services and representation for immigrants in New York City; training and technical assistance to community-based organizations funded under the IOI Legal Services initiative.”

Further, this Resolution amends the the Description/Scope of Services for Legal Services NYC-Bronx, an organization receiving funding in accordance with the Fiscal 2013 Expense Budget under the Immigrant Opportunities Initiative in the amount of \$100,000 within the budget of the Department of Youth and Community Development. This Resolution changes the Description/Scope of services to read: “Legal services and representation for immigrants in New York City; training and technical assistance to community-based organizations funded under the IOI Legal Services initiative.”

Also, this Resolution amends the Description/Scope of Services for Legal Services NYC-Manhattan, an organization receiving funding in accordance with the Fiscal 2013 Expense Budget in the amount of \$48,000 under the Immigrant Opportunities Initiative within the budget of the Department of Youth and Community Development. This Resolution changes the Description/Scope of services to read: “Legal services and representation for immigrants in New York City; training and technical assistance to community-based organizations funded under the IOI Legal Services initiative.”

Further, this Resolution amends the Description/Scope of Services for Legal Services NYC-Queens Legal Services Corporation, an organization receiving funding in accordance with the Fiscal 2013 Expense Budget in the amount of \$61,000 under the Immigrant Opportunities Initiative within the budget of the Department of Youth and Community Development. This Resolution changes the Description/Scope of services to read: “Legal services and representation for immigrants in New York City; training and technical assistance to community-based organizations funded under the IOI Legal Services initiative.”

Additionally, this Resolution amends the description for the Description/Scope of Services for the Legal Services NYC-Staten Island Legal Services, an organization receiving initiative funding in accordance with the Fiscal 2013 Expense Budget under

the Immigrant Opportunities Initiative in the amount of \$80,000 within the budget of the Department of Youth and Community Development. This Resolution changes the Description/Scope of services to read: “Legal services and representation for immigrants in New York City; training and technical assistance to community-based organizations funded under the IOI Legal Services initiative.”

Moreover, this Resolution amends the description for the Description/Scope of Services for the New York Legal Assistant Group, an organization receiving initiative funding in accordance with the Fiscal 2013 Expense Budget under the Immigrant Opportunities Initiative in the amount of \$390,000 within the budget of the Department of Youth and Community Development. This Resolution changes the Description/Scope of services to read: “Legal services and representation for immigrants in New York City; training and technical assistance to community-based organizations funded under the IOI Legal Services initiative.”

Also, this Resolution amends the description for the Description/Scope of Services for the Immigrant Opportunities Initiative-Ecuadorian International Center, Inc., an organization receiving initiative funding in accordance with the Fiscal 2013 Expense Budget under the Immigrant Opportunities Initiative in the amount of \$20,000 within the budget of the Department of Youth and Community Development. This Resolution changes the Description/Scope of services to read: “ESL / Civic Services.”

Lastly, this Resolution also approves new designations and changes in the designation of certain organizations receiving local, aging, and youth discretionary funding in accordance with the Fiscal 2013 and Fiscal 2012 Expense Budgets, and approves the new designations and changes in the designation of certain organizations to receive funding pursuant to certain initiatives in such budgets.

In an effort to continue to make the budget process more transparent, the Council is providing a list setting forth new designations and/or changes in the designation of certain organizations receiving local, aging, and youth discretionary funding, as well as new designations and/or changes in the designation of certain organizations to receive funding pursuant to certain initiatives in the Fiscal 2013 and Fiscal 2012 Expense Budgets.

This resolution sets forth new designations and specific changes in the designation of certain organizations receiving local initiative funding pursuant to the Fiscal 2013 Expense Budget, as described in Chart 1; sets forth new designations and changes in the designation of aging discretionary funding pursuant to the Fiscal 2013 Expense Budget, as described in Chart 2; sets forth new designations and changes in the designation of youth discretionary funding pursuant to the Fiscal 2013 Expense Budget, as described in Chart 3; sets forth the new designations and changes in the designation of certain organizations that will receive funding pursuant to certain initiatives in the Fiscal 2013 Expense Budget, as described in Charts 4-12; and sets forth the new designations and changes in the designation of certain organizations that will receive local discretionary funding pursuant to the Fiscal 2012 Expense Budget, as described in Chart 13.

The charts, attached to the Resolution, contain the following information: name of the council member(s) designating the organization to receive funding or name of the initiative, as set forth in Adjustments Summary/Schedule C/ Fiscal 2013 Expense Budget, dated June 28, 2012, and the Adjustments Summary/Schedule C/ Fiscal 2012 Expense Budget, dated June 29, 2011.

Specifically, Chart 1 sets forth the new designation and changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2013 Expense Budget.

Chart 2 sets forth the new designation and changes in the designation of a certain organization receiving aging discretionary funding in accordance with the Fiscal 2013 Expense Budget. Chart 2 indicates the addition of a program name. The program name added for the organization with EIN 13-5562256 receiving funding in the amount of \$25,000 within the Department for the Aging is the Jewish Community Center of Staten Island, Inc, - Stapleton Senior Center.

Chart 3 sets forth the new designation and changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2013 Expense Budget.

Chart 4 sets forth the new designation and changes in the designation of a certain organization receiving funding pursuant to the Obesity Initiative in accordance with the Fiscal 2013 Expense Budget. Chart 4 indicates an EIN correction. The correct EIN for the New York Road Runners Foundation, Inc. is 13-2949483.

Chart 5 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to the Out of School Time Initiative in accordance with the Fiscal 2013 Expense Budget.

Chart 6 sets forth the new designation and changes in the designation of a certain organization receiving funding pursuant to the Anti-Gun Violence Initiative in

accordance with the Fiscal 2013 Expense Budget. Chart 6 indicates a unit of appropriation change. Funding in the amount of \$15,000 for the Fund for the City of New York, Inc.-Life Camp in the Department of Health and Mental Hygiene will be transferred to unit of appropriation 114.

Chart 7 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to the Asthma Control Program Initiative in accordance with the Fiscal 2013 Expense Budget.

Chart 8 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to the Anti-Gun Violence Initiative in accordance with the Fiscal 2013 Expense Budget.

Chart 9 sets forth the new designation of certain organizations receiving funding pursuant to the Senior Centers and Programs Restoration in accordance with the Fiscal 2013 Expense Budget.

Chart 10 sets forth the new designation of certain organizations receiving funding pursuant to the Cultural After School Adventure Initiative in accordance with the Fiscal 2013 Expense Budget.

Chart 11 sets forth the new designation of certain organizations receiving funding pursuant to the Immigration Opportunities Initiative in accordance with the Fiscal 2013 Expense Budget.

Chart 12 sets forth the new designation of certain organizations receiving funding pursuant to the EarlyLearn/Childcare Initiative in accordance with the Fiscal 2013 Expense Budget.

Chart 13 sets forth the new designation and changes in the designation of certain organization receiving local discretionary funding pursuant in accordance with the Fiscal 2012 Expense Budget.

It is to be noted that organizations identified in the attached Charts with an asterisk (*) have not yet completed or began the prequalification process conducted by the Mayor's Office of Contract Services (for organizations to receive more than \$10,000) by the Council (for organizations to receive \$10,000 or less total), or other government agency. Organizations identified without an asterisk have completed the appropriate prequalification review.

It should be further noted that funding for organizations in the attached Charts with a double asterisk (**) will not take effect until the passage of a budget modification.

Description of Above-captioned Resolution. In the above-captioned Resolution, the Council would approve the new designation and changes in the designation of certain organizations to receive funding in the Fiscal 2013 and 2012 Expense Budgets. Such Resolution would take effect as of the date of adoption.

In connection herewith, Council Members Comrie and Weprin offered the following resolution:

Res. No. 1539
Resolution approving the new designation and changes in the designation of certain organizations to receive funding in the Expense Budget.

By Council Members Recchia, Comrie, Fidler and Wills.

Whereas, On June 28, 2012 the Council of the City of New York (the “City Council”) adopted the expense budget for fiscal year 2013 with various programs and initiatives (the “Fiscal 2013 Expense Budget”); and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2013 Expense Budget by approving the new designation and changes in the designation of certain organizations receiving local, aging and youth discretionary funding, and by approving the new designation and changes in the designation of certain organizations to receive funding pursuant to certain initiatives in accordance therewith; and

Whereas, On June 29, 2011 the Council adopted the expense budget for fiscal year 2012 with various programs and initiatives (the “Fiscal 2012 Expense Budget”); and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2012 Expense Budget by approving the new designation and changes in the designation of certain organizations receiving local discretionary funding; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2013 Expense Budget by approving the new Description/Scope of Services for New York City Center, Inc., as described in the report attached hereto; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2013 Expense Budget by approving the new

Description/Scope of Services for the Council of Senior Center Services, as described in the report attached hereto; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2013 Expense Budget by approving the new Description/Scope of Services for Grand Street Management Association, as described in the report attached hereto; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2013 Expense Budget by approving the new Description/Scope of Services for the Southside Community Mission, Inc., as described in the report attached hereto; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2013 Expense Budget by approving the new Description/Scope of Services for The Maspeth Chamber of Commerce, as described in the report attached hereto; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2013 Expense Budget by approving the new Description/Scope of Services for Metropolitan New York Coordinating Council on Jewish Poverty, as described in the report attached hereto; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2013 Expense Budget by approving the new Description/Scope of Services for the Council of Jewish Organizations of Flatbush, Inc., as described in the report attached hereto; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2013 Expense Budget by approving the new Description/Scope of Services for the Legal Aid Society, as described in the report attached hereto; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2013 Expense Budget by approving the new Description/Scope of Services for the Bedford Stuyvesant Community Legal Services Corporation, as described in the report attached hereto; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2013 Expense Budget by approving the new Description/Scope of Services for Legal Services NYC-Bronx, as described in the report attached hereto; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2013 Expense Budget by approving the new Description/Scope of Services for Legal Services NYC-Manhattan, as described in the report attached hereto; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2013 Expense Budget by approving the new Description/Scope of Services for Legal Services NYC-Queens Legal Services Corporation, as described in the report attached hereto; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2013 Expense Budget by approving the new Description/Scope of Services for Legal Services NYC-Staten Island Legal Services, as described in the report attached hereto; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2013 Expense Budget by approving the new Description/Scope of Services for the New York Legal Assistance Group, as described in the report attached hereto; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2013 Expense Budget by approving the new Description/Scope of Services for the Ecuadorian International Center, as described in the report attached hereto; and

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 1; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of a certain organization receiving aging discretionary funding in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 2; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 3; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of a certain organization receiving funding pursuant to the Obesity Initiative in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 4; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of a certain organization receiving funding pursuant to the Out of School Time Initiative in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 5; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of a certain organization receiving funding pursuant to the Anti-Gun Violence Initiative in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 6; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving funding pursuant to the Asthma Control Program Initiative in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 7; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Anti-Gun Violence Initiative in

accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 8; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Senior Centers and Programs Restoration Initiative in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 9; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Cultural After School Adventures Initiative in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 10; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Immigrant Opportunities Initiative in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 11; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the EarlyLearn/Childcare Initiative in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 12; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2012 Expense Budget, as set forth in Chart 13.

ATTACHMENT:

CHART 1: Local Initiatives - Fiscal 2013

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN *
Koslowitz	Doe Fund, Inc., The **	13-3412540	DYCD	(\$54,500.00)	260	005		
Koslowitz	Doe Fund, Inc., The **	13-3412540	DHS	\$64,500.00	071	200		
Rose	Wagner College **	13-5604999	CUNY	(\$5,000.00)	042	001		
Rose	Wagner College **	13-5604999	DYCD	\$5,000.00	260	005		
Rose	Wagner College **	13-5604999	CUNY	(\$5,000.00)	042	001		
Rose	Wagner College **	13-5604999	DYCD	\$5,000.00	260	005		
Hailoran	Unwanted NYC Pets Inc.	45-2431724	DOHMH	(\$3,500.00)	816	114		
Hailoran	Unwanted NYC Pets Inc.	45-2421724	DOHMH	\$3,500.00	816	114		
Lander	South Brooklyn Legal Services **	13-2605605	DYCD	(\$5,000.00)	260	005		
Lander	South Brooklyn Legal Services **	13-2605605	OCJC	\$5,000.00	098	002		
Lander	Fourth Arts Block, Inc. **	04-3787933	DCLA	(\$3,000.00)	126	003		
Lander	Fourth Arts Block, Inc. **	04-3787933	DPR	\$3,000.00	846	006		
Lander	Leap Inc. **	11-3111694	DYCD	(\$3,500.00)	260	005		
Lander	Leap Inc. **	11-3111694	DSBS	\$3,500.00	801	002		
Lander	Old Stone House of Brooklyn **	11-3032836	DYCD	(\$6,000.00)	260	005		
Lander	Old Stone House of Brooklyn **	11-3032836	DPR	\$6,000.00	846	006		
Lander	Metropolitan New York Coordinating Council on Jewish Poverty, Inc. **	13-2738818	DYCD	(\$2,000.00)	260	005		
Lander	Metropolitan New York Coordinating Council on Jewish Poverty, Inc. **	13-2738818	DFTA	\$2,000.00	125	003		
Crowley	Glendale Civilian Observation Patrol, Inc., The	11-2502910	DYCD	(\$5,000.00)	260	005		
Crowley	Glendale Civilian Observation Patrol, Inc., The	11-2502910	DYCD	\$5,000.00	260	005	Greater Ridgewood Youth Council, Inc.	11-2518141
Ulrich	Rockaway Volunteer Emergency Services, Inc.	11-3084367	FDNY	(\$5,000.00)	057	005		
Ulrich	Point Breezy Volunteer Fire Department, Inc.	11-2452398	FDNY	\$2,500.00	057	005		
Ulrich	Rockaway Point Volunteer Emergency Services, Inc.	11-2665405	FDNY	\$2,500.00	057	005		
	Anti-Gun Violence Initiative	13-6400434	DYCD	(\$115,000.00)	260	005		
CC	United Coalition Association Inc.	20-2286752	DYCD	\$20,000.00	260	005		
CC	New York City Alliance Against Sexual Assault	31-1702032	DYCD	\$40,000.00	260	005		
CC	CORO New York Leadership Center	13-3571810	DYCD	\$10,000.00	260	005		
CC	Brooklyn Arts Council, Inc.	23-7072915	DYCD	\$45,000.00	260	005		
Quinn	Amigos del Museo del Barrio	23-7156720	DCLA	(\$3,500.00)	126	003		
Quinn	Amigos del Museo del Barrio	23-7156720	DCLA	\$3,500.00	126	022		
Viverto	Amigos del Museo del Barrio	23-7156720	DCLA	(\$6,500.00)	126	003		
Viverto	Amigos del Museo del Barrio	23-7156720	DCLA	\$6,500.00	126	022		

* Indicates pending completion of pre-qualification review.
** Requires a budget modification for the changes to take effect

CHART 2: Aging Initiatives - Fiscal 2013

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN *
Rose	Jewish Community Center of Staten Island, Inc.	13-5562256	DFTA	(\$25,000.00)	125	003		
Rose	Jewish Community Center of Staten Island, Inc. - Stapleton Senior Center	13-5562256	DFTA	\$25,000.00	125	003		

* Indicates pending completion of pre-qualification review.

CHART 3: Youth Initiatives - Fiscal 2013

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Arroyo	Downtown Bronx Economic Development Corporation	04-3758932	DYCD	(\$15,000.00)	260	312			
Arroyo	We, The World, Inc.	13-4129493	DYCD	\$10,000.00	260	312			*
Arroyo	Comuniflife, Inc.	13-3630286	DYCD	\$5,000.00	260	312			
Arroyo	Bronx Community Pride Center, Inc.	06-1562651	DYCD	(\$10,000.00)	260	312			
Arroyo	Services and Advocacy for GLBT Elders, Inc. (SAGE)	13-2947657	DYCD	\$10,000.00	260	312			
Arroyo	Freedom Community Resource Center, Inc.	13-4043241	DYCD	(\$10,000.00)	260	312			
Arroyo	Bronx Works	13-3254484	DYCD	\$10,000.00	260	312			
Lander	Committee to Improve Carroll Park	11-2582742	DYCD	(\$2,000.00)	260	312			
Lander	Committee to Improve Carroll Park	11-2582742	DYCD	\$2,000.00	260	312	Fifth Avenue Committee, Inc.	11-2475743	

* Indicates pending completion of pre-qualification review.

CHART 4: Obesity Prevention Initiative - Fiscal 2013

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
New York Road Runners Foundation, Inc.	13-3987945	DOHMH	(\$250,000.00)	816	113	
New York Road Runners Foundation, Inc.	13-2949483	DOHMH	\$250,000.00	816	113	

* Indicates pending completion of pre-qualification review.

CHART 5: OST - Fiscal 2013

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Roads to Success - PS 191	11-3599459	DYCD	(\$100,000.00)	260	312	*
Oasis Community Corporation D/B/A Roads to Success - PS 191	11-3599459	DYCD	\$100,000.00	260	312	*
Friends of Crown Heights Educational Centers, Inc. - P.S. 189	11-2305641	DYCD	(\$160,000.00)	260	312	
Friends of Crown Heights Educational Centers, Inc. - P.S. 398 Walter Weaver School	11-2305641	DYCD	\$160,000.00	260	312	
Federation of Italian American Organizations of Brooklyn, Ltd. - P.S. 48 MAPLETON SCHO	11-2507910	DYCD	\$160,000.00	260	312	
Jewish Institute of Queens **	54-2068797	DYCD	\$150,000.00	260	312	

* Indicates pending completion of pre-qualification review.
** Requires a budget modification for the changes to take effect

CHART 6: Anti-Gun Violence Initiative - Fiscal 2013

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Fund for the City of New York, Inc. - Life Camp, Inc.	13-2612524	DOHMH	(\$15,000.00)	816	120	
Fund for the City of New York, Inc. - Life Camp, Inc.	13-2612524	DOHMH	\$15,000.00	816	114	

* Indicates pending completion of pre-qualification review.

CHART 7: Asthma Control Program Initiative - Fiscal 2013

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Queens Comprehensive Perinatal Council	11-2870422	DOHMH	(\$75,000.00)	816	113	
Clergy for Community Empowerment, Inc.	11-3030795	DOHMH	\$75,000.00	816	113	

* Indicates pending completion of pre-qualification review.

CHART 8: Anti-Gun Violence Initiative - Fiscal 2013

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Anti-Gun Violence Initiative **	13-6400434	DYCD	(\$250,000.00)	260	005	
Research Foundation of the City University of New York **	13-1988190	CUNY	\$250,000.00	042	001	

* Indicates pending completion of pre-qualification review.
** Requires a budget modification for the changes to take effect

CHART 9: Senior Centers and Programs Restoration - Fiscal 2013

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Aging in America Community Services, Inc. - Glebe Senior Center	13-4099045	DFTA	(\$125,000.00)	125	003	
Bergen Basin Community Development Corporation d/b/a Millennium Development - Mill Basin Senior Center	11-3199040	DFTA	\$125,000.00	125	003	

* Indicates pending completion of pre-qualification review.

CHART 10: Cultural After School Adventure - Fiscal 2013

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Gennaro	Kupferberg Center Performances - PS 131 Q	13-0000004	DCLA	(\$20,000.00)	126	003	*
Gennaro	Queens College Foundation, Inc. - Kupferberg Center - PS 131 Q	11-8080521	DCLA	\$20,000.00	126	003	*
Halloran	Kupferberg Center Performances - PS 129 Q	13-0000004	DCLA	(\$20,000.00)	126	003	*
Halloran	Queens College Foundation, Inc. - Kupferberg Center - PS 129 Q	11-8080521	DCLA	\$20,000.00	126	003	*
Koo	Kupferberg Center Performances - JHS 185Q	13-0000004	DCLA	(\$20,000.00)	126	003	*
Koo	Queens College Foundation, Inc. - Kupferberg Center - JHS 185Q	11-8080521	DCLA	\$20,000.00	126	003	*
Koslowitz	Kupferberg Center Performances - Public School 175	13-0000004	DCLA	(\$20,000.00)	126	003	*
Koslowitz	Queens College Foundation, Inc. - Kupferberg Center - Public School 175	11-8080521	DCLA	\$20,000.00	126	003	*
Dromm	Queens College Foundation, Inc. - Kupferberg Center for the Arts - Public School 212	11-8080521	DCLA	(\$20,000.00)	126	003	
Dromm	Queens College Foundation, Inc. - Kupferberg Center - Public School 212	11-8080521	DCLA	\$20,000.00	126	003	
Eugene	Creative Outlet Dance Theatre of Brooklyn, Inc. - P.S. 6	11-3307755	DCLA	(\$20,000.00)	126	003	
Eugene	Dancewave, Inc. - P.S. 6	11-2726558	DCLA	\$20,000.00	126	003	
Rose	Musical Chairs Chamber Ensemble, Inc. - Public School 45	20-1458258	DCLA	(\$20,000.00)	126	003	
Rose	Musical Chairs Chamber Ensemble, Inc. - School of Civic Leadership PS/IS 861	20-1458258	DCLA	\$20,000.00	126	003	
Rose	Sundog Theatre, Inc. - School of Civic Leadership PS/IS 861	45-0476945	DCLA	(\$20,000.00)	126	003	
Rose	Sundog Theatre, Inc. - Public School 45	45-0476945	DCLA	\$20,000.00	126	003	

* Indicates pending completion of pre-qualification review.

CHART 11: Immigrant Opportunities Initiative - Fiscal 2013

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
	Immigrant Opportunities Initiative **	13-6400434	DYCD	(\$1,000,000.00)	260	005	
Bronx	Committee for Hispanic Children and Families, Inc., The	11-2622003	DYCD	\$25,000.00	260	005	
Bronx	Gambian Society in New York, Inc.	13-3904936	DYCD	\$25,000.00	260	005	
Bronx	International Center in New York, Inc., The	13-1946733	DYCD	\$25,000.00	260	005	*
Bronx	Kingsbridge Heights Community Center, Inc.	13-2813809	DYCD	\$28,500.00	260	005	
Bronx	Mary Mitchell Youth and Family Center, Inc.	13-3385032	DYCD	\$25,000.00	260	005	
Bronx	Mosholu-Montefiore Community Center, Inc.	13-3622107	DYCD	\$28,500.00	260	005	
Bronx	Neighborhood Initiatives Development Corporation (NIDC)	13-3110811	DYCD	\$31,000.00	260	005	
Bronx	Phipps Community Development Corporation	13-2707665	DYCD	\$28,500.00	260	005	
Bronx	South Bronx Overall Economic Development Corporation	13-2736022	DYCD	\$25,000.00	260	005	
Bronx	Supportive Childrens Advocacy Network (SCAN)	13-2912963	DYCD	\$28,500.00	260	005	*
Manhattan	Chinese American Planning Council, Inc.	13-6202692	DYCD	\$22,008.00	260	005	
Manhattan	Dominican Women's Development Center, Inc.	13-3593885	DYCD	\$37,992.00	260	005	
Manhattan	Lenox Hill Neighborhood House, Inc.	13-1628180	DYCD	\$37,992.00	260	005	
Manhattan	Little Sisters of the Assumption Family Health Service, Inc.	13-2867881	DYCD	\$22,008.00	260	005	
Manhattan	Northern Manhattan Coalition for Immigration Rights	13-3255591	DYCD	\$22,008.00	260	005	*
Manhattan	Riverside Language Program, Inc.	13-3280364	DYCD	\$37,992.00	260	005	
Staten Island	Jewish Community Center of Staten Island, Inc.	13-5562256	DYCD	\$63,334.00	260	005	
Staten Island	Staten Island Employment Education Consortium	13-3097367	DYCD	\$44,000.00	260	005	
Staten Island	El Centro Del Immigrante	13-4178608	DYCD	\$16,666.00	260	005	*
Staten Island	American-Italian Coalition of Organizations, Inc. (AMICO)	11-2468439	DYCD	\$11,000.00	260	005	
Staten Island	Polonians Organized to Minister to Our Community (POMOC)	11-2594500	DYCD	\$35,000.00	260	005	*
Queens	Flushing Jewish Community Council	11-2669559	DYCD	\$9,500.00	260	005	
Queens	Make the Road New York	11-3344389	DYCD	\$25,000.00	260	005	
Queens	Asian Americans for Equality	13-3187792	DYCD	\$21,500.00	260	005	
Queens	Desis Rising Up and Moving (DRUM)	38-3652741	DYCD	\$9,000.00	260	005	*
Queens	Queens Community House	11-2375583	DYCD	\$20,000.00	260	005	
Brooklyn	Kings Bay YM-YWHA	11-3068515	DYCD	\$16,320.00	260	005	
Brooklyn	YMCA of Greater New York – Flatbush	13-1624228	DYCD	\$4,480.00	260	005	
Brooklyn	Asian Americans for Equality (AAFE)	13-3187792	DYCD	\$10,000.00	260	005	
Brooklyn	Boro Park Jewish Community Council	11-3475993	DYCD	\$5,900.00	260	005	
Brooklyn	Brooklyn Adult Learning Center	11-2149962	DYCD	\$13,674.00	260	005	

* Indicates pending completion of pre-qualification review.

CHART 11: Immigrant Opportunities Initiative - Fiscal 2013 (Continued)

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Brooklyn	Brooklyn Chinese American Association	11-3065859	DYCD	\$15,000.00	260	005	
Brooklyn	Church Avenue Merchants Block Association (CAMBA)	11-2480339	DYCD	\$21,953.00	260	005	
Brooklyn	Council of Jewish Organizations of Flatbush Inc	11-2664728	DYCD	\$29,480.00	260	005	
Brooklyn	Cypress Hills Local Development Corporation	11-2683663	DYCD	\$20,400.00	260	005	
Brooklyn	Federation of Italian American Organizations of Brooklyn	11-2507910	DYCD	\$20,000.00	260	005	
Brooklyn	FEGS Health and Human Services System	13-1624000	DYCD	\$15,500.00	260	005	
Brooklyn	Fifth Avenue Committee	11-2475743	DYCD	\$28,173.00	260	005	
Brooklyn	Haitian Centers Council	11-2646501	DYCD	\$5,200.00	260	005	
Brooklyn	Haitian Family Resource Center	45-0678479	DYCD	\$5,080.00	260	005	
Brooklyn	Jewish Community Council of Greater Coney Island	11-2665181	DYCD	\$10,400.00	260	005	
Brooklyn	Opportunities for a Better Tomorrow (OBT)	11-2934620	DYCD	\$20,400.00	260	005	
Brooklyn	United Jewish Organizations of Williamsburg	11-2728233	DYCD	\$16,320.00	260	005	
Brooklyn	United Community Centers	11-1950787	DYCD	\$16,320.00	260	005	
Brooklyn	Metropolitan New York Coordinating Council on Jewish Poverty, Inc.	13-2738818	DYCD	\$10,000.00	260	005	
Brooklyn	Brooklyn Public Library **	11-1904261	BPL	\$10,400.00	038	001	

* Indicates pending completion of pre-qualification review.
** Requires a budget modification for the changes to take effect

CHART 12: EarlyLearn / Childcare - Fiscal 2013

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Gonzalez	The United Methodist City Society - Christ United Methodist Church Head Start	13-2681892	ACS	(\$631,800.00)	068	004	
Gonzalez	The United Methodist City Society - Christ United Methodist Church Head Start	13-5562419	ACS	\$631,800.00	068	004	
	Washington Heights Day Care Center	13-2708329	ACS	\$412,500.00	068	004	*

* Indicates pending completion of pre-qualification review.

CHART 13: Local Discretionary - Fiscal 2012

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit	Sponsoring Organization	Fiscal Conduit EIN	*
Recchia	Theatre Rehabilitation for Youth, Inc.	11-2865724	DFTA	(\$2,500.00)	125	003				
Recchia	Theatre Rehabilitation for Youth, Inc.	11-2865724	DFTA	\$2,500.00	125	003				
Foster	Clay Avenue Tenants Association, Inc.	13-3771737	DYCD	(\$4,000.00)	260	005				
Foster	Clay Avenue Tenants Association, Inc.	13-3771737	OEM	\$4,000.00	017	002				
Recchia	St. Mary's Roman Catholic Church	11-1631816	DYCD	(\$13,000.00)	260	312				
Recchia	Department of Youth and Community Development	13-6400434	DYCD	\$13,000.00	260	312				

* Indicates pending completion of pre-qualification review.

DOMENIC M. RECCHIA, Jr., Chairperson; JOEL RIVERA, GALE A. BREWER, LEROY G.COMRIE, Jr., LEWIS A. FIDLER, G. OLIVER KOPPELL, ALBERT VANN, DARLENE MEALY, JULISSA FERRERAS, FERNANDO CABRERA, KAREN KOSLOWITZ, JAMES G. VAN BRAMER, VINCENT M. IGNIZIO, JAMES S. ODDO; Committee on Finance, October 11, 2012.

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Reports of the Committee on General Welfare

Report for Int. No. 648-A

Report of the Committee on General Welfare in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to requiring the Human Resources Administration and the Department of Youth and Community Development to publish on the agencies’ websites information relating to the process for youth and young adults aged sixteen through twenty applying for or receiving public assistance.

The Committee on General Welfare, to which the annexed amended proposed local law was referred on August 17, 2011 (Minutes, page 3918), respectfully

REPORTS:

On October 10, 2012, the Committee on General Welfare, chaired by Council Member Annabel Palma, will hold a hearing on three bills: Proposed Introduction 648-A (“Proposed Int. 648-A”), a local law to amend the administrative code of the city of New York, in relation to requiring the Human Resources Administration (“HRA”) and the Department of Youth and Community Development (“DYCD”) to publish on the agencies’ websites information relating to the process for youth and young adults aged sixteen through twenty applying for or receiving public assistance; Proposed Introduction 649-A (“Proposed Int. 649-A”), a local law to amend the administrative code of the city of New York, in relation to requiring HRA to clarify the process for serving youth and young adults aged sixteen through twenty-four receiving public assistance as head of household; and Proposed Introduction 657-A (“Proposed Int. 657-A”), a local law to amend the administrative code of the city of New York, in relation to collecting and reporting data related to access of individuals aged sixteen through twenty-four to public assistance as head of household. The Committee held a hearing on previous versions of these bills on September 22, 2011, at which time testimony was heard from Commissioner Doar from HRA, representatives from the Community Service Society, the Resilience Advocacy Project, the Welfare Rights Initiative, and other interested parties.

Background

There are over one million young people living in New York City between the ages of fifteen and twenty-four.¹ The majority of this population will never seek public assistance as they transition out of childhood and move towards adulthood and financial independence. According to the New York City Center for Economic Opportunity (CEO), however, approximately 230,000 young people between the ages of sixteen and twenty-four live in poor households.² Such economic insecurity may create unique challenges for young people as they try to complete their education and obtain jobs that pay living wages, and some may need public assistance. Improving the ability of youth and young adults between the ages of sixteen and twenty-four to access this assistance and be aware of their rights to obtain education, training or employment is the goal of this package of legislation.

In June 2011, the General Welfare Committee held an oversight hearing entitled, “Barriers that Youth and Young Adults Face in Accessing Public Assistance (the “June 22nd hearing”). The June 22nd hearing examined a report released by the

Community Service Society and the Resilience Advocacy Project entitled, “Missed Opportunity: How New York City Can Do a Better Job of Reconnecting Youth on Public Assistance to Education and Jobs” (the “Report”). Both the June 22nd hearing and the Report concluded that too many such barriers exist for youth and young adults in accessing public assistance. In reaching this conclusion, researchers working on the Report spoke to randomly selected youth entering and exiting HRA Job Centers in Manhattan, Brooklyn and the Bronx, finding that young people are often: (i) wrongfully denied the right to apply for public assistance; (ii) not properly assessed by HRA about their educational or career goals; and (iii) not being connected to the educational and training programs they need in order to obtain a General Equivalency Diploma (GED) or develop basic work skills.³ At the June 22nd hearing, advocates and HRA concurred that more could be done to ensure young people receive the benefits to which they are entitled and are made aware of their rights. Today, the Committee will vote on three bills which seek to address these issues by requiring: (i) HRA and DYCD to post information for youth and young adult applicants and recipients aged sixteen through twenty on their websites; (ii) HRA to clarify the process for serving youth and young adults aged sixteen through twenty-four receiving public assistance; and (iii) HRA to collect and report data relating to access of individuals aged sixteen through twenty-four.

The Application Process

Some advocates contend that front-line HRA caseworkers often do not understand the rights of minors and their eligibility for benefits. Previously, the Committee held an oversight hearing on September 13, 2010 entitled, “The Effects of the Recession on the Public Assistance Caseload and the Barriers Public Assistance Applicants Face.” According to testimony provided by the Resilience Advocacy Project (RAP) at the September 2010 hearing, young people are regularly denied the right to apply for benefits, in violation of New York state law and regulations. Specifically, “[a]lmost two-thirds of the young people RAP worked with in 2009 were turned away without being given an application.”⁴ According to RAP’s testimony:

*We provided technical advocacy assistance to an advocate at a Domestic Violence shelter in the City. The advocate was working with a 17-year-old client who was seeking public benefits in order to avoid having to return to an abusive situation at home. She called our office for help with the case because even after the advocate had accompanied the young person to the Job Center, they were both told that the young person needed to be at least 18-years-old, or living in foster care, to obtain an application.*⁵

Second, when a young person is trying to obtain public assistance, it is essential that HRA caseworkers conduct a thorough investigation of the family situation:

*One client had been unable to remain at home for over six months due to violent arguments with his father at the time that he applied for cash assistance. He would live at home for a few weeks and then have to go stay with friends or other relatives when his home situation would get too tough. Despite this, because he had not permanently or officially moved out of his parents’ home, he has remained part of his parents’ cash assistance household. It was clear that the cash assistance being received was for his welfare. When he applied for cash assistance, he was told that because he was already part of a cash assistance household he could not open his own. Although he explained that he could not live at home, when the worker spoke with his parents they explained that they were perfectly willing for him to live at home. Rather than investigating the true nature of the situation, the worker simply refused to allow the young person to open his own case.*⁶

According to the Report, HRA should partner with youth development experts in order to develop youth-specific assessments that would more accurately account for the needs of youth. Since such an assessment is a critical step in obtaining benefits, HRA front-line caseworkers need to understand, identify and meet the unique needs of this population.⁷ The legislation being considered at today’s hearing would ensure that HRA staff are of aware and sensitive to the needs of this population.

Moreover, State regulations prioritize education for young people without a high school degree⁸ and “those with more education are better able to compete and less likely to require (or qualify for) assistance.”⁹ According to testimony provided by the Community Service Society of New York (CSS), “27% of the poor people who have less than a high school education report being in households that receive public assistance...compared to 11% who are college graduates.”¹⁰ Yet, advocates report that young people under the age of twenty-one are not connected to educational opportunities and in some cases are even told to drop out of GED programs and enroll in the HRA Back to Work program in order to receive public benefits.¹¹ According to CSS, “individuals without a high school diploma saw drops in employment of over double those individuals with just a high school diploma since December 2008.”¹² Therefore, obtaining a high school diploma or GED is a critical step towards securing and retaining employment and should be supported by HRA. The legislation being considered today would ensure that youth and young adults are made aware of their rights to obtain educational and training programs so that when they apply for public assistance they can request to satisfy their work requirements through such programs.

Education and Training

Local districts are required to consider educational level when assessing employability.¹³ A *Wall Street Journal* article reported that jobs are increasingly requiring high school diplomas or GEDs, thus making education a much more vital factor for youth who are seeking employment.¹⁴ Of the estimated 173,000 young people between the ages of seventeen and twenty-four who are not in school or working, one-third do not have a high school diploma and therefore face many additional hurdles as they struggle towards self-sufficiency.¹⁵ New York State Social Services Law requires that social services officials ensure that sixteen to seventeen

year old recipients of public assistance who do not have a high school degree or its equivalent receive an employability assessment based on their educational levels, including literacy and language proficiency.¹⁶ Additionally, the State Office of Temporary & Disability Assistance issued guidelines that any individual who has not achieved a basic literacy level must be encouraged or may be required to participate in a basic literacy program, in combination with other work activities, and non-exempt individuals who have attained a basic literacy level but who have not attained a high school diploma or equivalent must be offered the opportunity to participate in educational activities.¹⁷

However, according to testimony provided at the June 22nd hearing, HRA does not recognize the educational needs of twenty-one year olds; HRA will only approve high school attendance or participation in a GED program as an approved full-time activity to fulfill one’s work requirements up to age twenty. Although HRA’s focus is on job placement, it is also tasked with ensuring that young people have the basic skills needed to obtain and retain employment. The focus on placing people into jobs rather than educational or training programs is exemplified by the fact that, according to a report from the Urban Justice Center, “on average, New York City engages approximately 3 percent of its work-eligible cases in allowable educational and training activities.”¹⁸

After the Committee’s June 22nd hearing, HRA issued updated guidance for Job Center and Non Cash Assistance Food Stamp Center staff on cash assistance, food stamps, and employment requirements for individuals sixteen through twenty years old. On November 28, 2011 HRA issued a Policy Directive to, “ensure that individuals of any age are afforded the opportunity to apply for assistance” and to inform staff that young people aged sixteen through nineteen are exempt from work requirements.¹⁹ This directive is meant to ensure that individuals aged sixteen through nineteen without a high school diploma or its equivalent can attend high school, a General Equivalency Diploma (GED) program, or other vocational or technical training on a full-time basis and be considered engaged in a full-time activity.²⁰ This directive also promotes educational programs for youth by stating that individuals aged eighteen through twenty who are not attending high school or a GED program, “should be encouraged to participate in educational activities designed to help obtain a high school diploma or its equivalent.”²¹

Analysis

The legislation being considered at today’s hearing seeks to create a system that is more successful in ensuring youth and young adults understand their rights, including the right to participate in educational or training programs in order to satisfy their work requirements. The legislation would require that answers to frequently asked questions by youth and young adults be made available on HRA’s and DYCD’s websites so that youth and young adults are aware of their rights when they visit an HRA Job Center to apply for benefits. Also, the legislation would require HRA to clarify the processes it has in place for connecting young people to educational and employment opportunities and making staff aware of these specific policies. Lastly, since HRA does not currently track data by age, the legislation would require HRA to collect and publicly report data related to young people in order to provide the Council and interested members of the public with a better understanding of the experiences of youth and young adults applying for, and receiving, public assistance.

Proposed Int. 648-A

While HRA provides information on its website on how to apply for public assistance, it does not explicitly state that youth and young adults have a right to public assistance, that there are laws and policies that apply specifically to youth under the age of twenty-one, and that under certain circumstances teen parents can establish their own cash assistance case, separate from their parents’ case.²² The only youth-related information available on HRA’s homepage is a “Teen Link” that focuses exclusively on avoiding teen pregnancy and teen dating violence.²³

Proposed Int. 648-A would make it easier for youth and young adult applicants to navigate the complicated public assistance application process by requiring that HRA and DYCD publish on the agencies’ websites information relating to the process for youth and young adults²⁴ applying for or receiving public assistance. Through an easily identifiable link on both websites, there would be answers to frequently asked questions relating to the rights and options available to youth and young adults who apply for or are receiving public assistance as head of household, a description of how to apply for public assistance, the types of public assistance that are available, and how recipients may satisfy work requirements through educational activities. HRA and DYCD would be required to update the information as necessary, but at least on an annual basis. The legislation changed from its original version, which required HRA to publish plain language versions of all state and local statutes and copies of any regulations, policy directives and memoranda that affect or concern young people applying for or receiving public assistance. Proposed Int. No. 648-A would become effective immediately.

Proposed Int. 649-A

Proposed Int. 649-A would enable HRA to better serve and engage sixteen through twenty-four year olds who receive public assistance by requiring HRA to designate an individual to oversee how this population is engaged and serviced. HRA must also submit a report to the Council, within six months of the effective date of the law, describing the processes HRA has in place to meet the educational needs of individuals aged sixteen through twenty-four. The report would include a description of HRA policies and federal and state mandated education requirements as they relate to youth and young adults and explain how HRA conveys to its staff education and employment laws and policies related to youth and young adults. Additionally, HRA would be required to provide a description of its processes for: (i) identifying youth and young adult recipients interested in educational activities; (ii) encouraging them to participate in such activities; and (iii) connecting them to educational opportunities. This description would be provided for three separate age

groups: individuals under eighteen, individuals aged eighteen through twenty and individuals aged twenty-one through twenty-four. Furthermore, the report would be required to include a description of HRA’s plan to improve coordination with other city agencies and programs that specialize in employment services for young people.

The amendments to Proposed Intro 649-A would require HRA to provide more detailed information than did the original version of the legislation, particularly because it would require HRA to provide individual data on each of the three age groups identified above. This requirement would further the Council and the public’s understanding of how HRA might tailor different programs to serve young people depending on their ages and educational backgrounds. Proposed Int. No. 649-A would become effective immediately.

Proposed Int. 657-A

Although the Report and advocates assert that youth and young adults are denied the right to apply for public assistance, the exact number of youth who are affected is uncertain. In fact, there are many statistics about this population that are unknown because HRA does not track data by age. The proposed legislation would require HRA to begin tracking and reporting data pertaining to youth and young adults.

Specifically, Proposed Int. 657-A would require HRA to post on its website a monthly cash assistance engagement status report for heads of household aged sixteen through twenty-four. The report would include, among other things, the number of youth who self-report as not having a high school diploma or its equivalent, the number of youth who are exempt from participating in work activities, the type of work or educational activity youth are participating in, the number of youth awaiting assessment, and the number of youth who are not receiving benefits due to failure to follow HRA rules. In addition, Proposed Int. 657-A would require HRA to publish a semiannual report on the number of sixteen through twenty-year-olds applying for public assistance, as well as how many of them have been accepted or rejected for public assistance.

A key difference between Proposed Int. 657-A and the legislation as it was at introduction is the frequency with which data is reported. As originally conceived, the legislation required HRA to submit to the Council one quarterly report on the engagement status for heads of households aged sixteen through twenty-four. Proposed Int. 657-A would require HRA to post two types of reports on its website: (1) a monthly report for youth aged sixteen through twenty-four who are receiving cash assistance as heads of household; and (2) a semiannual report on the number of sixteen to twenty year olds applying for public assistance, as well as how many of them have been accepted or rejected for public assistance. Proposed Int. No. 657-A would become effective immediately.

¹ See http://factfinder.census.gov/servlet/ADPTable?_bm=y&-geo_id=16000US3651000&-qr_name=ACS_2009_5YR_G00_DP5YR5&-ds_name=&-lang=en&-redoLog=false (last visited Sept. 9, 2011).

² See New York City Center for Economic Opportunity, <http://www.nyc.gov/html/ceo/html/programs/programs.shtml> (last visited Oct. 8, 2012).

³ Lazar Treschan, Brooke Richie-Babbage and Santa Soriano-Vasquez, Community Service Society and Resilience Advocacy Project, *Missed Opportunity: How New York City Can Do a Better Job of Reconnecting Youth on Public Assistance to Education and Jobs* (2011).

⁴ See generally Testimony of Brooke Richie, Resilience Advocacy Project, before the Committee on General Welfare, September 13, 2010; Testimony of Lazar Treschan, Community Service Society, before the Committee on General Welfare, September 13, 2010.

⁵ See Testimony of Brooke Richie, Resilience Advocacy Project, before the Committee on General Welfare, September 13, 2010.

⁶ *Id.*

⁷ *Missed Opportunity*, *supra* note 3, at 22 (2011).

⁸ N.Y. Soc. Serv. Law §§ 335, 336.

⁹ See Testimony of Lazar Treschan, Community Service Society, before the Committee on General Welfare, September 13, 2010.

¹⁰ *Id.*

¹¹ See generally Richie Testimony and Treschan Testimony, *supra* note 4.

¹² See generally Treschan Testimony, *supra* note 9.

¹³ N.Y. Soc. Serv. Law §335(1).

¹⁴ Joseph De Avila, *Job Hurdle After Foster Care*, *The Wall Street Journal*, Sept. 6, 2011 (“The economic downturn has made employment in New York increasingly competitive for young people who rely on retail and food service jobs....Many of those jobs now require high-school diplomas or GEDs....”).

¹⁵ *Missed Opportunity*, *supra* note 3, at 1 (2011).

¹⁶ N.Y. Soc. Serv. Law §335(1), *supra* note 13.

¹⁷ OTDA Administrative Directive, 11-ADM-06 (July 19, 2011).

¹⁸ Lori McNeil, Urban Justice Center, *Case Closed: An Examination of Exclusion in New York City’s Public Assistance Programs*, at 3 (2011) (citing to HRA data).

¹⁹ See HRA Family Independence Administration Policy Directive #011-31-EMI, November 28, 2011, at 1 (on file with the Committee).

²⁰ *Id.*

²¹ *Id.*

²² New York City Human Resources Administration Department of Social Services, <http://www.nyc.gov/html/hra/html/home/home.shtml> (last visited Oct. 8, 2012).

²³ *Id.*

²⁴ Proposed Int. 648-A defines “youth” as any person between and including the ages of sixteen and seventeen and “young adult” as any person between and including the ages of eighteen and twenty.

(The following is the text of the Fiscal Impact Statement for Int. No. 648-A:)



THE COUNCIL OF THE CITY OF
NEW YORK
FINANCE DIVISION
PRESTON NIBLACK, DIRECTOR
FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 648-A

COMMITTEE: General Welfare

TITLE: A local law to amend the administrative code of the city of New York, in relation to requiring the Human Resources Administration and the Department of Youth and Community Development to publish on the agencies’ websites information relating to the process for youth and young adults aged sixteen through twenty applying for or receiving public assistance.

SPONSORS: Council Members Brewer, Palma, Chin, Fidler, James, Koslowitz, Lander, Levin, Mendez, Vann, Williams, Nelson, Rodriguez, Barron, Foster, Mark-Viverito, Gonzalez, Garodnick, Van Bramer, Vacca and Arroyo

SUMMARY OF LEGISLATION: The Human Resources Administration and the Department of Youth and Community Development shall publish, through an easily identifiable link on its website, answers to frequently asked questions relating to the rights of and options available to youth and young adults who apply for or are receiving public assistance as head of household, including but not limited to a description of how to apply for public assistance, the types of public assistance that are available, and how recipients may satisfy work requirements through educational activities. Such information shall be updated as often as necessary and at a minimum on an annual basis.

EFFECTIVE DATE: This legislation would take effect sixty days after its enactment into law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2014.

FISCAL IMPACT STATEMENT:

	Effective FY13	FY Succeeding Effective FY14	Full Fiscal Impact FY14
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: It is estimated that there would be no impact on revenues resulting from the enactment of this legislation.

IMPACT ON EXPENDITURES: Because the Department will use existing resources to enforce this local law, it is anticipated that there would be minimal to no impact on expenditures resulting from the enactment of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: Not applicable

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Latonia McKinney, Deputy Director

HISTORY: Introduced as Intro.648 by the Council on August 17, 2011 and referred to the Committee on General Welfare. A hearing was held and the legislation was laid over by the Committee on September 22, 2011. Intro. 648 has been amended, and the amended version, Proposed Int. 648-A, will be considered by the Committee on October 10, 2012.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 648-A:)

Int. No. 648-A
By Council Members Brewer, Palma, Chin, Fidler, James, Koslowitz, Lander, Levin, Mendez, Vann, Williams, Nelson, Rodriguez, Barron, Foster, Mark-Viverito,

Gonzalez, Garodnick, Van Bramer, Vacca, Arroyo, Rose, Dromm, Lappin, Dickens, Eugene, Gennaro, Jackson, Mealy and Halloran.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the Human Resources Administration and the Department of Youth and Community Development to publish on the agencies’ websites information relating to the process for youth and young adults aged sixteen through twenty applying for or receiving public assistance.
Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-133 to read as follows:

§21-133. Web-based information for youth and young adults aged sixteen through twenty applying for or receiving public assistance.

a. Definitions. For the purposes of this section the following terms shall have the following meanings:

1. “Public assistance” shall mean safety net assistance and family assistance provided by the New York city department of social services/human resources administration;

2. “Young adult” shall mean any person between and including the ages of eighteen and twenty; and

3. “Youth” shall mean any person between and including the ages of sixteen and seventeen.

b. Web-based Information. No later than sixty days from the effective date of the local law that added this section, the department shall publish, through an easily identifiable link on its website, answers to frequently asked questions relating to the rights of and options available to youth and young adults who apply for or are receiving public assistance as head of household, including but not limited to a description of how to apply for public assistance, the types of public assistance that are available, and how recipients may satisfy work requirements through educational activities. Such information shall be updated as often as necessary and at a minimum on an annual basis.

§2. Chapter 4 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-403 to read as follows:

§21-403. Web-based information for youth and young adults aged sixteen through twenty applying for or receiving public assistance.

a. Definitions. For the purposes of this section the following terms shall have the following meanings:

1. “Public assistance” shall mean safety net assistance and family assistance provided by the New York city department of social services/human resources administration;

2. “Young adult” shall mean any person between and including the ages of eighteen and twenty; and

3. “Youth” shall mean any person between and including the ages of sixteen and seventeen.

b. Web-based Information. No later than sixty days from the effective date of the local law that added this section, the department shall publish, through an easily identifiable link on its website, answers to frequently asked questions relating to the rights of and options available to youth and young adults who apply for or are receiving public assistance as head of household, including but not limited to a description of how to apply for public assistance, the types of public assistance that are available, and how recipients may satisfy work requirements through educational activities. Such information shall be updated as often as necessary and at a minimum on an annual basis.

§3. This local law shall take effect immediately.

ANNABEL PALMA, Chairperson; GALE A. BREWER, HELEN D. FOSTER, MARIA del CARMEN ARROYO, YDANIS A. RODRIGUEZ, BRADFORD S. LANDER, STEPHEN T. LEVIN, JAMES G. VAN BRAMER, RUBEN WILLS; Committee on General Welfare, October 10, 2012.

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Report for Int. No. 649-A

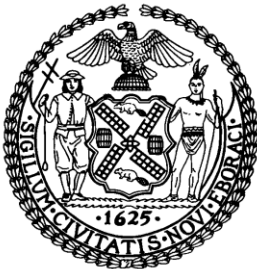
Report of the Committee on General Welfare in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to requiring the Human Resources Administration to clarify the process for serving youth and young adults aged 16 through twenty-four receiving public assistance as head of household.

The Committee on General Welfare, to which the annexed amended proposed local law was referred on August 17, 2011 (Minutes, page 3922), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on General Welfare for Int No. 648-A printed above in these Minutes)

(The following is the text of the Fiscal Impact Statement for Int. No. 649-A:)



THE COUNCIL OF THE CITY OF
NEW YORK
FINANCE DIVISION
PRESTON NIBLACK, DIRECTOR
FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 649-A

COMMITTEE: General Welfare

TITLE: A local law to amend the administrative code of the city of New York, in relation to requiring the Human Resources Administration to clarify the process for serving youth and young adults aged sixteen through twenty-four receiving public assistance as head of household.

SPONSORS: Council Members Fidler, Palma, Brewer, Chin, Dromm, Gonzalez, James, Koslowitz, Lander, Levin, Mendez, Vann, Williams, Mark-Viverito, Foster, Rodriguez, Nelson, Barron, Garodnick, Van Bramer, Jackson, Vacca and Arroyo

SUMMARY OF LEGISLATION: The Commissioner of the Human Resources Administration shall designate an individual responsible for agency oversight of how youth and young adults aged 16 through 24 receiving public assistance are engaged and served. The department shall submit a report to the council, in writing, no later than six months from the effective date of this local law, describing the process put in place to serve such youth and young adults.

EFFECTIVE DATE: This legislation would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2014.

FISCAL IMPACT STATEMENT:

	Effective FY13	FY Succeeding Effective FY14	Full Fiscal Impact FY14
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: It is estimated that there would be no impact on revenues resulting from the enactment of this legislation.

IMPACT ON EXPENDITURES: Because the Department will use existing resources to enforce this local law, it is anticipated that there would be minimal to no impact on expenditures resulting from the enactment of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: Not applicable

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Latonia McKinney, Deputy Director

HISTORY: Introduced as Intro. 649 by the Council on August 17, 2011 and referred to the Committee on General Welfare. A hearing was held and the legislation was laid over by the Committee on September 22, 2011. Intro. 649 has been amended, and the amended version, Proposed Int. 649-A, will be considered by the Committee on October 10, 2012.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 649-A:)

Int. No. 649-A

By Council Members Fidler, Palma, Brewer, Chin, Dromm, Gonzalez, James, Koslowitz, Lander, Levin, Mendez, Vann, Williams, Mark-Viverito, Foster,

Rodriguez, Nelson, Barron, Garodnick, Van Bramer, Jackson, Vacca, Arroyo, Rose, Lappin, Dickens, Eugene, Gennaro, Mealy and Halloran.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the Human Resources Administration to clarify the process for serving youth and young adults aged 16 through twenty-four receiving public assistance as head of household.

Be it enacted by the Council as follows:

Section 1. Chapter one of title 21 of the administrative code of the city of New York is amended by adding a new section 21-135 to read as follows:

§ 21-135 Process for youth and young adults aged 16 through 24 receiving public assistance as head of household.

a. Definitions. For the purposes of this section the following terms shall have the following meanings:

(1) “Basic literacy level” shall mean a ninth grade reading level as evaluated by the New York city department of social services/human resources administration when conducting an employment assessment for public assistance recipients;

(2) “BTW” shall mean the New York city department of social services/human resources administration program, known as back to work, where a single vendor works with individuals to assist them in employment preparation including education and training, as applicable, and finding employment;

(3) “Head of household” shall mean the member of the applicant household designated by the household to represent the household in all matters pertaining to its eligibility for and receipt of various forms of public assistance;

(4) “Household” shall mean a single individual or family, including couples without dependent children who, or which, are eligible to receive public assistance;

(5) “Public assistance” shall mean safety net assistance and family assistance provided by the New York city department of social services/human resources administration; and

(6) “WEP” shall mean the New York city department of social services/human resources administration program, known as the work experience program, which is designed to provide a simulated work experience to individuals receiving public assistance.

b. Written Report: The commissioner shall designate an individual responsible for agency oversight of how youth and young adults aged 16 through 24 receiving public assistance are engaged and served. The department shall submit a report to the council, in writing, no later than six months from the effective date of this local law, describing the process put in place to serve such youth and young adults. At a minimum, such report shall include, but not be limited to, a description of:

(1) department policies as they relate to federal and state mandated education requirements for youth and young adults aged 16 through 24;

(2) the department’s process for determining whether a 16 or 17 year-old is interested in educational activities;

(3) the department’s process for referring a 16 or 17 year-old without a high school diploma or its equivalent to the department of education or other educational opportunities;

(4) criteria and/or assessment tools used in determining that a 16 or 17 year-old without a high school diploma or its equivalent cannot make satisfactory progress in obtaining such a diploma or its equivalent and therefore should be referred to BTW, WEP, or other program;

(5) the department’s process for determining whether heads of household between and including the ages of eighteen and twenty, who do not have a high school diploma or its equivalent, are interested in participating in appropriate educational activities designed to help them obtain a high school diploma or its equivalent;

(6) the department’s process for encouraging heads of household between and including the ages of eighteen and twenty, who do not have a high school diploma or its equivalent, to participate in appropriate educational activities designed to help them obtain a high school diploma or its equivalent;

(7) the department’s process for connecting heads of household between and including the ages of eighteen and twenty, who have a high school diploma or its equivalent, to educational activities;

(8) criteria used in determining that participation in educational activities by heads of household between and including the ages of eighteen and twenty, who do not have a high school diploma or its equivalent, is not appropriate based on an employment plan;

(9) the department’s process for determining whether heads of household between and including the ages of twenty-one and twenty-four, who do not have a high school diploma or its equivalent, are interested in participating in educational activities designed to help them obtain a high school diploma or its equivalent;

(10) the department’s process for connecting heads of households between and including the ages of twenty-one and twenty-four, who have a high school diploma or its equivalent, to educational activities;

(11) the department’s process for determining that educational activities are not appropriate for heads of household between and including the ages of twenty-one and twenty-four without a high school diploma or its equivalent;

(12) the department’s process for making educational activities available to individuals aged 18 through 24 who have not attained a basic literacy level and are interested in attaining such as part of their work activity requirement;

(13) the department’s plan to improve coordination between the department and other city agencies and programs that specialize in employment services for 16 and

17 year-olds;

(14) criteria used in determining that a referral to the administration for children’s services is warranted for minors who apply for public assistance and do not live with a parent or legal guardian; and

(15) the department’s strategy to convey to department staff the process for assisting young people aged 16 through 24 receiving public assistance.

§2. This local law shall take effect immediately.

ANNABEL PALMA, Chairperson; GALE A. BREWER, HELEN D. FOSTER, MARIA del CARMEN ARROYO, YDANIS A. RODRIGUEZ, BRADFORD S. LANDER, STEPHEN T. LEVIN, JAMES G. VAN BRAMER, RUBEN WILLS; Committee on General Welfare, October 10, 2012.

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

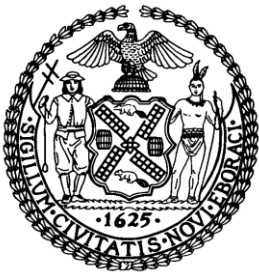
Report for Int. No. 657-A
Report of the Committee on General Welfare in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to collecting and reporting data related to access of individuals aged sixteen through twenty-four to public assistance as head of household.

The Committee on General Welfare, to which the annexed amended proposed local law was referred on August 17, 2011 (Minutes, page 3940), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on General Welfare for Int No. 648-A printed above in these Minutes)

(The following is the text of the Fiscal Impact Statement for Int. No. 657-A:)



THE COUNCIL OF THE CITY OF
NEW YORK
FINANCE DIVISION
PRESTON NIBLACK, DIRECTOR
FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 657-A

COMMITTEE: General Welfare

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to collecting and reporting data related to access of individuals aged sixteen through twenty-four to public assistance as head of household.

SPONSORS: Council Members Palma, Fidler, Brewer, Chin, Gonzalez, James, Koslowitz, Lander, Levin, Mendez, Recchia, Vann, Williams, Mark-Viverito, Rodriguez, Nelson, Barron, Foster, Koppell, Garodnick, Jackson, Vacca and Arroyo

SUMMARY OF LEGISLATION: Beginning no later than April 1, 2013, and no later than the first day of each subsequent month, the Human Resources Administration shall post on its website an updated report regarding the engagement status of heads of household between and including the ages of sixteen and twenty-four, disaggregated by the following categories: 1) individuals aged sixteen and seventeen; 2) individuals aged eighteen through twenty; and 3) individuals aged twenty-one through twenty-four, calculated both as an actual number and the percentage each such number represents of the overall cash assistance caseload.

Also, within sixty days after June 30, 2013, and within sixty days following each six month period thereafter, the Human Resources Administration shall post on its website a report regarding the total number of individuals aged sixteen through twenty who applied for public assistance as head of household during the previous six months and of those, the total number accepted and rejected, disaggregated by the following categories: 1) individuals aged sixteen and seventeen; and 2) individuals aged eighteen through twenty. For purposes of this subdivision, each six month period shall be deemed to end on June 30 and December 31 of each calendar year.

EFFECTIVE DATE: This legislation would take immediately after its enactment into law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2014.

FISCAL IMPACT STATEMENT:

	Effective FY13	FY Succeeding Effective FY14	Full Fiscal Impact FY14
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: It is estimated that there would be no impact on revenues resulting from the enactment of this legislation.

IMPACT ON EXPENDITURES: Because the Department will use existing resources to enforce this local law, it is anticipated that there would be minimal to no impact on expenditures resulting from the enactment of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: Not applicable

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Latonia McKinney, Deputy Director

HISTORY: Introduced as Intro. 657 by the Council on August 17, 2011 and referred to the Committee on General Welfare. A hearing was held and the legislation was laid over by the Committee on September 22, 2011. Intro. 657 has been amended, and the amended version, Proposed Int. 657-A, will be considered by the Committee on October 10, 2012.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 657-A:)

Int. No. 657-A

By Council Members Palma, Fidler, Brewer, Chin, Gonzalez, James, Koslowitz, Lander, Levin, Mendez, Recchia, Vann, Williams, Mark-Viverito, Rodriguez, Nelson, Barron, Foster, Koppell, Garodnick, Jackson, Vacca, Arroyo, Van Bramer, Rose, Dromm, Lappin, Gennaro, Mealy and Halloran.

A Local Law to amend the administrative code of the city of New York, in relation to collecting and reporting data related to access of individuals aged sixteen through twenty-four to public assistance as head of household.

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-134 to read as follows:

§21-134 Cash assistance application and caseload engagement status reports for individuals aged sixteen through twenty-four.

a. Definitions. For the purposes of this section the following terms shall have the following meanings:

(1) “BEGIN” shall mean the New York city department of social services/human resources administration program, known as begin employment gain independence now, which collaborates with education and training providers to offer a coordinated program of employment preparation to support the efforts of public assistance recipients who are making the transition to employment;

(2) “Engageable” shall mean an individual is required to participate in employment, programs or activities in order to receive public assistance;

(3) “Head of household” shall mean the member of the applicant household designated by the household to represent the household in all matters pertaining to its eligibility for and receipt of various forms of public assistance;

(4) “Household” shall mean a single individual or family, including couples without dependent children who, or which, are eligible to receive public assistance;

(5) “Public assistance” shall mean safety net assistance and family assistance provided by the New York city department of social services/human resources administration;

(6) “Unengageable” shall mean an individual is exempt from having to participate in employment, programs or activities as a condition of receiving public

assistance;

(7) “WeCARE” shall mean the New York city department of social services/human resources administration program, known as wellness comprehensive assessment rehabilitation and employment, which addresses the needs of public assistance recipients with medical and/or mental health barriers to employment by providing customized assistance and services to help them achieve their highest levels of self-sufficiency; and

(8) “WEP” shall mean the New York city department of social services/human resources administration program, known as the work experience program, which is designed to provide a simulated work experience to individuals receiving public assistance.

b. Cash assistance caseload engagement status report for heads of household aged sixteen through twenty-four. Beginning no later than April 1, 2013, and no later than the first day of each subsequent month, the department shall post on its website an updated report regarding the engagement status of heads of household between and including the ages of sixteen and twenty-four, that includes, at a minimum, the following information disaggregated by the following categories: 1) individuals aged sixteen and seventeen; 2) individuals aged eighteen through twenty; and 3) individuals aged twenty-one through twenty-four, calculated both as an actual number and the percentage each such number represents of the overall cash assistance caseload:

A. Total number of recipients of public assistance who self-report as lacking a high school degree or the equivalent at the time of application.

B. Total number of recipients of public assistance exempt from engagement and reason for exemption, including but not limited to:

(a) Total indefinitely unengagable, disaggregated by:

(i) head of household on supplemental social security income or other disability-based income;

(ii) HIV/AIDS services administration case; and

(iii) child only case (ages 17 and under).

(b) Total temporarily unengageable, disaggregated by:

(i) temporarily incapacitated due to health situation;

(ii) child under 3 months of age;

(iii) supplemental security income or other disability-based income pending or appealing;

(iv) temporarily exempt; and

(v) pending WeCARE scheduling/outcome.

C. Total number of engageable recipients of public assistance, including but not limited to:

(1) Total engaged in:

(a) Employment:

(i) budgeted;

(ii) not budgeted: no aid to continue;

(iii) grant diversion; and

(iv) wage subsidy.

(b) WEP:

(i) WEP basic;

(ii) WEP medical limitations/WeCARE;

(iii) WEP and BEGIN managed activities, or any substantially similar successor program;

(iv) WEP special;

(v) WEP and job skills;

(vi) WEP and substance abuse treatment;

(vii) WEP/substance abuse /job search;

(viii) WEP/substance abuse/training;

(ix) WEP/WeCARE concurrent activity; and

(x) WEP and training.

(c) Other work activity.

(d) Substance abuse residential treatment.

(2) Total engaged in other participation, including but not limited to:

(a) education/training;

(b) job search under 12 weeks;

(c) job search 12 weeks or more;

(d) student over age 15;

(e) substance abuse treatment;

(f) substance abuse/job search;

(g) substance abuse/training;

(h) wellness/rehab/WeCARE;

(i) WeCARE and substance abuse;

(j) WeCARE vocational rehabilitation;

(k) WeCARE concurrent activity; and

(l) needed at home.

D. Total number of recipients in engagement process, disaggregated by:

(a) call-in appointment scheduled;

(b) eligibility call-in appointment scheduled;

(c) WeCARE assessment scheduled; and

(d) in review process.

E. Total number of recipients in a sanction process, disaggregated by:

(a) in conciliation;

(b) awaiting conciliation scheduling; and

- b) “Exemption” shall mean the exemption from real property taxation provided hereunder.
 - c) “Exemption Area” shall mean the real property located in the Borough of Queens, City and State of New York, identified as:

Block 09970, Lot 23, on the Tax Map of the City of New York,
Block 10090, Lot 21, on the Tax Map of the City of New York,
Block 10090, Lot 23 on the Tax Map of the City of New York.
 - d) “Expiration Date” shall mean the earlier to occur of (i) June 28, 2046, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - e) “HDFC” shall mean Allen Affordable Housing Development Fund Corporation.
 - f) “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
 - g) “Owner” shall mean HDFC or any future owner of the Exemption Area.
 - h) “Regulatory Agreement” shall mean the regulatory agreement between HPD and the HDFC establishing certain controls upon the operation of the Exemption Area during the term of the Exemption.
2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business or commercial use) shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon Expiration Date.
3. Notwithstanding any provision hereof to the contrary, the Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, or (iv) the demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to the Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the Exemption shall prospectively terminate.
4. The Exemption shall not apply to any building constructed on the Exemption Area which did not have a permanent certificate of occupancy or equivalent document satisfactory to HPD recording the occupancy and configuration of the building on the Effective Date.
5. In consideration of the Exemption, the Owner of the Exemption Area, (i) execute and record the Regulatory Agreement, and (ii) for so long as the Exemption shall remain in effect, shall waive the benefits of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state, or federal law, rule, or regulation.

JOEL RIVERA, Acting Chairperson; DIANA REYNA, ROBERT JACKSON, JAMES SANDERS, Jr., ALBERT VANN, SARA M. GONZALEZ, ANNABEL PALMA, MARIA del CARMEN ARROYO, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, JAMES VACCA, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, VINCENT M. IGNIZIO, DANIEL J. HALLORAN III; Committee on Land Use, September 27, 2012

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Report for L.U. No. 688

Report of the Committee on Land Use in favor of approving Application No. C 120226 ZMM submitted by the NYC Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter, for amendment of the Zoning Map, Section No. 12c, by

establishing within an existing R8 District a C2-5 District, Borough of Manhattan, Community District 3, Council District 1.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on September 12, 2012 (Minutes, page 3507), respectfully

REPORTS:

(For text of the report, please see the Report of the Committee on Land Use for LU No. 688 & Res No. 1551 printed in the General Order Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption.

JOEL RIVERA, Acting Chairperson; DIANA REYNA, ROBERT JACKSON, JAMES SANDERS, Jr., ALBERT VANN, SARA M. GONZALEZ, ANNABEL PALMA, MARIA del CARMEN ARROYO, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, JAMES VACCA, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, VINCENT M. IGNIZIO, DANIEL J. HALLORAN III; Committee on Land Use, September 27, 2012

Approved with Modifications and Referred to the City Planning Commission pursuant to Rule 11.70(b) of the Rules of the Council and Section 197-(d) of the New York City Charter.

Report for L.U. No. 689

Report of the Committee on Land Use in favor of approving Application No. N 120227 ZRM submitted by the NYC Department of Housing Preservation and Development and Department of Citywide Administrative Services, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Sections 74-743 (Special Provisions for bulk modifications) and 74-744 (Modification of use regulations) concerning special permit regulations for large scale general developments, relating to the former Seward Park Extension Urban Renewal Area, Borough of Manhattan, Community Board 3, Council District 1.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on September 12, 2012 (Minutes, page 3507), respectfully

REPORTS:

(For text of the report, please see the Report of the Committee on Land Use for LU No. 689 & Res No. 1552 printed in the General Order Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption.

JOEL RIVERA, Acting Chairperson; DIANA REYNA, ROBERT JACKSON, JAMES SANDERS, Jr., ALBERT VANN, SARA M. GONZALEZ, ANNABEL PALMA, MARIA del CARMEN ARROYO, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, JAMES VACCA, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, VINCENT M. IGNIZIO, DANIEL J. HALLORAN III; Committee on Land Use, September 27, 2012

Approved with Modifications and Referred to the City Planning Commission pursuant to Rule 11.70(b) of the Rules of the Council and Section 197-(d) of the New York City Charter.

Report for L.U. No. 690

Report of the Committee on Land Use in favor of approving Application No. C 120228 ZSM submitted by the NYC Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the grant a special permit pursuant Sections 74-743(a)(1), 74-743 (a)(2) and 74-743 (a)(10), in connection with a proposed mixed use development, within a large-scale general development (Block 346, p/o Lot 40; Block 347, Lot 71; Block 352, Lots 1 and 28; and Block 409, Lot 56) in R8/C2-5 and C6-1 districts, partially within the former Seward Park Extension Urban Renewal Area, Borough of Manhattan, Community Board 3, Council District 1. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to §197-d(b)(2) of the Charter or called up by a vote of the Council pursuant to 197-d(b)(3) of the Charter.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on September 12, 2012 (Minutes, page 3507), respectfully

REPORTS:

(For text of the report, please see the Report of the Committee on Land Use for LU No. 690 & Res No. 1553 printed in the General Order Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption.

JOEL RIVERA, Acting Chairperson; DIANA REYNA, ROBERT JACKSON, JAMES SANDERS, Jr., ALBERT VANN, SARA M. GONZALEZ, ANNABEL PALMA, MARIA del CARMEN ARROYO, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, JAMES VACCA, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, VINCENT M. IGNIZIO, DANIEL J. HALLORAN III; Committee on Land Use, September 27, 2012

Approved with Modifications and Referred to the City Planning Commission pursuant to Rule 11.70(b) of the Rules of the Council and Section 197-(d) of the New York City Charter.

Report for L.U. No. 691

Report of the Committee on Land Use in favor of approving Application No. C 120229 ZSM submitted by the NYC Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the grant special permit pursuant Sections 74-744(a)(3) and Section 74-744(b) to modify applicable district use regulations in connection with a proposed mixed use development, within a large-scale general development (Block 346, p/o Lot 40; Block 347, Lot 71; Block 352, Lots 1 and 28; and Block 409, Lot 56) in R8/C2-5 and C6-1 districts, partially within the former Seward Park Extension Urban Renewal Area, Borough of Manhattan, Community Board 3, Council District 1. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to §197-d(b)(2) of the Charter or called up by a vote of the Council pursuant to 197-d(b)(3) of the Charter.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on September 12, 2012 (Minutes, page 3508), respectfully

REPORTS:

(For text of the report, please see the Report of the Committee on Land Use for LU No. 691 & Res No. 1554 printed in the General Order Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption.

JOEL RIVERA, Acting Chairperson; DIANA REYNA, ROBERT JACKSON, JAMES SANDERS, Jr., ALBERT VANN, SARA M. GONZALEZ, ANNABEL PALMA, MARIA del CARMEN ARROYO, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, JAMES VACCA, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, VINCENT M. IGNIZIO, DANIEL J. HALLORAN III; Committee on Land Use, September 27, 2012

Approved with Modifications and Referred to the City Planning Commission pursuant to Rule 11.70(b) of the Rules of the Council and Section 197-(d) of the New York City Charter.

Report for L.U. No. 692

Report of the Committee on Land Use in favor of approving Application no. C 120231 ZSM submitted by the NYC Department of Housing Preservation & Development pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant Sections 13-562 and 74-52 of the Zoning Resolution to allow a public parking garage with a maximum capacity of 168 spaces on portions of the ground floor, cellar level 1 and cellar level 2 of a proposed development on property bounded

by Delancey Street, Norfolk Street, Broome Street and Essex Street (Site 2, Block 353, p/o Lot 1 and Lot 28), in a C6-1 District, Borough of Manhattan, Community Board 3, Council District 1. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to §197-d(b)(2) of the Charter or called up by a vote of the Council pursuant to 197-d(b)(3) of the Charter.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on September 12, 2012 (Minutes, page 3508), respectfully

REPORTS:

(For text of the report, please see the Report of the Committee on Land Use for LU No. 692 & Res No. 1555 printed in the General Order Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption.

JOEL RIVERA, Acting Chairperson; DIANA REYNA, ROBERT JACKSON, JAMES SANDERS, Jr., ALBERT VANN, SARA M. GONZALEZ, ANNABEL PALMA, MARIA del CARMEN ARROYO, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, JAMES VACCA, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, VINCENT M. IGNIZIO, DANIEL J. HALLORAN III; Committee on Land Use, September 27, 2012

Approved with Modifications and Referred to the City Planning Commission pursuant to Rule 11.70(b) of the Rules of the Council and Section 197-(d) of the New York City Charter.

Report for L.U. No. 693

Report of the Committee on Land Use in favor of approving Application no. C 120233 ZSM submitted by the NYC 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 Sections 13-562 and 74-52 of the Zoning Resolution to allow a public parking garage with a maximum capacity of 250 spaces on portions of the ground floor, cellar level 1 and cellar level 2 of a proposed development on property bounded by Delancey Street, Suffolk Street, Broome Street and Norfolk Street (Site 3, Block 346, p/o Lot 40), in an R 8/C2-5, Borough of Manhattan, Community Board 3, Council District 1. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to §197-d(b)(2) of the Charter or called up by a vote of the Council pursuant to 197-d(b)(3) of the Charter.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on September 12, 2012 (Minutes, page 3509), respectfully

REPORTS:

(For text of the report, please see the Report of the Committee on Land Use for LU No. 693 & Res No. 1556 printed in the General Order Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption.

JOEL RIVERA, Acting Chairperson; DIANA REYNA, ROBERT JACKSON, JAMES SANDERS, Jr., ALBERT VANN, SARA M. GONZALEZ, ANNABEL PALMA, MARIA del CARMEN ARROYO, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, JAMES VACCA, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, VINCENT M. IGNIZIO, DANIEL J. HALLORAN III; Committee on Land Use, September 27, 2012

Approved with Modifications and Referred to the City Planning Commission pursuant to Rule 11.70(b) of the Rules of the Council and Section 197-(d) of the New York City Charter.

Report for L.U. No. 694

Report of the Committee on Land Use in favor of approving Application no. C 120234 ZSM submitted by the NYC 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 Sections 13-562 and 74-52 of the Zoning Resolution to allow a public parking garage with a maximum capacity of 250 spaces on portions of the ground floor, cellar level 1 and cellar level 2 of a proposed development on property bounded by Delancey Street, Clinton Street, Broome Street and Suffolk Street (Site 4, Block 346, p/o Lot 40), in an R8/C2-5 District, Borough of Manhattan, Community Board 3, Council District 1. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to §197-d(b)(2) of the Charter or called up by a vote of the Council pursuant to 197-d(b)(3) of the Charter.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on September 12, 2012 (Minutes, page 3509), respectfully

REPORTS:

(For text of the report, please see the Report of the Committee on Land Use for LU No. 694 & Res No. 1557 printed in the General Order Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption.

JOEL RIVERA, Acting Chairperson; DIANA REYNA, ROBERT JACKSON, JAMES SANDERS, Jr., ALBERT VANN, SARA M. GONZALEZ, ANNABEL PALMA, MARIA del CARMEN ARROYO, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, JAMES VACCA, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, VINCENT M. IGNIZIO, DANIEL J. HALLORAN III; Committee on Land Use, September 27, 2012

Approved with Modifications and Referred to the City Planning Commission pursuant to Rule 11.70(b) of the Rules of the Council and Section 197-(d) of the New York City Charter.

Report for L.U. No. 695

Report of the Committee on Land Use in favor of approving Application no. C 120235 ZSM submitted by the NYC 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 Sections 13-562 and 74-52 of the Zoning Resolution to allow a public parking garage with a maximum capacity of 305 spaces on portions of the ground floor, cellar level 1 and cellar level 2 of a proposed development on property bounded by Broome Street, Clinton Street, Grand Street and Suffolk Street (Site 5, Block 346, p/o Lot 40), in an R8/C2-5 District, Borough of Manhattan, Community Board 3, Council District 1. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to §197-d(b)(2) of the Charter or called up by a vote of the Council pursuant to 197-d(b)(3) of the Charter.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on September 12, 2012 (Minutes, page 3510), respectfully

REPORTS:

(For text of the report, please see the Report of the Committee on Land Use for LU No. 695 & Res No. 1558 printed in the General Order Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption.

JOEL RIVERA, Acting Chairperson; DIANA REYNA, ROBERT JACKSON, JAMES SANDERS, Jr., ALBERT VANN, SARA M. GONZALEZ, ANNABEL PALMA, MARIA del CARMEN ARROYO, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, JAMES VACCA, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, VINCENT M. IGNIZIO, DANIEL J. HALLORAN III; Committee on Land Use, September 27, 2012

Approved with Modifications and Referred to the City Planning Commission pursuant to Rule 11.70(b) of the Rules of the Council and Section 197-(d) of the New York City Charter.

Report for L.U. No. 696

Report of the Committee on Land Use in favor of approving Application No. N 120236 HAM submitted by NYC Department of Housing Preservation and Development, for an Urban Development Action Area Designation and Project located at Essex, Delancey, Norfolk, Grand, Stanton and Broome streets (Block 346, part of Lot 40; Block 347, Lot 71; Block 352, Lots 1, 28; Block 353, Lot 44; Block 354, Lots 1, 12; and Block 409, Lot 56) and the disposition of city owned property, to facilitate the development of residential, community facility and commercial uses, including the redevelopment of the Essex Street Market, Borough of Manhattan, Community Board 3, Council District 1. This matter is subject to Council review and action pursuant to § 197-c and §197-d of the New York City Charter and Article 16 of the New York General Municipal Law.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on September 12, 2012 (Minutes, page 3510), respectfully

REPORTS:

(For text of the report, please see the Report of the Committee on Land Use for LU No. 696 & Res No. 1559 printed in the General Order Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption.

JOEL RIVERA, Acting Chairperson; DIANA REYNA, ROBERT JACKSON, JAMES SANDERS, Jr., ALBERT VANN, SARA M. GONZALEZ, ANNABEL PALMA, MARIA del CARMEN ARROYO, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, JAMES VACCA, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, VINCENT M. IGNIZIO, DANIEL J. HALLORAN III; Committee on Land Use, September 27, 2012

Approved with Modifications and Referred to the City Planning Commission pursuant to Rule 11.70(b) of the Rules of the Council and Section 197-(d) of the New York City Charter.

Report for L.U. No. 697

Report of the Committee on Land Use in favor of approving Application no. C 120237 PQM submitted by the NYC Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for the acquisition of property bounded by Essex, Delancey, Norfolk, and Broome streets (Block 352, p/o Lots 1 and 28), Borough of Manhattan, Community Board 3, Council District 1. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to §197-d(b)(2) of the Charter or called up by a vote of the Council pursuant to 197-d(b)(3) of the Charter.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on September 12, 2012 (Minutes, page 3511), respectfully

REPORTS:

(For text of the report, please see the Report of the Committee on Land Use for LU No. 697 & Res No. 1560 printed in the General Order Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption.

JOEL RIVERA, Acting Chairperson; DIANA REYNA, ROBERT JACKSON, JAMES SANDERS, Jr., ALBERT VANN, SARA M. GONZALEZ, ANNABEL PALMA, MARIA del CARMEN ARROYO, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, JAMES VACCA, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, VINCENT M. IGNIZIO, DANIEL J. HALLORAN III; Committee on Land Use, September 27, 2012

Approved with Modifications and Referred to the City Planning Commission pursuant to Rule 11.70(b) of the Rules of the Council and Section 197-(d) of the New York City Charter.

Report for L.U. No. 698

Report of the Committee on Land Use in favor of approving Application no. C 120245 PPM submitted by the Department of Housing Preservation and Development (HPD) and the New York City Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of the Charter, for disposition of city-owned property (Block 346, p/o of Lot 40; Block 347, Lot 71; Block 352, Lots 1 and 28; Block 353, Lot 44; Block 354, Lots 1 and 12; and Block 409, Lot 56), by HPD to a future developer or by DCAS to the New York City Economic Development Corporation or a successor local development corporation, Borough of Manhattan, Community Board 3, Council District 1. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to §197-d(b)(2) of the Charter or called up by a vote of the Council pursuant to 197-d(b)(3) of the Charter.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on September 12, 2012 (Minutes, page 3511), respectfully

REPORTS:

(For text of the report, please see the Report of the Committee on Land Use for LU No. 698 & Res No. 1561 printed in the General Order Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption.

JOEL RIVERA, Acting Chairperson; DIANA REYNA, ROBERT JACKSON, JAMES SANDERS, Jr., ALBERT VANN, SARA M. GONZALEZ, ANNABEL PALMA, MARIA del CARMEN ARROYO, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, JAMES VACCA, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, VINCENT M. IGNIZIO, DANIEL J. HALLORAN III; Committee on Land Use, September 27, 2012

Approved with Modifications and Referred to the City Planning Commission pursuant to Rule 11.70(b) of the Rules of the Council and Section 197-(d) of the New York City Charter.

Report for L.U. No. 699

Report of the Committee on Land Use in favor of approving Application no. C 120156 MMM submitted by the NYC Department of Housing Preservation and Development, pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 et seq. of the New York City Administrative Code, for an amendment to the City Map involving: the establishment of portions of Broome Street and Suffolk Street; the narrowing, by elimination, discontinuance and closing, of portions of Clinton Street and Delancey Street; the establishment of the name Delancey Street between Clinton Street and FDR Drive; the adjustment of grades; and authorization for any disposition or acquisition of real property related thereto, in Borough of Manhattan, Community Board 3, Council District 1. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to §197-d(b)(2) of the Charter or called up by a vote of the Council pursuant to 197-d(b)(3) of the Charter.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on September 12, 2012 (Minutes, page 3512), respectfully

REPORTS:

(For text of the report, please see the Report of the Committee on Land Use for LU No. 699 & Res No. 1562 printed in the General Order Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption.

JOEL RIVERA, Acting Chairperson; DIANA REYNA, ROBERT JACKSON, JAMES SANDERS, Jr., ALBERT VANN, SARA M. GONZALEZ, ANNABEL PALMA, MARIA del CARMEN ARROYO, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, JAMES VACCA, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, VINCENT M. IGNIZIO, DANIEL J. HALLORAN III; Committee on Land Use, September 27, 2012

Approved with Modifications and Referred to the City Planning Commission pursuant to Rule 11.70(b) of the Rules of the Council and Section 197-(d) of the New York City Charter.

Report for L.U. No. 705

Report of the Committee on Land Use in favor of approving Application no. 20135017 HKM (N 130002 HKM), pursuant to §3020 of the Charter of the City of New York, concerning the designation by the Landmarks Preservation Commission of the Riverside-West End Historic District Extension I (List No. 457, LP-2463), Borough of Manhattan, Community Board 7, Council District 6, as an historic district.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on September 12, 2012 (Minutes, page 3514), respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 720135017 HKM (N 130002 HKM)

Designation by the Landmarks Preservation Commission (List No. 457/LP-2463), pursuant to Section 3020 of the New York City Charter regarding the landmark designation of the Riverside-West End Historic District Extension I.

PUBLIC HEARING

DATE: October 3, 2012

Witnesses in Favor: SixteenWitnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: October 3, 2012

The Subcommittee recommends that the Land Use Committee affirm the designation.

In Favor:	Against:	Abstain:
Lander	None	None
Palma		
Arroyo		
Mendez		
Williams		
Halloran		

COMMITTEE ACTION

DATE: October 4, 2012

The Committee recommends that the Council approve the attached resolution.

In Favor:	Against:	Abstain:
Comrie	None	None
Rivera		
Reyna		
Barron		
Jackson		
Vann		
Gonzalez		
Arroyo		
Dickens		
Garodnick		
Lappin		
Mendez		
Vacca		
Lander		
Levin		
Weprin		
William		

Koo

In connection herewith, Council Members Comrie and Lander offered the following resolution:

Res. No. 1542

Resolution affirming the designation by the Landmarks Preservation Commission of the Riverside-West End Historic District Extension I, Borough of Manhattan, Designation List No. 457, LP-2463 (L.U. No. 705; 20135017 HKM; N 130002 HKM).

By Council Members Comrie and Lander.

WHEREAS, the Landmarks Preservation Commission filed with the Council on July 5, 2012 a copy of its designation dated June 26, 2012 (the "Designation"), of the Riverside-West End Historic District Extension I, Community District 7, Borough of Manhattan.

The district boundaries consists of the property bounded by a line beginning at the northwest corner of Broadway and West 79th Street, extending westerly along the northern curbline of West 79th Street to a point on a line extending southerly from the western property line of 307 West 79th Street (aka 307-313 West 79th Street), northerly along said line and the western property line of 307 West 79th Street (aka 307-313 West 79th Street), easterly along the northern property line of 307 West 79th Street (aka 307-313 West 79th Street), northerly along the western property line of 411 West End Avenue (aka 409-411 West End Avenue; 302-304 West 80th Street) to the northern curbline of West 80th Street, easterly along the northern curbline of West 80th Street to a point on a line extending southerly from the western property line of 425 West End Avenue (aka 301 West 80th Street), northerly along said line and the western property line of 425 West End Avenue (aka 301 West 80th Street), westerly along part of the southern property line of 433 West End Avenue (aka 431-439 West End Avenue; 300-302 West 81st Street), northerly along part of the western property line of 433 West End Avenue (aka 431-439 West End Avenue; 300-302 West 81st Street), easterly along part of the northern property line of 433 West End Avenue (aka 431-439 West End Avenue; 300-302 West 81st Street), northerly along the western property line of 433 West End Avenue (aka 431-439 West End Avenue; 300-302 West 81st Street), northerly along part of the western property line of 433 West End Avenue (aka 431-439 West End Avenue; 300-302 West 81st Street) to the southern curbline of West 81st Street, westerly along the southern curbline of West 81st Street, northerly along the eastern curbline of Riverside Drive, easterly along the northern curbline of West 85th Street to a point on a line extending southerly from the western property line of 355 West 85th Street (aka 351-355 West 85th Street), northerly along said line and the western property line of 355 West 85th Street (aka 351-355 West 85th Street), westerly along part of the southern property line of 340 West 86th Street (aka 340-346 West 86th Street), northerly along the western property line of 340 West 86th Street (aka 340-346 West 86th Street) to the northern curbline of West 86th Street, easterly along the northern curbline of West 86th Street to a point on a line extending southerly from the western property line of 349 West 86th Street, northerly along the western property line of 349 West 86th Street, easterly along the northern property lines of 349 through 305 West 86th Street (aka 303-307 West 86th Street), northerly along part of the western property line of 545 West End Avenue (aka 541-551 West End Avenue; 301 West 86th Street) and the western property line of 555 West End Avenue (aka 553-559 West End Avenue; 300 West 87th Street) to the northern curbline of West 87th Street, easterly along the northern curbline of West 87th Street to a point on a line extending northerly from the eastern property line of 552 West End Avenue (aka 264 West 87th Street), southerly along said line and the eastern property lines of 552 West End Avenue (aka 264 West 87th Street) and 550 West End Avenue, easterly along part of the northern property line of 540 West End Avenue (aka 540-546 West End Avenue; 261-263 West 86th Street) and the northern property line of 257 West 86th Street (aka 255-259 West 86th Street), southerly along the eastern property line of 257 West 86th Street (aka 255-259 West 86th Street) to the southern curbline of West 86th Street, easterly along the southern curbline of West 86th Street, southerly along the western curbline of Broadway, westerly along the northern curbline of West 83rd Street to a point on a line extending northerly from the eastern property line of 470 West End Avenue (aka 470-472 West End Avenue; 262-270 West 83rd Street), southerly along said line and the eastern property line of 470 West End Avenue (aka 470-472 West End Avenue; 262-270 West 83rd Street), westerly along part of the southern property line of 470 West End Avenue (aka 470-472 West End Avenue; 262-270 West 83rd Street), southerly along the eastern property line of 460-466 West End Avenue (aka 253-257 West 82nd Street) to the southern curbline of West 82nd Street, easterly along the southern curbline of West 82nd Street, southerly along the western curbline of Broadway, westerly along the northern curbline of West 81st Street to a point on a line extending northerly from the eastern property line of 424 West End Avenue (aka 424-436 West End Avenue; 278-280 West 81st Street), southerly along said line and the eastern property lines of 424 West End Avenue (424-436 West End Avenue; 278-280 West 81st Street) and 251 West 80th Street to the northern curbline of West 80th Street, westerly along the northern curbline of West 80th Street to a point on a line extending northerly from the eastern property line of 412 West End Avenue (aka 252-256 West 80th Street), southerly along said line and the eastern property line of 412 West End Avenue (aka 252-256 West 80th Street), westerly along part of the southerly property line of 412 West End Avenue (aka 252-256 West 80th Street), southerly along the eastern property line of 410 West End Avenue (aka 408-410

West End Avenue), easterly along part of the northern property line of 400 West End Avenue (aka 400-406 West End Avenue; 267-269 West 79th Street) and the northern property line of 265 West 79th Street (aka 2221-2229 Broadway) to the western curbline of Broadway, and southerly along the western curbline of Broadway, to the point of beginning.

WHEREAS, the Designation is subject to review by the Council pursuant to Section 3020 of the City Charter;

WHEREAS, the City Planning Commission submitted to the Council on September 4, 2012, its report on the Designation dated September 4, 2012 (the "Report");

WHEREAS, upon due notice, the Council held a public hearing on the Designation on October 3, 2012; and

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Designation;

RESOLVED:

Pursuant to Section 3020 of the City Charter, and on the basis of the information and materials contained in the Designation and the Report, the Council affirms the Designation.

JOEL RIVERA, Acting Chairperson; DIANA REYNA, ROBERT JACKSON, JAMES SANDERS, Jr., ALBERT VANN, SARA M. GONZALEZ, ANNABEL PALMA, MARIA del CARMEN ARROYO, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, JAMES VACCA, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, VINCENT M. IGNIZIO, DANIEL J. HALLORAN III; Committee on Land Use, September 27, 2012

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Report for L.U. No. 706

Report of the Committee on Land Use in favor of approving Application no. 20125808 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of ITM Garden, INC., d.b.a Revel, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 10 Little West 12th Street, Borough of Manhattan, Community Board 2, Council District 3. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and §20-226(e) of the New York City Administrative Code.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on September 12, 2012 (Minutes, page 3514), respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 2

20125808 TCM

Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of ITM Garden, Inc., d/b/a Revel, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 10 Little West 12th Street.

INTENT

To allow an eating or drinking place located on a property which abuts the street to continue to maintain and operate an unenclosed service area on the sidewalk of such street.

PUBLIC HEARING

DATE: October 3, 2012

Witnesses in Favor: One

Witnesses

Against:

None

SUBCOMMITTEE RECOMMENDATION

DATE: October 3, 2012

The Subcommittee recommends that the Land Use Committee approve the Petition.

In Favor:	Against:	Abstain:
Weprin	None	None
Rivera		
Reyna		
Comrie		
Jackson		
Vann		
Garodnick		
Lappin		

COMMITTEE ACTION

DATE: October 4, 2012

The Committee recommends that the Council approve the attached resolution.

In Favor:	Against:	Abstain:
Comrie	None	
None		
Rivera		
Reyna		
Barron		
Jackson		
Vann		
Gonzalez		
Arroyo		
Dickens		
Garodnick		
Lappin		
Mendez		
Vacca		
Lander		
Levin		
Weprin		
William		
Koo		

In connection herewith, Council Members Comrie and Weprin offered the following resolution:

Res. No. 1543

Resolution approving the petition for a revocable consent for an unenclosed sidewalk café located at 10 Little West 12th Street, Borough of Manhattan (20125808 TCM; L.U. No. 706).

By Council Members Comrie and Weprin.

WHEREAS, the Department of Consumer Affairs filed with the Council on September 6, 2012 its approval dated September 6, 2012 of the petition of ITM Garden, INC., d/b/a Revel, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 10 Little West 12th Street, Community District 2, Borough of Manhattan (the "Petition"), pursuant to Section 20-226 of the New York City Administrative Code (the "Administrative Code");

WHEREAS, the Petition is subject to review by the Council pursuant to Section 20-226(e) of the Administrative Code;

WHEREAS, upon due notice, the Council held a public hearing on the Petition on October 3, 2012; and

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Petition;

RESOLVED:

Pursuant to Section 20-226 of the Administrative Code, the Council approves the Petition.

JOEL RIVERA, Acting Chairperson; DIANA REYNA, ROBERT JACKSON, JAMES SANDERS, Jr., ALBERT VANN, SARA M. GONZALEZ, ANNABEL PALMA, MARIA del CARMEN ARROYO, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, JAMES VACCA, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, VINCENT M. IGNIZIO, DANIEL J. HALLORAN III; Committee on Land Use, September 27, 2012

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Report for L.U. No. 709

Report of the Committee on Land Use in favor of approving Application No. C 120138 ZMQ submitted by Frank Marando Landscape, Inc. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 7b, Borough of Queens, Community Board 7, Council District 19.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on September 24, 2012 (Minutes, page 3700), respectfully

REPORTS:

SUBJECT

QUEENS CB - 7

C 120138 ZMQ

City Planning Commission decision approving the application submitted by Frank Marando Landscape Inc. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 7b, by changing from an R4A District to an M1-1 District property bounded by 11th Avenue, 131st Street, a line 200 feet southerly of 11th Avenue, and a line midway between 130th Street and 131st Street, as shown on a diagram (for illustrative purposes only) dated June 4, 2012.

INTENT

To change from an R4A District to an M1-1 District to allow continued operation of a landscaping business in College Point, Community District 7, Queens.

PUBLIC HEARING

DATE: October 3, 2012

Witnesses in Favor: One

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: October 3, 2012

The Subcommittee recommends that the Land Use Committee approve the decision of the City Planning Commission.

In Favor:	Against:	Abstain:
Weprin	None	None
Rivera		
Reyna		
Comrie		
Jackson		
Vann		
Garodnick		
Lappin		

COMMITTEE ACTION

DATE: October 4, 2012

The Committee recommends that the Council approve the attached resolution.

In Favor:	Against:	Abstain:
Comrie	None	
None		
Rivera		
Reyna		
Barron		
Jackson		
Vann		
Gonzalez		
Arroyo		
Dickens		
Garodnick		
Lappin		
Mendez		
Vacca		
Lander		
Levin		
Weprin		
William		
Koo		

In connection herewith, Council Members Comrie and Weprin offered the following resolution:

Res. No. 1544

Resolution approving the decision of the City Planning Commission on ULURP No. C 120138 ZMQ, a Zoning Map amendment (L.U. No. 709).

By Council Members Comrie and Weprin.

WHEREAS, the City Planning Commission filed with the Council on September 7, 2012 its decision dated September 5, 2012 (the "Decision"), on the application submitted by Frank Marando Landscape, Inc., pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment to the Zoning Map to change a portion of a block from an R4A District to an M1-1 District to allow continued operation of a landscaping business (Use Group 17C) in College Point, Community District 7 (ULURP No. C 120138 ZMQ), Borough of Queens (the "Application");

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(1) of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on October 3, 2012;

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues and the negative declaration (CEQR No. 12DCP083Q) issued on June 4, 2012;

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment.

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 120138 ZMQ, incorporated by reference herein, the Council approves the Decision.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 7b, from an R4A District to an M1-1 District property bounded by 11th Avenue, 131st Street, a line 200 feet southerly of 11th Avenue, and a line midway between 130th Street and 131st Street, as shown on a diagram (for illustrative purposes only) dated June 4, 2012.

JOEL RIVERA, Acting Chairperson; DIANA REYNA, ROBERT JACKSON, JAMES SANDERS, Jr., ALBERT VANN, SARA M. GONZALEZ, ANNABEL PALMA, MARIA del CARMEN ARROYO, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, JAMES VACCA, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, VINCENT M. IGNIZIO, DANIEL J. HALLORAN III; Committee on Land Use, September 27, 2012

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Report for L.U. No. 712

Report of the Committee on Land Use in favor of approving Application No. C 120294 ZMK submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 12d, 13b, 16c, and 17a, Borough of Brooklyn, Community Board 3, Council Districts 34, 35, 36 and 41.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on September 24, 2012 (Minutes, page 3701), respectfully

REPORTS:

SUBJECT

BROOKLYN CB - 3C 120294 ZMK

City Planning Commission decision approving the application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 12d, 13b, 16c, and 17a, to rezone all or portions of 140 blocks in Community District 3.

INTENT

Three related applications (L.U. Nos. 712, 713 and 714) for an amendment to the Zoning Map to rezone all or portions of 140 blocks in Community District 3 in Brooklyn. The proposal would map contextual zoning districts, and establish a new Enhanced Commercial District and Inclusionary Housing Area to incentivize the development of affordable housing. In addition, a text amendment is proposed to establish a new zoning district, C4-4L; and a citywide zoning text amendment would establish transparency requirements in R7D, R9D, and C4-5D districts, Community District 3.

PUBLIC HEARING

DATE: October 3, 2012

Witnesses in Favor: FourWitnesses Against: Five

SUBCOMMITTEE RECOMMENDATION

DATE: October 3, 2012

The Subcommittee recommends that the Land Use Committee approve the decision of the City Planning Commission.

In Favor:	Against:	Abstain:
Weprin	None	None
Rivera		
Reyna		
Comrie		
Jackson		
Vann		
Garodnick		
Lappin		

COMMITTEE ACTION

DATE: October 4, 2012

The Committee recommends that the Council approve the attached resolution.

In Favor:	Against:	Abstain:
Comrie	None	None
Rivera		
Reyna		
Barron		
Jackson		
Vann		
Gonzalez		
Arroyo		
Dickens		
Garodnick		
Lappin		
Mendez		
Vacca		
Lander		
Levin		
Weprin		
William		
Koo		

In connection herewith, Council Members Comrie and Weprin offered the following resolution:

Res. No. 1545

Resolution approving the decision of the City Planning Commission on ULURP No. C 120294 ZMK, a Zoning Map amendment (L.U. No. 712).

By Council Members Comrie and Weprin.

WHEREAS, the City Planning Commission filed with the Council on September 7, 2012 its decision dated September 5, 2012 (the "Decision"), on the application submitted by the New York City Department of City Planning, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment to the Zoning Map to rezone all or portions of 140 blocks in Community District 3 in Brooklyn. The proposal would map contextual zoning districts, and establish a new Enhanced Commercial District and Inclusionary Housing Area to incentivize the development of affordable housing. In addition, a text amendment is proposed to establish a new zoning district, C4-4L; and a citywide zoning text amendment would establish transparency requirements in R7D, R9D, and C4-5D districts, Community District 3 (ULURP No. C 120294 ZMK), Borough of Brooklyn (the "Application");

WHEREAS, the Application is related to Applications N 120295 ZRK (L.U. No. 713), a zoning text amendment to establish a new zoning district, C4-4L; create a new Inclusionary Housing Area; and create a new Enhanced Commercial District; N 120296 ZRY (L.U. No. 714), a zoning text amendment to establish transparency requirements for R7D, R9D, and C4-5D districts;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(1) of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on October 3, 2012;

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues and the Revised Negative Declaration (CEQR No. 12DCP156Y) issued on September 5, 2012, which included (E) designation to avoid the potential for significant adverse impacts related to air quality, noise and hazardous materials (“CEQR Declaration E-285”);

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment subject to the conditions of the CEQR Declaration E-285.

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 120294 ZMK, incorporated by reference herein, the Council approves the Decision.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Section Nos. 12d, 13b, 16c, and 17a:

eliminating from within an existing R5 District a C1-3 District bounded by:

1.

a.

Greene Avenue, a line 200 feet easterly of Tomkins Avenue, Lexington Avenue, and Tomkins Avenue; and

b.

Kosciuszko Street, a line 150 feet easterly of Marcus Garvey Boulevard, Lexington Avenue, a line 150 feet westerly of Marcus Garvey Boulevard, Lafayette Avenue, and Marcus Garvey Boulevard;
2.

eliminating from within an existing R6 District a C1-3 District bounded by:

a.

Ellery Street, a line 150 feet westerly of Marcy Avenue- Rev. Dr. Gardner C. Taylor Boulevard, a line midway between Martin Luther King Jr. Place and Stockton Street, a line 235 feet easterly of Marcy Avenue- Rev. Dr. Gardner C. Taylor Boulevard, Stockton Street, and Marcy Avenue- Rev. Dr. Gardner C. Taylor Boulevard;

b.

a line 100 feet northerly of Myrtle Avenue, Bedford Avenue, a line 150 feet southerly of Myrtle Avenue, and Kent Avenue;

c.

a line 150 feet northerly of De Kalb Avenue, Taaffe Place, De Kalb Avenue, and Classon Avenue;

d.

a line 150 feet northerly of De Kalb Avenue, Bedford Avenue, Kosciuszko Street, a line 150 feet easterly of Bedford Avenue, Lafayette Avenue, a line midway between Bedford Avenue and Skillman Street, a line 150 feet southerly of De Kalb Avenue, and Franklin Avenue;

e.

Myrtle Avenue, a line 150 feet easterly of Nostrand Avenue, Willoughby Avenue, and Nostrand Avenue;

f.

Vernon Avenue, a line 150 feet easterly of Marcy Avenue- Rev. Dr. Gardner C. Taylor Boulevard, Pulaski Street, and Marcy Avenue- Rev. Dr. Gardner C. Taylor Boulevard;

g.

Stockton Street, Tomkins Avenue, Myrtle Avenue, Marcus Garvey Boulevard, a line midway between Myrtle Avenue and Vernon Avenue, a line 150 feet easterly of Tomkins Avenue, De Kalb Avenue, a line 150 feet westerly of Tomkins Avenue, a line midway between Vernon Avenue and Myrtle Avenue, a line 355 feet westerly of Tomkins Avenue, a line midway between Myrtle Avenue and Stockton Street, and a line 150 feet westerly of Tomkins Avenue;

h.

Clifton Place, a line 150 feet easterly of Nostrand Avenue, Quincy Street, and a line 150 feet westerly of Nostrand Avenue;

i.

Pulaski Street, a line 150 feet easterly of Throop Avenue, a line midway between Pulaski Street and De Kalb Avenue, a line 150 feet westerly of Marcus Garvey Boulevard, Pulaski Street, a line 150 feet easterly of Marcus Garvey Boulevard, Kosciuszko Street, Marcus Garvey Boulevard, a line midway between Kosciuszko Street and Lafayette Avenue, a line 150 feet westerly of Marcus Garvey Boulevard, a line midway between Kosciuszko Street and De Kalb Avenue, and Throop Avenue;

j.

Lexington Avenue, a line 150 feet easterly of Tomkins Avenue, Quincy Street, and a line 150 feet westerly of Tomkins Avenue; and

k.

Lexington Avenue, a line 150 feet easterly of Marcus Garvey Boulevard, Quincy Street, and a line 150 feet westerly of Marcus Garvey Boulevard;

3.

eliminating from within an existing R5 District a C2-3 District bounded by Lafayette Avenue, a line 150 feet easterly of Throop Avenue, Van Buren Street, and Throop Avenue;
4.

eliminating from within an existing R6 District a C2-3 District bounded by:

a.

a line 100 feet northerly of Myrtle Avenue, Kent Avenue, a line 150 feet southerly of Myrtle Avenue, Taaffe Place, Myrtle Avenue, and Classon Avenue;

b.

Lafayette Avenue, a line 150 feet easterly of Bedford Avenue, Quincy Street, and a line 150 feet westerly of Bedford Avenue;

c.

Pulaski Street, a line 150 feet easterly of Nostrand Avenue, De Kalb Avenue, a line 290 feet easterly of Nostrand Avenue, Kosciuszko Street, a line 150 feet easterly of Nostrand Avenue, Clifton Place, a line 150 feet westerly of Nostrand Avenue, Kosciuszko Street, and Nostrand Avenue;

d.

Flushing Avenue, Throop Avenue, a line midway between Flushing Avenue and Hopkins Street, the southeasterly centerline prolongation of Harrison Avenue, Hopkins Street, the westerly boundary lines of Broadway Triangle Park and its northerly and southerly prolongation, Ellery Street, a line 150 feet easterly of Tompkins Avenue, Park Avenue, a line 150 feet westerly of Tompkins Avenue, Ellery Street, and Tompkins Avenue;

e.

De Kalb Avenue, Throop Avenue, a line midway between De Kalb Avenue and Kosciuszko Street, a line 150 feet easterly of Throop Avenue, Lafayette Avenue, Throop Avenue, Kosciuszko Street, and a line 150 feet westerly of Throop Avenue;

f.

Pulaski Street, a line 150 feet easterly of Lewis Avenue- Dr. Sandy F. Ray Boulevard, Kosciuszko Street, and Lewis Avenue- Dr. Sandy F. Ray Boulevard; and

g.

Ellery Street, Broadway, Van Buren Street, Patchen Avenue, Lafayette Avenue, a line 300 feet westerly of Patchen Avenue and its northerly prolongation, Kosciuszko Street, a line 150 feet southwesterly of Broadway, a line 150 feet easterly of Malcolm X. Boulevard, the northerly and westerly boundary of a playground and its southerly prolongation, Lafayette Avenue, a line 150 feet easterly of Malcolm X. Boulevard, Van Buren Street, Malcolm X. Boulevard, Lafayette Avenue, a line 150 feet westerly of Malcolm X. Boulevard, Pulaski Street, a line 150 feet southwesterly of Broadway, Stuyvesant Avenue, Vernon Avenue, a line 150 feet southwesterly of Broadway, a line midway between Vernon Avenue and Myrtle Avenue, a line 100 feet southwesterly of Broadway, a line midway between Myrtle Avenue and Stockton Street, and a line 150 feet southwesterly of Broadway;
5.

changing from an R5 District to an R6A District property bounded by:

a.

Lafayette Avenue, a line 100 feet easterly of Tompkins Avenue, Greene Avenue, a line 150 feet easterly of Tomkins Avenue, Lexington Avenue, and Tompkins Avenue;

b.

Kosciuszko Street, a line 100 feet easterly of Marcus Garvey Boulevard, Lexington Avenue, Marcus Garvey Boulevard, Van Buren Street, a line 100 feet westerly of Marcus Garvey Boulevard, Lafayette Avenue, and Marcus Garvey Boulevard; and

c.

Lafayette Avenue, Stuyvesant Avenue, Greene Avenue, and a line 100 feet westerly of Stuyvesant Avenue;

6.

changing from an R6 District to an R6A District property bounded by:

a.

Willoughby Avenue, Franklin Avenue, a line 100 feet northerly of De Kalb Avenue, and Kent Avenue;

b.

Ellery Street, a line 100 feet easterly of Marcy Avenue- Rev. Dr. Gardner C. Taylor Boulevard, Park Avenue, Tomkins Avenue, Stockton Street, a line 100 feet westerly of Tompkins Avenue, a line midway between Myrtle Avenue and Stockton Street, a line 100 feet easterly of Marcy Avenue- Rev. Dr. Gardner C. Taylor Boulevard, Stockton Street, and Marcy Avenue- Rev. Dr. Gardner C. Taylor Boulevard;

c.

Flushing Avenue, Throop Avenue, Park Avenue, Tompkins Avenue, a line midway between Ellery Street and Park Avenue, a line 100 feet westerly of Throop Avenue, a line midway between Flushing Avenue and Hopkins Street, and Tompkins Avenue;

d.

a line midway between Myrtle Avenue and Vernon Avenue, a line 100 feet easterly of Nostrand Avenue, a line midway between Hart Street and Willoughby Avenue, Nostrand Avenue, a line midway between Hart Street and Pulaski Street, a line 100 feet easterly of Nostrand Avenue, a line midway between De Kalb Avenue and Pulaski Street, a line 100 feet westerly of Marcy Avenue- Rev. Dr. Gardner C. Taylor Boulevard, De Kalb Avenue, Marcy Avenue- Rev. Dr. Gardner C. Taylor Boulevard, Lafayette Avenue, a line 100 feet easterly of Nostrand Avenue, Quincy Street, a line 100 feet westerly of Nostrand Avenue, a line midway between Greene Avenue and Lexington Avenue, Nostrand Avenue, Clifton Place, a line 100 feet westerly of Nostrand Avenue, Kosciuszko Street, Nostrand Avenue, a line 360 feet northerly of De Kalb Avenue, Sanford Street and its southerly prolongation at the cul-de-sac, Willoughby Avenue, and Nostrand Avenue;

e.

a line midway between Myrtle Avenue and Vernon Avenue, a line 100 feet easterly of Tomkins Avenue, a line midway between Pulaski Street and De Kalb Avenue, a line 100 feet westerly of Throop Avenue, a line midway between Myrtle Avenue and Vernon Avenue, a line 100 feet easterly of Throop Avenue, Pulaski Street, a line 250 feet westerly of Marcus Garvey Boulevard, Hart Street, a line 100 feet westerly of Marcus Garvey Boulevard, a line midway between Myrtle Avenue and Vernon Avenue, Marcus Garvey Boulevard, Willoughby Avenue, a line 100 feet easterly of Marcus Garvey Boulevard, Pulaski Street, Marcus Garvey Boulevard, De Kalb Avenue, a line 230 feet westerly of Lewis Avenue- Dr. Sandy F. Ray Boulevard, Kosciuszko Street, Marcus Garvey Boulevard, Lafayette Avenue, a line 230 feet easterly of Throop Avenue, Kosciuszko Street, a line 100 feet westerly of Marcus Garvey Boulevard, a line midway between Kosciuszko Street and De Kalb Avenue, a line 100 feet easterly of Tomkins Avenue, Lafayette Avenue, a line 100 feet westerly of Tompkins Avenue, a line midway between Kosciuszko Street and De Kalb Avenue, a line 100 feet easterly of Marcy Avenue-- Rev. Dr. Gardner C. Taylor Boulevard, a line midway between Pulaski Street and De Kalb Avenue, a line 100 feet westerly of Tompkins Avenue, Willoughby Avenue, a line 100 feet easterly of Marcy Avenue- Rev. Dr. Gardner C. Taylor Boulevard, Vernon Avenue, and a line 100 feet westerly of Tomkins Avenue;

f.

Lexington Avenue, a line 150 feet easterly of Tomkins Avenue, Quincy Street, and a line 100 feet westerly of Tompkins Avenue;

g.

Lexington Avenue, a line 100 feet easterly of Marcus Garvey Boulevard, Quincy Street, Marcus Garvey Boulevard, a line midway between Quincy Street and Lexington Avenue, and a line 100 feet westerly of Marcus Garvey Boulevard;

h.

Willoughby Avenue, a line 250 feet easterly of Stuyvesant Avenue, Hart Street, a line 100 feet easterly of Stuyvesant Avenue, Lafayette Avenue, a line 100 feet westerly of Malcolm X Boulevard, Pulaski Street, Malcolm X. Boulevard, De Kalb Avenue, a line 200 feet easterly of Malcolm X. Boulevard, a line midway between Kosciuszko Street and De Kalb Avenue, a line 75 feet easterly of Malcolm X. Boulevard, a line 50 feet southerly of De Kalb Avenue, Malcolm X Boulevard, Lafayette Avenue, a line 100 feet easterly of Malcolm X. Boulevard, Lexington Avenue, a line 100 feet westerly of Malcolm X. Boulevard, a line 100 feet northerly of Greene Avenue, a line 100 feet easterly of Stuyvesant Avenue, Lexington Avenue, Stuyvesant Avenue, Quincy Street, a line 225 feet westerly of Stuyvesant Avenue, Lexington Avenue, a line 100 feet westerly of Stuyvesant Avenue, Greene Avenue, Stuyvesant Avenue, Lafayette Avenue, a line 100 feet westerly of Stuyvesant Avenue, a line midway between Lafayette Avenue and Kosciuszko Street, a line 200 feet westerly of Stuyvesant Avenue, Kosciuszko Street, Lewis Avenue- Dr. Sandy F. Ray Boulevard, De Kalb Avenue, and Stuyvesant Avenue; and

i.

Van Buren Street, a line 100 feet easterly of Patchen Avenue, Greene Avenue, a line 200 feet easterly of Patchen Avenue, Lexington Avenue, Patchen Avenue, Quincy Street, a line 100 feet westerly of Patchen Avenue, a line midway between Lexington Avenue and Greene Avenue, and Patchen Avenue;

7.

changing from a C4-3 District to an R6A District property bounded by:

a.

Quincy Street, a line 100 feet easterly of Ralph Avenue, Gates Avenue, a line 170 feet westerly of Ralph Avenue, a line midway between Gates Avenue and Quincy Street, and a line 150 feet westerly of Ralph Avenue; and

b.

a line midway between Greene Avenue and Lexington Avenue, the northerly prolongation of a line 280 feet westerly of Ralph Avenue, and a line 150 feet southwesterly of Broadway;
8.

changing from a C8-2 District to an R6A District property bounded by:

a.

Van Buren Street, a line 200 feet easterly of Patchen Avenue, a line midway between Greene Avenue and Van Buren Street, and a line 100 feet easterly of Patchen Avenue; and

b.

Greene Avenue, a line 350 feet easterly of Patchen Avenue, a line midway between Greene Avenue and Lexington Avenue, a line 150 feet southwesterly of Broadway, a line 280 feet westerly of Ralph Avenue and its northerly prolongation, a line midway between Lexington Avenue and Quincy Street, a line 250 feet easterly of Patchen Avenue, Lexington Avenue, a line 200 feet easterly of Patchen Avenue;
9.

changing from an R5 District to an R6B District property bounded by:

a.

Lafayette Avenue, Tompkins Avenue, Greene Avenue, and Marcy Avenue- Rev. Dr. Gardner C. Taylor Boulevard;

b.

Lafayette Avenue, a line 100 feet westerly of Marcus Garvey Boulevard, Van Buren Street, Marcus Garvey Boulevard, Lexington Avenue, a line 150 feet easterly of Tompkins Avenue, Greene Avenue, and a line 100 feet easterly of Tompkins Avenue; and

c.

Kosciuszko Street, Lewis Avenue- Dr. Sandy F. Ray Boulevard, Lafayette Avenue, a line 100 feet westerly of Stuyvesant Avenue, Greene Avenue, Lewis Avenue- Dr. Sandy F. Ray Boulevard, Lexington Avenue, and a line 100 feet easterly of Marcus Garvey Boulevard; and
10.

changing from an R6 District to an R6B District property bounded by:

a.

a line 100 feet southerly of Myrtle Avenue, Kent Avenue, Willoughby Avenue, and Classon Avenue;

b.

a line 100 feet southerly of Myrtle Avenue, a line midway between Skillman Street and Bedford Avenue, Willoughby Avenue, a line midway between Skillman Street and Bedford Avenue, a line 320 feet southerly of Willoughby Avenue, Bedford Avenue, a line 100 feet northerly of De Kalb Avenue, Franklin Avenue, Willoughby Avenue, a line 100 feet easterly of Kent Avenue, a line 210 feet southerly of Myrtle Avenue, and a line 100 feet westerly of Franklin Avenue;

c.

a line 100 feet southerly of De Kalb Avenue, a line midway between Skillman Street and Bedford Avenue, Lafayette Avenue, a line 100 feet westerly of Bedford Avenue, Quincy Street, a line 100 feet easterly of Franklin Avenue, Lafayette Avenue, and Franklin Avenue;

d.

Willoughby Avenue, Walworth Street, a line 108 feet northerly of De Kalb Avenue, a line midway between Walworth Street and Spencer Street, a line 133 feet northerly of De Kalb Avenue, Spencer Street, a line 100 feet northerly of De Kalb Avenue, and a line midway between Bedford Avenue and Spencer Street;

e.

Kosciuszko Street, a line 100 feet westerly of Nostrand Avenue, Clifton Place, Nostrand Avenue, a line midway between Greene Avenue and Lexington Avenue, a line 100 feet westerly of Nostrand Avenue, Quincy Street, Bedford Avenue, a line midway between Quincy Street and Lexington Avenue, and a line 100 feet easterly of Bedford Avenue;
- f.

a line midway between Myrtle Avenue and Vernon Avenue, a line 100 feet westerly of Marcy Avenue- Rev. Dr. Gardner C. Taylor Boulevard, Hart Street, Marcy Avenue- Rev. Dr. Gardner C. Taylor Boulevard, Pulaski Street, a line 100 feet westerly of Marcy Avenue- Rev. Dr. Gardner C. Taylor Boulevard, a line midway between De Kalb Avenue and Pulaski Street, a line 100 feet easterly of Nostrand Avenue, a line midway between Pulaski Street and Hart Street, Nostrand Avenue, a line midway between Willoughby Avenue and Hart Street, and a line 100 feet easterly of Nostrand Avenue;
- g.

Lafayette Avenue, Marcy Avenue- Rev. Dr. Gardner C. Taylor Boulevard, Greene Avenue, Tompkins Avenue, Lexington Avenue, a line 100 feet westerly of Tompkins Avenue, Quincy Street, and a line 100 feet easterly of Nostrand Avenue;
- h.

a line midway between Flushing Avenue and Hopkins Street, a line 100 feet westerly of Throop Avenue, a line midway between Park Avenue and Ellery Street, Tompkins Avenue, Park Avenue, a line 100 feet easterly of Marcy Avenue- Rev. Dr. Gardner C. Taylor Boulevard, Ellery Street, and Tompkins Avenue;
- i.

a line midway between Myrtle Avenue and Vernon Avenue, a line 100 feet westerly of Tompkins Avenue, Vernon Avenue, and a line 100 feet easterly of Marcy Avenue- Rev. Dr. Gardner C. Taylor Boulevard;
- j.

Willoughby Avenue, a line 100 feet westerly of Tompkins Avenue, a line midway between Pulaski Street and De Kalb Avenue, and a line 100 feet easterly of Marcy Avenue- Rev. Dr. Gardner C. Taylor Boulevard;
- k.

a line midway between De Kalb Avenue and Kosciuszko Street, a line 100 feet westerly of Tompkins Avenue, Lafayette Avenue, Marcy Avenue- Rev. Dr. Gardner C. Taylor Boulevard, a line midway between Lafayette Avenue and Kosciuszko Street, and a line 100 feet easterly of Marcy Avenue- Rev. Dr. Gardner C. Taylor Boulevard;
- l.

a line midway between Myrtle Avenue and Vernon Avenue, a line 100 feet westerly of Throop Avenue, a line midway between Pulaski Street and De Kalb Avenue, and a line 100 feet easterly of Tompkins Avenue;
- m.

a line midway between De Kalb Avenue and Kosciuszko Street, a line 100 feet westerly of Marcus Garvey Boulevard, Kosciuszko Street, a line 230 feet easterly of Throop Avenue, Lafayette Avenue, and a line 100 feet easterly of Tompkins Avenue;
- n.

Lexington Avenue, a line 100 feet westerly of Marcus Garvey Boulevard, a line midway between Quincy Street and Lexington Avenue, Marcus Garvey Boulevard, Quincy Street, and a line 150 feet easterly of Tomkins Avenue;
- o.

a line midway between Myrtle Avenue and Vernon Avenue, a line 100 feet westerly of Marcus Garvey Boulevard, Hart Street, a line 250 feet westerly of Marcus Garvey Boulevard, Pulaski Street, and a line 100 feet easterly of Throop Avenue;
- p.

a line midway between Myrtle Avenue and Vernon Avenue, a line 110 feet westerly of Stuyvesant Avenue, Vernon Avenue, Stuyvesant Avenue, Hart Street, Lewis Avenue- Dr. Sandy F. Ray Boulevard, Pulaski Street, a line 100 feet easterly of Marcus Garvey Boulevard, Willoughby Avenue, a line 100 feet westerly of Lewis Avenue- Dr. Sandy F. Ray Boulevard, Vernon Avenue, and a line 200 feet westerly of Lewis Avenue- Dr. Sandy F. Ray Boulevard;
- q.

Kosciuszko Street, a line 200 feet westerly of Stuyvesant Avenue, a line midway between Kosciuszko Street and Lafayette Avenue, a line 100 feet westerly of Stuyvesant Avenue, Lafayette Avenue, and Lewis Avenue- Dr. Sandy F. Ray Boulevard;
- r.

Greene Avenue, a line 100 feet westerly of Stuyvesant Avenue, Lexington Avenue, a line 225 feet westerly of Stuyvesant Avenue, Quincy Street, a line 100 feet easterly of Marcus Garvey Boulevard, Lexington Avenue, and Lewis Avenue- Dr. Sandy F. Ray Boulevard;

- s.
Hart Street, a line 30 feet southwesterly of Broadway, a line 170 feet westerly of Malcolm X. Boulevard and its northerly prolongation, Pulaski Street, a line 100 feet westerly of Malcolm X. Boulevard, Lafayette Avenue, and a line 100 feet easterly of Stuyvesant Avenue;

t.
a line 100 feet northerly of Greene Avenue, a line 100 feet westerly of Malcolm X. Boulevard, Lexington Avenue, a line 100 feet easterly of Malcolm X. Boulevard, Lafayette Avenue, Malcolm X. Boulevard, a line 50 feet southerly of De Kalb Avenue, a line 75 feet easterly of Malcolm X. Boulevard, a line midway between De Kalb Avenue and Kosciuszko Street, a line 315 feet easterly of Malcolm X. Boulevard, Kosciuszko Street, a line 30 feet southwesterly of Broadway, a line 175 feet westerly of Patchen Avenue and its northerly prolongation, Lafayette Avenue, Patchen Avenue, a line midway between Greene Avenue and Lexington Avenue, a line 100 feet westerly of Patchen Avenue, Quincy Street, Stuyvesant Avenue, Lexington Avenue, and a line 100 feet easterly of Stuyvesant Avenue; and

u.
Lexington Avenue, a line 200 feet easterly of Patchen Avenue, a line midway between Quincy Street and Lexington Avenue, a line 150 feet westerly of Ralph Avenue, Quincy Street, and Patchen Avenue;
11.
changing from a C4-3 District to an R6B District property bounded by a line midway between Lexington Avenue and Quincy Street, a line 100 feet westerly of Ralph Avenue, Quincy Street, and a line 150 feet westerly of Ralph Avenue;

12.
changing from a C8-2 District to an R6B District property bounded by Lexington Avenue, a line 250 feet easterly of Patchen Avenue, a line midway between Lexington Avenue and Quincy Street, and a line 200 feet easterly of Patchen Avenue;

13.
changing from an R6 District to an R7A District property bounded by:

a.
a line 100 feet northerly of Myrtle Avenue, Bedford Avenue, Willoughby Avenue, a line midway between Bedford Avenue and Spencer Street, a line 100 feet northerly of De Kalb Avenue, a line 50 feet easterly of Spencer Street, De Kalb Avenue, Nostrand Avenue, Kosciuszko Street, a line 100 feet easterly of Bedford Avenue, a line midway between Lexington Avenue and Quincy Street, Bedford Avenue, Quincy Street, a line 100 feet westerly of Bedford Avenue, Lafayette Avenue, a line midway between Skillman Street and Bedford Avenue, a line 100 feet southerly of De Kalb Avenue, Franklin Avenue, De Kalb Avenue, Classon Avenue, Willoughby Avenue, Kent Avenue, a line 100 feet northerly of De Kalb Avenue, Bedford Avenue, a line 320 feet southerly of Willoughby Avenue, a line midway between Bedford Avenue and Skillman Street, Willoughby Avenue, a line midway between Bedford Avenue and Skillman Street, a line 100 feet southerly of Myrtle Avenue, a line 100 feet westerly of Franklin Avenue, a line 210 feet southerly of Myrtle Avenue, a line 100 feet easterly of Kent Avenue, Willoughby Avenue, Kent Avenue, a line 100 feet southerly of Myrtle Avenue, and Classon Avenue; and

b.
a line midway between Myrtle Avenue and Vernon Avenue, a line 100 feet easterly of Marcy Avenue- Rev. Dr. Gardner C. Taylor Boulevard, a line midway between Lafayette Avenue and Kosciuszko Street, Marcy Avenue- Rev. Dr. Gardner C. Taylor Boulevard, De Kalb Avenue, a line 100 feet westerly of Marcy Avenue- Rev. Dr. Gardner C. Taylor Boulevard, Pulaski Street, Marcy Avenue- Rev. Dr. Gardner C. Taylor Boulevard, Hart Street, and a line 100 feet westerly of Marcy Avenue- Rev. Dr. Gardner C. Taylor Boulevard;
14. changing from an R6 District to an R7D District property bounded by:

a.
Stockton Street, a line 100 feet easterly of Marcy Avenue- Rev. Dr. Gardner C. Taylor Boulevard, a line midway between Stockton Street and Myrtle Avenue, a line 100 feet westerly of Tompkins Avenue, Stockton Street, Tompkins Avenue, Myrtle Avenue, Marcus Garvey Boulevard, a line midway between Myrtle Avenue and Vernon Avenue, Nostrand Avenue, Myrtle Avenue, and Marcy Avenue- Rev. Dr. Gardner C. Taylor Boulevard; and

b.
Myrtle Avenue, Lewis Avenue- Dr. Sandy F. Ray Boulevard, a line midway between Myrtle Avenue and Vernon Avenue, and a line 200 feet westerly of Lewis Avenue- Dr. Sandy F. Ray Boulevard;

15. changing from an R6 District to a C4-4L District property bounded by:
- a.
Ellery Street, Broadway, Park Avenue, and Marcus Garvey Boulevard; and

b.
Broadway, Van Buren Street, Patchen Avenue, Lafayette Avenue, a line 175 feet westerly of Patchen Avenue and its northerly prolongation, a line 30 feet southwesterly of Broadway, Kosciuszko Street, a line 315 feet easterly of Malcolm X. Boulevard, a line midway between De Kalb Avenue and Kosciuszko Street, a line 200 feet easterly of Malcolm X. Boulevard, De Kalb Avenue, Malcolm X. Boulevard, Pulaski Street, a line 170 feet westerly of Malcolm X. Boulevard and its northerly prolongation, a line 30 feet southwesterly of Broadway, Hart Street, a line 250 feet easterly of Stuyvesant Avenue, Willoughby Avenue, Stuyvesant Avenue, Vernon Avenue, a line 110 feet westerly of Stuyvesant Avenue, a line midway between Vernon Avenue and Myrtle Avenue, a line 100 feet southwesterly of Broadway, a line midway between Myrtle Avenue and Stockton Street, and Lewis Avenue- Dr. Sandy F. Ray Boulevard;
16. changing from a C4-3 District to a C4-4L District property bounded by:

a.
Broadway, Ellery Street, and Marcus Garvey Boulevard; and

b.
Broadway, Howard Avenue, Monroe Street, a line 150 feet easterly of Ralph Avenue, Gates Avenue, a line 100 feet easterly of Ralph Avenue, Quincy Street, a line 100 feet westerly of Ralph Avenue, a line midway between Quincy Street and Lexington Avenue, a line 150 feet westerly of Ralph Avenue, Lexington Avenue, a line 150 feet southwesterly of Broadway, and Greene Avenue;

17. changing from a C8-2 District to a C4-4L District property bounded by:

a.
a line midway between Stockton Street and Myrtle Avenue, a line 100 feet southwesterly of Broadway, a line midway between Vernon Avenue and Myrtle Avenue, and Lewis Avenue- Dr. Sandy F. Ray Boulevard;

b.
Van Buren Street, Broadway, Greene Avenue, a line feet 150 feet southwesterly of Broadway, a line midway between Greene Avenue and Lexington Avenue, a line 350 feet easterly of Patchen Avenue, Greene Avenue, a line 100 feet easterly of Patchen Avenue, a line midway between Van Buren Street and Greene Avenue, and a line 200 feet easterly of Patchen Avenue; and

c.
a line 150 feet southwesterly of Broadway, Lexington Avenue, a line 150 feet westerly of Ralph Avenue, a line midway between Lexington Avenue and Quincy Street, and a line 280 feet westerly of Ralph Avenue and its northerly prolongation;

18. establishing within an existing R6 District a C2-4 District bounded by:

a.
a line 100 feet northerly of Myrtle Avenue, Throop Avenue, Myrtle Avenue, and Tompkins Avenue;

b.
Park Avenue, Broadway, Lewis Avenue- Dr. Sandy F. Ray Boulevard, the westerly centerline prolongation of Stockton Street, a line 100 feet westerly of Lewis Avenue- Dr. Sandy F. Ray Boulevard, and a line 100 feet southwesterly of Broadway;

c.
Vernon Avenue, a line 100 feet easterly of Marcus Garvey Boulevard, Willoughby Avenue, and Marcus Garvey Boulevard;

d.
Pulaski Street, a line 100 feet easterly of Marcus Garvey Boulevard, De Kalb Avenue, and Marcus Garvey Boulevard; and

e.
Pulaski Street, a line 100 feet easterly of Lewis Avenue- Dr. Sandy F. Ray Boulevard, De Kalb Avenue, and Lewis Avenue- Dr. Sandy F. Ray Boulevard;

19. establishing within a proposed R6A District a C2-4 District bounded by:

a.
Flushing Avenue, Throop Avenue, a line midway between Flushing Avenue and Hopkins Street, and Tompkins Avenue;

b.
Hopkins Street, Throop Avenue, Park Avenue, and a line 100 feet westerly of Throop Avenue;

c.
Vernon Avenue, a line 100 feet easterly of Nostrand Avenue, Willoughby Avenue, and Nostrand Avenue;

- d.

a line midway between Hart Street and Pulaski Street, a line 100 feet easterly of Nostrand Avenue, De Kalb Avenue, a line 200 feet easterly of Nostrand Avenue, Kosciuszko Street, a line 100 feet easterly of Nostrand Avenue, Quincy Street, a line 100 feet westerly of Nostrand Avenue, a line midway between Greene Avenue and Lexington Avenue, Nostrand Avenue, Clifton Place, a line 100 feet westerly of Nostrand Avenue, Kosciuszko Street, and Nostrand Avenue;
- e.

Ellery Street, a line 100 feet easterly of Marcy Avenue- Rev. Dr. Gardner C. Taylor Boulevard, Stockton Street, and Marcy Avenue- Rev. Dr. Gardner C. Taylor Boulevard;
- f.

Park Avenue, Tompkins Avenue, Martin Luther King Jr. Place, and a line 100 feet westerly of Tompkins Avenue;
- g.

a line midway between Myrtle Avenue and Vernon Avenue, a line 100 feet easterly of Tompkins Avenue, Pulaski Street, Tompkins Avenue, De Kalb Avenue, a line 100 feet westerly of Tompkins Avenue, Willoughby Avenue, Tompkins Avenue, Vernon Avenue, and a line 100 feet westerly of Tompkins Avenue;
- h.

a line midway between Myrtle Avenue and Vernon Avenue, a line 100 feet easterly of Throop Avenue, Willoughby Avenue, Throop Avenue, a line midway between Vernon Avenue and Willoughby Avenue, and a line 100 feet westerly of Throop Avenue;
- i.

Willoughby Avenue, Throop Avenue, a line midway between Willoughby Avenue and Hart Street, and a line 100 feet westerly of Throop Avenue;
- j.

Vernon Avenue, Marcus Garvey Boulevard, Hart Street, and a line 100 feet westerly of Marcus Garvey Boulevard;
- k.

Pulaski Street, a line 100 feet easterly of Throop Avenue, a line midway between Pulaski Street and De Kalb Avenue, a line 100 feet westerly of Marcus Garvey Boulevard, Pulaski Street, Marcus Garvey Boulevard, De Kalb Avenue, a line 100 feet easterly of Marcus Garvey Boulevard, Quincy Street, Marcus Garvey Boulevard, a line midway between Quincy Street and Lexington Avenue, a line 100 feet westerly of Marcus Garvey Boulevard, Lexington Avenue, Marcus Garvey Boulevard, Van Buren Street, a line 100 feet westerly of Marcus Garvey Boulevard, Lafayette Avenue, Marcus Garvey Boulevard, a line midway between Lafayette Avenue and Kosciuszko Street, a line 100 feet westerly of Marcus Garvey Boulevard, a line midway between De Kalb Avenue and Kosciuszko Street, a line 100 feet easterly of Tompkins Avenue, a line midway between Pulaski Street and De Kalb Avenue, and Throop Avenue;
- l.

Lexington Avenue, a line 100 feet easterly of Tompkins Avenue, Quincy Street, and a line 100 feet westerly of Tompkins Avenue;
- m.

De Kalb Avenue, a line 100 feet easterly of Lewis Avenue- Dr. Sandy F. Ray Boulevard, Kosciuszko Street, and Lewis Avenue- Dr. Sandy F. Ray Boulevard;
- n.

Kosciuszko Street, Stuyvesant Avenue, Lafayette Avenue, and a line 100 feet westerly of Stuyvesant Avenue;
- o.

Van Buren Street, Stuyvesant Avenue, Greene Avenue, and a line 100 feet westerly of Stuyvesant Avenue,
- p.

Pulaski Street, Malcolm X. Boulevard, De Kalb Avenue, a line 200 feet easterly of Malcolm X. Boulevard, a line midway between De Kalb Avenue and Kosciuszko Street, a line 75 feet westerly of Malcolm X. Boulevard, a line 50 feet southerly of De Kalb Avenue, Malcolm X. Boulevard, Lafayette Avenue, and a line 100 feet westerly of Malcolm X. Boulevard,
- q.

Lafayette Avenue, a line 100 feet easterly of Malcolm X. Boulevard, Van Buren Street, and Malcolm X. Boulevard,
- r.

Greene Avenue, Malcolm X. Boulevard, Lexington Avenue, and a line 100 feet westerly of Malcolm X. Boulevard,
- s.

a line midway between Greene Avenue and Lexington Avenue, a line 280 feet westerly of Ralph Avenue and its northerly prolongation, a line midway between Lexington Avenue and Quincy Street, a line 250 feet easterly of Patchen Avenue,
- Lexington Avenue, and a line 100 feet easterly of Patchen Avenue; and
- t.

Quincy Street, a line 100 feet easterly of Ralph Avenue, Gates Avenue, and Ralph Avenue;
20.

establishing within a proposed R6B District a C2-4 District bounded by a line midway between De Kalb Avenue and Kosciuszko Street, a line 100 feet easterly of Throop Avenue, Van Buren Street, and a line 100 feet westerly of Throop Avenue;
21.

establishing within a proposed R7A District a C2-4 District bounded by:

a.

a line 100 feet northerly of Myrtle Avenue, Bedford Avenue, a line 100 feet southerly of Myrtle Avenue, and Classon Avenue;

b.

Willoughby Avenue, Bedford Avenue, a line 320 feet southerly of Willoughby Avenue, and a line midway between Skillman Street and Bedford Avenue;

c.

a line 100 feet northerly of De Kalb Avenue, a line 50 feet easterly of Spencer Street, De Kalb Avenue, a line 300 feet easterly of Spencer Court, a line 100 feet southerly of De Kalb Avenue, Bedford Avenue, Kosciuszko Street, a line 100 feet easterly of Bedford Avenue, a line midway between Lexington Avenue and Quincy Street, Bedford Avenue, Quincy Street, a line 100 feet westerly of Bedford Avenue, Lafayette Avenue, a line midway between Bedford Avenue and Skillman Street, a line 100 feet southerly of De Kalb Avenue, Franklin Avenue, De Kalb Avenue, and Classon Avenue;

d.

a line midway between Myrtle Avenue and Vernon Avenue, a line 100 feet easterly of Marcy Avenue- Rev. Dr. Gardner C. Taylor Boulevard, Pulaski Street, Marcy Avenue- Rev. Dr. Gardner C. Taylor Boulevard, Hart Street, and a line 100 feet westerly of Marcy Avenue- Rev. Dr. Gardner C. Taylor Boulevard; and

e.

De Kalb Avenue, a line 100 feet easterly of Marcy Avenue- Rev. Dr. Gardner C. Taylor Boulevard, a line midway between Kosciuszko Street and Lafayette Avenue, and Marcy Avenue- Rev. Dr. Gardner C. Taylor Boulevard;

22.

establishing within a proposed R7D District a C2-4 District bounded by:

a.

Stockton Street, a line 100 feet easterly of Marcy Avenue- Rev. Dr. Gardner C. Taylor Boulevard, a line midway between Stockton Street and Myrtle Avenue, a line 100 feet westerly of Tompkins Avenue, Stockton Street, Tompkins Avenue, Myrtle Avenue, Marcus Garvey Boulevard, a line midway between Myrtle Avenue and Vernon Avenue, Nostrand Avenue, Myrtle Avenue, and Marcy Avenue- Rev. Dr. Gardner C. Taylor Boulevard; and

b.

Myrtle Avenue, Lewis Avenue- Dr. Sandy F. Ray Boulevard, a line midway between Myrtle Avenue and Vernon Avenue; and a line 200 feet westerly of Lewis Avenue- Dr. Sandy F. Ray Boulevard;

23.

establishing a Special Enhanced Commercial District (EC-4) bounded by Broadway, Howard Avenue, a line 30 feet southwesterly of Broadway, and Marcus Garvey Boulevard;

as shown on a diagram (for illustrative purposes only) dated May 7, 2012, and subject to the conditions of CEQR Declaration E-285, Community District 3, Borough of Brooklyn.

JOEL RIVERA, Acting Chairperson; DIANA REYNA, ROBERT JACKSON, JAMES SANDERS, Jr., ALBERT VANN, SARA M. GONZALEZ, ANNABEL PALMA, MARIA del CARMEN ARROYO, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, JAMES VACCA, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, VINCENT M. IGNIZIO, DANIEL J. HALLORAN III; Committee on Land Use, September 27, 2012

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Report for L.U. No. 713

Report of the Committee on Land Use in favor of approving Application No. N 120295 ZRK submitted by the Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, relating to Article I, Chapters I and II, Article II, Chapter III, Article III, Chapters III, IV, V, and VI, Article VI, Chapter II, and Article XIII, Chapter II, in the Borough of Brooklyn, Community Board 3, Council Districts 34, 35, 36 and 41.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on September 24, 2012 (Minutes, page 3701), respectfully

REPORTS:

SUBJECT

BROOKLYN CB - 3N 120295 ZRK

City Planning Commission decision approving an application submitted by the Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, relating to Article I, Chapters I and II, Article II, Chapter III, Article III, Chapters III, IV, V, and VI, Article VI, Chapter II, and Article XIII, Chapter II, for a proposed text amendment to establish new zoning district, C4-4L; establish a new Inclusionary Housing Area; and establish a new Enhanced Commercial District.

INTENT

Three related applications (L.U. Nos. 712, 713 and 714) for an amendment to the Zoning Map to rezone all or portions of 140 blocks in Community District 3 in Brooklyn. The proposal would map contextual zoning districts, and establish a new Enhanced Commercial District and Inclusionary Housing Area to incentivize the development of affordable housing. In addition, a text amendment is proposed to establish a new zoning district, C4-4L; and a citywide zoning text amendment would establish transparency requirements in R7D, R9D, and C4-5D districts, Community District 3

PUBLIC HEARING

DATE: October 3, 2012

Witnesses in Favor: FourFiveWitnesses Against:

SUBCOMMITTEE RECOMMENDATION

DATE: October 3, 2012

The Subcommittee recommends that the Land Use Committee approve the decision of the City Planning Commission.

In Favor:	Against:	Abstain:
Weprin	None	None
Rivera		
Reyna		
Comrie		
Jackson		
Vann		
Garodnick		
Lappin		

COMMITTEE ACTION

DATE: October 4, 2012

The Committee recommends that the Council approve the attached resolution.

In Favor:	Against:	Abstain:
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Comrie	None	None
Rivera		
Reyna		
Barron		
Jackson		
Vann		
Gonzalez		
Arroyo		
Dickens		
Garodnick		
Lappin		
Mendez		
Vacca		
Lander		
Levin		
Weprin		
William		
Koo		

In connection herewith, Council Members Comrie and Weprin offered the following resolution:

Res. No. 1546

Resolution approving the decision of the City Planning Commission on Application No. N 120295 ZRK, for an amendment of the Zoning Resolution of the City of New York, relating to Article I, Chapters I and II, Article II, Chapter III, Article III, Chapters III, IV, V, and VI, Chapter II, and Article XIII, Chapter II, in Community District 3, Borough of Brooklyn (L.U. No. 713).

By Council Members Comrie and Weprin.

WHEREAS, the City Planning Commission filed with the Council on September 7, 2012 its decision dated September 5, 2012 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by the New York City Department of City Planning, for an amendment of the text of the Zoning Resolution of the City of New York, relating to Article I, Chapters I and II, Article II, Chapter III, Article III, Chapters III, IV, V, and VI, Chapter II, and Article XIII, Chapter II, to establish a new zoning district designed for major commercial corridors adjacent to elevated trains, C4-4L; establish a new Inclusionary Housing Area to incentivize the creation and preservation of affordable housing on 63 full or partial blocks, and establish a new Enhanced Commercial District to facilitate the development of Broadway as a vibrant commercial corridor on 18 blocks of Broadway between Flushing Avenue and Monroe Street (Application No. N 120295 ZRK), Community District 3, Borough of Brooklyn (the "Application");

WHEREAS, the Application is related to Applications C 120294 ZMK (L.U. No. 712), a zoning map amendment for an approximately 140-block area in Brooklyn Community District 3 to establish contextual zoning districts and a new Enhanced Commercial District; and N 120296 ZRY (L.U. No. 714), a zoning text amendment to establish transparency requirements for R7D, R9D, and C4-5D districts;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(1) of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on October 3, 2012;

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues and the Revised Negative Declaration (CEQR No. 12DCP156Y) issued on September 5, 2012, which included (E) designation to avoid the potential for significant adverse impacts related to air quality, noise and hazardous materials (“CEQR Declaration E-285”);

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment subject to the conditions of the CEQR Declaration E-285.

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, N 120295 ZRK, incorporated by reference herein, the Council approves the Decision.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended as follows:

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

* * *

Article 1
General Provisions

Chapter 1
Title, Establishment of Controls and Interpretation of Regulations

* * *

11-122
Districts established

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

* * *

Commercial Districts

* * *

C4-4	General Commercial District
C4-4A	General Commercial District
C4-4D	General Commercial District
<u>C4-4L</u>	<u>General Commercial District</u>
C4-5	General Commercial District

* * *

Chapter 4
Sidewalk Cafe Regulations

* * *

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

* * *

<u>Brooklyn</u>		<u>#Enclosed Sidewalk Cafe#</u>	<u>#Unenclosed Sidewalk Cafe#</u>
Bay Ridge District		Yes	Yes
Coney Island District		No	Yes
Coney Island Mixed Use District		Yes	Yes
Downtown Brooklyn District		Yes	Yes
Enhanced Commercial District 1 (Fourth Avenue)		No	Yes
<u>Enhanced Commercial District 4 (Broadway, Bedford-Stuyvesant)</u>		<u>No</u>	<u>Yes</u>

* * *

ARTICLE II
RESIDENCE DISTRICT REGULATIONS

* * *

Chapter 3
Bulk Regulations for Residential Buildings in Residence Districts

* * *

23-144
In designated areas where the Inclusionary Housing Program is applicable

In #Inclusionary Housing designated areas#, as listed in the table in this Section, the maximum permitted #floor area ratios# shall be as set forth in Section 23-952 (Floor area compensation in Inclusionary Housing designated areas). The locations of such areas are specified in APPENDIX F (Inclusionary Housing Designated Areas) of this Resolution.

<u>Community District</u>	<u>Zoning District</u>
Community District 1, Bronx	R6A R7-2 R7A R7X R8A
Community District 4, Bronx	R8A R9D
Community District 7, Bronx	R7D
Community District 1, Brooklyn	R6 R6A R6B R7A R7-3
Community District 2, Brooklyn	R7A R8A R9A
Community District 3, Brooklyn	<u>R7A</u> R7D
Community District 6, Brooklyn	R7-2
Community District 7, Brooklyn	R7A R8A
Community District 14, Brooklyn	R7A
Community District 3, Manhattan	R7A R8A R9A
Community District 6, Manhattan	R10
Community District 7, Manhattan	R9A R10
Community District 1, Queens	R7A
Community District 2, Queens	R7X

* * *

ARTICLE III
COMMERCIAL DISTRICT REGULATIONS

* * *

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

* * *

33-122
Commercial buildings in all other Commercial Districts

C1-6 C1-7 C1-8 C1-9 C2-6 C2-7 C2-8 C3 C4 C5 C6 C7 C8

In the districts indicated, the maximum #floor area ratio# for a #zoning lot# containing only #commercial uses# shall not exceed the #floor area ratio# set forth in the following table:

<u>Districts</u>	<u>Maximum #Floor Area Ratio#</u>
C3	0.50
C4-1 C8-1	1.00
C1-6 C1-7 C1-8 C1-9 C2-6 C2-7 C2-8 C7 C8-2 C8-3	2.00
C4-2A C4-3A	3.00
C4-2 C4-2F C4-3 C4-4 C4-4D C4-5 C4-6	3.40
C4-4A <u>C4-4L</u> C4-5A C4-5X C5-1	4.00
C4-5D	4.20
C8-4	5.00
C6-1 C6-2 C6-3	6.00
C6-3D	9.00
C4-7 C5-2 C5-4 C6-4 C6-5 C6-8	10.00
C5-3 C5-5 C6-6 C6-7 C6-9	15.00

33-123

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

C1-6 C1-7 C1-8 C1-9 C2-6 C2-7 C2-8 C3 C4 C5 C6 C8

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

Districts	Maximum #Floor Area Ratio#
C3	1.00
C4-1	2.00
C8-1	2.40
C4-2A C4-3A	3.00
C1-6A C2-6A C4-4A <u>C4-4L</u> C4-5A	4.00
C4-5D	4.20
C4-2 C4-3 C8-2	4.80
C4-5X	5.00
C6-1A	6.00
C1-6 C1-7 C2-6 C4-2F C4-4 C4-4D C4-5 C6-1 C6-2 C8-3 C8-4	6.50
C1-8A C2-7A C6-3A	7.50
C1-8X C2-7X C6-3D C6-3X	9.00
C1-8 C1-9 C2-7 C2-8 C4-6 C4-7 C5-1 C5-2 C5-4 C6-3 C6-4 C6-5 C6-8	10.00
C5-3 C5-5 C6-6 C6-7 C6-9	15.00

33-432

In other Commercial Districts

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

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

33-493

Special provisions along certain district boundaries

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

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

* * *

Chapter 4

Bulk Regulations for Residential Buildings in Commercial Districts

34-00

APPLICABILITY AND DEFINITIONS

34-01

Applicability of this Chapter

The #bulk# regulations of this Chapter apply to any #zoning lot# containing only #residential buildings# in any #Commercial District# in which such #buildings# are permitted. Where a #residential building# and one or more #buildings# containing non-#residential uses# are on a single #zoning lot#, the #bulk# regulations of Article III, Chapter 5, shall apply. In addition, the #bulk# regulations of this Chapter or of specified Sections thereof also apply in other provisions of this Resolution where they are incorporated by cross reference.

However, in C3A Districts, the #bulk# regulations of this Chapter shall not apply to any #residential building#. In lieu thereof, the #bulk# regulations for R3A Districts ~~of in~~ Article II, Chapter 3 (Bulk Regulations for Residential Buildings in Residence Districts), shall apply to #residential buildings#.

In C4-4L Districts, the #bulk# regulations of this Chapter shall not apply to any #residential building#. In lieu thereof, the #bulk# regulations for C4-4L Districts in Article III, Chapter 5 (Bulk Regulations for Mixed Buildings in Commercial Districts), shall apply to #residential buildings#.

Existing #buildings or other structures# that do not comply with one or more of the applicable #bulk# regulations are #non-complying buildings or other structures# and are subject to the regulations set forth in Article V, Chapter 4.

Special regulations applying only in Special Purpose Districts are set forth in Articles VIII, IX, X, XI, XII and XIII.

All C6-1A Districts shall comply with the regulations of C6-1 Districts except as set forth in Section 34-112.

In Manhattan Community Districts 1, 2, 3, 4, 5 and 6, Brooklyn Community Districts 1, 2, 6 and 8, and Queens Community Districts 1 and 2, the #conversion# of non-#residential floor area# to #residences# in #buildings# erected prior to December 15, 1961, or January 1, 1977, as applicable, shall be subject to the provisions of Article 1, Chapter 5 (Residential Conversions within Existing Buildings), unless such #conversions# meet the requirements for new #residential development# of Article II (Residence District Regulations).

Special regulations applying in the #waterfront area# are set forth in Article VI, Chapter 2.

34-011

Quality Housing Program

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

* * *

Chapter 5

Bulk Regulations for Mixed Buildings in Commercial Districts

35-011

Quality Housing Program

- (a)
- In C1 and C2 Districts mapped within R6 through R10 Districts with a letter suffix, and in C1-6A, C1-7A, C1-8A, C1-8X, C1-9A, C2-6A, C2-7A, C2-7X, C2-8A, C4-2A, C4-3A, C4-4A, C4-4D, C4-4L, C4-5A, C4-5D, C4-5X, C4-6A, C4-7A, C5-1A, C5-2A, C6-2A, C6-3A, C6-3D, C6-3X, C6-4A or C6-4X Districts, any #residential# portion of a #building# shall comply with all of the regulations of Article II, Chapter 8 (Quality Housing Program), and the entire #building# shall comply with the provisions of Sections 28-33 (Planting Areas) and 28-50 (PARKING FOR QUALITY HOUSING). In C1 and C2 Districts mapped within R5D Districts, only those regulations of

Article II, Chapter 8, as set forth in Section 28-01 (Applicability of this Chapter), shall apply.

* * *

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

* * *

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

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

Applicable #Residence District#	District
R6A	C4-2A C4-3A
R7A	C1-6A C2-6A C4-4A C4-4L C4-5A
R7D	C4-5D
R7X	C4-5X
R8A	C1-7A C4-4D C6-2A
R9A	C1-8A C2-7A C6-3A
R9D	C6-3D
R9X	C1-8X C2-7X C6-3X
R10A	C1-9A C2-8A C4-6A C4-7A C5-1A C5-2A C6-4A
R10X	C6-4X

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

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

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

- (a) Permitted obstructions
- C1-6A C1-7A C1-8A C1-8X C1-9A C2-6A C2-7A C2-7X C2-8A C4-2A C4-3A C4-4A C4-4D C4-4L C4-5A C4-5D C4-5X C4-6A C4-7A C5-1A C5-2A C6-2A C6-3A C6-3D C6-3X C6-4A C6-4X
- In the districts indicated, and in other C1 or C2 Districts when mapped within R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X, R10A or R10X Districts, and for #Quality Housing buildings# in other #Commercial Districts#, the provisions of Section 33-42 shall apply to any #building or other structure#. In addition, a dormer may be allowed as a permitted obstruction pursuant to paragraph (c) of Section 23-621 (Permitted obstructions in certain districts), and an elevator shaft and associated vestibule may be allowed as a permitted obstruction, pursuant to paragraph (f) of Section 23-62.
- (b) #Street wall# location
- C1-6A C2-6A C4-2A C4-3A C4-4A C4-5A C4-5X

- (1) In the districts indicated, and in C1 or C2 Districts when mapped within R6A, R6B, R7A, R7B or R7X Districts, and for #Quality Housing buildings# in other #Commercial Districts# with a residential equivalent of an R6 or R7 District, at least 70 percent of the #aggregate width of street walls# shall be located within eight feet of the #street line# and shall extend to at least the minimum base height specified in Table A of this Section for #buildings# in contextual districts, or Table B for #buildings# in non-contextual districts, or the height of the #building#, whichever is less. The remaining 30 percent of the #aggregate width of street walls# may be located beyond eight feet of the #street line#.

Existing #buildings# may be horizontally #enlarged# without regard to #street wall# location provisions, provided the amount of new #floor area# does not exceed 50 percent of the amount of #floor area# existing on June 29, 1994, and the #enlarged# portion of the #building# does not exceed one #story# or 15 feet in height, whichever is less.

For #zoning lots# bounded by more than one #street line#, these #street wall# location provisions shall be mandatory along only one #street line#.

Where only one #street line# is coincident with the boundary of a #Commercial District# mapped along an entire #block# front, the #street wall# location provisions shall apply along such coincident #street line#. For all other #zoning lots#, the #street wall# location provisions shall apply along at least one #street line#.

C1-7A C1-8A C1-8X C1-9A C2-7A C2-7X C2-8A C4-4D C4-5D

- (2) In the districts indicated, and in C1 or C2 Districts when mapped within R7D, R8A, R8B, R8X, R9A, R9D, R9X, R10A or R10X Districts, and for #Quality Housing buildings# in other C1 or C2 Districts with a residential equivalent of an R8, R9 or R10 District, the following #street wall# location provisions shall apply along #wide streets# and along #narrow streets# within 50 feet of their intersection with a #wide street#:
- (i) The #street wall# shall be located on the #street line# and extend along the entire #street# frontage of the #zoning lot# up to at least the minimum base height specified in Table A of this Section for #buildings# in contextual districts, or Table B for #buildings# in non-contextual districts, or the height of the #building#, whichever is less. To allow articulation of #street walls# at the intersection of two #street lines#, the #street wall# may be located anywhere within an area bounded by the two #street lines# and a line connecting such #street lines# at points 15 feet from their intersection.
- In C1 or C2 Districts when mapped within R9D Districts, to allow articulation of #street walls# at the intersection of two #street lines#, up to 50 percent of the area bounded by the two #street lines# and lines parallel to and 50 feet from such #street lines# may be unoccupied by a #building#. However, where one such #street line# fronts an elevated rail line, a minimum of 25 percent and a maximum of 50 percent of the area bounded by the two #street lines# and lines parallel to and 50 feet from such #street lines# shall be unoccupied by a #building#.
- (ii) Recesses, not to exceed three feet in depth from the #street line#, shall be permitted on the ground floor where required to provide access to the #building#.
- Above a height of 12 feet above the #base plane#, up to 30 percent of the #aggregate width of street walls# may be recessed beyond the #street line#, provided any such recesses deeper than 10 feet along a #wide street#, or 15 feet along a #narrow street#, are located within an #outer court#. Furthermore, no recesses shall be permitted within 30 feet of the intersection of two #street lines# except to articulate the #street walls# as set forth in paragraph (b)(2)(i) of this Section.
- (iii) Where a continuous sidewalk widening is provided along the entire #block# frontage of a #street#, the boundary of

the sidewalk widening shall be considered to be the #street line# for the purposes of this Section.

No #street wall# location rules shall apply along #narrow streets# beyond 50 feet of their intersection with a #wide street#.

C4-6A C4-7A C5-1A C5-2A C6-2A C6-3A C6-3D C6-3X C6-4A C6-4X

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

In C6-4X Districts, #public plazas# are only permitted to front upon a #narrow street line# beyond 50 feet of its intersection with a #wide street line#. The #street wall# location provisions of this Section shall not apply along any such #street line# occupied by a #public plaza#.

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

However, where one such #street line# fronts an elevated rail line, a minimum of 25 percent and a maximum of 50 percent of the area bounded by the two #street lines# and lines parallel to and 50 feet from such #street lines# shall be unoccupied by a #building#.

C4-4L

- (4) In C4-4L Districts, the #street wall# location provisions of paragraph, (b)(1), of this Section shall apply along any #street# that does not contain an elevated rail line. For #zoning lots# bounded by a #street# containing an elevated rail line, the following regulations shall apply along the frontage facing the elevated rail line:

- (i) a sidewalk widening shall be provided along the entire #zoning lot# frontage of such #street# containing an elevated rail line. Such sidewalk widening shall have a depth of five feet, shall be improved to Department of Transportation standards for sidewalks, shall be at the same level as the adjoining public sidewalk, and shall be accessible to the public at all times. A line parallel to and five feet from the #street line# of such #street# containing an elevated rail line, as measured within the #zoning lot#, shall be considered the #street line# for the purpose of applying all regulations of this Section, 35-24, inclusive.

- (ii) at least 70 percent of the #aggregate width of street walls# shall be located at the #street line# of the #street# containing the elevated rail line and extend to at least the minimum base height, or the height of the #building#, whichever is less, up to the maximum base height.

- (c) Setback regulations

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

C5-2A

C6-2A C6-3A C6-3D C6-3X C6-4A C6-4X

In the districts indicated, and in C1 or C2 Districts when mapped within R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X, R10A or R10X Districts, for all #buildings#, and for #Quality Housing buildings# in other #Commercial Districts#, setbacks are required for all portions of #buildings or other structures# that exceed the maximum base height specified in the table in this Section. Such setbacks shall be provided in accordance with the following regulations:

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

street#, and a setback with a depth of at least 15 feet shall be provided from any #street wall# fronting on a #narrow street#, except such dimensions may include the depth of any permitted recesses in the #street wall#.

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

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

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

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

- (4) In C4-4L Districts, for #zoning lots# bounded by a #street# containing an elevated rail line, the setback provisions of this paragraph (c) are modified as follows:

- (i) a setback with a depth of at least 15 feet from the #street line# of the #street# containing the elevated rail line shall be provided at a height not lower than the minimum base height of either 30 feet or three #stories#, whichever is less, and not higher than the maximum base height of either 65 feet or six #stories#, whichever is less; and

- (ii) dormers shall not be a permitted obstruction within such setback distance.

- (d) Maximum #building# height

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

C6-3D C6-4X

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

- ~~(+)(i)~~ at all levels, such tower is set back from the #street wall# of a base at least 15 feet along a #narrow street#, and at least 10 feet along a #wide street#, except such dimensions may include the depth of any permitted recesses in the #street wall#;

- (2)(ii)

the base of such tower complies with the #street wall# location provisions of paragraph (b) of this Section, and the setback provisions of paragraph (c) of this Section; and
- (3)(iii)

the minimum coverage of such tower above a height of 85 feet above the #base plane# is at least 33 percent of the #lot area# of the #zoning lot#; however, such minimum coverage requirement shall not apply to the highest 40 feet of such tower.

In C6-3D Districts, the highest four #stories#, or as many #stories# as are located entirely above a height of 165 feet, whichever is less, shall have a #lot coverage# of at least 50 percent of the #story# immediately below such #stories#, and a maximum #lot coverage# of 80 percent of the #story# immediately below such #stories#. Such reduced #lot coverage# shall be achieved by one or more setbacks on each face of the tower, where at least one setback on each tower face has a depth of at least four feet, and a width that, individually or in the aggregate, is equal to at least 10 percent of the width of such respective tower face. For the purposes of this paragraph, each tower shall have four tower faces, with each face being the side of a rectangle within which the outermost walls of the highest #story# not subject to the reduced #lot coverage# provisions have been inscribed. The required setbacks shall be measured from the outermost walls of the #building# facing each tower face. Required setback areas may overlap.

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

C4-4L

- (2)

In C4-4L Districts, for #zoning lots# bounded by a #street# containing an elevated rail line and within 125 feet of such #street#, the maximum #building# height shall be 100 feet or ten #stories#, whichever is less.

(e) Additional regulations

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

In the districts indicated, and in C1 or C2 Districts when mapped within R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X, R10A or R10X Districts, and for #Quality Housing buildings# in other #Commercial Districts#, the following additional provisions shall apply:

- (1)

Existing #buildings# may be vertically enlarged by up to one #story# or 15 feet without regard to the #street wall# location requirements of paragraph (b) of this Section.
- (2)

On #through lots# that extend less than 180 feet in maximum depth from #street# to #street#, the #street wall# location requirements of paragraph (b) shall be mandatory along only one #street# frontage. However, in C4-4L Districts, such #street wall# location regulations shall apply along the frontage of any #street# containing an elevated rail line.
- (3)

The #street wall# location and minimum base height provisions of paragraph (b) shall not apply along any #street# frontage of a #zoning lot# occupied by #buildings# whose #street wall# heights or widths will remain unaltered.
- (4)

The minimum base height provisions of paragraph (b) shall not apply to #buildings developed# or #enlarged# after February 2, 2011, that do not exceed such minimum base heights, except where such #buildings# are located on #zoning lots# with multiple #buildings#, one or more of which is #developed#, #enlarged# or altered after February 2, 2011, to a height exceeding such minimum base heights.
- (5)

The City Planning Commission may, upon application, authorize modifications in the required #street wall# location of a

#development# or #enlargement# if the Commission finds that existing #buildings#, or existing open areas serving existing #buildings# to remain on the #zoning lot#, would be adversely affected by the location of the #street walls# of the #development# or #enlargement# in the manner prescribed in this Section.

- (6)

For any #zoning lot# located in a Historic District designated by the Landmarks Preservation Commission, the minimum base height and #street wall# location regulations of this Section, or as modified in any applicable Special District, shall be modified as follows:

(i)

The minimum base height of a #street wall# may vary between the height of the #street wall# of an adjacent #building# before setback, if such height is lower than the minimum base height required, up to the minimum base height requirements of this Section, or as modified in any applicable Special District.

(ii)

The maximum base height of a #street wall# may vary between the height of the #street wall# of an adjacent #building# before setback, if such height is higher than the maximum base height allowed, and the maximum base height requirements of this Section, provided that such height not exceed 150 feet and provided that such #zoning lot# is located within the area bounded by West 22nd Street, a line 100 feet west of Fifth Avenue, a line midway between West 16th Street and West 17th Street, and a line 100 feet east of Sixth Avenue.

(iii)

The location of the #street wall# of any #building# may vary between the #street wall# location requirements of this Section, or as modified in any applicable Special District, and the location of the #street wall# of an adjacent #building# fronting on the same #street line#.
- (7)

In C6-3D Districts, where a #building# on an adjacent #zoning lot# has #dwelling unit# windows located within 30 feet of a #side lot line# of the #development# or #enlargement#, an open area extending along the entire length of such #side lot line# with a minimum width of 15 feet shall be provided. Such open area may be obstructed only by the permitted obstructions set forth in Section 33-23 (Permitted Obstructions in Required Yards or Rear Yard Equivalents).
- (8)

For the purposes of applying the #street wall# location regulations of paragraph (b), any #building# wall oriented so that lines perpendicular to it would intersect a #street line# at an angle of 65 degrees or less shall not be considered a #street wall#.

TABLE A
HEIGHT AND SETBACK FOR BUILDINGS
IN CONTEXTUAL DISTRICTS

District	Minimum Base Height	Maximum Base Height	Maximum Building Height
C1 or C2 mapped in R6B	30	40	50
C1 or C2 mapped in R6A C4-2A C4-3A	40	60	70
C1 or C2 mapped in R7B	40	60	75
C1 or C2 mapped in R7A C1-6A C2-6A C4-4A <u>C4-4L</u> C4-5A	40	65	80
C1 or C2 mapped in R7D C4-5D	60	85	100
C1 or C2 mapped in R7X C4-5X	60	85	125
C1 or C2 mapped in R8B	55	60	75

C1 or C2 mapped in R8A C1-7A C4-4D C6-2A	60	85	120
C1 or C2 mapped in R8X	60	85	150
C1 or C2 mapped in R9A** C1-8A** C2-7A** C6-3A**	60	95	135
C1 or C2 mapped in R9A* C1-8A* C2-7A* C6-3A*	60	102	145
C1 or C2 mapped in R9D C6-3D	60	85*** *	***
C1 or C2 mapped in R9X** C1-8X** C2-7X** C6-3X**	60	120	160
C1 or C2 mapped in R9X* C1-8X* C2-7X* C6-3X*	105	120	170
C1 or C2 mapped in R10A** C1-9A** C2-8A** C4-6A** C4-7A** C5-1A** C5-2A** C6-4A**	60	125	185
C1 or C2 mapped in R10A* C1-9A* C2-8A* C4-6A* C4- 7A* C5-1A* C5-2A* C6-4A*	125	150	210
C1 or C2 mapped in R10X C6-4X	60	85	***

* Refers to that portion of a district which is within 100 feet of a #wide street#			
** Refers to that portion of a district on a #narrow street#, except within a distance of 100 feet from its intersection with a #wide street#			
*** #Buildings# may exceed a maximum base height of 85 feet in accordance with paragraph (d) of this Section			
**** For #developments# or #enlargements# that front upon an elevated rail line, the maximum base height shall be 25 feet.			
	* *		*
35-32 <u>Modification of Lot Coverage Regulations</u>			
<u>In C4-4L Districts, the maximum #residential lot coverage# provisions of Sections 23-145 (For Quality Housing buildings) and 23-147 (For non-profit residences for the elderly) are modified as follows:</u>			
<u>For #through lots# with a maximum depth of 180 feet or less, the maximum #residential lot coverage# shall be 80 percent. #Corner lots# shall not be subject to a maximum #residential lot coverage# where such #corner lots# are:</u>			
(a) <u>5,000 square feet or less in area; or</u>			
(b) <u>7,500 square feet or less in area and bounded by #street lines# that intersect to form an angle of less than 65 degrees, where one such #street# contains an elevated rail line.</u>			
	* *		*
35-50 MODIFICATION OF YARD REGULATIONS			
	* *		*
35-53 Modification of Rear Yard Requirements			
C1 C2 C3 C4 C5 C6			

In the districts indicated, for a #residential# portion of a #mixed building#, the required #residential rear yard# shall be provided at the floor level of the lowest #story# used for #dwelling units# or #rooming units#, where any window of such #dwelling units# or #rooming units# faces onto such #rear yard#.

35-531
Residential rear yard equivalents in certain districts

In C4-4L Districts, for #through lots# that have a maximum depth of 180 feet or less and are bounded by a #street# containing an elevated rail line, no #residential rear yard equivalent# shall be required.

* * *

36-20
REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR COMMERCIAL OR COMMUNITY FACILITY USES

36-21
General Provisions

* * *

REQUIRED OFF-STREET PARKING SPACES FOR COMMERCIAL
OR COMMUNITY FACILITY USES

Type of #Use#

Parking Spaces Required in Relation
to Specified Unit of Measurement - Districts

FOR COMMERCIAL USES

Food stores with 2,000 or more square feet of #floor area# per establishment.
#Uses# in PRC-A in Use Group 6

None required - C1-5 C1-6 C1-7 C1-8 C1-9 C2-5 C2-6 C2-7 C2-8 C4-5
 C4-5A C4-5X C4-4A C4-4L C4-6 C4-7 C5 C6 C8-4

1 per 100 sq. ft. of #floor area# - C1-1 C2-1 C4-1
1 per 200 sq. ft. of #floor area# - C1-2 C2-2 C4-2 C8-1
1 per 300 sq. ft. of #floor area# - C1-3 C2-3 C4-2A C4-3 C7 C8-2
1 per 1,000 sq. ft. of #floor area# - C1-4 C2-4 C4-4 C4-5D C8-3

General retail or service #uses#. Food stores with less than 2,000 square feet of #floor area#. #Uses# in PRC-B in Use Group 6, 8, 9, 10 or 12 or when permitted by special permit; or #uses# in PRC-B1 in Use Group 6, 7, 8, 9, 10, 11, 13, 14 or 16

None required - C1-5 C1-6 C1-7 C1-8 C1-9 C2-5 C2-6
 C2-7 C2-8 C4-4A C4-4L C4-5 C4-5A C4-5X
 C4-6 C4-7 C5 C6 C8-4

1 per 150 sq. ft. of #floor area#¹ - C1-1 C2-1 C3 C4-1
1 per 300 sq. ft. of #floor area#¹ - C1-2 C2-2 C4-2 C8-1
1 per 400 sq. ft. of #floor area#¹ - C1-3 C2-3 C4-2A C4-3 C7 C8-2
1 per 1,000 sq. ft. of #floor area# - C1-4 C2-4 C4-4 C4-5D C8-3

Low traffic generating #uses#. #Uses# in PRC-C in Use Group 6, 7, 9, 12, 13, 14 or 16 or when permitted by special permit

None required - C1-5 C1-6 C1-7 C1-8 C1-9 C2-5 C2-6 C2-7 C2-8 C4-4A
 C4-4L C4-5 C4-5A C4-5X C4-6 C4-7 C5 C6 C8-4

1 per 400 sq. ft. of #floor area# - C1-1 C2-1 C3 C4-1
1 per 600 sq. ft. of #floor area# - C1-2 C2-2 C4-2 C8-1
1 per 800 sq. ft. of #floor area# - C1-3 C2-3 C4-2A C4-3 C7 C8-2
1 per 1,000 sq. ft. of #floor area# - C1-4 C2-4 C4-4 C4-5D C8-3

Court houses

None required - C1-5 C1-6 C1-7 C1-8 C1-9 C2-5 C2-6 C2-7 C2-8 C4-4A
 C4-4L C4-5 C4-5A C4-5X C4-6 C4-7 C5 C6 C8-4

1 per 500 sq. ft. of #floor area# - C1-1 C2-1 C3 C4-1
1 per 800 sq. ft. of #floor area# - C1-2 C2-2 C4-2 C8-1
1 per 1,000 sq. ft. of #floor area# - C1-3 C2-3 C4-2A C4-3 C8-2
1 per 2,000 sq. ft. of #floor area# - C1-4 C2-4 C4-4 C4-5D C8-3

Places of assembly. #Uses# in PRC-D in Use Group 6, 8, 9, 10, 12, 13 or 14 or when permitted by special permit

None required - C1-5 C1-6 C1-7 C1-8 C1-9 C2-5 C2-6 C2-7 C2-8 C4-4A C4-4L C4-5 C4-5A C4-5X C4-6 C4-7 C5 C6 C8-4
1 per 4 persons rated capacity - C1-1 C2-1 C3 C4-1
1 per 8 persons rated capacity - C1-2 C2-2 C4-2 C8-1
1 per 12 persons rated capacity - C1-3 C2-3 C4-2A C4-3 C7 C8-2
1 per 25 persons rated capacity - C1-4 C2-4 C4-4 C4-5D C8-3

Storage or miscellaneous #uses#. #Uses# in PRC-G in Use Group 10 or Use Group 16, or when permitted by special permit, and with a minimum of 10,000 square feet of #floor area# or 15 employees

None required - C4-4A C4-4L C4-5 C4-5A C4-5X C4-6 C4-7 C5 C6 C8-4
1 per 2,000 sq. ft. of #floor area#³, or 1 per 3 employees, whichever will require a lesser number of spaces - C4-1 C4-2 C4-3 C4-4 C4-5D C8-1 C8-2 C8-3

Hotels

(a) For that #floor area# used for sleeping accommodations

None required - C1-5 C1-6 C1-7 C1-8 C1-9 C2-5 C2-6 C2-7 C2-8 C4-4A C4-4L C4-5 C4-5A C4-5X C4-6 C4-7 C5 C6 C8-4
1 per 4 guest rooms or suites - C2-1 C4-1
1 per 8 guest rooms or suites - C2-2 C4-2 C8-1
1 per 12 guest rooms or suites - C2-3 C2-4 C4-2A C4-3 C4-4 C4-5D C8-2 C8-3

(b) For that #floor area# used for meeting halls, auditoriums, eating or drinking places, wedding chapels or banquet halls, or radio or television studios

None required - C1-5 C1-6 C1-7 C1-8 C1-9 C2-5 C2-6 C2-7 C2-8 C4-4A C4-4L C4-5 C4-5A C4-5X C4-6 C4-7 C5 C6 C8-4
1 per 4 persons-rated capacity - C2-1 C4-1
1 per 8 persons-rated capacity - C2-2 C4-2 C8-1
1 per 12 persons-rated capacity - C2-3 C4-2A C4-3 C8-2
1 per 25 persons-rated capacity - C2-4 C4-4 C4-5D C8-3

Post offices

None required - C1-5 C1-6 C1-7 C1-8 C1-9 C2-5 C2-6 C2-7 C2-8 C4-4A C4-4L C4-5 C4-5A C4-5X C4-6 C4-7 C5 C6 C8-4
1 per 800 sq. ft. of #floor area# - C1-1 C2-1 C3 C4-1
1 per 1,200 sq. ft. of #floor area# - C1-2 C2-2 C4-2 C8-1
1 per 1,500 sq. ft. of #floor area# - C1-3 C2-3 C4-2A C4-3 C8-2
1 per 2,000 sq. ft. of #floor area# - C1-4 C2-4 C4-4 C4-5D C8-3

Funeral establishments

None required - C1-5 C1-6 C1-7 C1-8 C1-9 C2-5 C2-6 C2-7 C2-8 C4-4A C4-4L C4-5 C4-5A C4-5X C4-6 C4-7 C6 C8-4
1 per 200 sq. ft. of #floor area# - C1-1 C2-2 C4-1
1 per 400 sq. ft. of #floor area# - C1-2 C2-2 C4-2 C8-1
1 per 600 sq. ft. of #floor area# - C1-3 C1-4 C2-3 C2-4 C4-2A C4-3 C4-4 C4-5D C8-2 C8-3

FOR COMMUNITY FACILITY USES

Ambulatory diagnostic or treatment health care facilities listed in Use Group 4
None required - C1-5 C1-6 C1-7 C1-8 C1-9 C2-5 C2-6 C2-7 C2-8 C4-4A C4-4L C4-5 C4-5A C4-5X C4-6 C4-7 C5 C6 C8-4

Hospitals and related facilities⁴

1 per 5 beds - C1-1 C1-2 C2-1 C2-2 C3 C4-1 C4-2 C8-1
1 per 8 beds - C1-3 C1-4 C2-3 C2-4 C4-2A C4-3 C4-4 C4-5D C8-2 C8-3
1 per 10 beds - C1-5 C1-6 C1-7 C1-8 C1-9 C2-5 C2-6 C2-7 C2-8 C4-4A C4-4L C4-5 C4-5A C4-5X C4-6 C4-7 C5 C6 C8-4

36-52
Size, Location and Identification of Spaces

36-522
Location of parking spaces in certain districts

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

In the districts indicated, and in C1 and C2 Districts mapped within R5D, R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X, R10A and R10X Districts, and for #Quality Housing buildings# in C1, C2, C4, C5 and C6 Districts without a letter suffix, all #accessory# off-street parking spaces shall comply with the provisions of this Section.

Article VI
Special Regulations Applicable To Certain Areas

Chapter 2
Special Regulations Applying in the Waterfront Area

62-34
Height and Setback Regulations On Waterfront Blocks

62-341
Developments on land and platforms

(d) Medium and high density contextual districts

R6A R6B R7A R7B R7D R7X R8A R8B R8X R9A R9X R10A
C1-6A C1-7A C1-8A C1-8X C1-9A C2-6A C2-7A C2-7X C2-8A C4-2A C4-3A C4-4A C4-4L C4-5A C4-5D C4-5X C4-6A C4-7A C5-1A C5-2A C6-2A C6-3A C6-4A

In the districts indicated, and in C1 and C2 Districts mapped within such #Residence Districts#, the height and setback regulations of Sections 23-60, 24-50 and 35-24 shall not apply. In lieu thereof, the following regulations shall apply:

TABLE C
HEIGHT AND SETBACK FOR ALL BUILDINGS IN
MEDIUM AND HIGH DENSITY CONTEXTUAL DISTRICTS

TABLE C
HEIGHT AND SETBACK FOR ALL BUILDINGS IN
MEDIUM AND HIGH DENSITY CONTEXTUAL DISTRICTS

District	Minimum Base	Maximum Base Height	Maximum Height of #Buildings or other Height	Structures#
R6B C1 or C2 mapped within R6B	30	40	50	
R6A C1 or C2 mapped within R6A C4-2A C4-3A	40	60	70	
R7B C1 or C2 mapped within R7B	40	60	75	
R7A C1 or C2 mapped within R7A C1-6A C2-6A C4-4A <u>C4-4L</u> C4-5A	40	65	80	
R7D C1 or C2 mapped within R7D C4-5D	60	85	100	
R7X C1 or C2 mapped within R7X C4-5X	60	85	125	
	*	*	*	

Article XIII - Special Purpose Districts

* * *

Chapter 2
Special Enhanced Commercial District

132-00
GENERAL PURPOSES

The #Special Enhanced Commercial District#, established in this Resolution is designed to promote and protect public health, safety and general welfare. These general goals include, among others, the promotion and maintenance of a lively and engaging pedestrian experience along commercial avenues and the following specific purposes:

- (a) in “Special Enhanced Commercial District” 1, to enhance the vitality of emerging commercial districts ensuring that a majority of the ground floor space within buildings is occupied by commercial establishments that enliven the pedestrian experience along the street;
- (b) in “Special Enhanced Commercial District” 2, to enhance the vitality of well-established commercial districts by ensuring that ground floor frontages continue to reflect the multistore character that defines such commercial blocks;
- (c) in “Special Enhanced Commercial District” 3, to enhance the vitality of well-established commercial districts by limiting the ground floor presence of inactive street wall frontages; ~~and~~
- (d) in “Special Enhanced Commercial District” 4, to enhance the vitality of commercial districts by limiting the ground floor presence of inactive street wall frontages; and
- (e) to promote the most desirable use of land in the area and thus preserve, protect and enhance the value of land and buildings and thereby protect City tax revenues.

* * *

132-10
GENERAL PROVISIONS

* * *

132-11
Special Enhanced Commercial Districts Specified

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

- (a) #Special Enhanced Commercial District# 1 (11/29/11)

The #Special Enhanced Commercial District# 1 (EC-1) is established on the following #designated commercial streets# as indicated on #zoning maps# 16c and 16d:

- (1) Fourth Avenue, in the Borough of Brooklyn, generally between 24th Street and Atlantic Avenue.

- (b) #Special Enhanced Commercial District# 2 (6/28/12)

The #Special Enhanced Commercial District# 2 (EC-2) is established on the following #designated commercial streets# as indicated on #zoning maps# 5d and 8c:

- (1) Amsterdam Avenue, in the Borough of Manhattan, generally between West 73rd and West 110th Streets; and

- (2) Columbus Avenue, in the Borough of Manhattan, generally between West 72nd and West 87th Streets.

- (c) #Special Enhanced Commercial District# 3 (6/28/12)

The #Special Enhanced Commercial District# 3 (EC-3) is established on the following #designated commercial streets# as indicated on #zoning maps# 5d and 8c:

- (1) Broadway, in the Borough of Manhattan, generally between West 72nd and West 110th Streets.

- (d) #Special Enhanced Commercial District# 4 (date of adoption)

The #Special Enhanced Commercial District# 4 (EC-4) is established on the following #designated commercial streets# as indicated on #zoning maps# 13b and 17a:

- (1) Broadway, in the Borough of Brooklyn, on the south side of the street generally between Sumner Place and Monroe Street.

* * *

132-13
Applicability of Special Use, Transparency and Parking Regulations

The special #use#, transparency and parking regulations of this Chapter shall apply to #buildings# in #Special Enhanced Commercial Districts# as designated in the following table, except as otherwise provided in Sections 132-21, 132-31, and 132-41.

Table
Special Regulations for Enhanced Commercial Districts

Use Regulations

#Special Enhanced Commercial District#	Mandatory Ground Floor #Uses#			Minimum Number of Establishments (132-23)	Maximum #Street Wall# Width		
	Minimum Percentage of #Commercial Uses# (132-22(a))	Mandatory non- residential uses# (132-22(b))	Other permitted uses# (132-22(c))		Loan Offices (132-24(a))	Other Non- Residential# Establishments (132-24(b))	#Residential# Lobbies (132-24(c))
EC – 1 (Fourth Avenue, Brooklyn)	x		x				x
EC – 2 (Columbus & Amsterdam Avenues, Manhattan)				x	x	x	x
EC – 3 (Broadway, Manhattan)					x		x

EC – 4 (Broadway, Brooklyn)		x	x				x
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Transparency and Parking Regulations

#Special Enhanced Commercial District#	Ground Floor Transparency (132-32)	Location of Parking Spaces (132-42)	Curb Cuts (132-43)
EC – 1 (Fourth Avenue, Brooklyn)	x	x	x
EC – 2 (Columbus & Amsterdam Avenues, Manhattan)	x		
EC – 3 (Broadway, Manhattan)	x		
EC – 4 (Broadway, Brooklyn)	x	x	x

132-20
SPECIAL USE REGULATIONS

The special use regulations of this Section, inclusive, shall apply to buildings in the Special Enhanced Commercial Districts designated in Section 132-13 (Applicability of Special Use, Transparency and Parking Regulations), except as otherwise provided in Section 132-21 (Applicability of Use Regulations).

In all Special Enhanced Commercial Districts:

- (a) the finished floor of the ground floor level, for developments or ground floor level enlargements, shall be located not higher than two feet above, nor lower than two feet below, the as-built level of the adjacent sidewalk along a designated commercial street; and
- (b) where regulations apply to existing buildings in Special Enhanced Commercial Districts 2 and 3, constructed prior to June 28, 2012, the finished floor of the ground floor level shall be located not higher than five feet above, nor lower than five feet below, the as-built level of the adjacent sidewalk along a designated commercial street.

132-21
Applicability of Use Regulations

In Special Enhanced Commercial Districts, the applicable special use provisions set forth in Section 132-13 (Applicability of Special Use, Transparency and Parking Regulations) shall apply as follows:

- (a) Special Enhanced Commercial District 1 and 4

In the Commercial Districts located within Special Enhanced Commercial Districts 1 and 4, the applicable special use provisions indicated in the table in Section 132-13 shall apply to developments and to buildings enlarged on the ground floor level, where such ground floor level fronts upon a designated commercial street, except that such provisions shall not apply to zoning lots with a width of less than 20 feet, as measured along the street line of the designated commercial street, provided such zoning lot existed on:

- (1) November 29, 2011, in Special Enhanced Commercial District 1; and
- (2) (date of adoption), in Special Enhanced Commercial District 4.

* * *

In addition, in all Special Enhanced Commercial Districts 1, 2 and 3, the applicable special use provisions indicated in the table in Section 132-13 shall not

apply to any community facility building used exclusively for either a school, as listed in Use Group 3, or a house of worship, as listed in Use Group 4.

132-22
Mandatory Ground Floor Uses
Maximum Percentage of Commercial Uses

In the applicable Special Enhanced Commercial Districts indicated in the table in Section 132-13 (Applicability of Special Use, Transparency and Parking Regulations), the following provisions shall apply to the ground floor level street walls of buildings fronting along a designated commercial street. For buildings fronting along multiple streets, the required percentage of ground floor level street wall allocated to certain uses, as set forth in this Section, shall apply only to the portion of the building’s ground floor level fronting upon a designated commercial street.

- (a) Minimum percentage of commercial uses
Mandatory commercial uses for a portion of the ground floor level

Mandatory commercial use regulations shall apply to an area of a building’s ground floor level defined by an aggregate width equal to at least 50 percent of a building’s street wall along a designated commercial street and a depth equal to at least 30 feet, as measured from the street wall along the designated commercial street. Such an area on the ground floor level shall be occupied by commercial uses listed in Use Groups 5, 6A, 6C excluding banks and loan offices, 7B, 8A, 8B or 9A.

The remaining portion of the ground floor level shall be occupied by any non-residential use permitted by the underlying district regulations, or by other uses permitted pursuant to paragraph (c) of this Section.

- (b) Mandatory non-residential uses
Remaining portion of the ground floor level

The remaining portion of the ground floor level shall be occupied by any non-residential use permitted by the underlying district regulations, except that:

- (1) residential lobbies, and an associated vertical circulation core, shall be permitted in such remaining area, provided that such lobbies comply with the applicable maximum width provisions of paragraph (c) of Section 132-24. In addition, the 30 foot depth requirement for commercial uses pursuant to paragraph (a) of this Section may be encroached upon where necessary to accommodate a vertical circulation core associated with such residential lobby; and
- (2) off street parking spaces and entrances to such spaces, where permitted, shall comply with the provisions of Section 132-40.

- (a) In the applicable Special Enhanced Commercial Districts, the ground floor level of a building fronting along a designated commercial street shall be occupied by any non-residential use permitted by the underlying district regulations or by other uses permitted pursuant to paragraph (c) of this Section.

- (c) Other permitted uses

- (b)
- (c) In the applicable Special Enhanced Commercial Districts, the following uses shall be permitted on the ground floor level of a building along a designated commercial street, only as follows:

- (1) residential lobbies, and an associated vertical circulation core, shall be permitted on the ground floor level, provided that such lobbies comply with the maximum width provisions of paragraph (c) of Section 132-24 (Maximum Width Restrictions). In addition, the 30 foot depth requirement for commercial uses set forth in paragraph (a) of this Section, where applicable, may be encroached upon where necessary to accommodate a vertical circulation core associated with such residential lobby; and
- (2) accessory off-street parking spaces and entrances and exits thereto shall be permitted on the ground floor level, provided that such off-street parking spaces and associated entrances and exits comply with the provisions of Section 132-40 (SPECIAL PARKING REGULATIONS).

* * *

132-30
SPECIAL TRANSPARENCY REGULATIONS

The special transparency regulations of this Section, inclusive, shall apply to #buildings# in the #Special Enhanced Commercial Districts# indicated in the table in Section 132-13 (Applicability of Special Use, Transparency and Parking Regulations), except as otherwise provided in Section 132-31.

132-31
Applicability of Transparency Regulations

In #Special Enhanced Commercial Districts#, the special transparency provisions indicated in the table in Section 132-13 shall apply to #developments# and to #buildings enlarged# on the #ground floor level#, where such #ground floor level# fronts on a #designated commercial street#, except that such provisions shall not apply:

(a) to #zoning lots# in #Commercial Districts# with a width of less than 20 feet, as measured along the #street line# of a #designated commercial street#, provided such #zoning lots# existed on:

- (1) November 29, 2011, for #Special Enhanced Commercial District# 1; ~~and~~
- (2) June 28, 2012, for #Special Enhanced Commercial Districts# 2 and 3; and
- (3) (date of adoption), for #Special Enhanced Commercial District# 4;

(b) to any #community facility building# used exclusively for either a #school#, as listed in Use Group 3, or a house of worship, as listed in Use Group 4; and

(c) in #Special Enhanced Commercial Districts# 1 and 4, to #buildings# in #Residence Districts# where the #ground floor level# contains #dwelling units# or #rooming units#.

* * *

132-43
Curb Cut Requirements

In the applicable #Special Enhanced Commercial Districts#, as indicated in the table in Section 132-13 (Applicability of Special Use, Transparency and Parking Regulations), the following provisions shall apply to the ground floor of all #buildings# with #street# frontage along a #designated commercial street#.

For #zoning lots# with frontage along a #designated commercial street# and another #street#, curb cuts accessing off-street parking spaces shall not be permitted along a #designated commercial street#.

Curb cuts accessing off-street parking spaces shall be permitted on a #designated commercial street# only where such curb cut is located on a #zoning lot# that:

- (a) is an #interior lot# fronting along a #designated commercial street#;
- (b) existed on;
- (1) November 29, 2011, in #Special Enhanced Commercial District# 1;
- (2) (date of adoption), in #Special Enhanced Commercial District# 4;
- (c) has a width of at least 60 feet, as measured along the #street line# of the #designated commercial street#; and
- (d) has a #lot area# of at least 5,700 square feet.

* * *

APPENDIX F
INCLUSIONARY HOUSING DESIGNATED AREAS

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

Table of
Inclusionary Housing Designated Areas
by Zoning Map

[ADD FOLLOWING TO TABLE]

Map 12d / Brooklyn CD 3 / Map 3
Map 13b / Brooklyn CD 3 / Map 3, Map 4, Map 5
Map 17a / Brooklyn CD 3 / Map 1, Map 2, Map 3, Map 4, Map 5

* * *

Brooklyn

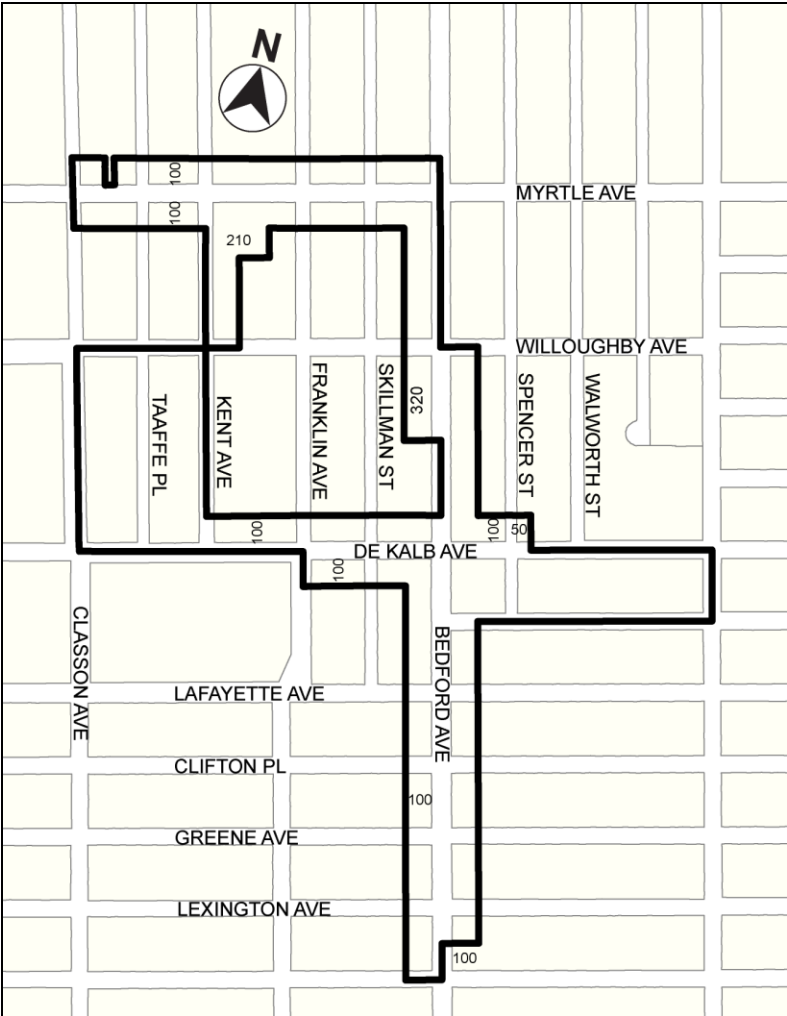
* * *

Brooklyn Community District 3

In the R7A and R7D Districts within the areas shown on the following Maps 1, ~~and 2, 3, 4 and 5~~:

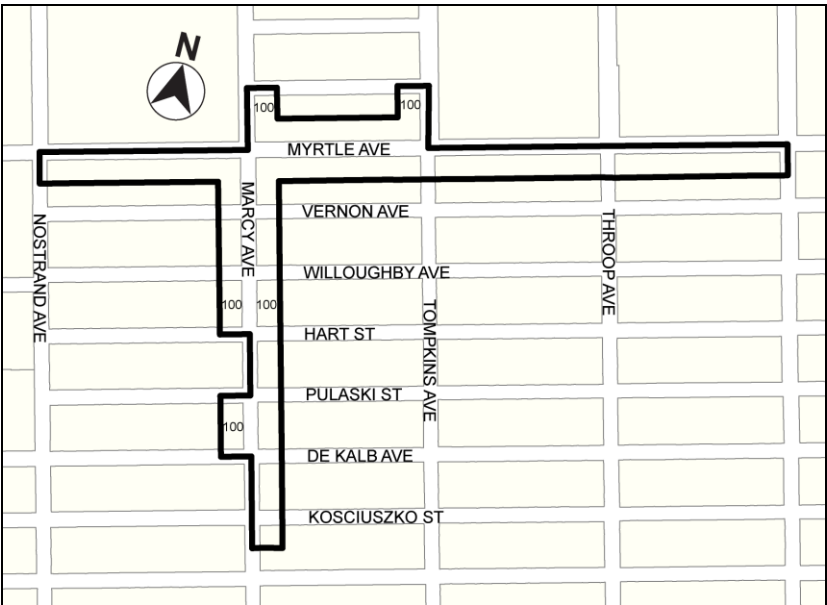
* * *

Map 3



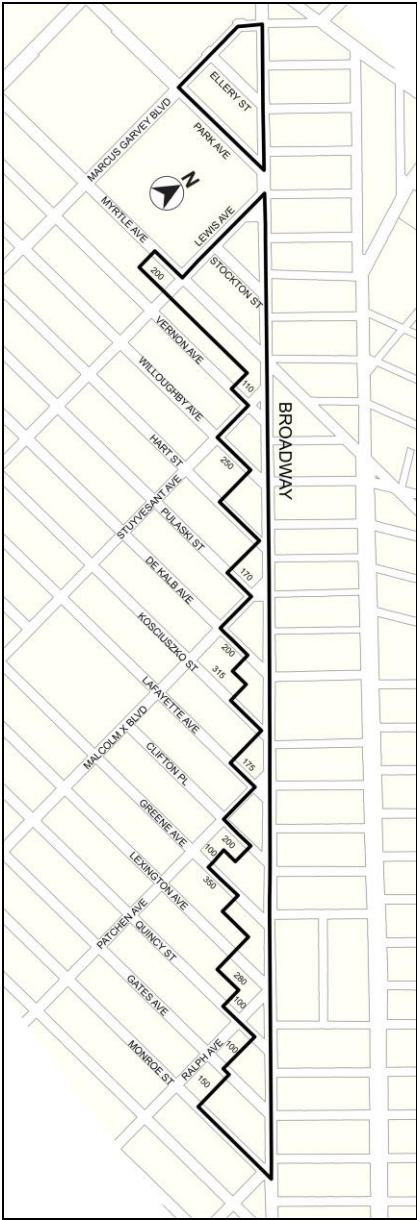
Portion of Community District 3, Brooklyn

Map 4



Portion of Community District 3, Brooklyn

Map 5



Portion of Community District 3, Brooklyn

JOEL RIVERA, Acting Chairperson; DIANA REYNA, ROBERT JACKSON, JAMES SANDERS, Jr., ALBERT VANN, SARA M. GONZALEZ, ANNABEL PALMA, MARIA del CARMEN ARROYO, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, JAMES VACCA, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, VINCENT M. IGNIZIO, DANIEL J. HALLORAN III; Committee on Land Use, September 27, 2012

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Report for L.U. No. 714

Report of the Committee on Land Use in favor of approving Application No. N 120296 ZRY submitted by the Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, relating to Article III, Chapter II., in the Borough of Brooklyn, Community Board 3, Council Districts 11, 15, 34, 35, 36 and 41.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on September 24, 2012 (Minutes, page 3702), respectfully

REPORTS:

SUBJECT

CITYWIDE N 120296 ZRY

City Planning Commission decision approving the application submitted by the Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, relating to Article III, Chapter II, for a proposed text amendment to establish transparency requirements for R7D, R9D, and C4-5D Districts.

INTENT

Three related applications (L.U. Nos. 712, 713 and 714) for an amendment to the Zoning Map to rezone all or portions of 140 blocks in Community District 3 in Brooklyn. The proposal would map contextual zoning districts, and establish a new Enhanced Commercial District and Inclusionary Housing Area to incentivize the development of affordable housing. In addition, a text amendment is proposed to establish a new zoning district, C4-4L; and a citywide zoning text amendment would establish transparency requirements in R7D, R9D, and C4-5D districts, Community District 3.

PUBLIC HEARING

DATE: October 3, 2012

Witnesses in Favor: Four Witnesses Against: Five

SUBCOMMITTEE RECOMMENDATION

DATE: October 3, 2012

The Subcommittee recommends that the Land Use Committee approve the decision of the City Planning Commission.

In Favor:	Against:	Abstain:
Weprin	None	None
Rivera		
Reyna		
Comrie		
Jackson		
Vann		
Garodnick		
Lappin		

COMMITTEE ACTION

DATE: October 4, 2012

The Committee recommends that the Council approve the attached resolution.

In Favor:	Against:	Abstain:
Comrie	None	None
Rivera		
Reyna		
Barron		
Jackson		
Vann		

Gonzalez
Arroyo
Dickens
Garodnick
Lappin
Mendez
Vacca
Lander
Levin
Weprin
William
Koo

In connection herewith, Council Members Comrie and Weprin offered the following resolution:

Res. No. 1547

Resolution approving the decision of the City Planning Commission on Application No. N 120296 ZRY, for an amendment of the Zoning Resolution of the City of New York, for an amendment of the Zoning Resolution of the City of New York, relating to Article III, Chapter II, Citywide (L.U. No. 714).

By Council Members Comrie and Weprin.

WHEREAS, the City Planning Commission filed with the Council on September 7, 2012 its decision dated September 5, 2012 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by the New York City Department of City Planning, for an amendment of the text of the Zoning Resolution of the City of New York, regarding the proposed text amendment that will establish transparency requirements for R7D, R9D, and C4-5D districts (Application No. N 120296 ZRY), Citywide (the "Application");

WHEREAS, the Application is related to Applications C 120294 ZMK (L.U. No. 712), a zoning map amendment for an approximately 140-block area in Brooklyn Community District 3 to establish contextual zoning districts and a new Enhanced Commercial District; and N 120295 ZRK (L.U. No. 713), a zoning text amendment to establish a new zoning district, C4-4L; create a new Inclusionary Housing Area; and create a new Enhanced Commercial District;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(1) of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on October 3, 2012;

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues and the Revised Negative Declaration (CEQR No. 12DCP156Y) issued on September 5, 2012, which included (E) designation to avoid the potential for significant adverse impacts related to air quality, noise and hazardous materials (“CEQR Declaration E-285”);

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment subject to the conditions of the CEQR Declaration E-285.

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, N 120296 ZRY, incorporated by reference herein, the Council approves the Decision.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended as follows:

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

* * *

ARTICLE III

COMMERCIAL DISTRICT REGULATIONS

Chapter 2

Use Regulations

* * *

32-434

Ground floor use in C4-5D and C6-3D Districts and in certain C2 Districts

C4-5D C6-3D

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

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

In C6-3D Districts, each ground floor level #street wall# of a #commercial# or #community facility use# shall be glazed with materials which may include #show windows#, glazed transoms or glazed portions of doors. Such glazing shall occupy at least 70 percent of the area of each such ground floor level #street wall#, measured to a height of 10 feet above the level of the adjoining sidewalk, public access area or #base plane#, whichever is higher. Not less than 50 percent of the area of each such ground floor level #street wall# shall be glazed with transparent materials and up to 20 percent of such area may be glazed with translucent materials. However, where the #street wall# or portion thereof fronts an elevated rail line or is located within 50 feet of a #street wall# that fronts an elevated rail line, the glazing requirement of the area of the ground floor level #street wall# may be reduced from 70 percent to 50 percent, and not less than 35 percent of the area of each such ground floor level #street wall# shall be glazed with transparent materials and up to 15 percent of such area may be glazed with translucent materials. Furthermore, all security gates installed after September 30, 2009, that are swung, drawn or lowered to secure #commercial# or #community facility# premises shall, when closed, permit visibility of at least 75 percent of the area covered by such gate when viewed from the #street#, except that this provision shall not apply to entrances or exits to parking garages.

In C4-5D Districts, and in C2 Districts mapped within R7D or R9D Districts, #buildings# developed after (date of adoption) or for portions of #buildings enlarged# on the ground floor level after (date of adoption), shall comply with the glazing provisions set forth in Section 132-30 (SPECIAL TRANSPARENCY REGULATIONS), inclusive. Such provisions shall apply in such districts to #building# frontages on Fulton Street in the Borough of Brooklyn and to frontages on Webster Avenue in the Borough of the Bronx. However, these provisions shall not apply to #buildings# on #zoning lots# with a width of less than 20 feet, provided such #zoning lot# existed on (date of adoption).

JOEL RIVERA, Acting Chairperson; DIANA REYNA, ROBERT JACKSON, JAMES SANDERS, Jr., ALBERT VANN, SARA M. GONZALEZ, ANNABEL PALMA, MARIA del CARMEN ARROYO, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, JAMES VACCA, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, VINCENT M. IGNIZIO, DANIEL J. HALLORAN III; Committee on Land Use, September 27, 2012

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Report for L.U. No. 717

Report of the Committee on Land Use in favor of approving Application no. C 110401 MMX submitted by the Department of Design and Construction, pursuant to Sections 197-c and 199 of the New York City Charter, for an amendment to the City Map involving the establishment of legal grades in Marconi Street north of Waters Place in the Borough of The Bronx,

Community Board 11, Council District 13. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to §197-d(b)(2) of the Charter or called up by a vote of the Council pursuant to 197-d(b)(3) of the Charter.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on September 24, 2012 (Minutes, page 3703), respectfully

REPORTS:

SUBJECT

BRONX CB – 11C 110401 MMX

City Planning Commission decision approving an application submitted by the Department of Design and Construction, pursuant to Sections 197-c and 199 of the New York City Charter, for an amendment to the City Map involving the establishment of legal grades in Marconi Street north of Waters Place in accordance with Map No. 13133, dated January 11, 2012, and signed by the Borough President.

INTENT

To facilitate the construction of Marconi Street, a public street providing access to New York City’s second Public Safety Answering Center (PSAC II), a 24 hour/7-day a week communicating facility for 911 emergency phone calls.

PUBLIC HEARING

DATE: October 3, 2012

Witnesses in Favor: OneWitnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: October 3, 2012, recessed to October 4, 2012

The Subcommittee recommends that the Land Use Committee approve the decision of the City Planning Commission.

In Favor:	Against:	Abstain:
Levin	None	
None		
Barron		
Gonzalez		
Dickens		
Koo		

COMMITTEE ACTION

DATE: October 4, 2012

The Committee recommends that the Council approve the attached resolution.

In Favor:	Against:	Abstain:
Comrie	None	
None		
Rivera		
Reyna		
Barron		
Jackson		
Vann		
Gonzalez		
Arroyo		
Dickens		
Garodnick		
Lappin		
Mendez		
Vacca		
Lander		

Levin
Weprin
William
Koo

In connection herewith, Council Members Comrie and Levin offered the following resolution:

Res. No. 1548

Resolution approving the decision of the City Planning Commission on ULURP No. C 110401 MMX, an amendment to the City Map (L.U. No. 717).

By Council Members Comrie and Levin.

WHEREAS, the City Planning Commission filed with the Council on September 7, 2012 its decision dated September 5, 2012 (the "Decision"), on the application submitted by the Department of Design and Construction, pursuant to Sections 197-c and 199 of the New York City Charter, for an amendment to the City Map involving the establishment of legal grades in Marconi Street north of Waters Place in accordance with Map No. 13133, dated January 11, 2012 and signed by the Borough President, (ULURP No. C 110401 MMX), Community District 11, Borough of the Bronx (the "Application");

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(3) of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on October 3, 2012;

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application;

WHEREAS, the Council has considered the relevant environmental issues, the Technical Memorandum dated February 24, 2011 (“the CEQR Technical Memorandum”) and the Final Environmental Impact Statement (“FEIS”) for which a Notice of Completion was issued on January 23, 2009 (CEQR No. 07NYP004X);

RESOLVED:

Having considered the FEIS and the CEQR Technical Memorandum with respect to the Decision and Application, the Council finds that:

(1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;

(2) Consistent with social, economic and other essential considerations, from among the reasonable alternatives thereto, the action, as described in the CEQR Technical Memorandum, is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable;

(3) The adverse environmental impacts disclosed in the CEQR Technical Memorandum, will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, those mitigative measures that were identified as practicable; and

(4) The Decision together with the CEQR Technical Memorandum, and the FEIS issued on January 23, 2009, constitutes the written statement of facts, and of social, economic and other factors and standards, that form the basis of the decision, pursuant to Section 617.11(d).

Pursuant to Sections 197-d and 199 of the New York City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 110401 MMX, incorporated by reference herein, the Council approves the Decision, for the amendment to the City Map involving the establishment of legal grades in Marconi Street north of Waters Place in Community District 11, Borough of The Bronx, in accordance with Map No. 13133, dated January 11, 2012, and signed by the Borough President, subject to the following condition:

The subject amendment to the City Map shall take effect on the day following the day on which certified counterparts of Map No. 13133 are filed with the appropriate agencies in accordance with Section 198 subsection c of the New York City Charter.

JOEL RIVERA, Acting Chairperson; DIANA REYNA, ROBERT JACKSON, JAMES SANDERS, Jr., ALBERT VANN, SARA M. GONZALEZ, ANNABEL PALMA, MARIA del CARMEN ARROYO, DANIEL R. GARODNICK, JESSICA

S. LAPPIN, ROSIE MENDEZ, JAMES VACCA, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, VINCENT M. IGNIZIO, DANIEL J. HALLORAN III; Committee on Land Use, September 27, 2012

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Report for L.U. No. 718

Report of the Committee on Land Use in favor of approving Application No. 20135097 HAX, submitted by New York City Department of Housing Preservation and Development, subject to Council review and action pursuant to Section 577 of the Private Housing Finance Law, for the proposed termination of an existing tax exemption and the granting of a new tax exemption for property located at 1664, 1694 and 1702 Davidson Avenue (Block 2861, Lots 10, 21 and 50), Borough of the Bronx, Community Board 5, Council District 16.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on September 24, 2012 (Minutes, page 3703), respectfully

REPORTS:

SUBJECT

BRONX CB - 5

20135097 HAX

Application submitted by the New York City Department of Housing Preservation and Development, subject to Council review and action pursuant to Section 577 of the Private Housing Finance Law, for the proposed termination of an existing tax exemption and the granting of a new tax exemption for property located at 1664, 1694 and 1702 Davidson Avenue (Block 2861, Lots 10, 21 and 50).

INTENT

To approve a tax exemption pursuant to Section 577 of the Private Housing Finance Law for previously approved Urban Development Action Area Project and terminate the existing Section 696 General Municipal Law tax exemption.

PUBLIC HEARING

DATE: October 3, 2012

Witnesses in Favor: One

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: October 3, 2012, recessed to October 4, 2012

The Subcommittee recommends that the Land Use Committee approve the tax exemption.

In Favor:

Levin
None
Barron
Gonzalez
Dickens
Koo

Against:

None

Abstain:

COMMITTEE ACTION

DATE: October 4, 2012

The Committee recommends that the Council approve the attached resolution.

In Favor:

Comrie
None
Rivera
Reyna
Barron
Jackson
Vann
Gonzalez
Arroyo
Dickens
Garodnick
Lappin
Mendez
Vacca
Lander
Levin
Weprin
William
Koo

Against:

None

Abstain:

In connection herewith, Council Members Comrie and Levin offered the following resolution:

Res. No. 1549

Resolution approving an application to terminate an existing tax exemption pursuant to Section 696 of the General Municipal Law and grant a new tax exemption pursuant to Section 577 of the Private Housing Finance Law for an Exemption Area located at 1664 Davidson Avenue (Block 2861/Lot 10), 1694 Davidson Avenue (Block 2861/Lot 21), 1702 Davidson Avenue (Block 2861/Lot 50), Borough of the Bronx (L.U. No. 718; 20135097 HAX).

By Council Members Comrie and Levin.

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on September 10, 2012 its request dated August 27, 2012 that the Council take the following actions regarding the following Urban Development Action Area Project (the "Project") located at 1664 Davidson Avenue (Block 2861/Lot 10), 1694 Davidson Avenue (Block 2861/Lot 21), 1702 Davidson Avenue (Block 2861/Lot 50), Community District 5, Borough of the Bronx (the "Exemption Area"):

Terminate an exemption of the Project from real property taxes pursuant to Section 696 of the General Municipal Law (the "Prior Tax Exemption");

Approve an exemption of the Project from real property taxes pursuant to Section 577 of Article XI of the Private Housing Finance Law (the "New Tax Exemption");

WHEREAS, the Project was previously approved by the City Council Resolution No. 1382, (L.U. No. 564) on June 13, 2012;

WHEREAS, upon due notice, the Council held a public hearing on the Project on October 3, 2012; and

WHEREAS, the Council has considered the land use and financial implications and other policy issues relating to the Project;

RESOLVED:

The Council hereby terminates the Prior Tax Exemption.

The Council approves the New Tax Exemption as follows:

- For the purposes hereof, the following terms shall have the following meanings:
 - "Effective Date" shall mean June 29, 2012.
 - "Exemption Area" shall mean the real property located in the Borough of the Bronx, City and State of New York, identified as:

Block 2861, Lot 10 on the Tax Map of the City of New York,
Block 2861, Lot 21 on the Tax Map of the City of New York,
Block 2861, Lot 50 on the Tax Map of the City of New York.

- (c) “Expiration Date” shall mean the earlier to occur of (i) June 29, 2052, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.

(d) “HDFC” shall mean HP Davidson Cluster Housing Development Fund Company, Inc.

(e) “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.

(f) "Regulatory Agreement" shall mean the regulatory agreement between the Owner and HPD establishing certain controls upon the operation of the Exemption Area during the term of the Exemption entered into on June 29, 2012.

(g) "New Exemption" shall mean the program of exemption from and abatement of real property taxation authorized pursuant to Section 577 of Article XI of the Private Housing Finance Law.

(h) “Owner” shall mean the HDFC or any future owner of the Exemption Area.

(i) "Prior Exemption" shall mean the exemption from real property taxation for the Exemption Area approved by the City Council on June 13, 2012 and commencing on July 1, 2012.
2. All of the value of the property in the new Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business or commercial use) shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.

3. Notwithstanding any provision hereof to the contrary, the Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, or (vi) the demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to the Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the Exemption shall prospectively terminate.

4. The Exemption shall not apply to any building constructed on the Exemption Area which did not have a permanent certificate of occupancy or equivalent document satisfactory to HPD recording the occupancy and configuration of the building on the Effective Date.

5. In consideration of the Exemption, the Owner of the Exemption Area, (i) execute and record the Regulatory Agreement, and (ii) for so long as the Exemption shall remain in effect, shall waive the benefits of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state or federal law, rule or regulation, except for an exemption and/or abatement of real property taxation pursuant to Section 489 of the Real Property Tax Law.

JOEL RIVERA, Acting Chairperson; DIANA REYNA, ROBERT JACKSON, JAMES SANDERS, Jr., ALBERT VANN, SARA M. GONZALEZ, ANNABEL PALMA, MARIA del CARMEN ARROYO, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, JAMES VACCA, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, VINCENT M. IGNIZIO, DANIEL J. HALLORAN III; Committee on Land Use, September 27, 2012

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Reports of the Committee on Rules, Privileges and Elections

At this point the Speaker (Council Member Quinn) announced that the following items had been **preconsidered** by the Committee on Rules, Privileges and Elections and had been favorably reported for adoption.

Report for M-909
Report of the Committee on Rules, Privileges and Elections in favor of approving the re-appointment of JOSE M. ARAUJO as the Queens County Democratic Commissioner of Elections.

The Committee on Rules, Privileges and Elections, to which the annexed communication was referred on October 11, 2012, respectfully

REPORTS:

Topic: *New York City Board of Elections — (Queens County Democratic Committee Candidate for re-appointment upon advice and consent of the Council)*

• **Jose M. Araujo [Preconsidered-M-909]**

The New York City Board of Elections ("BOE") consists of ten commissioners, two from each of the City's five counties, who are directly appointed by the New York City Council. Not more than two commissioners shall be registered voters of the same county. Each commissioner serves a term of four years or until a successor is appointed. Commissioners shall be registered voters from each of the major parties in the county for which they are appointed [*New York State Election Law* § 3-200(3)].

Party recommendations for election commissioner shall be made by the County Committee, or in such fashion as the rules of a party may provide. Each of the major political parties shall be eligible to recommend appointment of an equal number of commissioners [*New York State Election Law* § 3-200(2)]. The BOE and its commissioners are responsible for the maintenance and administration of voting records and elections. The BOE also exercises quasi-judicial powers by conducting hearings to validate nominating petitions of candidates for nomination to elective office. The BOE is required to make an annual report' of its affairs and proceedings to the New York City Council once every twelve months and no later than the last day of January in any year. A copy of said annual report shall be filed with the New York State Board of Elections [*New York State Election Law* § 3-212(4)(a)].

At least thirty days before the first day of January of any year on which an elections commissioner is to be appointed, the Chair or Secretary of the appropriate party County Committee shall file a *Certificate of Party Recommendation* with the Clerk of the appropriate local legislative body [*New York State Election Law* § 3-204(1)]. In New York City, the City Clerk serves as the Clerk of the Council. If the Council fails to appoint an individual recommended by a party for appointment as a Commissioner within thirty days after the filing of a *Certificate of Party Recommendation* with the Council, then members of the Council who are members of the political party that filed the certificate may appoint such person. If none of the persons named in any of the certificates filed by a party are appointed within sixty days of the filing of the designating certificate, then such party may file another certificate within thirty days after the expiration of any such sixty day period recommending a different person for such appointment. If the party fails to file a *Certificate of Party Recommendation* within the time prescribed, the members of the Council who are members of such party may appoint any eligible person to such office [*New York State Election Law* § 3-204(4)].

If at any time a vacancy occurs in the office of any election commissioner other than by expiration of term of office, party recommendations to fill such vacancy shall be made by the county committee in such fashion as the rules of the party may provide.² *Certificates of Party Recommendation* to fill such vacancy shall be filed no later than forty-five days after the creation of a vacancy. Anyone who fills a vacancy shall hold such office during the remainder of the term of the commissioner in whose place he/she shall serve [*New York State Election Law* § 3204(5)].

BOE elects a President and a Secretary who cannot belong to the same political party [*New York State Election Law* § 3-312(1)]. The commissioners receive a \$300 per-diem for each day's attendance at meetings of the BOE or any of its committees, with a maximum of \$30,000 per year [*New York State Election Law* § 3-208].

If re-appointed, Mr. Araujo, a resident of Queens, will be eligible to serve a four-year term that begins January 1, 2013 and expires December 31, 2017. Copies of Mr. Araujo's resume and report/resolution are annexed to this briefing paper.

¹ The annual report shall include a detailed description of existing programs designed to enhance voter registration. The report shall also include a voter registration action plan to increase registration opportunities [New York State Election Law § 3-212(4)(b)].

² According to New York State Public Officers Law § 5, every officer except a judicial officer, a notary public, a commissioner of deeds and an officer whose term is fixed by the Constitution, having duly entered on the duties of his office, shall unless the office shall terminate or be abolished, hold over and continue to discharge the duties of his office after the expiration of the term for which he shall have been chosen, until his successor shall be chosen and qualified; but after the expiration of such term, the office shall be deemed vacant for the purpose of choosing his successor.

After interviewing the candidate and reviewing the relevant material, this Committee decided to approve the nominee Jose M. Arauo (M-909).

The Committee on Rules, Privileges and Elections respectfully reports:

Pursuant to § 3-204 of the New York State Election Law, the Committee on Rules, Privileges and Elections, hereby approves the re-appointment by the Council of Jose M. Araujo as Queens County Democratic Commissioner of Elections to serve a four-year term that begins January 1, 2013 and expires December 31, 2017.

This matter was referred to the Committee on October 11, 2012.

In connection herewith, Council Member Rivera offered the following resolution:

Res. No. 1550

RESOLUTION APPROVING THE RE-APPOINTMENT BY THE COUNCIL OF JOSE M. ARAUJO AS THE QUEENS COUNTY DEMOCRATIC COMMISSIONER OF ELECTIONS.

By Council Member Rivera.

RESOLVED, that pursuant to § 3-204 of the New York State Election Law, the Council does hereby approve the re-appointment of Jose M. Araujo as Queens County Democratic Commissioner of Elections to serve a four-year term that begins January 1, 2013 and expires December 31, 2017.

JOEL RIVERA, Chairperson; LEROY G. COMRIE, Jr., LEWIS A. FIDLER, ALBERT VANN, VINCENT J. GENTILE, INEZ E. DICKENS, JAMES VACCA, ELIZABETH CROWLEY, KAREN KOSLOWITZ, JAMES S. ODDO, CHRISTINE C. QUINN; Committee on Rules, Privileges and Elections, October 11, 2012.

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

At this point the Speaker (Council Member Quinn) announced that the following items had been preconsidered by the Committee on Rules, Privileges and Elections and had been favorably reported for adoption.

Report for Res. No. 1540

Report of the Committee on Rules, Privileges and Elections in favor of approving a Resolution to Amend the Rules of the Council in relation to discretionary funding

The Committee on Rules, Privileges and Elections, to which the annexed communication was referred on October 11, 2012, respectfully

REPORTS:

PRECONSIDERED RESOLUTION NO. 1540

SUBJECT: Resolution to Amend the Rules of the Council in relation to discretionary funding.

ANALYSIS: Before the Committee for its consideration is a proposed amendment to Section 2.55 of the Rules of the Council codifying reforms to the discretionary funding process. Under the new Rule, the Speaker will be required to establish a policy on Council discretionary funding following the basic structure that the Council has put in place over the past several years. This includes a process for organizations to apply for discretionary funding, for Council and agency review of applications, and for the disclosure of funding allocations.

In connection herewith, Council Member Rivera offered the following resolution:

Res. No. 1540

By Council Member Williams, the Speaker (Council Member Quinn), Council Members Recchia, Koppell and Brewer.

Resolution to Amend the Rules of the Council in relation to discretionary funding.

2.55. Discretionary Funding. a. The Speaker shall establish a policy to ensure the integrity and transparency of the Council discretionary funding process. Such policy shall require that all organizations that wish to be considered for discretionary funding from the expense budget or for discretionary funding from the capital budget for a "non-City capital project" shall file an application with the Council or relevant City offices and/or agencies. For the purposes of this rule, a "non-City capital project" is a project for which the applicant organization is required to submit a Capital Funding Request Form for Not-for-Profit Organizations. Applications for discretionary funding from the expense budget or for discretionary funding from the capital budget for a non-City capital project shall be reviewed by the Council and/or relevant City offices and/or agencies to ensure that they are legally eligible to receive the City funds, are capable of providing the services for which they seek funding, are seeking funding for a public purpose, and are in compliance with all applicable laws and regulations. All expense applications received by the Council shall be made available to the public in a searchable online database in summary form. All allocations for discretionary funding from the expense budget or for discretionary funding from the capital budget for a non-City capital project shall be made available to the public in a searchable on-line database.

In addition, such policy shall require completion of conflicts of interest disclosure/certification forms as specified by the Speaker from i) all organizations seeking discretionary funding from the expense budget or discretionary funding from the capital budget for a non-City capital project, ii) all Council Members sponsoring discretionary funding allocations and iii) all Council Members prior to voting to designate discretionary funds. Such disclosure/certification forms shall contain either disclosure of any relationship between an organization and applicable City officials and associated persons or firms so that a determination may be made as to whether funding such organization is consistent with the City's Conflicts of Interest Laws and if so whether disclosure is necessary, or a certification that no such relationships exist.

b. Allocation of discretionary funds from the expense budget or discretionary funds from the capital budget for a non-City capital project, designation of recipients of discretionary funds from the expense budget or discretionary funds from the capital budget for a non-City capital project, and delineation of the uses of such funds shall be made solely through the budget adoption or modification process or through a discretionary funding transparency resolution.

JOEL RIVERA, Chairperson; LEROY G. COMRIE, Jr., LEWIS A. FIDLER, ALBERT VANN, VINCENT J. GENTILE, INEZ E. DICKENS, JAMES VACCA, ELIZABETH CROWLEY, KAREN KOSLOWITZ, JAMES S. ODDO, CHRISTINE C. QUINN; Committee on Rules, Privileges and Elections, October 11, 2012.

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Reports of the Committee on Transportation

Report for Int. No. 683-A

Report of the Committee on Transportation in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to the apparel used by operators of bicycles used for commercial purposes.

The Committee on Transportation, to which the annexed amended proposed local law was referred on September 21, 2011 (Minutes, page 4343), respectfully

REPORTS:

INTRODUCTION

On October 11, 2012 the Committee on Transportation, chaired by Council Member James Vacca, held a hearing on Int. No. 683-A, a Local Law to amend the administrative code of the city of New York in relation to the apparel used by

operators of bicycles used for commercial purposes; Int. No. 783-A, a Local Law to amend the administrative code of the city of New York in relation to requiring commercial bicyclists to complete a bicycle safety course; Int. No. 896-A, a Local Law to amend the administrative code of the city of New York in relation to the enforcement of commercial bicycle provisions; and Int. No. 910-A, a Local Law to amend the administrative code of the city of New York, in relation to the use of bicycles for commercial purposes. This was the second hearing on these bills. The first hearing was held on September 6, 2012. Testimony at that hearing was received from the Department of Transportation (“DOT”) and other advocates. These bills were amended after the first hearing.

BACKGROUND

The Department of Transportation (“DOT”) is responsible for the condition of approximately 5,800 miles of streets, highways and 790 bridges structures, including six tunnels. DOT is also responsible for installing and maintaining bicycle lanes throughout the City. Since FY 2008, DOT has installed over 270 bicycle lane miles, and is planning to install an additional 50 miles in FY 2013.¹

In order to ensure the safety of bicyclists and pedestrians, the New York City Administrative Code contains provisions pertaining to the use of commercial bicycles in the City. According to existing laws, businesses must provide delivery cyclists with the following items: a 3-digit individual identification number for each bicyclist, upper body apparel with the name of the business and the bicyclist’s 3-digit number, a bicycle helmet, and a business identification card.² Businesses are also required to equip each bicycle with a sign identifying the business and the bicycle operator, a lamp, a bell, white headlight and red taillight, reflectors, and brakes. Further, businesses must display a poster explaining the laws applicable to bicycles and businesses in an area of the business that is conspicuous to delivery cyclists and patrons, and in a language that the cyclists understand.³ Like all bicyclists, commercial cyclists are required to obey all traffic laws including yielding to pedestrians, riding in the direction of traffic, staying off sidewalks, and signaling when turning.⁴

While statistics related to commercial use of bicycles are not readily available, there are growing concerns about their danger to pedestrians. Bicycles are a frequently used mode of transportation in the City, particularly in the restaurant industry. In fact, the DOT Commissioner recently cited the reliance of restaurants on bicycles to make quick food deliveries.⁵ The fact that delivery bicyclists share roads and walkways with motorists and pedestrians raises concerns that some delivery cyclists are creating unsafe conditions. In 2009, Stuart Gruskin was killed by a commercial cyclist travelling in the wrong direction.⁶

While overall fatalities from bicycle accidents have decreased in recent years, there are indications that many altercations involving cyclists and pedestrians go unreported. According to a 2011 study by Hunter College, a fraction of pedestrians involved in bicycle accidents seek medical treatment in a hospital.⁷ Even though these statistics do not provide specific insight into the connection between commercial cyclists and pedestrians’ fatalities and injuries, they point to a potential danger that a growing fleet of commercial bicycles could pose to pedestrians on busy City streets. Some restaurants and businesses have already initiated their own bicycle safety programs, and Community Board 7 on the Upper West Side held a training program for restaurant owners.⁸

To address concerns related to commercial cycling, the DOT in July 2012, announced an initiative to deploy six deputized DOT inspectors to educate restaurants and other businesses about the City’s rules and regulations of commercial bicycles, and to issue summonses to businesses that repeatedly violate these provisions.⁹ The initial deployment is limited to the Upper East Side and Upper West Side, but there are plans to expand the program citywide in 2013.

ANALYSIS

Int. No. 683-A

Int. No. 683-A would require retro-reflective apparel for commercial cyclists, which would help make them more visible to pedestrians, especially at night.

Section one of Int. No. 683-A would amend section 10-157 by adding a new subdivision i. New subdivision i of section 10-157 would mandate that a business using a bicycle for commercial purposes provide for and require each bicycle operator employed by such business to wear a retro-reflective jacket, vest, or other apparel on the upper part of the operator’s body as the outermost garment while riding a bicycle on behalf of that business. The back of this apparel would be required to indicate the business name and the bicycle operator’s individual identification number as assigned pursuant to law in lettering and numerals no less than one inch in height so as to be plainly readable at a distance of not less than ten feet.

Section two of Int. No. 683-A states that the local law would take effect one hundred and eighty days following enactment.

Int. No. 783-A

Int. No. 783-A would require that commercial delivery cyclists complete a bicycle safety course.

Section one of Int. No. 783-A would amend section 10-157 by adding a new paragraph 3 to subdivision e. The new paragraph would require that each bicycle operator employed by businesses using a bicycle for commercial purposes complete a bicycle safety course. Under this section a bicycle safety course would be defined as information provided by the Department of Transportation regarding safe bicycling and adherence to traffic and commercial bicycle laws. Each bicycle operator would be required to complete a bicycle safety course prior to operating a bicycle on behalf of the business. Each business would be required to maintain a roster showing that each bicycle operator employed by the business completed the bicycle safety course and make that information available upon request to an authorized employee of the Police Department, the Department of Transportation, or any other person authorized

by law. The Department of Transportation would be required to post the content of the bicycle safety course on its website.

Section two of Int. No. 783-A would state that the local law would take effect one hundred eighty days after it is enacted into law.

Int. No. 896-A

Int. No. 896-A would give DOT the authority to enforce these provisions in addition to the Police Department.

Section one of Int. No. 896-A would amend section 10-157 by adding a new subdivision j and would amend section 10-157.1 by adding a new subdivision e. New subdivision j of section 10-157 would allow section 10-157 to be enforced by an authorized employee of the police department or department of transportation or any other person authorized by law.

Section two of Int. No. 896-A amends subdivision e of section 10-157.1 to allow section 10-157.1 to be enforced by an authorized employee of the police department or department of transportation or any other person authorized by law.

Section three of Int. No. 896-A states that the local law would take effect one hundred and eighty days following enactment.

Int. No. 910-A

Int. No. 910-A would clarify the provisions of the Administrative Code that apply to commercial bicyclists in order to strengthen enforcement.

Section one of Int. No. 910-A would amend section 10-157 of the Administrative Code (the “Code”) of the City of New York. Subdivision a would define a bicycle to have the same meaning as in section 19-176 of the Code, and would additionally mean a motor-assisted device that is not capable of being registered by the New York State Department of Motor Vehicles, as well as any wheeled device propelled exclusively by human power. This section would also define a business using a bicycle for commercial purposes as a person, firm, partnership, joint venture, association, corporation or other entity that engages in delivering packages, parcels, papers, or other articles by bicycle, either on behalf of itself or others. The section, however, would not apply to those under the age of sixteen who use a bicycle solely to deliver daily newspapers or circulars.

Subdivision b of section 10-157 would require a business using a bicycle for commercial purposes to provide the bicycle with an individual identification number. Each bicycle would be required to have a sign no less than three inches by five inches, attached to the back, stating the name of the business and the bicycle’s individual identification number in numerals no less than one inch in height. The sign would be required to be in good condition, meaning that its functionality is not impaired.

Subdivision c of section 10-157 would require that a business using a bicycle for commercial purposes assign a bicycle operator a three digit individual identification number to be included on an identification card to be carried by the operator. The business would also have to ensure that the operator carries the individual identification card while making deliveries and the operator would be required to present the identification card when demanded by a police officer, an authorized employee of the DOT, or other authorized agent.

Subdivision d of section 10-157 would require that businesses using a bicycle for commercial purposes maintain an updated roster of bicycle operators. The roster would indicate the date of employment and discontinuance of employment, as applicable, of the operator with the business, and the roster would list the operator’s three digit individual identification number, as well as his or her name and residence address, and whether he or she has completed a bicycle safety course. The roster would be available for inspection during regular business hours or any other time that the business is open for business. The inspection could be conducted by an authorized employee of the Police Department, DOT, or any other person authorized by law.

Subdivision e of section 10-157 would require a business using bicycles for commercial purposes to provide protective headgear to its bicycle operators at the business site. The headgear would be required to meet the standards currently required under section 10-157.

Subdivision f of section 10-157 would require that a business owner equip each bicycle used for commercial purposes with a sound device that can be audible from at least one hundred feet, although a siren or whistle would not be permitted to be used. In addition, the current requirements that each bicycle have a lamp, brakes, reflective tires or alternately a reflex reflector mounted on the spokes of each wheel would remain, as would the requirement of any other devices required by section 126 of the Vehicle and Traffic Law.

Subdivision g of section 10-157 would be amended to read that businesses are responsible for their employees’ compliance with the provisions of this section, and that a business violating this section would be subject to a civil penalty of one hundred dollars, with a subsequent civil penalty of \$250 for the same offense committed more than thirty days later. These civil penalties could be in addition to the criminal penalties currently provided for in existing law, and would be recoverable after an adjudication in a court of competent jurisdiction or the Environmental Control Board.

Subdivision h of section 10-157 would be amended to state that any commercial bicyclist operator that fails to carry and/or produce a personal identification card as required, who does not wear protective headgear, or who does not wear a retro-reflective vest would be subject to a traffic infraction, with a penalty of not less than twenty five dollars nor more than fifty dollars, which is currently the penalty. In addition, as the law currently provides the cyclist would have an affirmative defense that he or she was not provided with the required equipment. The adjudication would be the same as that authorized under article 2-A of the Vehicle and Traffic Law.

Section two of Int. No. 910-A would amend subdivisions a and d of section 10-157.1 of the Code.

Subdivision a of section 10-157.1 would require that signs posted at the business site summarize the laws and regulations relevant to commercial cyclists and commercial businesses in the City that are deemed by the DOT to be most important to the safe operation of bicycles in New York City. It would also require that not less than fifteen days prior to the effective date of the section, of these summaries be posted on the DOT’s website.

Subdivision d of section 10-157.1 would require that any business that uses a bicycle for commercial purposes, and that fails to post signs as required by section 10-157.1 would be subject to a civil penalty of one hundred dollars, and if the business subsequently violates the same provision more than thirty days later, it would be subject to a civil penalty of two hundred fifty dollars. These civil penalties would be in addition to currently existing criminal penalties, and the civil penalties would be recoverable in a court of competent jurisdiction, or the Environmental Control Board.

Section three of Int. No. 910-A would state that the local law would take effect one hundred eighty days after it will have become law, except that the Commissioners of the Department of Transportation and the Police Department would be required take all actions necessary, including the promulgation of rules, if necessary, to implement the local law on or before the date upon which it was to take effect.

UPDATE

On October 11, 2012, the Committee on Transportation voted 11-0 in favor of all bills, with no abstentions.

¹ Mayor’s Management Report, September 2012, page 136.
² NYC Administrative Code 10-157. See also <http://www.nyc.gov/html/dot/html/bicyclists/commercial-cyclists.shtml>.
³ Information obtained from DOT at <http://www.nyc.gov/html/dot/html/bicyclists/commercial-cyclists.shtml>. See also NYC Administrative Code 10-157.1.
⁴ Vehicle and Traffic Law § 1231.
⁵ Matt Flegenheimer, “In fight against unsafe delivery cyclists, a focus on employers,” New York Times, July 13, 2012. Accessed at <http://www.nytimes.com/2012/07/14/nyregion/new-york-going-after-unsafe-delivery-cyclists.html> on 10/10/2012
⁶ Information obtained from the Stuart C. Gruskin Foundation at <http://gruskinfoundation.org/about-stuart>.
⁷ Peter Tuckel and William Milczarski, Pedestrian Cyclist Accidents in New York State: 2007-2010. Hunter College. September 2011 (This study examined overall cyclist pedestrian accident rates by collecting hospital data from around New York State).
⁸ Jen Chung, “DOT Crackdown on Restaurant Delivery Cyclists: “Hot Food Shouldn’t Cost Lives,” Gothamist, July 13, 2012 accessed at http://gothamist.com/2012/07/13/hot_food_shouldnt_cost_lives_dot_wi.php#photo-1on 10/10/2012.
⁹ Id.

(The following is the text of the Fiscal Impact Statement for Int. No. 683-A:)



THE COUNCIL OF THE CITY OF
NEW YORK
FINANCE DIVISION
PRESTON NIBLACK, DIRECTOR
FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 683-A

COMMITTEE: Transportation

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to the apparel used by operators of bicycles used for commercial purposes.

SPONSORS: Council Members Van Bramer, Ferreras, Gentile, James, Koppell, Koslowitz, Rose, Williams, Nelson, Greenfield, Koo, Brewer, Lappin and Rodriguez

SUMMARY OF LEGISLATION: This legislation would amend section 10-157 of the Administrative Code of the city of New York to require a business using a bicycle for commercial purposes to provide and the bicycle operator employed by such business to wear a retro-reflective jacket, vest, or other wearing apparel on the upper part of such operator’s body as the outermost garment while making deliveries, or otherwise riding a bicycle on behalf of such business. In addition, the back of such garment shall indicate the business’ name and the bicycle operator's individual identification number as required by this local law.

EFFECTIVE DATE: This legislation would take effect one hundred and eighty days after its enactment into law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2014.

FISCAL IMPACT STATEMENT:

	Effective FY13	FY Succeeding Effective FY14	Full Fiscal Impact FY14
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: It is estimated that there would be no impact on revenues resulting from the enactment of this legislation.

IMPACT ON EXPENDITURES: Because the Department will use existing resources to enforce this local law, it is anticipated that there would be minimal to no impact on expenditures resulting from the enactment of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: Not applicable

SOURCE OF INFORMATION: City Council Finance Division
NYC Department of Transportation

ESTIMATE PREPARED BY: Nathan Toth, Deputy Director
Chima Obichere, Unit Head

HISTORY: Introduced as Intro. 683 by the Council on September 21, 2011 and referred to the Committee on Transportation. A hearing was held and the legislation was laid over by the Committee on September 6, 2012. Intro. 683 has been amended, and the amended version, Proposed Int. 683-A, will be considered by the Committee on October 10, 2012.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 683-A:)

Int. No. 683-A
By Council Members Van Bramer, Ferreras, Gentile, James, Koppell, Koslowitz, Rose, Williams, Nelson, Greenfield, Koo, Brewer, Garodnick, Lappin, Rodriguez, Barron, Crowley, Dickens, Gennaro and Jackson.

A Local Law to amend the administrative code of the city of New York, in relation to the apparel used by operators of bicycles used for commercial purposes.

Be it enacted by the Council as follows:

Section 1. Section 10-157 of the administrative code of the city of New York is amended by adding a new subdivision i to read as follows:

i. A business using a bicycle for commercial purposes shall provide for and require each bicycle operator employed by such business to wear and each such bicycle operator shall wear a retro-reflective jacket, vest, or other wearing apparel on the upper part of such operator’s body as the outermost garment while making deliveries, or otherwise riding a bicycle on behalf of such business, the back of which shall indicate such business’ name and such bicycle operator's individual identification number as assigned pursuant to subdivision c of this section in lettering and numerals not less than one inch in height so as to be plainly readable at a distance of not less than ten feet.

§ 2. This local law shall take effect one hundred and eighty days after it shall have become law.

JAMES VACCA, Chairperson; GALE A. BREWER, G. OLIVER KOPPELL, DANIEL R. GARODNICK, JESSICA S. LAPPIN, YDANIS A. RODRIGUEZ, DEBORAH L. ROSE, JAMES G. VAN BRAMER, DAVID G. GREENFIELD, VINCENT M. IGNIZIO, PETER A. KOO; Committee on Transportation, October 11, 2012.

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Report of the Committee on Transportation in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to requiring commercial bicyclists to complete a bicycle safety course.

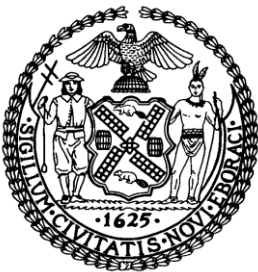
The Committee on Transportation, to which the annexed amended proposed local law was referred on February 1, 2012 (Minutes, page 401), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Transportation for Int No. 683-A printed in these Minutes)

Accordingly, this Committee recommends the adoption of Int No. 683-A, 783-A, 896-A and 910-A.

(The following is the text of the Fiscal Impact Statement for Int. No. 783-A:)



THE COUNCIL OF THE CITY OF
NEW YORK
FINANCE DIVISION
PRESTON NIBLACK, DIRECTOR
FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 783-A

COMMITTEE: Transportation

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to requiring commercial bicyclists to complete a bicycle safety course.

SPONSORS: Council Members Vacca, Ferreras, Gentile, Jackson, James, Koo, Koslowitz, Mendez, Van Bramer, Williams, Rodriguez, Brewer, Koppell, Rose, Lappin and Rodriguez

SUMMARY OF LEGISLATION: This legislation would amend section 10-157 of the Administrative Code of the city of New York, as amended by local law number 9 for the year 2007, to require a business using a bicycle for commercial purposes to ensure that all commercial bicyclists employed by that business complete a bicycle safety course prior to riding a bicycle on behalf of that business and to maintain records of such operators’ completion of such bicycle safety course, and make such records available for inspection during regular business hours or any other time such business is open for business upon request by an authorized employee of the Police Department or the Department of Transportation or any other person authorized by law. The bicycle safety course would be based on information provided by the Department of Transportation (DOT) on its website.

EFFECTIVE DATE: This legislation would take effect one hundred and eighty days after its enactment into law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2014.

FISCAL IMPACT STATEMENT:

	Effective FY13	FY Succeeding Effective FY14	Full Fiscal Impact FY14
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: It is estimated that there would be no impact on revenues resulting from the enactment of this legislation.

IMPACT ON EXPENDITURES: Because the Department will use existing resources to implement and enforce this local law, it is anticipated that there would be minimal to no impact on expenditures resulting from the enactment of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: Not applicable

SOURCE OF INFORMATION: City Council Finance Division
NYC Department of Transportation

ESTIMATE PREPARED BY: Nathan Toth, Deputy Director
Chima Obichere, Unit Head

HISTORY: Introduced as Intro. 783 by the Council on February 1, 2012 and referred to the Committee on Transportation. A hearing was held and the legislation was laid over by the Committee on September 6, 2012. Intro. 783 has been amended, and the amended version, Proposed Int. 783-A, will be considered by the Committee on October 10, 2012.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 783-A:)

Int. No. 783-A

By Council Members Vacca, Ferreras, Gentile, Jackson, James, Koo, Koslowitz, Mendez, Van Bramer, Williams, Rodriguez, Brewer, Koppell, Rose, Garodnick, Lappin, Barron, Crowley, Dickens, Eugene and Gennaro.

A Local Law to amend the administrative code of the city of New York, in relation to requiring commercial bicyclists to complete a bicycle safety course.

Be it enacted by the Council as follows:

Section 1. Subdivision e of section 10-157 of the administrative code of the city of New York, as amended by local law number 9 for the year 2007, is amended to add a new paragraph 3 as follows:

(3) Each bicycle operator shall be required to complete a bicycle safety course. For purposes of this section, “bicycle safety course” shall mean information provided by the department of transportation, regarding safe bicycling and adherence to traffic and commercial bicycle laws. Such requirement shall include, but not be limited to, the following:

(i) Each bicycle operator shall complete a bicycle safety course prior to operating a bicycle on behalf of a business using a bicycle for commercial purposes;

(ii) Each business using a bicycle for commercial purposes shall indicate on the roster required to be maintained by subdivision d of this section that each bicycle operator employed by such business has completed such bicycle safety course;

(iii) The owner of any business using a bicycle for commercial purposes shall ensure that all bicycle operators employed by such business shall complete such bicycle safety course prior to operating a bicycle on behalf of such business, shall maintain records of such operators’ completion of such bicycle safety course, and shall make such records available for inspection during regular business hours or any other time such business is open for business upon request of an authorized employee of the police department or department of transportation or any other person authorized by law; and

(iv) The commissioner of transportation shall post on the department of transportation’s website the content of the bicycle safety course required by this section on or before the effective date of this section.

§ 2. This local law shall take effect one hundred eighty days after it shall have become law.

JAMES VACCA, Chairperson; GALE A. BREWER, G. OLIVER KOPPELL, DANIEL R. GARODNICK, JESSICA S. LAPPIN, YDANIS A. RODRIGUEZ, DEBORAH L. ROSE, JAMES G. VAN BRAMER, DAVID G. GREENFIELD, VINCENT M. IGNIZIO, PETER A. KOO; Committee on Transportation, October 11, 2012.

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Report for Int. No. 896-A

Report of the Committee on Transportation in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to the enforcement of commercial bicycle provisions.

The Committee on Transportation, to which the annexed amended proposed local law was referred on July 25, 2012 (Minutes, page 3146), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Transportation for Int No. 683-A printed in these Minutes)

Accordingly, this Committee recommends the adoption of Int No. 683-A, 783-A, 896-A and 910-A.

(The following is the text of the Fiscal Impact Statement for Int. No. 896-A:)



THE COUNCIL OF THE CITY OF
NEW YORK
FINANCE DIVISION
PRESTON NIBLACK, DIRECTOR
FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 896-A

COMMITTEE: Transportation

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to the enforcement of commercial bicycle provisions.

SPONSORS: Council Members Brewer, Vacca, Garodnick, Lappin, Chin, Comrie, Gentile, Koo, Koppell, Koslowitz, Rose, Rodriguez and Mendez

SUMMARY OF LEGISLATION: This legislation would amend section 10-157 of the Administrative Code of the city of New York by adding a new subdivision j and amend subdivision e of section 10-157.1 of the Administrative Code to require that the provisions of these section shall be enforceable by an authorized employee of the Police Department or the Department of Transportation (DOT) or any other person authorized by law. This enactment would give DOT the power to enforce the commercial bicycling sections of the Administrative Code along with the New York City Police Department (NYPD) and any other person authorized by law.

EFFECTIVE DATE: This legislation would take effect one hundred and eighty days after its enactment into law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2014.

FISCAL IMPACT STATEMENT:

	Effective FY13	FY Succeeding Effective FY14	Full Fiscal Impact FY14
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: It is estimated that there would be no impact on revenues resulting from the enactment of this legislation.

IMPACT ON EXPENDITURES: It is anticipated that there would be no impact on expenditures resulting from the enactment of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: Not applicable

SOURCE OF INFORMATION: City Council Finance Division
NYC Department of Transportation

ESTIMATE PREPARED BY: Nathan Toth, Deputy Director
Chima Obichere, Unit Head

HISTORY: Introduced as Intro. 896 by the Council on July 25, 2012 and referred to the Committee on Transportation. A hearing was held and the legislation was laid over by the Committee on September 6, 2012. Intro. 896 has been amended, and the amended version, Proposed Int. 896-A, will be considered by the Committee on October 10, 2012.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 896-A:)

Int. No. 896-A

By Council Members Brewer, Vacca, Garodnick, Lappin, Chin, Comrie, Gentile, Koo, Koppell, Koslowitz, Mendez, Rose, Rodriguez, Van Bramer, Barron, Crowley, Dickens, Jackson, Williams and Gennaro.

A Local Law to amend the administrative code of the city of New York, in relation to the enforcement of commercial bicycle provisions.

Be it enacted by the Council as follows:

Section 1. Section 10-157 of the administrative code of the city of New York is amended to add a new subdivision j to read as follows:

j. The provisions of this section shall be enforceable by an authorized employee of the police department or department of transportation or any other person authorized by law.

§2. Subdivision e of section 10-157.1 of the administrative code of the city of New York, as added by local law number 10 for the year 2007, is amended to read as follows:

e. The provisions of this section shall be enforceable by [the police commissioner] *an authorized employee of the police department or department of transportation or any other person authorized by law.*

§ 3. This local law shall take effect one hundred and eighty days after it shall have become law.

JAMES VACCA, Chairperson; GALE A. BREWER, G. OLIVER KOPPELL, DANIEL R. GARODNICK, JESSICA S. LAPPIN, YDANIS A. RODRIGUEZ, DEBORAH L. ROSE, JAMES G. VAN BRAMER, DAVID G. GREENFIELD, VINCENT M. IGNIZIO, PETER A. KOO; Committee on Transportation, October 11, 2012.

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Report for Int. No. 910-A

Report of the Committee on Transportation in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to the use of bicycles for commercial purposes.

The Committee on Transportation, to which the annexed amended proposed local law was referred on July 25, 2012 (Minutes, page 3180), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Transportation for Int No. 683-A printed in these Minutes)

Accordingly, this Committee recommends the adoption of Int No. 683-A, 783-A, 896-A and 910-A.

(The following is the text of the Fiscal Impact Statement for Int. No. 910-A:)



THE COUNCIL OF THE CITY OF
NEW YORK
FINANCE DIVISION
PRESTON NIBLACK, DIRECTOR
FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 910-A

COMMITTEE: Transportation

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to the use of bicycles for commercial purposes.

SPONSORS: Council Members Vacca, Brewer, Garodnick, Lappin, Chin, Koo, Koslowitz, Mendez, Wills, Rodriguez and Koppell

SUMMARY OF LEGISLATION: This legislation would amend section 10-157 of the Administrative Code of the city of New York to redefine bicycle for purposes of the commercial bicycle sections to include electronic bicycles, as well as any other vehicle operated by muscular power. The bill would expand penalties for cyclists to include a traffic infraction penalized by a penalty of \$25 to \$50 if they fail to wear retro-reflective vest, as required pursuant to Proposed Int. 683-A and would require that a roster be kept with records of all cyclists employed by a business in addition to the date of completion of the bicycle safety course. Additionally, the bill would set civil penalties for a business violating the provisions of the commercial bicycling sections (currently, there are only criminal penalties for this violation). The civil penalties would be \$100, except that additional identical offenses would be penalized with a \$250 civil penalty when they occur more than thirty days after the \$100 penalty. Lastly, this bill requires that DOT post on its website relevant provisions of law required of commercial bicyclists and the businesses that hire them.

EFFECTIVE DATE: This legislation would take effect 180 days after its enactment into law, except that the commissioners of the Department of Transportation and the Police Department shall take all actions necessary, including the promulgation of rules, if necessary, to implement this local law on or before the date upon which it shall take effect.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2014.

FISCAL IMPACT STATEMENT:

	Effective FY13	FY Succeeding Effective FY14	Full Fiscal Impact FY14
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: Because the bill is intended as a deterrent to would be violators of the Department’s rules, it is estimated that there would be minimal to no impact on revenues resulting from the enactment of this legislation.

IMPACT ON EXPENDITURES: Because the Department will use existing resources to enforce this local law, it is anticipated that there would be minimal to no impact on expenditures resulting from the enactment of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: Not applicable

SOURCE OF INFORMATION: City Council Finance Division
NYC Department of Transportation

ESTIMATE PREPARED BY: Nathan Toth, Deputy Director
Chima Obichere, Unit Head

HISTORY: Introduced as Intro. 910 by the Council on July 25, 2012 and referred to the Committee on Transportation. A hearing was held and the legislation was laid over by the Committee on September 6, 2012. Intro. 910 has been amended, and the amended version, Proposed Int. 910-A, will be considered by the Committee on October 10, 2012.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 910-A:)

Int. No. 910-A

By Council Members Vacca, Brewer, Garodnick, Lappin, Chin, Koo, Koslowitz, Mendez, Wills, Rodriguez, Van Bramer, Koppell, Dickens, Gennaro, Gentile, Jackson and Williams.

A Local Law to amend the administrative code of the city of New York, in relation to the use of bicycles for commercial purposes.

Be it enacted by the Council as follows:

Section 1. Section 10-157 of the administrative code of the city of New York is amended to read as follows:

§ 10-157 Bicycles used for commercial purposes. a. [Every] *For purposes of this section, the following terms shall have the following meanings:*

(1) “bicycle” shall have the same meaning as in section 19-176 of this code, and shall also mean any wheeled device propelled exclusively by human power as well as any motor-assisted device that is not capable of being registered by the New York state department of motor vehicles;

(2) “business using a bicycle for commercial purposes” shall mean a person, firm, partnership, joint venture, association [or], corporation, or other entity which engages in the course of its business, either on behalf of itself or others, in delivering packages, parcels, papers or articles of any type by bicycle. *Nothing contained in this section shall be construed as applying to persons under the age of sixteen who use a bicycle only to deliver daily newspapers or circulars.*

b. A business using a bicycle for commercial purposes shall provide identification of [the] such business by requiring every bicycle [or bicycle operator] to be identified by[:

(1)] affixing to the rear of each bicycle, bicycle seat or both sides of the delivery basket, a metal or plastic [or other] sign [of a type approved by the police commissioner] *measuring no less than three inches by five inches*, with the name of the business and [a three digit identification number which identifies the bicycle operator in lettering and numerals] *an identification number unique to that particular bicycle in lettering and numerals no less than one inch in height* so as to be plainly readable at a distance of not less than ten feet and maintaining same in good condition thereon. *A sign is no longer in good condition if it is missing any of its component parts or is otherwise damaged so as to impair its functionality.];* and

(2) by requiring each bicycle operator to wear a jacket, vest, or other wearing apparel on the upper part of the cyclist's body while making deliveries, or otherwise riding a bicycle on behalf of the business, the back of which shall indicate the business name and the bicycle operator's individual identification number in lettering and numerals so as to be plainly readable at a distance of not less than ten feet.

b) c. Every [person, firm, partnership, joint venture, association or corporation engaged in providing a service as authorized herein] *business using a bicycle for commercial purposes* must assign to every bicycle operator employed by such business a three digit identification number. Such business must issue to every bicycle operator [a numbered] *an* identification card which contains the name, [residence address] *three digit identification number* and photo of the bicycle operator and the name, address and telephone number of the [company for whom] *business by which* the bicycle operator is employed. Such business shall ensure that such identification card [must be] *is* carried by the bicycle operator while [the cyclist]*such bicycle operator* is making deliveries, or otherwise riding a bicycle on behalf of the business, and [must be produced] *such bicycle operator shall carry such identification card while operating a bicycle on behalf of such business. Such bicycle operator shall be required to produce such identification* upon the demand of [a police officer or any other law enforcement officer] *an authorized employee of the police department or department of transportation or any other person authorized by law.*

[c] d. Every [person, firm, partnership, joint venture, association or corporation engaged in providing a service as authorized herein] *business using a bicycle for commercial purposes* shall maintain [in a log book to be kept for such purpose,] *a roster of bicycle operators employed by such business. Such roster shall include the name and place of residence address of every employee operating a bicycle on behalf of such business, the date of employment and discharge of each such* [person in said service] *employee*, [and] every [messenger or delivery] *such* [person's] *employee’s three digit* identification number, *and whether such employee has completed the bicycle safety course required by paragraph 3 of subdivision e of this section.* The owner of any business [engaged in providing a service as authorized in this section] *using a bicycle for commercial purposes* shall be responsible for maintaining [in the log book a daily trip record in which all entries shall be made legibly in ink and each entry shall be dated and include the bicycle identification number, the operator's name and the name and place of origin and destination for each trip. No entry shall be rewritten either in whole or in part except in such manner as may be provided by regulation of the commissioner; any such unauthorized rewriting shall give rise to a rebuttable presumption of an act of fraud, deceit or misrepresentation] *such roster.* Such [log book] *roster* shall be made available for inspection during regular and usual business hours *or any other such time that such entity is open for business* upon request of an [agent] *authorized employee* of the police [commissioner] *department or department of transportation* or any [police officer or any] other person authorized by law.

[d. The owner of any business engaged in providing a service as authorized in this section shall file an annual report in such form as shall be designated by the police commissioner by rule or regulations. Said report shall include, inter alia, the number of bicycles it owns and the number and identity of any employees it may retain. Any business engaged in providing a service as authorized in this section shall be responsible for the compliance with the provisions of this section of any employees it shall retain. Nothing contained in this section shall be construed as applying to persons under the age of sixteen who use a bicycle to deliver daily newspapers or circulars.]

e. (1) The owner of any business [engaged in providing a service as authorized in this section] *using a bicycle for commercial purposes* shall provide, at its own expense, protective headgear suitable for each bicycle operator. Such headgear shall:

(i) meet the standards set forth by the consumer product safety commission in title 16, part 1203 of the code of federal regulations;

(ii) be readily available at each [employment] *site of the business using a bicycle for commercial purposes* for use by each bicycle operator; and

COMMITTEE ACTION

DATE: September 27, 2012

The Committee recommends that the Council approve the attached resolution.

In Favor:	Against:	Abstain:
Rivera	None	
None		
Reyna		
Jackson		
Sanders		
Vann		
Gonzalez		
Palma		
Arroyo		
Garodnick		
Lappin		
Mendez		
Vacca		
Koo		
Lander		
Levin		
Weprin		
Williams		
Ignizio		
Halloran		

In connection herewith, Council Members Comrie and Levin offered the following resolution:

Res. No. 1551

Resolution approving the decision of the City Planning Commission on ULURP No. C 120226 ZMM, a Zoning Map amendment (L.U. No. 688).

By Council Members Comrie and Levin.

WHEREAS, the City Planning Commission filed with the Council on August 24, 2012 its decision dated August 22, 2012 (the "Decision"), on the application submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, which along with its related actions, would facilitate the development of a proposed, mixed-use development of approximately 1.65 million square feet on nine City-owned sites, Community District 3 (ULURP No. C 120226 ZMM), Borough of Manhattan (the "Application");

WHEREAS, the Application is related to Application N 120227 ZRM (L.U. No. 689), a proposed amendment to the Zoning Resolution, modifying Sections 74-743 (Special Provisions for Bulk Modifications) and 74-744 (Modification of Use Regulations) concerning special permit regulations for large-scale general developments, relating to the former Seward Park Extension Urban Renewal Area; C 120228 ZSM (L.U. No. 690), a Special Permit, to modify the bulk regulations within a Large-Scale General Development; C 120229 ZSM (L.U. No. 691), a Special Permit, to modify the use regulations within a Large-Scale General Development; C 120231 ZSM (L.U. No. 692), a Special Permit, pursuant to Sections 13-562 and 74-52 of the Zoning Resolution, to allow a public parking garage on property bounded by Delancey Street, Norfolk Street, Broome Street and Essex Street (Site 2, Block 352, p/o Lot 1 and Lot 28), in a C6-1 District; C 120233 ZSM (L.U. No. 693), a Special Permit, pursuant to Sections 13-562 and 74-52 of the Zoning Resolution, to allow a public parking garage on property bounded by Delancey Street, Suffolk Street, Broome Street and Norfolk Street (Site 3, Block 346, p/o Lot 40), in an R8/C2-5 District; C 120234 ZSM (L.U. No. 694), a Special Permit, pursuant to Sections 13-562 and 74-52 of the Zoning Resolution, to allow a public parking on property bounded by Delancey Street, Clinton Street, Broome Street and Suffolk Street (Site 4, Block 346, p/o Lot 40), in an R8/C2-5 District; C 120235 ZSM (L.U. No. 695), a Special Permit, pursuant to Sections 13-562 and 74-52 of the Zoning Resolution, to allow a public parking garage on property bounded by Broome Street, Clinton Street Grand Street and Suffolk Street (Site 5, Block 346, p/o Lot 40), in an R8/C2-5 District; N 120236 HAM (L.U. No. 696), an Urban Development Action Area Project (UDAAP) designation and project approval, for properties located on Essex, Delancey, Norfolk, Grand, Stanton and Broome streets (Block 346, part of Lot 40; Block 347, Lot 71; Block 352, Lots 1, 28; Block 353, Lot 44; Block 354, Lots 1, 12; and Block 409, Lot 56), as an Urban Development Action Area, to facilitate the development of residential, community facility and commercial uses,

including the redevelopment of the Essex Street Market; C 120237 PQM (L.U. No. 697), Acquisition of property bounded by Essex, Delancey, Norfolk, and Broome Streets (Block 352, p/o Lots 1 and 28), by the New York City Department of Citywide Administrative Services; C 120245 PPM (L.U. No. 698), Disposition of city-owned property (Block 346, p/o of Lot 40; Block 347, Lot 71; Block 352, Lots 1 and 28; Block 353, Lot 44; Block 354, Lots 1 and 12; and Block 409, Lot 56), by the New York City Department of Housing Preservation and Development to a future developer, or by the New York City Department of Citywide Administrative Services to the New York City Economic Development Corporation (NYCEDC) or a successor local development corporation; C 120156 MMM (L.U. No. 699), a proposed amendment to the City Map involving: the establishment of Broome Street between Norfolk Street and Clinton Street; the establishment of Suffolk Street between Grand Street and Delancey Street; the narrowing, by elimination, discontinuance and closing, of Clinton Street between Grand Street and Delancey Street; the narrowing, by elimination, discontinuance and closing, of Delancey Street between Norfolk Street and Clinton Street; the establishment of the name Delancey Street for the Unnamed Street between Clinton Street and Franklin D. Roosevelt Drive; and the adjustment of grades necessitated thereby, including authorization for any disposition or acquisition of real property related thereto, in accordance with Map No. 30236, dated March 14, 2012, and signed by the Borough President;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(1) of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on September 19, 2012;

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues and the Final Generic Environmental Impact Statement ("FGEIS") for which a Notice of Completion was issued on August 10, 2012 and the CEQR Technical Memorandum dated October 1, 2012 (the "CEQR Technical Memorandum") (CEQR No. 11DME012M);

RESOLVED:

Having considered the FGEIS and the CEQR Technical Memorandum with respect to the Decision and Application, the Council finds that:

- (1) The FGEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (1) Consistent with social, economic and other essential considerations, from among the reasonable alternatives thereto, the Proposed Action, as modified with the modifications adopted herein, is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable; and
- (2) The adverse environmental impacts disclosed in the FGEIS and the CEQR Technical Memorandum will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, in accordance with environmental commitment letters, dated August 15, 2012, from HPD and August 15, 2012, from NYCEDC, those project components related to the environment and mitigation measures that were identified as practicable.
- (3) The Decision together with the FGEIS and the CEQR Technical Memorandum constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of the decision, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 120226 ZMM, incorporated by reference herein, the Council approves the Decision.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 12c, by establishing within an existing R8 District a C2-5 District bounded by the westerly centerline prolongation of Delancey Street (northerly portion, at Clinton Street), Clinton Street, Delancey Street (southerly portion), a line 150 feet easterly of Clinton Street, Broome Street, Clinton Street, Grand Street, Suffolk Street, Broome Street, and Norfolk Street, as shown on a diagram (for illustrative purposes only) dated March 26, 2012, Community District 3, Borough of Manhattan.

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, DIANA REYNA, CHARLES BARRON, ROBERT JACKSON, ALBERT VANN, SARA M. GONZALEZ, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R.

GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, JAMES VACCA, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS; Committee on Land Use, October 4, 2012

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Report for L.U. No. 689 & Res 1552

Report of the Committee on Land Use in favor of approving Application No. N 120227 ZRM submitted by the NYC Department of Housing Preservation and Development and Department of Citywide Administrative Services, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Sections 74-743 (Special Provisions for bulk modifications) and 74-744 (Modification of use regulations) concerning special permit regulations for large scale general developments, relating to the former Seward Park Extension Urban Renewal Area, Borough of Manhattan, Community Board 3, Council District 1.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on September 12, 2012 (Minutes, page 3507), respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 3 N 120227 ZRM

City Planning Commission decision approving an application submitted by the NYC Department of Housing Preservation and Development (HPD) and Department of Citywide Administrative Services (DCAS), pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Sections 74-743 (Special Provisions for bulk modifications) and 74-744 (Modification of use regulations) concerning special permit regulations for large scale general developments, relating to the former Seward Park Extension Urban Renewal Area.

INTENT

To facilitate an approximately 1.65 million-square foot, mixed-use development on nine city-owned sites in Community District 3 in Manhattan.

PUBLIC HEARING

DATE: September 19, 2012

Witnesses in Favor: Thirty-two Twelve Witnesses Against:

SUBCOMMITTEE RECOMMENDATION

DATE: September 27, 2012

The Subcommittee recommends that the Land Use Committee approve the decision of the City Planning Commission.

In Favor:	Against:	Abstain:
Levin	None	
None		
Gonzalez		
Koo		

COMMITTEE ACTION

DATE: September 27, 2012

The Committee recommends that the Council approve the attached resolution.

In Favor:	Against:	Abstain:
Rivera	None	
None		
Reyna		
Jackson		
Sanders		
Vann		
Gonzalez		
Palma		
Arroyo		
Garodnick		
Lappin		
Mendez		
Vacca		
Koo		
Lander		
Levin		
Weprin		
Williams		
Ignizio		
Halloran		

In connection herewith, Council Members Comrie and Lander offered the following resolution:

Res. No. 1552

Resolution approving the decision of the City Planning Commission on Application No. N 120227 ZRM, for an amendment of the Zoning Resolution of the City of New York, modifying Sections 74-743 (Special Provisions for bulk modifications) and 74-744 (Modification of use regulations) concerning special permit regulations for large scale general developments, relating to the former Seward Park Extension Urban Renewal Area, (L.U. No. 689).

By Council Members Comrie and Lander.

WHEREAS, the City Planning Commission filed with the Council on August 24, 2012 its decision dated August 22, 2012 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by the Department of Housing Preservation and Development (HPD) and Department of Citywide Administrative Services (DCAS) for an amendment of the text of the Zoning Resolution of the City of New York, concerning special permit regulations for large scale general developments, relating to the former Seward Park Extension Urban Renewal Area, which along with other related actions would facilitate the development of a proposed, mixed-use development of approximately 1.65 million square feet on nine City-owned sites, generally centered on the intersection of Delancey Street and Essex Street, in the Lower East Side neighborhood of Manhattan Community District 3; the program for the proposed development is expected to include a variety of mixed-income residential, commercial such as retail and office space, and community or cultural uses; the project would also allow for a number of neighborhood amenities, including parking, a 10,000-square-foot, publicly-accessible open space, and a new and expanded public Essex Street Market facility (Application No. N 120227 ZRM), Community District 3, Borough of Manhattan (the "Application");

WHEREAS, the Application is related to Application C 120226 ZMM (L.U. No. 688), a proposed amendment to the Zoning Map, Section No. 12c, establishing a C2-5 District within an existing R8 District; C 120228 ZSM (L.U. No. 690), a Special Permit, to modify the bulk regulations within a Large-Scale General Development; C 120229 ZSM (L.U. No. 691), a Special Permit, to modify the use regulations within a Large-Scale General Development; C 120231 ZSM (L.U. No. 692), a Special Permit, pursuant to Sections 13-562 and 74-52 of the Zoning Resolution, to allow a public parking garage on property bounded by Delancey Street, Norfolk Street, Broome Street and Essex Street (Site 2, Block 352, p/o Lot 1 and Lot 28), in a C6-1 District; C 120233 ZSM (L.U. No. 693), a Special Permit, pursuant to Sections 13-562 and 74-52 of the Zoning Resolution, to allow a public parking garage on property bounded by Delancey Street, Suffolk Street, Broome Street and Norfolk Street (Site 3, Block 346, p/o Lot 40), in an R8/C2-5 District; C 120234 ZSM (L.U. No. 694), a Special Permit, pursuant to Sections 13-562 and 74-52 of the Zoning Resolution, to allow a public parking on property bounded by Delancey Street, Clinton Street, Broome Street and Suffolk Street (Site 4, Block 346, p/o Lot 40), in an R8/C2-5 District; C 120235 ZSM (L.U. No. 695), a Special Permit, pursuant to Sections 13-562 and 74-52 of the Zoning Resolution, to allow a public parking garage on property bounded by Broome Street, Clinton Street, Grand Street and Suffolk Street (Site 5, Block 346, p/o Lot 40), in an R8/C2-5 District; N 120236 HAM (L.U. No. 696), an Urban Development Action Area Project (UDAAP) designation and project approval, for properties located on Essex, Delancey, Norfolk, Grand, Stanton and Broome streets (Block 346, part of Lot 40; Block 347, Lot 71; Block 352, Lots 1, 28; Block 353, Lot 44; Block 354, Lots 1, 12; and Block 409, Lot

56), as an Urban Development Action Area, to facilitate the development of residential, community facility and commercial uses, including the redevelopment of the Essex Street Market; C 120237 PQM (L.U. No. 697), Acquisition of property bounded by Essex, Delancey, Norfolk, and Broome Streets (Block 352, p/o Lots 1 and 28), by the New York City Department of Citywide Administrative Services; C 120245 PPM (L.U. No. 698), Disposition of city-owned property (Block 346, p/o of Lot 40; Block 347, Lot 71; Block 352, Lots 1 and 28; Block 353, Lot 44; Block 354, Lots 1 and 12; and Block 409, Lot 56), by the New York City Department of Housing Preservation and Development to a future developer, or by the New York City Department of Citywide Administrative Services to the New York City Economic Development Corporation (NYCEDC) or a successor local development corporation; C 120156 MMM (L.U. No. 699), a proposed amendment to the City Map involving: the establishment of Broome Street between Norfolk Street and Clinton Street; the establishment of Suffolk Street between Grand Street and Delancey Street; the narrowing, by elimination, discontinuance and closing, of Clinton Street between Grand Street and Delancey Street; the narrowing, by elimination, discontinuance and closing, of Delancey Street between Norfolk Street and Clinton Street; the establishment of the name Delancey Street for the Unnamed Street between Clinton Street and Franklin D. Roosevelt Drive; and the adjustment of grades necessitated thereby, including authorization for any disposition or acquisition of real property related thereto, in accordance with Map No. 30236, dated March 14, 2012, and signed by the Borough President;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(1) of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on September 19, 2012;

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues and the Final Generic Environmental Impact Statement (“FGEIS”) for which a Notice of Completion was issued on August 10, 2012 and the CEQR Technical Memorandum dated October 1, 2012 (the “CEQR Technical Memorandum”) (CEQR No. 11DME012M);

RESOLVED:

Having considered the FGEIS and the CEQR Technical Memorandum with respect to the Decision and Application, the Council finds that:

(1) The FGEIS meets the requirements of 6 N.Y.C.R.R. Part 617;

(2) Consistent with social, economic and other essential considerations, from among the reasonable alternatives thereto, the Proposed Action, as modified with the modifications adopted herein, is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable; and

(3) The adverse environmental impacts disclosed in the FGEIS and the CEQR Technical Memorandum will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, in accordance with environmental commitment letters, dated August 15, 2012, from HPD and August 15, 2012, from NYCEDC, those project components related to the environment and mitigation measures that were identified as practicable.

(4) The Decision together with the FGEIS and the CEQR Technical Memorandum constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of the decision, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, N 120227 ZRM, incorporated by reference herein, the Council approves the Decision.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended as follows:

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

Article VII
Chapter 4
Special Permits by the City Planning Commission

74-74
Large-Scale General Development

* * *

74-743
Special provisions for bulk modification

(a) For a #large-scale general development#, the City Planning Commission may permit:

(1) distribution of total allowable #floor area#, #rooming units#, #dwelling units#, #lot coverage# and total required #open space# under the applicable district regulations within a #large-scale general development# without regard for #zoning lot lines# or district boundaries, subject to the following limitations:

(i) no distribution of #bulk# across the boundary of two districts shall be permitted for a #use# utilizing such #bulk# unless such #use# is permitted in both districts;

(ii) when a #large-scale general development# is located partially in a #Residence District# or in a C1, C2, C3 or C4-1 District and partially in other #Commercial# or #Manufacturing Districts#, no transfer of commercial #floor area# to a #Residence District# or to a C1, C2, C3 or C4-1 District from other districts shall be permitted~~;~~ except that for a #large-scale general development# located partially or wholly within the former Seward Park Extension Urban Renewal Area, a transfer of commercial #floor area# from a C6 District to a C2 District may be permitted;

(2) location of #buildings# without regard for the applicable #yard#, #court#, distance between #buildings#, or height and setback regulations;

* * *

(8) in an #Inclusionary Housing designated area# in a C4-7 District within the boundaries of Manhattan Community District 7, for the purpose of applying the Inclusionary Housing Program within such #Inclusionary Housing designated area#, as set forth in a restrictive declaration:

(i) modification of the base and maximum #floor area ratios# specified in Section 23-952 (Floor area compensation in Inclusionary Housing designated areas), not to exceed the maximum #floor area ratios# permitted by the underlying district, based on a proportionality between #affordable floor area#, as defined in Section 23-911, and #residential floor area# in #buildings# containing multiple #uses#; and

(ii) modification of the requirements regarding distribution of #affordable housing units#, as defined in Section 23-911, specified in paragraph (b) of Section 23-96 (Requirements for Generating Sites);~~or~~

(9) within the boundaries of Community District 3 in the Bronx, portions of any #building#, at any level, that contain permitted or required #accessory# off-street parking spaces, to be excluded from the calculation of #lot coverage#~~;~~ or

(10)for a #large-scale general development# located partially or wholly within the former Seward Park Extension Urban Renewal Area, waiver of the planting requirements of Section 23-892 (In R6 through R10 Districts), provided the area between the #street line# and the #street walls# of the #building# and their prolongations is to be improved as a publicly accessible widened sidewalk.

(b) In order to grant a special permit pursuant to this Section for any #large-scale general development#, the Commission shall find that:

(1) the distribution of #floor area#, #open space#, #dwelling units#, #rooming units# and the location of #buildings#, primary business entrances and #show windows# will result in a better site plan and a better relationship among #buildings# and open areas to adjacent #streets#, surrounding development, adjacent open areas and shore lines than would be possible without such distribution and will thus benefit both the occupants of the #large-scale general development#, the neighborhood and the City as a whole;

(2) the distribution of #floor area# and location of #buildings# will not unduly increase the #bulk# of #buildings# in any one #block# or unduly obstruct access of light and air to the detriment of the occupants or users of #buildings# in the #block# or nearby #blocks# or of people using the public #streets#;

(3) where a #zoning lot# of a #large-scale general development# does not occupy a frontage on a mapped #street#, appropriate access to a mapped #street# is provided;

(4) considering the size of the proposed #large-scale general development#, the #streets# providing access to such #large-scale general development# will be adequate to handle traffic resulting therefrom;

(5) when the Commission has determined that the #large-scale general development# requires significant addition to existing public facilities serving the area, the applicant has submitted to the Commission a plan and timetable to provide such required additional facilities. Proposed facilities that are incorporated into the City's capital budget may be included as part of such plan and timetable;

(6) where the Commission permits the maximum #floor area ratio# in accordance with the provisions of paragraph (a)(4) of this Section, the #open space# provided is of sufficient size to serve the residents of new or #enlarged buildings#. Such #open space# shall be accessible to and usable by all residents of such new or #enlarged buildings#, have appropriate access, circulation, seating, lighting and paving, and be substantially landscaped. Furthermore, the site plan of such #large-scale general development# shall include superior landscaping for #open space# of the new or #enlarged buildings#;

(7) where the Commission permits the exclusion of #lot area# or #floor area# in accordance with the provisions of paragraph (a)(5) of this Section or modification of the base and maximum #floor area ratios# or requirements regarding distribution of #affordable housing units# in accordance with paragraph (a)(8) of this Section, such modification will facilitate a desirable mix of #uses# in the #large-scale general development# and a plan consistent with the objectives of the Inclusionary Housing Program and those of Section 74-74 (Large-Scale General Development) with respect to better site planning;

(8) where the Commission permits portions of #buildings# containing #accessory# parking spaces to be excluded from the calculation of #lot coverage# in accordance with the provisions of paragraph (a)(7) of this Section, the exclusion of #lot coverage# will result in a better site plan and a better relationship among #buildings# and open areas than would be possible without such exclusion and therefore will benefit the residents of the #large-scale general development#; and

(9) a declaration with regard to ownership requirements in paragraph (b) of the #large-scale general development# definition in Section 12-10 (DEFINITIONS) has been filed with the Commission.

The Commission may prescribe additional conditions and safeguards to improve the quality of the #large-scale general development# and to minimize adverse effects on the character of the surrounding area.

For a phased construction program of a multi-#building# complex, the Commission may, at the time of granting a special permit, require additional information, including but not limited to a proposed time schedule for carrying out the proposed #large-scale general development#, a phasing plan showing the distribution of #bulk# and #open space# and, in the case of a site plan providing for common #open space#, common open areas or common parking areas, a maintenance plan for such space or areas and surety for continued availability of such space or areas to the people they are intended to serve.

* * *

74-744
Modification of use regulations

- (a) #Use# modifications
- (1) Waterfront and related #commercial uses#

In a C4 District, the City Planning Commission may modify applicable district regulations to allow certain boating and related #uses# listed in Use Group 14A, not otherwise allowed in such district, provided the Commission shall find that:

- (i) the #uses# are appropriate for the location and blend harmoniously with the rest of the #large-scale general development#; and
- (ii) the #streets# providing access to such #uses# will be adequate to handle the traffic generated thereby.
- (2) Automotive sales and service #uses#

For #large-scale general developments#, previously approved by the City Planning Commission, in a C4-7 District within the boundaries of Manhattan Community District 7, the City Planning Commission may modify applicable district regulations to allow automotive sales and service establishments that include repair services and preparation for delivery, provided the Commission shall find that:

- (i) the portion of the establishment used for the servicing and preparation of automobiles is located entirely in a #cellar# level and below grade or established

#curb level#, and the ground floor level of such establishment is used only for showrooms and sales;

- (ii) sufficient indoor space for storage of vehicles for sale or service has been provided; and
- (iii) such #use# will not create or contribute to serious traffic congestion and will not unduly inhibit surface traffic or adversely affect pedestrian movement.

(3) Retail Establishments

For a #large-scale general development# located partially or wholly within the former Seward Park Extension Urban Renewal Area, the City Planning Commission may modify applicable district regulations to allow Use Groups 10, 11A and 12A except for arenas or auditoriums, skating rinks, public auction rooms, trade expositions and stadiums, provided the Commission finds that:

- (i) such #uses# will not impair the character of future #uses# or development of the surrounding area; and
- (ii) the #streets# providing access to such #uses# will be adequate to handle the traffic generated thereby.

- (b) Location of #commercial uses#

For any #large-scale general development#, the City Planning Commission may permit #residential# and non-#residential uses# to be arranged within a #building# without regard for the regulations set forth in Section 32-42 (Location within Buildings), provided the Commission shall find:

- (1) the #commercial uses# are located in a portion of the #mixed building# that has separate access to the outside with no opening of any kind to the #residential# portion of the #building# at any #story#;
- (2) the #commercial uses# are not located directly over any #story# containing #dwelling units#; and
- (3) the modifications shall not have any adverse effect on the #uses# located within the #building#.

(c) Modifications of #sign# regulations

(1) In all #Commercial# or #Manufacturing Districts#, the City Planning Commission may, for #developments# or #enlargements# subject to the provisions of paragraphs (a)(1), (a)(2) or (a)(3) of Section 74-743 (Special provisions for bulk modification), permit the modification of the applicable provisions of Sections 32-64 (Surface Area and Illumination Provisions), 32-65 (Permitted Projection or Height of Signs), 32-66 (Additional Regulations for Signs Near Certain Parks and Designated Arterial Highways), 42-53 (Surface Area and Illumination Provisions), 42-54 (Permitted Projection or Height of Signs), 42-55 (Additional Regulations for Signs Near Certain Parks and Designated Arterial Highways) and the limitations on the location of #signs# in Sections 32-51 and 42-44 (Limitations on Business Entrances, Show Windows or Signs), provided the Commission finds that such modification will result in a better site plan.

(2) For a #large-scale general development# located partially or wholly within the former Seward Park Extension Urban Renewal Area, the City Planning Commission, by authorization, may make the #sign# regulations of a C6-1 District applicable to those portions of such #large-scale general development# within a C2 District, and in addition, may modify the provisions of Section 32-68 (Permitted Signs on Residential or Mixed Buildings) to allow #signs accessory# to non-#residential uses# above the level of the finished floor of the third #story#, provided such #signs# do not exceed a height of 40 feet above #curb level#. In order to grant such authorizations, the Commission shall find that such modifications are consistent with the amount, type and location of #commercial uses# that the Commission finds appropriate within such #large-scale general development#.

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

* * *

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, DIANA REYNA, CHARLES BARRON, ROBERT JACKSON, ALBERT VANN, SARA M. GONZALEZ, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, JAMES VACCA, PETER

A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS; Committee on Land Use, October 4, 2012

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Report for L.U. No. 690 & Res 1553

Report of the Committee on Land Use in favor of approving Application No. C 120228 ZSM submitted by the NYC Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the grant a special permit pursuant Sections 74-743(a)(1), 74-743 (a)(2) and 74-743 (a)(10), in connection with a proposed mixed use development, within a large-scale general development (Block 346, p/o Lot 40; Block 347, Lot 71; Block 352, Lots 1 and 28; and Block 409, Lot 56) in R8/C2-5 and C6-1 districts, partially within the former Seward Park Extension Urban Renewal Area, Borough of Manhattan, Community Board 3, Council District 1. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to §197-d(b)(2) of the Charter or called up by a vote of the Council pursuant to 197-d(b)(3) of the Charter.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on September 12, 2012 (Minutes, page 3507), respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 3C 120228 ZSM

City Planning Commission decision approving an application submitted by the NYC Department of Housing Preservation and Development 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.

74-743(a)(1) to modify the applicable district regulations to allow the distribution of total allowable floor area, dwelling units and lot coverage under the applicable district regulations within a large-scale general development without regard for zoning lot lines or district boundaries;
2.

74-743(a)(2) to modify the applicable district regulations to allow the location of buildings without regard for the applicable yard, court, distance between buildings, height and setback regulations; and
3.

74-743(a)(10) to modify the applicable district regulations to allow the areas of the zoning lot between the street line and the street walls of the proposed buildings to be improved as publicly-accessible widened sidewalk;

in connection with a proposed mixed use development, within a large-scale general development bounded by Delancey Street, a line 150 feet easterly of Clinton Street, Broome Street, Clinton Street, Grand Street, Suffolk Street, Broome Street, Essex Street, a line 95.62 feet northerly of Broome Street, a line 50.54 feet westerly of Essex Street, Broome Street, Ludlow Street, a line 155 feet northerly of Broome Street, and Essex Street (Block 346, p/o Lot 40, Block 347, Lot 71, Block 352, Lots 1 & 28, and Block 409, Lot 56), in R8/C2-5 and C6-1 Districts, partially within the former Seward Park Extension Urban Renewal Area.

INTENT

To facilitate an approximately 1.65 million-square foot, mixed-use development on nine city-owned sites in Community District 3 in Manhattan.

PUBLIC HEARING

DATE: September 19, 2012

Witnesses in Favor: Thirty-two
Twelve

Witnesses Against:

SUBCOMMITTEE RECOMMENDATION

DATE: September 27, 2012

The Subcommittee recommends that the Land Use Committee approve the decision of the City Planning Commission with modifications.

In Favor:	Against:	Abstain:
Levin	None	
None		
Gonzalez		
Koo		

COMMITTEE ACTION

DATE: September 27, 2012

The Committee recommends that the Council approve the attached resolution.

In Favor:	Against:	Abstain:
Rivera	None	
None		
Reyna		
Jackson		
Sanders		
Cont’d		
Vann		
Gonzalez		
Palma		
Arroyo		
Garodnick		
Lappin		
Mendez		
Vacca		
Koo		
Lander		
Levin		
Weprin		
Williams		
Ignizio		
Halloran		

FILING OF MODIFICATIONS WITH THE CITY PLANNING COMMISSION

The Committee's proposed modifications were filed with the City Planning Commission on September 28, 2012. The City Planning Commission filed a letter with the Council on October 2, 2012, dated October 1, 2012, referring to its October 1, 2012 Review Session, indicating that the proposed modifications are not subject to additional environmental review or additional review pursuant to Section 197-c of the City Charter.

In connection herewith, Council Members Comrie and Levin offered the following resolution:

Res. No. 1553

Resolution approving with modifications the decision of the City Planning Commission on ULURP No. C 120228 ZSM (L.U. No. 690), for the grant of special permits pursuant to the following Sections of the Zoning Resolution of the City of New York: 74-743(a)(1) to modify the applicable district regulations to allow the distribution of total allowable floor area, dwelling units and lot coverage under the applicable district regulations within a large-scale general development without regard for zoning lot lines or district boundaries; 74-743(a)(2) to modify the applicable district regulations to allow the location of buildings without regard for the applicable yard, court, distance between buildings, height and setback regulations; and 74-743(a)(10) to modify the applicable district regulations to allow the areas of the zoning lot between the street line and the street walls of the proposed buildings to be improved as publicly-accessible widened sidewalk.

By Council Members Comrie and Levin.

WHEREAS, the City Planning Commission filed with the Council on August 24, 2012 its decision dated August 22, 2012 (the "Decision"), on the application submitted by the NYC Department of Housing Preservation and Development (HPD), pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to the following sections of the Zoning Resolution of the City of New York:

1. 74-743(a)(1) to modify the applicable district regulations to allow the distribution of total allowable floor area, dwelling units and lot coverage under the applicable district regulations within a large-scale general development without regard for zoning lot lines or district boundaries;
2. 74-743(a)(2) to modify the applicable district regulations to allow the location of buildings without regard for the applicable yard, court, distance between buildings, height and setback regulations; and
3. 74-743(a)(10) to modify the applicable district regulations to allow the areas of the zoning lot between the street line and the street walls of the proposed buildings to be improved as publicly-accessible widened sidewalk;

in connection with a proposed mixed use development, within a large-scale general development bounded by Delancey Street, a line 150 feet easterly of Clinton Street, Broome Street, Clinton Street, Grand Street, Suffolk Street, Broome Street, Essex Street, a line 95.62 feet northerly of Broome Street, a line 50.54 feet westerly of Essex Street, Broome Street, Ludlow Street, a line 155 feet northerly of Broome Street, and Essex Street (Block 346, p/o Lot 40; Block 347, Lot 71; Block 352, Lots 1 and 28; and Block 409, Lot 56), in R8/C2-5 and C6-1 Districts, partially within the former Seward Park Extension Urban Renewal Area, (ULURP No. C 120228 ZSM), Community District 3, Borough of Manhattan (the "Application");

WHEREAS, the Application is related to Application C 120226 ZMM (L.U. No. 688), a proposed amendment to the Zoning Map, Section No. 12c, establishing a C2-5 District within an existing R8 District; N 120227 ZRM (L.U. No. 689), a proposed amendment to the Zoning Resolution, modifying Sections 74-743 (Special Provisions for Bulk Modifications) and 74-744 (Modification of Use Regulations) concerning special permit regulations for large-scale general developments, relating to the former Seward Park Extension Urban Renewal Area; C 120229 ZSM (L.U. No. 691), a Special Permit, to modify the use regulations within a Large-Scale General Development; C 120231 ZSM (L.U. No. 692), a Special Permit, pursuant to Sections 13-562 and 74-52 of the Zoning Resolution, to allow a public parking garage on property bounded by Delancey Street, Norfolk Street, Broome Street and Essex Street (Site 2, Block 352, p/o Lot 1 and Lot 28), in a C6-1 District; C 120233 ZSM (L.U. No. 693), a Special Permit, pursuant to Sections 13-562 and 74-52 of the Zoning Resolution, to allow a public parking garage on property bounded by Delancey Street, Suffolk Street, Broome Street and Norfolk Street (Site 3, Block 346, p/o Lot 40), in an R8/C2-5 District; C 120234 ZSM (L.U. No. 694), a Special Permit, pursuant to Sections 13-562 and 74-52 of the Zoning Resolution, to allow a public parking on property bounded by Delancey Street, Clinton Street, Broome Street and Suffolk Street (Site 4, Block 346, p/o Lot 40), in an R8/C2-5 District; C 120235 ZSM (L.U. No. 695), a Special Permit, pursuant to Sections 13-562 and 74-52 of the Zoning Resolution, to allow a public parking garage on property bounded by Broome Street, Clinton Street Grand Street and Suffolk Street (Site 5, Block 346, p/o Lot 40), in an R8/C2-5 District; N 120236 HAM (L.U. No. 696), an Urban Development Action Area Project (UDAAP) designation and project approval, for properties located on Essex, Delancey, Norfolk, Grand, Stanton and Broome streets (Block 346, part of Lot 40; Block 347, Lot 71; Block 352, Lots 1, 28; Block 353, Lot 44; Block 354, Lots 1, 12; and Block 409, Lot 56), as an Urban Development Action Area, to facilitate the development of residential, community facility and commercial uses, including the redevelopment of the Essex Street Market; C 120237 PQM (L.U. No. 697), Acquisition of property bounded by Essex, Delancey, Norfolk, and Broome Streets (Block 352, p/o Lots 1 and 28), by the New York City Department of Citywide Administrative Services; C 120245 PPM (L.U. No. 698), Disposition of city-owned property (Block 346, p/o of Lot 40; Block 347, Lot 71; Block 352, Lots 1 and 28; Block 353, Lot 44; Block 354, Lots 1 and 12; and Block 409, Lot 56), by the New York City Department of Housing Preservation and Development to a future developer, or by the New York City Department of Citywide Administrative Services to the New York City Economic Development Corporation (NYCEDC) or a successor local development corporation; C 120156 MMM (L.U. No. 699), a proposed amendment to the City Map involving: the establishment of Broome Street between Norfolk Street and Clinton Street; the establishment of Suffolk Street between Grand Street and Delancey Street; the narrowing, by elimination, discontinuance and closing, of Clinton Street between Grand Street and Delancey Street; the narrowing, by elimination, discontinuance and closing, of Delancey Street between Norfolk Street and Clinton Street; the establishment of the name Delancey Street for the Unnamed Street between Clinton Street and Franklin D. Roosevelt Drive; and the adjustment of grades necessitated thereby, including authorization for any disposition or acquisition of real property related thereto, in accordance with Map No. 30236, dated March 14, 2012, and signed by the Borough President;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(3) of the City Charter;

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 74-743 of the Zoning Resolution of the City of New York;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on September 19, 2012;

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues and the Final Generic Environmental Impact Statement (“FGEIS”) for which a Notice of Completion was issued on August 10, 2012 and the CEQR Technical Memorandum dated October 1, 2012 (the “CEQR Technical Memorandum”) (CEQR No. 11DME012M);

RESOLVED:

Having considered the FGEIS and the CEQR Technical Memorandum with respect to the Decision and Application, the Council finds that:

- (1) The FGEIS meets the requirements of 6 N.Y.C.R.R. Part 617;

(2) Consistent with social, economic and other essential considerations, from among the reasonable alternatives thereto, the Proposed Action, as modified with the modifications adopted herein, is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable; and

(3) The adverse environmental impacts disclosed in the FGEIS and the CEQR Technical Memorandum will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, in accordance with environmental commitment letters, dated August 15, 2012, from HPD and August 15, 2012, from NYCEDC, those project components related to the environment and mitigation measures that were identified as practicable.

- (4) The Decision together with the FGEIS and the CEQR Technical Memorandum constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of the decision, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 120228 ZSM, incorporated by reference herein, the Council approves the Decision with the following modifications:

1. The development that is the subject of this application (C 120228 ZSM) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following approved plans prepared by Beyer Blinder Belle Architects & Planners LLP, filed with this application and incorporated in this resolution, and in accordance with the provisions and procedures set forth in the Restrictive Declaration:

Dwg. No.	Title	Last Date
001	Zoning Calculations (1 of 4)	03/21/2012
002	Zoning Calculations (2 of 4)	[03/21/2012] <u>09/27/2012</u>
003	Zoning Calculations (3 of 4)	03/21/2012
004	Zoning Calculations (4 of 4)	03/21/2012
008	Proposed Site Plan	03/21/2012
101	Proposed Site Plan- Zoning Lot 1	03/21/2012
102	Ground Floor Plan- Zoning Lot 1	03/21/2012
103	Building Envelope Diagrams- Zoning Lot 1	03/21/2012
104	Base Plane Diagram- Zoning Lot 1	03/21/2012
104N	Average Curb Level- Zoning Lot 1	03/21/2012
105M	Zoning Actions Plan (Mixed-Use)- Zoning Lot 1	03/21/2012
105N	Zoning Actions Plan (Non-Residential)- Zoning Lot 1	03/21/2012

Dwg. No.	Title	Date	Last
106M	Zoning Actions Sections (Mixed-Use)- Zoning Lot 1	03/21/2012	
106N	Zoning Actions Sections (Non-Residential)- Zoning Lot 1	03/21/2012	
201	Proposed Site Plan- Zoning Lot 2	03/21/2012	
202	Ground Floor Plan- Zoning Lot 2	[03/21/2012] 09/27/2012	
203.1	Building Envelope Diagrams- Zoning Lot 2	03/21/2012	
203.2	Building Envelope Diagrams- Zoning Lot 2	03/21/2012	
203.3	Building Envelope Diagrams- Zoning Lot 2	03/21/2012	
203.4	Building Envelope Diagrams- Zoning Lot 2	03/21/2012	
204M	Base Plane Diagram- Zoning Lot 2	03/21/2012	
204N	Average Curb Level- Zoning Lot 2	03/21/2012	
205M	Zoning Actions Plan (Mixed-Use)- Zoning Lot 2	03/21/2012	
205N	Zoning Actions Plan (Non-Residential)- Zoning Lot 2	03/21/2012	
206M	Zoning Actions Sections (Mixed-Use)- Zoning Lot 2	03/21/2012	
206N	Zoning Actions Sections (Non-Residential)- Zoning Lot 2	03/21/2012	
301	Proposed Site Plan- Zoning Lot 3	03/21/2012	
302	Ground Floor Plan- Zoning Lot 3	[03/21/2012] 09/27/2012	
303.1	Building Envelope Diagrams- Zoning Lot 3	03/21/2012	
303.2	Building Envelope Diagrams- Zoning Lot 3	03/21/2012	
303.3	Building Envelope Diagrams- Zoning Lot 3	03/21/2012	
304M	Base Plane Diagram- Zoning Lot 3	03/21/2012	
304N	Average Curb Level- Zoning Lot 3	03/21/2012	
305M	Zoning Actions Plan (Mixed-Use)- Zoning Lot 3	03/21/2012	
305N	Zoning Actions Plan (Non-Residential)- Zoning Lot 3	03/21/2012	
306M	Zoning Actions Sections (Mixed-Use)- Zoning Lot 3	03/21/2012	
306N	Zoning Actions Sections (Non-Residential)- Zoning Lot 3	03/21/2012	
307	Inner Court Diagrams- Zoning Lot 3	03/21/2012	
308	Outer Court Diagrams- Zoning Lot 3	03/21/2012	
401	Proposed Site Plan- Zoning Lot 4	03/21/2012	
402	Ground Floor Plan- Zoning Lot 4	[03/21/2012] 09/27/2012	
403.1	Building Envelope Diagrams- Zoning Lot 4	03/21/2012	
403.2	Building Envelope Diagrams- Zoning Lot 4	03/21/2012	
404M	Base Plane Diagram- Zoning Lot 4	03/21/2012	
405M	Zoning Actions Plan (Mixed-Use)- Zoning Lot 4	03/21/2012	
406M	Zoning Actions Sections (Mixed-Use)- Zoning Lot 4	03/21/2012	
407	Inner Court Diagrams- Zoning Lot 4	03/21/2012	
408	Outer Court Diagrams- Zoning Lot 4	03/21/2012	
501	Proposed Site Plan- Zoning Lot 5	03/21/2012	
502	Ground Floor Plan- Zoning Lot 5	03/21/2012	
503	Building Envelope Diagrams- Zoning Lot 5	03/21/2012	
504M	Base Plane Diagram- Zoning Lot 5	03/21/2012	

Dwg. No.	Title	Date	Last
505M	Zoning Actions Plan (Mixed-Use)- Zoning Lot 5	03/21/2012	
506M	Zoning Actions Sections (Mixed-Use)- Zoning Lot 5	03/21/2012	
507	Inner Court Diagrams- Zoning Lot 5	03/21/2012	
508	Outer Court Diagrams- Zoning Lot 5	03/21/2012	
601	Proposed Site Plan- Zoning Lot 6	03/21/2012	
602	Ground Floor Plan- Zoning Lot 6	03/21/2012	
603	Building Envelope Diagrams- Zoning Lot 6	03/21/2012	
604M	Base Plane Diagram- Zoning Lot 6	03/21/2012	
604N	Average Curb Level- Zoning Lot 6	03/21/2012	
605M	Zoning Actions Plan (Mixed-Use)- Zoning Lot 6	03/21/2012	
605N	Zoning Actions Plan (Non-Residential)- Zoning Lot 6	03/21/2012	
606M	Zoning Actions Sections (Mixed-Use)- Zoning Lot 6	03/21/2012	
606N	Zoning Actions Sections (Non-Residential)- Zoning Lot 6	03/21/2012	

2. The development which is the subject of this application shall conform to all applicable laws and regulations relating to their construction, operation and maintenance.

3. Development pursuant to this resolution shall be allowed only after the restrictive declaration attached to the City Planning Commission Report C 120228 ZSM as Exhibit A, with such administrative changes as are acceptable to Counsel to the Department of City Planning, has been executed and recorded in the Office of the Register, New York County. Such restrictive declaration shall be deemed incorporated herein as a condition of this resolution.

4. In the event the property that is the subject of the application is developed as, sold as, or converted to condominium units, a homeowners’ association, or cooperative ownership, a copy of this report and resolution and any subsequent modifications shall be provided to the Attorney General of the State of New York at the time of application for any such condominium, homeowners’ or cooperative offering plan and, if the Attorney General so directs, shall be incorporated in full in any offering documents relating to the property.

5. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sub-lessee or occupant.

6. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms, or conditions of this resolution and the restrictive declarations whose provisions shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, cancellation, or amendment of the special permit hereby granted or of the restrictive declarations.

7. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city or such employees or agents failure to act in accordance with the provisions of this special permit.

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, DIANA REYNA, CHARLES BARRON, ROBERT JACKSON, ALBERT VANN, SARA M. GONZALEZ, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, JAMES VACCA, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS; Committee on Land Use, October 4, 2012

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Report for L.U. No. 691 & Res 1554

Report of the Committee on Land Use in favor of approving Application No. C 120229 ZSM submitted by the NYC Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the grant special permit pursuant Sections 74-744(a)(3) and Section 74-744(b) to modify applicable district use regulations in connection with a proposed mixed use development, within a large-scale general development (Block 346, p/o Lot 40; Block 347, Lot 71; Block 352, Lots 1 and 28; and Block 409, Lot 56) in R8/C2-5 and C6-1 districts, partially within the former Seward Park Extension Urban Renewal Area, Borough of Manhattan, Community Board 3, Council District 1. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to §197-d(b)(2) of the Charter or called up by a vote of the Council pursuant to 197-d(b)(3) of the Charter.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on September 12, 2012 (Minutes, page 3508), respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 3 C 120229 ZSM

City Planning Commission decision approving the application submitted by the NYC Department of Housing Preservation and Development 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. 74-744(a)(3) to modify the applicable district regulations to allow Use Groups 10, 11A and 12A except for arenas or auditoriums, skating rinks, public auction rooms, trade expositions and stadiums, within the R8/C2-5 District; and
2. 74-744(b) to modify the applicable district regulations to allow residential and non-residential uses to be arranged within a building without regard for the location requirements of Section 32-42;

in connection with a proposed mixed use development, within a large-scale general development bounded by Delancey Street, a line 150 feet easterly of Clinton Street, Broome Street, Clinton Street, Grand Street, Suffolk Street, Broome Street, Essex Street, a line 95.62 feet northerly of Broome Street, a line 50.54 feet westerly of Essex Street, Broome Street, Ludlow Street, a line 155 feet northerly of Broome Street, and Essex Street (Block 346, p/o Lot 40, Block 347, Lot 71, Block 352, Lots 1 & 28, and Block 409, Lot 56), in R8/C2-5 and C6-1 Districts, partially within the former Seward Park Extension Urban Renewal Area.

INTENT

To facilitate an approximately 1.65 million-square foot, mixed-use development on nine city-owned sites in Community District 3 in Manhattan.

PUBLIC HEARING

DATE: September 19, 2012

Witnesses in Favor: Thirty-two Twelve Witnesses Against:

SUBCOMMITTEE RECOMMENDATION

DATE: September 27, 2012

The Subcommittee recommends that the Land Use Committee approve the decision of the City Planning Commission with modifications.

In Favor:	Against:	Abstain:
Levin	None	
None		
Gonzalez		
Koo		

COMMITTEE ACTION

DATE: September 27, 2012

The Committee recommends that the Council approve the attached resolution.

In Favor:	Against:	Abstain:
Rivera	None	
None		
Reyna		
Jackson		
Sanders		
Cont’d		
Vann		
Gonzalez		
Palma		
Arroyo		
Garodnick		
Lappin		
Mendez		
Vacca		
Koo		
Lander		
Levin		
Weprin		
Williams		
Ignizio		
Halloran		

FILING OF MODIFICATIONS WITH THE CITY PLANNING COMMISSION

The Committee's proposed modifications were filed with the City Planning Commission on September 28, 2012. The City Planning Commission filed a letter with the Council on October 2, 2012, dated October 1, 2012, referring to its October 1, 2012 Review Session, indicating that the proposed modifications are not subject to additional environmental review or additional review pursuant to Section 197-c of the City Charter.

In connection herewith, Council Members Comrie and Levin offered the following resolution:

Res. No. 1554

Resolution approving with modifications the decision of the City Planning Commission on ULURP No. C 120229 ZSM (L.U. No. 691), for the grant of special permits pursuant to the following Sections of the Zoning Resolution of the City of New York: 74-744(a)(3) to modify the applicable district regulations to allow Use Groups 10, 11A and 12A except for arenas or auditoriums, skating rinks, public auction rooms, trade expositions and stadiums within the R8/C2-5 District; and 74-744(b) to modify the applicable district regulations to allow residential and non-residential uses to be arranged within a building without regard for the location requirements of Section 32-42.

By Council Members Comrie and Levin.

WHEREAS, the City Planning Commission filed with the Council on August 24, 2012 its decision dated August 22, 2012 (the "Decision"), on the application submitted by the NYC Department of Housing Preservation and Development (HPD), pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to the following sections of the Zoning Resolution of the City of New York:

74-744(a)(3) to modify the applicable district regulations to allow Use Groups 10, 11A and 12A except for arenas or auditoriums, skating rinks, public auction rooms, trade expositions and stadiums within the R8/C2-5 District; and

74-744(b) to modify the applicable district regulations to allow residential and non-residential uses to be arranged within a building without regard for the location requirements of Section 32-42;

in connection with a proposed mixed use development, within a large-scale general development bounded by Delancey Street, a line 150 feet easterly of Clinton Street, Broome Street, Clinton Street, Grand Street, Suffolk Street, Broome Street, Essex Street, a line 95.62 feet northerly of Broome Street, a line 50.54 feet westerly of Essex Street, Broome Street, Ludlow Street, a line 155 feet northerly of Broome Street, and Essex Street (Block 346, p/o Lot 40, Block 347, Lot 71, Block 352, Lots 1 and 28, and Block 409, Lot 56), in R8/C2-5 and C6-1 Districts, partially within the former Seward Park Extension Urban Renewal Area, (ULURP No. C 120229 ZSM), Community District 3, Borough of Manhattan (the "Application");

WHEREAS, the Application is related to Application C 120226 ZMM (L.U. No. 688), a proposed amendment to the Zoning Map, Section No. 12c, establishing a C2-5 District within an existing R8 District; N 120227 ZRM (L.U. No. 689), a proposed amendment to the Zoning Resolution, modifying Sections 74-743 (Special Provisions for Bulk Modifications) and 74-744 (Modification of Use Regulations) concerning special permit regulations for large-scale general developments, relating to the former Seward Park Extension Urban Renewal Area; C 120228 ZSM (L.U. No. 690), a Special Permit, to modify the bulk regulations within a Large-Scale General Development; C 120231 ZSM (L.U. No. 692), a Special Permit, pursuant to Sections 13-562 and 74-52 of the Zoning Resolution, to allow a public parking garage on property bounded by Delancey Street, Norfolk Street, Broome Street and Essex Street (Site 2, Block 352, p/o Lot 1 and Lot 28), in a C6-1 District; C 120233 ZSM (L.U. No. 693), a Special Permit, pursuant to Sections 13-562 and 74-52 of the Zoning Resolution, to allow a public parking garage on property bounded by Delancey Street, Suffolk Street, Broome Street and Norfolk Street (Site 3, Block 346, p/o Lot 40), in an R8/C2-5 District; C 120234 ZSM (L.U. No. 694), a Special Permit, pursuant to Sections 13-562 and 74-52 of the Zoning Resolution, to allow a public parking on property bounded by Delancey Street, Clinton Street, Broome Street and Suffolk Street (Site 4, Block 346, p/o Lot 40), in an R8/C2-5 District; C 120235 ZSM (L.U. No. 695), a Special Permit, pursuant to Sections 13-562 and 74-52 of the Zoning Resolution, to allow a public parking garage on property bounded by Broome Street, Clinton Street Grand Street and Suffolk Street (Site 5, Block 346, p/o Lot 40), in an R8/C2-5 District; N 120236 HAM (L.U. No. 696), an Urban Development Action Area Project (UDAAP) designation and project approval, for properties located on Essex, Delancey, Norfolk, Grand, Stanton and Broome streets (Block 346, part of Lot 40; Block 347, Lot 71; Block 352, Lots 1, 28; Block 353, Lot 44; Block 354, Lots 1, 12; and Block 409, Lot 56), as an Urban Development Action Area, to facilitate the development of residential, community facility and commercial uses, including the redevelopment of the Essex Street Market; C 120237 PQM (L.U. No. 697), Acquisition of property bounded by Essex, Delancey, Norfolk, and Broome Streets (Block 352, p/o Lots 1 and 28), by the New York City Department of Citywide Administrative Services; C 120245 PPM (L.U. No. 698), Disposition of city-owned property (Block 346, p/o of Lot 40; Block 347, Lot 71; Block 352, Lots 1 and 28; Block 353, Lot 44; Block 354, Lots 1 and 12; and Block 409, Lot 56), by the New York City Department of Housing Preservation and Development to a future developer, or by the New York City Department of Citywide Administrative Services to the New York City Economic Development Corporation (NYCEDC) or a successor local development corporation; C 120156 MMM (L.U. No. 699), a proposed amendment to the City Map involving: the establishment of Broome Street between Norfolk Street and Clinton Street; the establishment of Suffolk Street between Grand Street and Delancey Street; the narrowing, by elimination, discontinuance and closing, of Clinton Street between Grand Street and Delancey Street; the narrowing, by elimination, discontinuance and closing, of Delancey Street between Norfolk Street and Clinton Street; the establishment of the name Delancey Street for the Unnamed Street between Clinton Street and Franklin D. Roosevelt Drive; and the adjustment of grades necessitated thereby, including authorization for any disposition or acquisition of real property related thereto, in accordance with Map No. 30236, dated March 14, 2012, and signed by the Borough President;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(3) of the City Charter;

WHEREAS, the City Planning Commission has made the findings required pursuant to Sections 74-744(a)(3) and 74-744(b) of the Zoning Resolution of the City of New York;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on September 19, 2012;

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues and the Final Generic Environmental Impact Statement (“FGEIS”) for which a Notice of Completion was issued on August 10, 2012 and the CEQR Technical Memorandum dated October 1, 2012 (the “CEQR Technical Memorandum”) (CEQR No. 11DME012M);

RESOLVED:

Having considered the FGEIS and the CEQR Technical Memorandum with respect to the Decision and Application, the Council finds that:

- (1) The FGEIS meets the requirements of 6 N.Y.C.R.R. Part 617;

Consistent with social, economic and other essential considerations, from among the reasonable alternatives thereto, the Proposed Action, as modified with the modifications adopted herein, is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable; and

The adverse environmental impacts disclosed in the FGEIS and the CEQR Technical Memorandum will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, in accordance with environmental commitment letters, dated August 15, 2012, from HPD and August 15, 2012, from NYCEDC, those project components related to the environment and mitigation measures that were identified as practicable.

The Decision together with the FGEIS and the CEQR Technical Memorandum constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of the decision, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 120229 ZSM, incorporated by reference herein, the Council approves the Decision with the following modifications:

The development that is the subject of this application (C 120229 ZSM) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following approved plans prepared by Beyer Blinder Belle Architects & Planners LLP, filed with this application and incorporated in this resolution, and in accordance with the provisions and procedures set forth in the Restrictive Declaration:

Dwg. No.	Title	Last Date
001	Zoning Calculations (1 of 4)	03/21/2012
002	Zoning Calculations (2 of 4)	[03/21/2012] <u>09/27/2012</u>
003	Zoning Calculations (3 of 4)	03/21/2012
004	Zoning Calculations (4 of 4)	03/21/2012
008	Proposed Site Plan	03/21/2012
101	Proposed Site Plan- Zoning Lot 1	03/21/2012
102	Ground Floor Plan- Zoning Lot 1	03/21/2012
103	Building Envelope Diagrams- Zoning Lot 1	03/21/2012
104	Base Plane Diagram- Zoning Lot 1	03/21/2012
104N	Average Curb Level- Zoning Lot 1	03/21/2012
105M	Zoning Actions Plan (Mixed-Use)- Zoning Lot 1	03/21/2012
105N	Zoning Actions Plan (Non-Residential)- Zoning Lot 1	03/21/2012
106M	Zoning Actions Sections (Mixed-Use)- Zoning Lot 1	03/21/2012
106N	Zoning Actions Sections (Non-Residential)- Zoning Lot 1	03/21/2012
201	Proposed Site Plan- Zoning Lot 2	03/21/2012
202	Ground Floor Plan- Zoning Lot 2	[03/21/2012] <u>09/27/2012</u>
203.1	Building Envelope Diagrams- Zoning Lot 2	03/21/2012
203.2	Building Envelope Diagrams- Zoning Lot 2	03/21/2012
203.3	Building Envelope Diagrams- Zoning Lot 2	03/21/2012

Dwg. No.	Title	Last Date
203.4	Building Envelope Diagrams- Zoning Lot 2	03/21/2012
204M	Base Plane Diagram- Zoning Lot 2	03/21/2012
204N	Average Curb Level- Zoning Lot 2	03/21/2012
205M	Zoning Actions Plan (Mixed-Use)- Zoning Lot 2	03/21/2012
205N	Zoning Actions Plan (Non-Residential)- Zoning Lot 2	03/21/2012
206M	Zoning Actions Sections (Mixed-Use)- Zoning Lot 2	03/21/2012
206N	Zoning Actions Sections (Non-Residential)- Zoning Lot 2	03/21/2012
301	Proposed Site Plan- Zoning Lot 3	03/21/2012
302	Ground Floor Plan- Zoning Lot 3	[03/21/2012] <u>09/27/2012</u>
303.1	Building Envelope Diagrams- Zoning Lot 3	03/21/2012
303.2	Building Envelope Diagrams- Zoning Lot 3	03/21/2012
303.3	Building Envelope Diagrams- Zoning Lot 3	03/21/2012
304M	Base Plane Diagram- Zoning Lot 3	03/21/2012
304N	Average Curb Level- Zoning Lot 3	03/21/2012
305M	Zoning Actions Plan (Mixed-Use)- Zoning Lot 3	03/21/2012
305N	Zoning Actions Plan (Non-Residential)- Zoning Lot 3	03/21/2012
306M	Zoning Actions Sections (Mixed-Use)- Zoning Lot 3	03/21/2012
306N	Zoning Actions Sections (Non-Residential)- Zoning Lot 3	03/21/2012
307	Inner Court Diagrams- Zoning Lot 3	03/21/2012
308	Outer Court Diagrams- Zoning Lot 3	03/21/2012
401	Proposed Site Plan- Zoning Lot 4	03/21/2012
402	Ground Floor Plan- Zoning Lot 4	[03/21/2012] <u>09/27/2012</u>
403.1	Building Envelope Diagrams- Zoning Lot 4	03/21/2012
403.2	Building Envelope Diagrams- Zoning Lot 4	03/21/2012
404M	Base Plane Diagram- Zoning Lot 4	03/21/2012
405M	Zoning Actions Plan (Mixed-Use)- Zoning Lot 4	03/21/2012
406M	Zoning Actions Sections (Mixed-Use)- Zoning Lot 4	03/21/2012
407	Inner Court Diagrams- Zoning Lot 4	03/21/2012
408	Outer Court Diagrams- Zoning Lot 4	03/21/2012
501	Proposed Site Plan- Zoning Lot 5	03/21/2012
502	Ground Floor Plan- Zoning Lot 5	03/21/2012
503	Building Envelope Diagrams- Zoning Lot 5	03/21/2012
504M	Base Plane Diagram- Zoning Lot 5	03/21/2012
505M	Zoning Actions Plan (Mixed-Use)- Zoning Lot 5	03/21/2012
506M	Zoning Actions Sections (Mixed-Use)- Zoning Lot 5	03/21/2012
507	Inner Court Diagrams- Zoning Lot 5	03/21/2012
508	Outer Court Diagrams- Zoning Lot 5	03/21/2012
601	Proposed Site Plan- Zoning Lot 6	03/21/2012
602	Ground Floor Plan- Zoning Lot 6	03/21/2012
603	Building Envelope Diagrams- Zoning Lot 6	03/21/2012
604M	Base Plane Diagram- Zoning Lot 6	03/21/2012
604N	Average Curb Level- Zoning Lot 6	03/21/2012
605M	Zoning Actions Plan (Mixed-Use)- Zoning Lot 6	03/21/2012
605N	Zoning Actions Plan (Non-Residential)- Zoning Lot 6	03/21/2012
606M	Zoning Actions Sections (Mixed-Use)- Zoning Lot 6	03/21/2012
606N	Zoning Actions Sections (Non-Residential)- Zoning Lot 6	03/21/2012

2. The development which is the subject of this application shall conform to all applicable laws and regulations relating to their construction, operation and maintenance.

3. Development pursuant to this resolution shall be allowed only after the restrictive declaration attached to the City Planning Commission Report C 120228 ZSM as Exhibit A, with such administrative changes as are acceptable to Counsel to the Department of City Planning, has been executed and recorded in the Office of the Register, New York County. Such restrictive declaration shall be deemed incorporated herein as a condition of this resolution.

4. In the event the property that is the subject of the application is developed as, sold as, or converted to condominium units, a homeowners’ association, or cooperative ownership, a copy of this report and resolution and any subsequent modifications shall be provided to the Attorney General of the State of New York at the time of application for any such condominium, homeowners’ or cooperative offering plan and, if the Attorney General so directs, shall be incorporated in full in any offering documents relating to the property.

5. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sub-lessee or occupant.

6. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms, or conditions of this resolution and the restrictive declarations whose provisions shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, cancellation, or amendment of the special permit hereby granted or of the restrictive declarations.

7. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city or such employees or agents failure to act in accordance with the provisions of this special permit.

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, DIANA REYNA, CHARLES BARRON, ROBERT JACKSON, ALBERT VANN, SARA M. GONZALEZ, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, JAMES VACCA, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS; Committee on Land Use, October 4, 2012

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Report for L.U. No. 692 & Res 1555
Report of the Committee on Land Use in favor of approving Application no. C 120231 ZSM submitted by the NYC Department of Housing Preservation & Development pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant Sections 13-562 and 74-52 of the Zoning Resolution to allow a public parking garage with a maximum capacity of 168 spaces on portions of the ground floor, cellar level 1 and cellar level 2 of a proposed development on property bounded by Delancey Street, Norfolk Street, Broome Street and Essex Street (Site 2, Block 353, p/o Lot 1 and Lot 28), in a C6-1 District, Borough of Manhattan, Community Board 3, Council District 1. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to §197-d(b)(2) of the Charter or called up by a vote of the Council pursuant to 197-d(b)(3) of the Charter.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on September 12, 2012 (Minutes, page 3508), respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 3C 120231 ZSM

City Planning Commission decision approving the application submitted by the NYC 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 Sections 13-562 and 74-52 of the Zoning Resolution to allow a public parking garage with a maximum capacity of 168 spaces on portions of the ground floor, cellar level 1 and cellar level 2 of a proposed development on property bounded by Delancey Street, Norfolk Street, Broome Street and Essex Street (Site 2, Block 352, p/o Lot 1 and Lot 28), in a C6-1 District.

INTENT

To facilitate an approximately 1.65 million-square foot, mixed-use development on nine city-owned sites in Community District 3 in Manhattan.

PUBLIC HEARING

DATE: September 19, 2012

Witnesses in Favor: Thirty-two Witnesses Against: Twelve

SUBCOMMITTEE RECOMMENDATION

DATE: September 27, 2012

The Subcommittee recommends that the Land Use Committee approve the decision of the City Planning Commission.

In Favor:	Against:	Abstain:
Levin	None	
None		
Gonzalez		
Koo		

COMMITTEE ACTION

DATE: September 27, 2012

The Committee recommends that the Council approve the attached resolution.

In Favor:	Against:	Abstain:
Rivera	None	
None		
Reyna		
Jackson		
Sanders		
Vann		
Gonzalez		
Palma		
Arroyo		
Garodnick		
Lappin		
Mendez		
Vacca		
Koo		
Lander		
Levin		
Weprin		
Williams		
Ignizio		
Halloran		

In connection herewith, Council Members Comrie and Levin offered the following resolution:

Res. No. 1555

Resolution approving the decision of the City Planning Commission on ULURP No. C 120231 ZSM (L.U. No. 692), for the grant of a special permit pursuant Sections 13-562 and 74-52 of the Zoning Resolution of the City of New York to allow a public parking garage with a maximum capacity of 168 spaces on portions of the ground floor, cellar level 1 and cellar level 2 of a proposed development on property bounded by Delancey Street, Norfolk

Street, Broome Street and Essex Street (Site 2, Block 352, p/o Lot 1 and Lot 28), in a C6-1 District.

By Council Members Comrie and Levin.

WHEREAS, the City Planning Commission filed with the Council on August 24, 2012 its decision dated August 22, 2012 (the "Decision"), on the application submitted by the NYC Department of Housing Preservation and Development (HPD), pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant Sections 13-562 and 74-52 of the Zoning Resolution of the City of New York to allow a public parking garage with a maximum capacity of 168 spaces on portions of the ground floor, cellar level 1 and cellar level 2 of a proposed development on property bounded by Delancey Street, Norfolk Street, Broome Street and Essex Street (Site 2, Block 352, p/o Lot 1 and Lot 28), in a C6-1 District, (ULURP No. C 120231 ZSM), Community District 3, Borough of Manhattan (the "Application");

WHEREAS, the Application is related to Application C 120226 ZMM (L.U. No. 688), a proposed amendment to the Zoning Map, Section No. 12c, establishing a C2-5 District within an existing R8 District; N 120227 ZRM (L.U. No. 689), a proposed amendment to the Zoning Resolution, modifying Sections 74-743 (Special Provisions for Bulk Modifications) and 74-744 (Modification of Use Regulations) concerning special permit regulations for large-scale general developments, relating to the former Seward Park Extension Urban Renewal Area; C 120228 ZSM (L.U. No. 690), a Special Permit, to modify the bulk regulations within a Large-Scale General Development; C 120229 ZSM (L.U. No. 691), a Special Permit, to modify the use regulations within a Large-Scale General Development; C 120233 ZSM (L.U. No. 693), a Special Permit, pursuant to Sections 13-562 and 74-52 of the Zoning Resolution, to allow a public parking garage on property bounded by Delancey Street, Suffolk Street, Broome Street and Norfolk Street (Site 3, Block 346, p/o Lot 40), in an R8/C2-5 District; C 120234 ZSM (L.U. No. 694), a Special Permit, pursuant to Sections 13-562 and 74-52 of the Zoning Resolution, to allow a public parking on property bounded by Delancey Street, Clinton Street, Broome Street and Suffolk Street (Site 4, Block 346, p/o Lot 40), in an R8/C2-5 District; C 120235 ZSM (L.U. No. 695), a Special Permit, pursuant to Sections 13-562 and 74-52 of the Zoning Resolution, to allow a public parking garage on property bounded by Broome Street, Clinton Street, Grand Street and Suffolk Street (Site 5, Block 346, p/o Lot 40), in an R8/C2-5 District; N 120236 HAM (L.U. No. 696), an Urban Development Action Area Project (UDAAP) designation and project approval, for properties located on Essex, Delancey, Norfolk, Grand, Stanton and Broome streets (Block 346, part of Lot 40; Block 347, Lot 71; Block 352, Lots 1, 28; Block 353, Lot 44; Block 354, Lots 1, 12; and Block 409, Lot 56), as an Urban Development Action Area, to facilitate the development of residential, community facility and commercial uses, including the redevelopment of the Essex Street Market; C 120237 PQM (L.U. No. 697), Acquisition of property bounded by Essex, Delancey, Norfolk, and Broome Streets (Block 352, p/o Lots 1 and 28), by the New York City Department of Citywide Administrative Services; C 120245 PPM (L.U. No. 698), Disposition of city-owned property (Block 346, p/o of Lot 40; Block 347, Lot 71; Block 352, Lots 1 and 28; Block 353, Lot 44; Block 354, Lots 1 and 12; and Block 409, Lot 56), by the New York City Department of Housing Preservation and Development to a future developer, or by the New York City Department of Citywide Administrative Services to the New York City Economic Development Corporation (NYCEDC) or a successor local development corporation; C 120156 MMM (L.U. No. 699), a proposed amendment to the City Map involving: the establishment of Broome Street between Norfolk Street and Clinton Street; the establishment of Suffolk Street between Grand Street and Delancey Street; the narrowing, by elimination, discontinuance and closing, of Clinton Street between Grand Street and Delancey Street; the narrowing, by elimination, discontinuance and closing, of Delancey Street between Norfolk Street and Clinton Street; the establishment of the name Delancey Street for the Unnamed Street between Clinton Street and Franklin D. Roosevelt Drive; and the adjustment of grades necessitated thereby, including authorization for any disposition or acquisition of real property related thereto, in accordance with Map No. 30236, dated March 14, 2012, and signed by the Borough President;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(3) of the City Charter;

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 74-52 of the Zoning Resolution of the City of New York;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on September 19, 2012;

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues and the Final Generic Environmental Impact Statement (“FGEIS”) for which a Notice of Completion was issued on August 10, 2012 and the CEQR Technical Memorandum dated October 1, 2012 (the “CEQR Technical Memorandum”) (CEQR No. 11DME012M);

RESOLVED:

Having considered the FGEIS and the CEQR Technical Memorandum with respect to the Decision and Application, the Council finds that:

- (1) The FGEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) Consistent with social, economic and other essential considerations, from among the reasonable alternatives thereto, the Proposed Action, as modified with the modifications adopted herein, is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable; and
- (3) The adverse environmental impacts disclosed in the FGEIS and the CEQR Technical Memorandum will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, in accordance with environmental commitment letters, dated August 15, 2012, from HPD and August 15, 2012, from NYCEDC, those project components related to the environment and mitigation measures that were identified as practicable.
- (4) The Decision together with the FGEIS and the CEQR Technical Memorandum constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of the decision, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 120231 ZSM, incorporated by reference herein, the Council approves the Decision, subject to the following conditions:

1. The development that is the subject of this application (C 120231 ZSM) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following approved plans prepared by Beyer Blinder Belle Architects & Planners LLP, filed with this application and incorporated in this resolution, and in accordance with the provisions and procedures set forth in the Restrictive Declaration:

<u>Dwg. No.</u>	<u>Title</u>	<u>Date</u>
802	Parking Garage Plans- Zoning Lot 2	03/21/2012

2. The development which is the subject of this application shall conform to all applicable laws and regulations relating to their construction, operation and maintenance.

3. In the event the property that is the subject of the application is developed as, sold as, or converted to condominium units, a homeowners’ association, or cooperative ownership, a copy of this report and resolution and any subsequent modifications shall be provided to the Attorney General of the State of New York at the time of application for any such condominium, homeowners’ or cooperative offering plan and, if the Attorney General so directs, shall be incorporated in full in any offering documents relating to the property.

4. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sub-lessee or occupant.

5. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms, or conditions of this resolution and the restrictive declarations whose provisions shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, cancellation, or amendment of the special permit hereby granted or of the restrictive declarations.

6. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city or such employees or agents failure to act in accordance with the provisions of this special permit.

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, DIANA REYNA, CHARLES BARRON, ROBERT JACKSON, ALBERT VANN, SARA M. GONZALEZ, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, JAMES VACCA, PETER

A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS; Committee on Land Use, October 4, 2012

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Report for L.U. No. 693 & Res 1556

Report of the Committee on Land Use in favor of approving Application no. C 120233 ZSM submitted by the NYC 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 Sections 13-562 and 74-52 of the Zoning Resolution to allow a public parking garage with a maximum capacity of 250 spaces on portions of the ground floor, cellar level 1 and cellar level 2 of a proposed development on property bounded by Delancey Street, Suffolk Street, Broome Street and Norfolk Street (Site 3, Block 346, p/o Lot 40), in an R 8/C2-5, Borough of Manhattan, Community Board 3, Council District 1. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to §197-d(b)(2) of the Charter or called up by a vote of the Council pursuant to 197-d(b)(3) of the Charter.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on September 12, 2012 (Minutes, page 3509), respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 3

C 120233 ZSM

City Planning Commission decision approving the application submitted by the NYC 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 Sections 13-562 and 74-52 of the Zoning Resolution to allow a public parking garage with a maximum capacity of 250 spaces on portions of the ground floor, cellar level 1 and cellar level 2 of a proposed development on property bounded by Delancey Street, Suffolk Street, Broome Street and Norfolk Street (Site 3, Block 346, p/o Lot 40), in an R8/C2-5 District.

INTENT

To facilitate an approximately 1.65 million-square foot, mixed-use development on nine city-owned sites in Community District 3 in Manhattan.

PUBLIC HEARING

DATE: September 19, 2012

Witnesses in Favor: Thirty-two

Witnesses Against: Twelve

SUBCOMMITTEE RECOMMENDATION

DATE: September 27, 2012

The Subcommittee recommends that the Land Use Committee approve the decision of the City Planning Commission.

In Favor:	Against:	Abstain:
Levin	None	
None		
Gonzalez		
Koo		

COMMITTEE ACTION

DATE: September 27, 2012

The Committee recommends that the Council approve the attached resolution.

In Favor:	Against:	Abstain:
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Rivera	None
None	
Reyna	
Jackson	
Sanders	
Vann	
Gonzalez	
Palma	
Arroyo	
Garodnick	
Lappin	
Mendez	
Vacca	
Koo	
Lander	
Levin	
Weprin	
Williams	
Ignizio	
Halloran	

In connection herewith, Council Members Comrie and Levin offered the following resolution:

Res. No. 1556

Resolution approving the decision of the City Planning Commission on ULURP No. C 120233 ZSM (L.U. No. 693), for the grant of a special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution of the City of New York to allow a public parking garage with a maximum capacity of 250 spaces on portions of the ground floor, cellar level 1 and cellar level 2 of a proposed development on property bounded by Delancey Street, Suffolk Street, Broome Street and Norfolk Street (Site 3, Block 346, p/o Lot 40), in an R8/C2-5 District.

By Council Members Comrie and Levin.

WHEREAS, the City Planning Commission filed with the Council on August 24, 2012 its decision dated August 22, 2012 (the "Decision"), on the application submitted by the NYC Department of Housing Preservation and Development (HPD), pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution of the City of New York to allow a public parking garage with a maximum capacity of 250 spaces on portions of the ground floor, cellar level 1 and cellar level 2 of a proposed development on property bounded by Delancey Street, Suffolk Street, Broome Street and Norfolk Street (Site 3, Block 346, p/o Lot 40), in an R8/C2-5 District, (ULURP No. C 120233 ZSM), Community District 3, Borough of Manhattan (the "Application");

WHEREAS,, the Application is related to Application C 120226 ZMM (L.U. No. 688), a proposed amendment to the Zoning Map, Section No. 12c, establishing a C2-5 District within an existing R8 District; N 120227 ZRM (L.U. No. 689), a proposed amendment to the Zoning Resolution, modifying Sections 74-743 (Special Provisions for Bulk Modifications) and 74-744 (Modification of Use Regulations) concerning special permit regulations for large-scale general developments, relating to the former Seward Park Extension Urban Renewal Area; C 120228 ZSM (L.U. No. 690), a Special Permit, to modify the bulk regulations within a Large-Scale General Development; C 120229 ZSM (L.U. No. 691), a Special Permit, to modify the use regulations within a Large-Scale General Development; C 120231 ZSM (L.U. No. 692), a Special Permit, pursuant to Sections 13-562 and 74-52 of the Zoning Resolution, to allow a public parking garage on property bounded by Delancey Street, Norfolk Street, Broome Street and Essex Street (Site 2, Block 352, p/o Lot 1 and Lot 28), in a C6-1 District; C 120234 ZSM (L.U. No. 694), a Special Permit, pursuant to Sections 13-562 and 74-52 of the Zoning Resolution, to allow a public parking on property bounded by Delancey Street, Clinton Street, Broome Street and Suffolk Street (Site 4, Block 346, p/o Lot 40), in an R8/C2-5 District; C 120235 ZSM (L.U. No. 695), a Special Permit, pursuant to Sections 13-562 and 74-52 of the Zoning Resolution, to allow a public parking garage on property bounded by Broome Street, Clinton Street, Grand Street and Suffolk Street (Site 5, Block 346, p/o Lot 40), in an R8/C2-5 District; N 120236 HAM (L.U. No. 696), an Urban Development Action Area Project (UDAAP) designation and project approval, for properties located on Essex, Delancey, Norfolk, Grand, Stanton and Broome streets (Block 346, part of Lot 40; Block 347, Lot 71; Block 352, Lots 1, 28; Block 353, Lot 44; Block 354, Lots 1, 12; and Block 409, Lot 56), as an Urban Development Action Area, to facilitate the development of residential, community facility and commercial uses, including the redevelopment of the Essex Street Market; C 120237 PQM (L.U. No. 697), Acquisition of property bounded by Essex, Delancey, Norfolk, and Broome Streets (Block 352, p/o Lots 1 and 28), by the New York City Department of Citywide Administrative Services; C 120245 PPM (L.U.

No. 698), Disposition of city-owned property (Block 346, p/o of Lot 40; Block 347, Lot 71; Block 352, Lots 1 and 28; Block 353, Lot 44; Block 354, Lots 1 and 12; and Block 409, Lot 56), by the New York City Department of Housing Preservation and Development to a future developer, or by the New York City Department of Citywide Administrative Services to the New York City Economic Development Corporation (NYCEDC) or a successor local development corporation; C 120156 MMM (L.U. No. 699), a proposed amendment to the City Map involving: the establishment of Broome Street between Norfolk Street and Clinton Street; the establishment of Suffolk Street between Grand Street and Delancey Street; the narrowing, by elimination, discontinuance and closing, of Clinton Street between Grand Street and Delancey Street; the narrowing, by elimination, discontinuance and closing, of Delancey Street between Norfolk Street and Clinton Street; the establishment of the name Delancey Street for the Unnamed Street between Clinton Street and Franklin D. Roosevelt Drive; and the adjustment of grades necessitated thereby, including authorization for any disposition or acquisition of real property related thereto, in accordance with Map No. 30236, dated March 14, 2012, and signed by the Borough President;

WHEREAS,, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(3) of the City Charter;

WHEREAS,, the City Planning Commission has made the findings required pursuant to Section 74-52 of the Zoning Resolution of the City of New York;

WHEREAS,, upon due notice, the Council held a public hearing on the Decision and Application on September 19, 2012;

WHEREAS,, the Council has considered the land use implications and other policy issues relating to the Decision and Application; and

WHEREAS,, the Council has considered the relevant environmental issues and the Final Generic Environmental Impact Statement (“FGEIS”) for which a Notice of Completion was issued on August 10, 2012 and the CEQR Technical Memorandum dated October 1, 2012 (the “CEQR Technical Memorandum”) (CEQR No. 11DME012M);

RESOLVED:

Having considered the FGEIS and the CEQR Technical Memorandum with respect to the Decision and Application, the Council finds that:

- (1)The FGEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2)Consistent with social, economic and other essential considerations, from among the reasonable alternatives thereto, the Proposed Action, as modified with the modifications adopted herein, is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable; and
- (3)The adverse environmental impacts disclosed in the FGEIS and the CEQR Technical Memorandum will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, in accordance with environmental commitment letters, dated August 15, 2012, from HPD and August 15, 2012, from NYCEDC, those project components related to the environment and mitigation measures that were identified as practicable.
- (4)The Decision together with the FGEIS and the CEQR Technical Memorandum constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of the decision, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 120233 ZSM, incorporated by reference herein, the Council approves the Decision, subject to the following conditions:

- 1.The development that is the subject of this application (C 120233 ZSM) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following approved plans prepared by Beyer Blinder Belle Architects & Planners LLP, filed with this application and incorporated in this resolution, and in accordance with the provisions and procedures set forth in the Restrictive Declaration:

Dwg. No.	Title	Date
803.1	Parking Garage Plans (Norfolk St. Option)- Zoning Lot 3	03/21/2012
803.2	Parking Garage Plans (Suffolk St. Option)- Zoning	03/21/2012

Lot 3

2.
- The development which is the subject of this application shall conform to all applicable laws and regulations relating to their construction, operation and maintenance.
3.
- In the event the property that is the subject of the application is developed as, sold as, or converted to condominium units, a homeowners’ association, or cooperative ownership, a copy of this report and resolution and any subsequent modifications shall be provided to the Attorney General of the State of New York at the time of application for any such condominium, homeowners’ or cooperative offering plan and, if the Attorney General so directs, shall be incorporated in full in any offering documents relating to the property.
4.
- All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sub-lessee or occupant.
5.
- Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms, or conditions of this resolution and the restrictive declarations whose provisions shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, cancellation, or amendment of the special permit hereby granted or of the restrictive declarations.
6.
- Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city or such employees or agents failure to act in accordance with the provisions of this special permit.

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, DIANA REYNA, CHARLES BARRON, ROBERT JACKSON, ALBERT VANN, SARA M. GONZALEZ, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, JAMES VACCA, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS; Committee on Land Use, October 4, 2012

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Report for L.U. No. 694 & Res 1557

Report of the Committee on Land Use in favor of approving Application no. C 120234 ZSM submitted by the NYC 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 Sections 13-562 and 74-52 of the Zoning Resolution to allow a public parking garage with a maximum capacity of 250 spaces on portions of the ground floor, cellar level 1 and cellar level 2 of a proposed development on property bounded by Delancey Street, Clinton Street, Broome Street and Suffolk Street (Site 4, Block 346, p/o Lot 40), in an R8/C2-5 District, Borough of Manhattan, Community Board 3, Council District 1. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to §197-d(b)(2) of the Charter or called up by a vote of the Council pursuant to 197-d(b)(3) of the Charter.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on September 12, 2012 (Minutes, page 3509), respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 3
ZSM

C 120234

City Planning Commission decision approving the application submitted by the NYC 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 Sections 13-562 and 74-52 of the Zoning Resolution to allow a public parking garage with a maximum capacity of 250 spaces on portions of the ground floor, cellar level 1 and cellar level 2 of a proposed development on property bounded by Delancey Street, Clinton Street, Broome Street and Suffolk Street (Site 4, Block 346, p/o Lot 40), in an R8/C2-5 District.

INTENT

To facilitate an approximately 1.65 million-square foot, mixed-use development on nine city-owned sites in Community District 3 in Manhattan.

PUBLIC HEARING

DATE: September 19, 2012

Witnesses in Favor: Thirty-two
Twelve

Witnesses Against:

SUBCOMMITTEE RECOMMENDATION

DATE: September 27, 2012

The Subcommittee recommends that the Land Use Committee approve the decision of the City Planning Commission.

In Favor:	Against:	Abstain:
Levin	None	
None		
Gonzalez		
Koo		

COMMITTEE ACTION

DATE: September 27, 2012

The Committee recommends that the Council approve the attached resolution.

In Favor:	Against:	Abstain:
Rivera	None	
None		
Reyna		
Jackson		
Sanders		
Vann		
Gonzalez		
Palma		
Arroyo		
Garodnick		
Lappin		
Mendez		
Vacca		
Koo		
Lander		
Levin		
Weprin		
Williams		
Ignizio		
Halloran		

In connection herewith, Council Members Comrie and Levin offered the following resolution:

Res. No. 1557

Resolution approving the decision of the City Planning Commission on ULURP No. C 120234 ZSM (L.U. No. 694), for the grant of a special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution to allow a public parking garage with a maximum capacity of 250 spaces on portions

of the ground floor, cellar level 1 and cellar level 2 of a proposed development on property bounded by Delancey Street, Clinton Street, Broome Street and Suffolk Street (Site 4, Block 346, p/o Lot 40), in an R8/C2-5 District.

By Council Members Comrie and Levin.

WHEREAS, the City Planning Commission filed with the Council on August 24, 2012 its decision dated August 22, 2012 (the "Decision"), on the application submitted by the NYC Department of Housing Preservation and Development (HPD), pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution of the City of New York to allow a public parking garage with a maximum capacity of 250 spaces on portions of the ground floor, cellar level 1 and cellar level 2 of a proposed development on property bounded by Delancey Street, Clinton Street, Broome Street and Suffolk Street (Site 4, Block 346, p/o Lot 40), in an R8/C2-5 District, (ULURP No. C 120234 ZSM), Community District 3, Borough of Manhattan (the "Application");

WHEREAS, the Application is related to Application C 120226 ZMM (L.U. No. 688), a proposed amendment to the Zoning Map, Section No. 12c, establishing a C2-5 District within an existing R8 District; N 120227 ZRM (L.U. No. 689), a proposed amendment to the Zoning Resolution, modifying Sections 74-743 (Special Provisions for Bulk Modifications) and 74-744 (Modification of Use Regulations) concerning special permit regulations for large-scale general developments, relating to the former Seward Park Extension Urban Renewal Area; C 120228 ZSM (L.U. No. 690), a Special Permit, to modify the bulk regulations within a Large-Scale General Development; C 120229 ZSM (L.U. No. 691), a Special Permit, to modify the use regulations within a Large-Scale General Development; C 120231 ZSM (L.U. No. 692), a Special Permit, pursuant to Sections 13-562 and 74-52 of the Zoning Resolution, to allow a public parking garage on property bounded by Delancey Street, Norfolk Street, Broome Street and Essex Street (Site 2, Block 352, p/o Lot 1 and Lot 28), in a C6-1 District; C 120233 ZSM (L.U. No. 693), a Special Permit, pursuant to Sections 13-562 and 74-52 of the Zoning Resolution, to allow a public parking garage on property bounded by Delancey Street, Suffolk Street, Broome Street and Norfolk Street (Site 3, Block 346, p/o Lot 40), in an R8/C2-5 District; C 120235 ZSM (L.U. No. 695), a Special Permit, pursuant to Sections 13-562 and 74-52 of the Zoning Resolution, to allow a public parking garage on property bounded by Broome Street, Clinton Street, Grand Street and Suffolk Street (Site 5, Block 346, p/o Lot 40), in an R8/C2-5 District; N 120236 HAM (L.U. No. 696), an Urban Development Action Area Project (UDAAP) designation and project approval, for properties located on Essex, Delancey, Norfolk, Grand, Stanton and Broome streets (Block 346, part of Lot 40; Block 347, Lot 71; Block 352, Lots 1, 28; Block 353, Lot 44; Block 354, Lots 1, 12; and Block 409, Lot 56), as an Urban Development Action Area, to facilitate the development of residential, community facility and commercial uses, including the redevelopment of the Essex Street Market; C 120237 PQM (L.U. No. 697), Acquisition of property bounded by Essex, Delancey, Norfolk, and Broome Streets (Block 352, p/o Lots 1 and 28), by the New York City Department of Citywide Administrative Services; C 120245 PPM (L.U. No. 698), Disposition of city-owned property (Block 346, p/o of Lot 40; Block 347, Lot 71; Block 352, Lots 1 and 28; Block 353, Lot 44; Block 354, Lots 1 and 12; and Block 409, Lot 56), by the New York City Department of Housing Preservation and Development to a future developer, or by the New York City Department of Citywide Administrative Services to the New York City Economic Development Corporation (NYCEDC) or a successor local development corporation; C 120156 MMM (L.U. No. 699), a proposed amendment to the City Map involving: the establishment of Broome Street between Norfolk Street and Clinton Street; the establishment of Suffolk Street between Grand Street and Delancey Street; the narrowing, by elimination, discontinuance and closing, of Clinton Street between Grand Street and Delancey Street; the narrowing, by elimination, discontinuance and closing, of Delancey Street between Norfolk Street and Clinton Street; the establishment of the name Delancey Street for the Unnamed Street between Clinton Street and Franklin D. Roosevelt Drive; and the adjustment of grades necessitated thereby, including authorization for any disposition or acquisition of real property related thereto, in accordance with Map No. 30236, dated March 14, 2012, and signed by the Borough President;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(3) of the City Charter;

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 74-52 of the Zoning Resolution of the City of New York;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on September 19, 2012;

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues and the Final Generic Environmental Impact Statement (“FGEIS”) for which a Notice of Completion was issued on August 10, 2012 and the CEQR Technical Memorandum dated October 1, 2012 (the “CEQR Technical Memorandum”) (CEQR No. 11DME012M);

RESOLVED:

Having considered the FGEIS and the CEQR Technical Memorandum with respect to the Decision and Application, the Council finds that:

- (1) The FGEIS meets the requirements of 6 N.Y.C.R.R. Part 617;

Consistent with social, economic and other essential considerations, from among the reasonable alternatives thereto, the Proposed Action, as modified with the modifications adopted herein, is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable; and

The adverse environmental impacts disclosed in the FGEIS and the CEQR Technical Memorandum will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, in accordance with environmental commitment letters, dated August 15, 2012, from HPD and August 15, 2012, from NYCEDC, those project components related to the environment and mitigation measures that were identified as practicable.

The Decision together with the FGEIS and the CEQR Technical Memorandum constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of the decision, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 120234 ZSM, incorporated by reference herein, the Council approves the Decision, subject to the following conditions:

The development that is the subject of this application (C 120234 ZSM) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following approved plans prepared by Beyer Blinder Belle Architects & Planners LLP, filed with this application and incorporated in this resolution, and in accordance with the provisions and procedures set forth in the Restrictive Declaration:

<u>Dwg. No.</u>	<u>Title</u>	<u>Date</u>
804	Parking Garage Plans- Zoning Lot 4	03/21/2012

2. The development which is the subject of this application shall conform to all applicable laws and regulations relating to their construction, operation and maintenance.

3. In the event the property that is the subject of the application is developed as, sold as, or converted to condominium units, a homeowners’ association, or cooperative ownership, a copy of this report and resolution and any subsequent modifications shall be provided to the Attorney General of the State of New York at the time of application for any such condominium, homeowners’ or cooperative offering plan and, if the Attorney General so directs, shall be incorporated in full in any offering documents relating to the property.

4. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sub-lessee or occupant.

5. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms, or conditions of this resolution and the restrictive declarations whose provisions shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, cancellation, or amendment of the special permit hereby granted or of the restrictive declarations.

6. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city or such employees or agents failure to act in accordance with the provisions of this special permit.

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, DIANA REYNA, CHARLES BARRON, ROBERT JACKSON, ALBERT VANN, SARA M. GONZALEZ, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, JAMES VACCA, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS; Committee on Land Use, October 4, 2012

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Report for L.U. No. 695 & Res 1558

Report of the Committee on Land Use in favor of approving Application no. C 120235 ZSM submitted by the NYC 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 Sections 13-562 and 74-52 of the Zoning Resolution to allow a public parking garage with a maximum capacity of 305 spaces on portions of the ground floor, cellar level 1 and cellar level 2 of a proposed development on property bounded by Broome Street, Clinton Street, Grand Street and Suffolk Street (Site 5, Block 346, p/o Lot 40), in an R8/C2-5 District, Borough of Manhattan, Community Board 3, Council District 1. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to §197-d(b)(2) of the Charter or called up by a vote of the Council pursuant to 197-d(b)(3) of the Charter.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on September 12, 2012 (Minutes, page 3510), respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 3 C 120235 ZSM

Application submitted by the NYC 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 Sections 13-562 and 74-52 of the Zoning Resolution to allow a public parking garage with a maximum capacity of 305 spaces on portions of the ground floor, cellar level 1 and cellar level 2 of a proposed development on property bounded by Broome Street, Clinton Street, Grand Street and Suffolk Street (Site 5, Block 346, p/o Lot 40), in an R8/C2-5 District.

INTENT

To facilitate an approximately 1.65 million-square foot, mixed-use development on nine city-owned sites in Community District 3 in Manhattan.

PUBLIC HEARING

DATE: September 19, 2012

Witnesses in Favor: Thirty-two Witnesses Against: Twelve

SUBCOMMITTEE RECOMMENDATION

DATE: September 27, 2012

The Subcommittee recommends that the Land Use Committee approve the decision of the City Planning Commission.

In Favor: Against: Abstain:
Levin None
None
Gonzalez
Koo

COMMITTEE ACTION

DATE: September 27, 2012

The Committee recommends that the Council approve the attached resolution.

In Favor: Against: Abstain:
Rivera None
None
Reyna
Jackson
Sanders
Vann
Gonzalez
Palma
Arroyo
Garodnick
Lappin
Mendez
Vacca
Koo
Lander
Levin
Weprin
Williams
Ignizio
Halloran

In connection herewith, Council Members Comrie and Levin offered the following resolution:

Res. No. 1558

Resolution approving the decision of the City Planning Commission on ULURP No. C 120235 ZSM (L.U. No. 695), for the grant of a special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution to allow a public parking garage with a maximum capacity of 305 spaces on portions of the ground floor, cellar level 1 and cellar level 2 of a proposed development on property bounded by Broome Street, Clinton Street, Grand Street and Suffolk Street (Site 5, Block 346, p/o Lot 40), in an R8/C2-5 District.

By Council Members Comrie and Levin.

WHEREAS, the City Planning Commission filed with the Council on August 24, 2012 its decision dated August 22, 2012 (the "Decision"), on the application submitted by the NYC Department of Housing Preservation and Development (HPD), pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution to allow a public parking garage with a maximum capacity of 305 spaces on portions of the ground floor, cellar level 1 and cellar level 2 of a proposed development on property bounded by Broome Street, Clinton Street, Grand Street and Suffolk Street (Site 5, Block 346, p/o Lot 40), in an R8/C2-5 District, (ULURP No. C 120235 ZSM), Community District 3, Borough of Manhattan (the "Application");

WHEREAS, the Application is related to Application C 120226 ZMM (L.U. No. 688), a proposed amendment to the Zoning Map, Section No. 12c, establishing a C2-5 District within an existing R8 District; N 120227 ZRM (L.U. No. 689), a proposed amendment to the Zoning Resolution, modifying Sections 74-743 (Special Provisions for Bulk Modifications) and 74-744 (Modification of Use Regulations) concerning special permit regulations for large-scale general developments, relating to the former Seward Park Extension Urban Renewal Area; C 120228 ZSM (L.U. No. 690), a Special Permit, to modify the bulk regulations within a Large-Scale General Development; C 120229 ZSM (L.U. No. 691), a Special Permit, to modify the use regulations within a Large-Scale General Development; C 120231 ZSM (L.U. No. 692), a Special Permit, pursuant to Sections 13-562 and 74-52 of the Zoning Resolution, to allow a public parking garage on property bounded by Delancey Street, Norfolk Street, Broome Street and Essex Street (Site 2, Block 352, p/o Lot 1 and Lot 28), in a C6-1 District; C 120233 ZSM (L.U. No. 693), a Special Permit, pursuant to Sections 13-562 and 74-52 of the Zoning Resolution, to allow a public parking garage on property bounded by Delancey Street, Suffolk Street, Broome Street and Norfolk Street (Site 3, Block 346, p/o Lot 40), in an R8/C2-5 District; C 120234 ZSM (L.U. No. 694), a Special Permit, pursuant to Sections 13-562 and 74-52 of the Zoning Resolution, to allow a public parking on property bounded by Delancey Street, Clinton Street, Broome Street and Suffolk Street (Site 4, Block 346, p/o Lot 40), in an R8/C2-5 District; N 120236 HAM (L.U. No. 696), an Urban Development Action Area Project (UDAAP) designation and project approval, for properties located on Essex, Delancey, Norfolk, Grand, Stanton and Broome streets (Block 346, part of Lot 40; Block 347, Lot 71; Block 352, Lots 1, 28; Block 353, Lot

44; Block 354, Lots 1, 12; and Block 409, Lot 56), as an Urban Development Action Area, to facilitate the development of residential, community facility and commercial uses, including the redevelopment of the Essex Street Market; C 120237 PQM (L.U. No. 697), Acquisition of property bounded by Essex, Delancey, Norfolk, and Broome Streets (Block 352, p/o Lots 1 and 28), by the New York City Department of Citywide Administrative Services; C 120245 PPM (L.U. No. 698), Disposition of city-owned property (Block 346, p/o of Lot 40; Block 347, Lot 71; Block 352, Lots 1 and 28; Block 353, Lot 44; Block 354, Lots 1 and 12; and Block 409, Lot 56), by the New York City Department of Housing Preservation and Development to a future developer, or by the New York City Department of Citywide Administrative Services to the New York City Economic Development Corporation (NYCEDC) or a successor local development corporation; C 120156 MMM (L.U. No. 699), a proposed amendment to the City Map involving: the establishment of Broome Street between Norfolk Street and Clinton Street; the establishment of Suffolk Street between Grand Street and Delancey Street; the narrowing, by elimination, discontinuance and closing, of Clinton Street between Grand Street and Delancey Street; the narrowing, by elimination, discontinuance and closing, of Delancey Street between Norfolk Street and Clinton Street; the establishment of the name Delancey Street for the Unnamed Street between Clinton Street and Franklin D. Roosevelt Drive; and the adjustment of grades necessitated thereby, including authorization for any disposition or acquisition of real property related thereto, in accordance with Map No. 30236, dated March 14, 2012, and signed by the Borough President;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(3) of the City Charter;

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 74-52 of the Zoning Resolution of the City of New York;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on September 19, 2012;

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues and the Final Generic Environmental Impact Statement (“FGEIS”) for which a Notice of Completion was issued on August 10, 2012 and the CEQR Technical Memorandum dated October 1, 2012 (the “CEQR Technical Memorandum”) (CEQR No. 11DME012M);

RESOLVED:

Having considered the FGEIS and the CEQR Technical Memorandum with respect to the Decision and Application, the Council finds that:

- (1) The FGEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) Consistent with social, economic and other essential considerations, from among the reasonable alternatives thereto, the Proposed Action, as modified with the modifications adopted herein, is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable; and
- (3) The adverse environmental impacts disclosed in the FGEIS and the CEQR Technical Memorandum will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, in accordance with environmental commitment letters, dated August 15, 2012, from HPD and August 15, 2012, from NYCEDC, those project components related to the environment and mitigation measures that were identified as practicable.
- (4) The Decision together with the FGEIS and the CEQR Technical Memorandum constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of the decision, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 120235 ZSM, incorporated by reference herein, the Council approves the Decision, subject to the following conditions:

1. The development that is the subject of this application (C 120235 ZSM) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following approved plans prepared by Beyer Blinder Belle Architects & Planners LLP, filed with this application and incorporated in this resolution, and in accordance with the provisions and procedures set forth in the Restrictive Declaration:

Dwg. No.	Title	Date
805.1	Parking Garage Plans (Suffolk St. Option)- Zoning	03/21/2012

	Lot 5	
805.2	Parking Garage Plans (Clinton St. Option)- Zoning	03/21/2012
	Lot 5	

2. The development which is the subject of this application shall conform to all applicable laws and regulations relating to their construction, operation and maintenance.

3. In the event the property that is the subject of the application is developed as, sold as, or converted to condominium units, a homeowners’ association, or cooperative ownership, a copy of this report and resolution and any subsequent modifications shall be provided to the Attorney General of the State of New York at the time of application for any such condominium, homeowners’ or cooperative offering plan and, if the Attorney General so directs, shall be incorporated in full in any offering documents relating to the property.

4. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sub-lessee or occupant.

5. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms, or conditions of this resolution and the restrictive declarations whose provisions shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, cancellation, or amendment of the special permit hereby granted or of the restrictive declarations.

6. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city or such employees or agents failure to act in accordance with the provisions of this special permit.

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, DIANA REYNA, CHARLES BARRON, ROBERT JACKSON, ALBERT VANN, SARA M. GONZALEZ, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, JAMES VACCA, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS; Committee on Land Use, October 4, 2012

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Report for L.U. No. 696 & Res 1559
Report of the Committee on Land Use in favor of approving Application No. N 120236 HAM submitted by NYC Department of Housing Preservation and Development, for an Urban Development Action Area Designation and Project located at Essex, Delancey, Norfolk, Grand, Stanton and Broome streets (Block 346, part of Lot 40; Block 347, Lot 71; Block 352, Lots 1, 28; Block 353, Lot 44; Block 354, Lots 1, 12; and Block 409, Lot 56) and the disposition of city owned property, to facilitate the development of residential, community facility and commercial uses, including the redevelopment of the Essex Street Market, Borough of Manhattan, Community Board 3, Council District 1. This matter is subject to Council review and action pursuant to § 197-c and §197-d of the New York City Charter and Article 16 of the New York General Municipal Law.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on September 12, 2012 (Minutes, page 3510), respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 3N 120236 HAM

Application by the NYC Department of Housing Preservation and Development, including the City Planning Commission decision approving said application:

1) pursuant to Article 16 of the General Municipal Law of New York State for:

a) the designation of properties located on Essex, Delancey, Norfolk, Grand, Stanton and Broome streets (Block 346, part of Lot 40; Block 347, Lot 71; Block 352, Lots 1, 28; Block 353 , Lot 44; Block 354, Lots 1, 12; and Block 409, Lot 56) as an Urban Development Action Area; and

b) an Urban Development Action Area Project for such area,

to facilitate the development of residential, community facility and commercial uses, including the redevelopment of the Essex Street Market.

INTENT

To facilitate an approximately 1.65 million-square foot, mixed-use development on nine city-owned sites in Community District 3 in Manhattan.

PUBLIC HEARING

DATE: September 19, 2012

Witnesses in Favor: Thirty-two
Twelve

Witnesses Against:

SUBCOMMITTEE RECOMMENDATION

DATE: September 27, 2012

The Subcommittee recommends that the Land Use Committee approve HPD’s application, which includes the Revised Project Summary dated September 25, 2012, and the decision of the City Planning Commission.

In Favor:	Against:	Abstain:
Levin	None	
None		
Gonzalez		
Koo		

COMMITTEE ACTION

DATE: September 27, 2012

The Committee recommends that the Council approve the attached resolution.

In Favor:	Against:	Abstain:
Rivera	None	
None		
Reyna		
Jackson		
Sanders		
Vann		
Gonzalez		
Palma		
Arroyo		
Garodnick		
Lappin		
Mendez		

Cont’d

Vacca
Koo
Lander
Levin
Weprin
Williams
Ignizio
Halloran

In connection herewith, Council Members Comrie and Levin offered the following resolution:

Res. No. 1559

Resolution approving an application submitted by the New York City Department of Housing Preservation and Development (“HPD”) and the decision of the City Planning Commission, N 120236 HAM, approving the designation of properties located on Essex, Delancey, Norfolk, Grand, Stanton and Broome streets (Block 346, part of Lot 40; Block 347, Lot 71; Block 352, Lots 1, 28; Block 353 , Lot 44; Block 354, Lots 1, 12; and Block 409, Lot 56) as an Urban Development Action Area (the “Area”), and approving the project for the area as an Urban Development Action Area Project (L.U. No. 696; N 120236 HAM).

By Council Members Comrie and Levin.

WHEREAS, the New York City Department of Housing Preservation and Development (HPD) submitted an application pursuant to Article 16 of the General Municipal Law of New York State regarding:

a) the designation of properties located on Essex, Delancey, Norfolk, Grand, Stanton and Broome streets (Block 346, part of Lot 40; Block 347, Lot 71; Block 352, Lots 1, 28; Block 353 , Lot 44; Block 354, Lots 1, 12; and Block 409, Lot 56), as an Urban Development Action Area (the "Area"); and

b) an Urban Development Action Area Project for such area (the "Project");

to facilitate the development of residential, community facility and commercial uses, including the redevelopment of the Essex Street Market (No. N 120236 HAM) (the "Application");

WHEREAS, the City Planning Commission filed with the Council on August 24, 2012 its decision dated August 22, 2012 (the "Decision"), on the Application;

WHEREAS, the Application is related to Application C 120226 ZMM (L.U. No. 688), a proposed amendment to the Zoning Map, Section No. 12c, establishing a C2-5 District within an existing R8 District; N 120227 ZRM (L.U. No. 689), a proposed amendment to the Zoning Resolution, modifying Sections 74-743 (Special Provisions for Bulk Modifications) and 74-744 (Modification of Use Regulations) concerning special permit regulations for large-scale general developments, relating to the former Seward Park Extension Urban Renewal Area; C 120228 ZSM (L.U. No. 690), a Special Permit, to modify the bulk regulations within a Large-Scale General Development; C 120229 ZSM (L.U. No. 691), a Special Permit, to modify the use regulations within a Large-Scale General Development; C 120231 ZSM (L.U. No. 692), a Special Permit, pursuant to Sections 13-562 and 74-52 of the Zoning Resolution, to allow a public parking garage on property bounded by Delancey Street, Norfolk Street, Broome Street and Essex Street (Site 2, Block 352, p/o Lot 1 and Lot 28), in a C6-1 District; C 120233 ZSM (L.U. No. 693), a Special Permit, pursuant to Sections 13-562 and 74-52 of the Zoning Resolution, to allow a public parking garage on property bounded by Delancey Street, Suffolk Street, Broome Street and Norfolk Street (Site 3, Block 346, p/o Lot 40), in an R8/C2-5 District; C 120234 ZSM (L.U. No. 694), a Special Permit, pursuant to Sections 13-562 and 74-52 of the Zoning Resolution, to allow a public parking on property bounded by Delancey Street, Clinton Street, Broome Street and Suffolk Street (Site 4, Block 346, p/o Lot 40), in an R8/C2-5 District; C 120235 ZSM (L.U. No. 695), a Special Permit, pursuant to Sections 13-562 and 74-52 of the Zoning Resolution, to allow a public parking garage on property bounded by Broome Street, Clinton Street Grand Street and Suffolk Street (Site 5, Block 346, p/o Lot 40), in an R8/C2-5 District; C 120237 PQM (L.U. No. 697), Acquisition of property bounded by Essex, Delancey, Norfolk, and Broome Streets (Block 352, p/o Lots 1 and 28), by the New York City Department of Citywide Administrative Services; C 120245 PPM (L.U. No. 698), Disposition of city-owned property (Block 346, p/o of Lot 40; Block 347, Lot 71; Block 352, Lots 1 and 28; Block 353, Lot 44; Block 354, Lots 1 and 12; and Block 409, Lot 56), by the New York City Department of Housing Preservation and Development to a future developer, or by the New York City Department of Citywide Administrative Services to the New York City Economic Development Corporation (NYCEDC) or a successor local development corporation; C 120156 MMM (L.U. No. 699), a proposed amendment to the City Map involving: the establishment of Broome Street between Norfolk Street and Clinton Street; the establishment of Suffolk Street between Grand Street and Delancey Street; the narrowing, by elimination, discontinuance and closing, of Clinton Street between Grand Street and Delancey Street; the narrowing, by elimination, discontinuance and closing, of Delancey Street between Norfolk Street and Clinton Street; the establishment of the name Delancey Street for the Unnamed Street between Clinton Street and Franklin D. Roosevelt Drive; and the adjustment of grades necessitated thereby, including authorization for any disposition or acquisition of real property related thereto, in accordance with Map No. 30236, dated March 14, 2012, and signed by the Borough President;

WHEREAS, the Application and Decision are subject to review and action by the Council pursuant to Article 16 of the General Municipal Law of New York State and Section 197-d(b)(1) of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Application and Decision on September 19, 2012;

WHEREAS, on September 7, 2012, HPD submitted a project summary to the Council pursuant to the Application;

WHEREAS, on September 25, 2012, HPD submitted a revised project summary to the Council pursuant to the Application (“Revised Project Summary”); and

WHEREAS, HPD submitted a project summary to the City Planning Commission pursuant to Application No. N 120236 HAM; and

WHEREAS, HPD submitted a revised project summary dated September 27, 2012 to the City Planning Commission pursuant to Application No. N 120236 HAM;

WHEREAS, the Council has considered the land use and financial implications and other policy issues relating to the Application;

WHEREAS, the Council has considered the relevant environmental issues and the Final Generic Environmental Impact Statement (“FGEIS”) for which a Notice of Completion was issued on August 10, 2012 and the CEQR Technical Memorandum dated October 1, 2012 (the “CEQR Technical Memorandum”) (CEQR No. 11DME012M);

RESOLVED:

Having considered the FGEIS and the CEQR Technical Memorandum with respect to the Application and the Decision, the Council finds that:

(1) The FGEIS meets the requirements of 6 N.Y.C.R.R. Part 617;

(2) Consistent with social, economic and other essential considerations, from among the reasonable alternatives thereto, the Proposed Action, as modified with the modifications adopted herein, is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable; and

(3) The adverse environmental impacts disclosed in the FGEIS and the CEQR Technical Memorandum will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, in accordance with environmental commitment letters, dated August 15, 2012, from HPD and August 15, 2012, from NYCEDC, those project components related to the environment and mitigation measures that were identified as practicable.

(4) The Decision together with the FGEIS and the CEQR Technical Memorandum constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of the decision, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Article 16 of the General Municipal Law, and on the basis of the Application and Decision, and based on the environmental determination and consideration described in this report, N 120236 HAM, incorporated by reference herein the Council approves the Application and the Decision.

The Council finds that the present status of the disposition Area tends to impair or arrest the sound growth and development of the City of New York and that the designation of the Project as an urban development action area project is consistent with the policy and purposes stated in Section 691 of the General Municipal Law.

The Council approves the disposition Area as an urban development action area pursuant to Section 693 of the General Municipal Law.

The Council approves the Project as an urban development action area project pursuant to Section 694 of the General Municipal Law and subject to the terms and conditions of the Revised Project Summary, a copy of which is attached hereto.

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, DIANA REYNA, CHARLES BARRON, ROBERT JACKSON, ALBERT VANN, SARA M. GONZALEZ, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, JAMES VACCA, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS; Committee on Land Use, October 4, 2012

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Report for L.U. No. 697 & Res 1560

Report of the Committee on Land Use in favor of approving Application no. C 120237 PQM submitted by the NYC Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for the acquisition of property bounded by Essex, Delancey, Norfolk, and Broome streets (Block 352, p/o Lots 1 and 28), Borough of Manhattan, Community Board 3, Council District 1. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to §197-d(b)(2) of the Charter or called up by a vote of the Council pursuant to 197-d(b)(3) of the Charter.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on September 12, 2012 (Minutes, page 3511), respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 3 **C 120237 PQM**

City Planning Commission decision approving the application submitted by the NYC Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for the acquisition of property bounded by Essex, Delancey, Norfolk and Broome streets (Block 352, p/o Lots 1 and 28).

INTENT

To facilitate an approximately 1.65 million-square foot, mixed-use development on nine city-owned sites in Community District 3 in Manhattan.

PUBLIC HEARING

DATE: September 19, 2012

Witnesses in Favor: Thirty-two **Witnesses Against:** Twelve

SUBCOMMITTEE RECOMMENDATION

DATE: September 27, 2012

The Subcommittee recommends that the Land Use Committee approve the decision of the City Planning Commission.

In Favor:	Against:	Abstain:
Levin	None	
None		
Gonzalez		
Koo		

COMMITTEE ACTION

DATE: September 27, 2012

The Committee recommends that the Council approve the attached resolution.

In Favor:	Against:	Abstain:
Rivera	None	
None		
Reyna		
Jackson		
Sanders		
Vann		
Gonzalez		
Palma		
Arroyo		
Garodnick		
Lappin		
Mendez		
Vacca		
Koo		
Lander		

Levin
Weprin
Williams
Ignizio
Halloran

In connection herewith, Council Members Comrie and Levin offered the following resolution:

Res. No. 1560

Resolution approving the decision of the City Planning Commission on ULURP No. C 120237 PQM (L.U. No. 697), for the acquisition of property bounded by Essex, Delancey, Norfolk, and Broome streets (Block 352 p/o Lots 1 and 28), Borough of Manhattan.

By Council Members Comrie and Levin.

WHEREAS, the City Planning Commission filed with the Council on August 24, 2012 its decision dated August 22, 2012 (the "Decision") on the application submitted pursuant to Section 197-c of the New York City Charter by the New York City Department of Citywide Administrative Services, for the acquisition of property bounded by Essex, Delancey, Norfolk, and Broome streets (Block 352, p/o Lots 1 and 28), (the "Site"), Community District 3, (ULURP No. C 120237 PQM) Borough of Manhattan (the "Application");

WHEREAS, the Application is related to Application C 120226 ZMM (L.U. No. 688), a proposed amendment to the Zoning Map, Section No. 12c, establishing a C2-5 District within an existing R8 District; N 120227 ZRM (L.U. No. 689), a proposed amendment to the Zoning Resolution, modifying Sections 74-743 (Special Provisions for Bulk Modifications) and 74-744 (Modification of Use Regulations) concerning special permit regulations for large-scale general developments, relating to the former Seward Park Extension Urban Renewal Area; C 120228 ZSM (L.U. No. 690), a Special Permit, to modify the bulk regulations within a Large-Scale General Development; C 120229 ZSM (L.U. No. 691), a Special Permit, to modify the use regulations within a Large-Scale General Development; C 120231 ZSM (L.U. No. 692), a Special Permit, pursuant to Sections 13-562 and 74-52 of the Zoning Resolution, to allow a public parking garage on property bounded by Delancey Street, Norfolk Street, Broome Street and Essex Street (Site 2, Block 352, p/o Lot 1 and Lot 28), in a C6-1 District; C 120233 ZSM (L.U. No. 693), a Special Permit, pursuant to Sections 13-562 and 74-52 of the Zoning Resolution, to allow a public parking garage on property bounded by Delancey Street, Suffolk Street, Broome Street and Norfolk Street (Site 3, Block 346, p/o Lot 40), in an R8/C2-5 District; C 120234 ZSM (L.U. No. 694), a Special Permit, pursuant to Sections 13-562 and 74-52 of the Zoning Resolution, to allow a public parking on property bounded by Delancey Street, Clinton Street, Broome Street and Suffolk Street (Site 4, Block 346, p/o Lot 40), in an R8/C2-5 District; C 120235 ZSM (L.U. No. 695), a Special Permit, pursuant to Sections 13-562 and 74-52 of the Zoning Resolution, to allow a public parking garage on property bounded by Broome Street, Clinton Street, Grand Street and Suffolk Street (Site 5, Block 346, p/o Lot 40), in an R8/C2-5 District; N 120236 HAM (L.U. No. 696), an Urban Development Action Area Project (UDAAP) designation and project approval, for properties located on Essex, Delancey, Norfolk, Grand, Stanton and Broome streets (Block 346, part of Lot 40; Block 347, Lot 71; Block 352, Lots 1, 28; Block 353, Lot 44; Block 354, Lots 1, 12; and Block 409, Lot 56), as an Urban Development Action Area, to facilitate the development of residential, community facility and commercial uses, including the redevelopment of the Essex Street Market; C 120245 PPM (L.U. No. 698), Disposition of city-owned property (Block 346, p/o of Lot 40; Block 347, Lot 71; Block 352, Lots 1 and 28; Block 353, Lot 44; Block 354, Lots 1 and 12; and Block 409, Lot 56), by the New York City Department of Housing Preservation and Development (HPD) to a future developer, or by the New York City Department of Citywide Administrative Services to the New York City Economic Development Corporation (NYCEDC) or a successor local development corporation; C 120156 MMM (L.U. No. 699), a proposed amendment to the City Map involving: the establishment of Broome Street between Norfolk Street and Clinton Street; the establishment of Suffolk Street between Grand Street and Delancey Street; the narrowing, by elimination, discontinuance and closing, of Clinton Street between Grand Street and Delancey Street; the narrowing, by elimination, discontinuance and closing, of Delancey Street between Norfolk Street and Clinton Street; the establishment of the name Delancey Street for the Unnamed Street between Clinton Street and Franklin D. Roosevelt Drive; and the adjustment of grades necessitated thereby, including authorization for any disposition or acquisition of real property related thereto, in accordance with Map No. 30236, dated March 14, 2012, and signed by the Borough President;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(3) of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on September 19, 2012;

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues and the Final Generic Environmental Impact Statement ("FGEIS") for which a Notice of Completion was issued on August 10, 2012 and the CEQR Technical Memorandum dated October 1, 2012 (the "CEQR Technical Memorandum") (CEQR No. 11DME012M);

RESOLVED:

Having considered the FGEIS and the CEQR Technical Memorandum with respect to the Decision and Application, the Council finds that:

- (1) The FGEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) Consistent with social, economic and other essential considerations, from among the reasonable alternatives thereto, the Proposed Action, as modified with the modifications adopted herein, is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable; and
- (3) The adverse environmental impacts disclosed in the FGEIS and the CEQR Technical Memorandum will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, in accordance with environmental commitment letters, dated August 15, 2012, from HPD and August 15, 2012, from NYCEDC, those project components related to the environment and mitigation measures that were identified as practicable.
- (4) The Decision together with the FGEIS and the CEQR Technical Memorandum constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of the decision, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Section 197-d of the City Charter and on the basis of the Application and Decision, and based on the environmental determination and consideration described in this report, C 120237 PQM, the Council approves the Decision.

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, DIANA REYNA, CHARLES BARRON, ROBERT JACKSON, ALBERT VANN, SARA M. GONZALEZ, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, JAMES VACCA, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS; Committee on Land Use, October 4, 2012

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Report for L.U. No. 698 & Res 1561

Report of the Committee on Land Use in favor of approving Application no. C 120245 PPM submitted by the Department of Housing Preservation and Development (HPD) and the New York City Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of the Charter, for disposition of city-owned property (Block 346, p/o of Lot 40; Block 347, Lot 71; Block 352, Lots 1 and 28; Block 353, Lot 44; Block 354, Lots 1 and 12; and Block 409, Lot 56), by HPD to a future developer or by DCAS to the New York City Economic Development Corporation or a successor local development corporation, Borough of Manhattan, Community Board 3, Council District 1. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to §197-d(b)(2) of the Charter or called up by a vote of the Council pursuant to 197-d(b)(3) of the Charter.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on September 12, 2012 (Minutes, page 3511), respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 3

C 120245 PPM

City Planning Commission decision approving the application submitted by the NYC Department of Housing Preservation and Development (HPD) and the New York City Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of the Charter, for the disposition of city-owned property (Block 346, p/o of Lot 40; Block 347, Lot 71; Block 352, Lots 1 and 28; Block 353, Lot 44;

Block 354, Lots 1 and 12; and Block 409, Lot 56), by HPD to a future developer or by DCAS to the New York City Economic Development Corporation (EDC) or a successor local development corporation, and which are subject to a restriction of compliance with the terms of the related UDAAP Revised Project Summary (N 120136 HAM).

INTENT

To facilitate an approximately 1.65 million-square foot, mixed-use development on nine city-owned sites in Community District 3 in Manhattan.

PUBLIC HEARING

DATE: September 19, 2012

Witnesses in Favor:	Thirty-two Twelve	Witnesses Against:
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SUBCOMMITTEE RECOMMENDATION

DATE: September 27, 2012

The Subcommittee recommends that the Land Use Committee approve the decision of the City Planning Commission.

In Favor:	Against:	Abstain:
Levin	None	
None		
Gonzalez		
Koo		

COMMITTEE ACTION

DATE: September 27, 2012

The Committee recommends that the Council approve the attached resolution.

In Favor:	Against:	Abstain:
Rivera	None	
None		
Reyna		
Jackson		
Sanders		
Vann		
Gonzalez		
Palma		
Arroyo		
Garodnick		
Lappin		
Mendez		
Vacca		
Koo		
Lander		
Levin		
Weprin		
Williams		
Ignizio		
Halloran		

In connection herewith, Council Members Comrie and Levin offered the following resolution:

Res. No. 1561

Resolution approving the decision of the City Planning Commission on ULURP No. C 120245 PPM, for the disposition of city-owned property (Block 346, p/o of Lot 40; Block 347, Lot 71; Block 352, Lots 1 and 28; Block 353, Lot 44; Block 354, Lots 1 and 12; and Block 409, Lot 56), by HPD to a future developer or by DCAS to the New York City Economic Development Corporation (EDC) or a successor local development corporation, and which are subject to a restriction of compliance with the terms of the related UDAAP Revised Project Summary (C 120245 PPM), Borough of Manhattan (L.U. No. 698).

By Council Members Comrie and Levin.

WHEREAS, the City Planning Commission filed with the Council on August 24, 2012 its decision dated August 22, 2012 (the "Decision") on the application submitted pursuant to Section 197-c of the New York City Charter by the New York City Department of Housing Preservation and Development (HPD) and the New York City Department of Citywide Administrative Services (DCAS), for the disposition of city-owned property (Block 346, p/o of Lot 40; Block 347, Lot 71; Block 352, Lots 1 and 28; Block 353, Lot 44; Block 354, Lots 1 and 12; and Block 409, Lot 56), by HPD to a future developer or by DCAS to the New York City Economic Development Corporation (EDC) or a successor local development corporation, and which are subject to a restriction of compliance with the terms of the related UDAAP Revised Project Summary (Application No. C 120245 PPM), Community District 3, Borough of Manhattan (the "Application");

WHEREAS, the Application is related to Application C 120226 ZMM (L.U. No. 688), a proposed amendment to the Zoning Map, Section No. 12c, establishing a C2-5 District within an existing R8 District; N 120227 ZRM (L.U. No. 689), a proposed amendment to the Zoning Resolution, modifying Sections 74-743 (Special Provisions for Bulk Modifications) and 74-744 (Modification of Use Regulations) concerning special permit regulations for large-scale general developments, relating to the former Seward Park Extension Urban Renewal Area; C 120228 ZSM (L.U. No. 690), a Special Permit, to modify the bulk regulations within a Large-Scale General Development; C 120229 ZSM (L.U. No. 691), a Special Permit, to modify the use regulations within a Large-Scale General Development; C 120231 ZSM (L.U. No. 692), a Special Permit, pursuant to Sections 13-562 and 74-52 of the Zoning Resolution, to allow a public parking garage on property bounded by Delancey Street, Norfolk Street, Broome Street and Essex Street (Site 2, Block 352, p/o Lot 1 and Lot 28), in a C6-1 District; C 120233 ZSM (L.U. No. 693), a Special Permit, pursuant to Sections 13-562 and 74-52 of the Zoning Resolution, to allow a public parking garage on property bounded by Delancey Street, Suffolk Street, Broome Street and Norfolk Street (Site 3, Block 346, p/o Lot 40), in an R8/C2-5 District; C 120234 ZSM (L.U. No. 694), a Special Permit, pursuant to Sections 13-562 and 74-52 of the Zoning Resolution, to allow a public parking on property bounded by Delancey Street, Clinton Street, Broome Street and Suffolk Street (Site 4, Block 346, p/o Lot 40), in an R8/C2-5 District; C 120235 ZSM (L.U. No. 695), a Special Permit, pursuant to Sections 13-562 and 74-52 of the Zoning Resolution, to allow a public parking garage on property bounded by Broome Street, Clinton Street, Grand Street and Suffolk Street (Site 5, Block 346, p/o Lot 40), in an R8/C2-5 District; N 120236 HAM (L.U. No. 696), an Urban Development Action Area Project (UDAAP) designation and project approval, for properties located on Essex, Delancey, Norfolk, Grand, Stanton and Broome streets (Block 346, part of Lot 40; Block 347, Lot 71; Block 352, Lots 1, 28; Block 353, Lot 44; Block 354, Lots 1, 12; and Block 409, Lot 56), as an Urban Development Action Area, to facilitate the development of residential, community facility and commercial uses, including the redevelopment of the Essex Street Market; C 120237 PQM (L.U. No. 697), Acquisition of property bounded by Essex, Delancey, Norfolk, and Broome Streets (Block 352, p/o Lots 1 and 28), by the New York City Department of Citywide Administrative Services; C 120156 MMM (L.U. No. 699), a proposed amendment to the City Map involving: the establishment of Broome Street between Norfolk Street and Clinton Street; the establishment of Suffolk Street between Grand Street and Delancey Street; the narrowing, by elimination, discontinuance and closing, of Clinton Street between Grand Street and Delancey Street; the narrowing, by elimination, discontinuance and closing, of Delancey Street between Norfolk Street and Clinton Street; the establishment of the name Delancey Street for the Unnamed Street between Clinton Street and Franklin D. Roosevelt Drive; and the adjustment of grades necessitated thereby, including authorization for any disposition or acquisition of real property related thereto, in accordance with Map No. 30236, dated March 14, 2012, and signed by the Borough President;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(3) of the New York City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on September 19, 2012;

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues and the Final Generic Environmental Impact Statement (“FGEIS”) for which a Notice of Completion was issued on August 10, 2012 and the CEQR Technical Memorandum dated October 1, 2012 (the “CEQR Technical Memorandum”) (CEQR No. 11DME012M);

RESOLVED:

Having considered the FGEIS and the CEQR Technical Memorandum with respect to the Decision and Application, the Council finds that:

- (1)
- The FGEIS meets the requirements of 6 N.Y.C.R.R. Part 617;

(2) Consistent with social, economic and other essential considerations, from among the reasonable alternatives thereto, the Proposed Action, as modified with the modifications adopted herein, is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable; and

(3) The adverse environmental impacts disclosed in the FGEIS and the CEQR Technical Memorandum will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, in accordance with environmental commitment letters, dated August 15, 2012, from HPD and August 15, 2012, from NYCEDC, those project components related to the environment and mitigation measures that were identified as practicable.

(4) The Decision together with the FGEIS and the CEQR Technical Memorandum constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of the decision, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Section 197-d of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 120245 PPM, incorporated by reference herein, the Council approves the Decision.

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, DIANA REYNA, CHARLES BARRON, ROBERT JACKSON, ALBERT VANN, SARA M. GONZALEZ, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, JAMES VACCA, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS; Committee on Land Use, October 4, 2012

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Report for L.U. No. 699 & Res 1562

Report of the Committee on Land Use in favor of approving Application no. C 120156 MMM submitted by the NYC Department of Housing Preservation and Development, pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 et seq. of the New York City Administrative Code, for an amendment to the City Map involving: the establishment of portions of Broome Street and Suffolk Street; the narrowing, by elimination, discontinuance and closing, of portions of Clinton Street and Delancey Street; the establishment of the name Delancey Street between Clinton Street and FDR Drive; the adjustment of grades; and authorization for any disposition or acquisition of real property related thereto, in Borough of Manhattan, Community Board 3, Council District 1. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to §197-d(b)(2) of the Charter or called up by a vote of the Council pursuant to 197-d(b)(3) of the Charter.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on September 12, 2012 (Minutes, page 3512), respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 3 C 120156 MMM

City Planning Commission decision approving the application submitted by the NYC Department of Housing Preservation and Development, pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 et seq. of the New York City Administrative Code, for an amendment to the City Map involving:

- the establishment of Broome Street between Norfolk Street and Clinton Street;
- the establishment of Suffolk Street between Grand Street and Delancey Street;
- the narrowing, by elimination, discontinuance and closing, of Clinton Street between Grand Street and Delancey Street;
- the narrowing, by elimination, discontinuance and closing, of Delancey Street between Norfolk Street and Clinton Street;
- the establishment of the name Delancey Street for the Unnamed Street between Clinton Street and Franklin D. Roosevelt Drive;
- and the adjustment of grades necessitated thereby,

including authorization for any disposition or acquisition of real property related thereto, in accordance with Map No. 30236, dated March 14, 2012 and signed by the Borough President.

INTENT

To facilitate an approximately 1.65 million-square foot, mixed-use development on nine city-owned sites in Community District 3 in Manhattan.

PUBLIC HEARING

DATE: September 19, 2012

Witnesses in Favor: Thirty-two
Twelve Witnesses Against:

SUBCOMMITTEE RECOMMENDATION

DATE: September 27, 2012

The Subcommittee recommends that the Land Use Committee approve the decision of the City Planning Commission.

In Favor:	Against:	Abstain:
Levin	None	
None		
Gonzalez		
Koo		

COMMITTEE ACTION

DATE: September 27, 2012

The Committee recommends that the Council approve the attached resolution.

In Favor:	Against:	Abstain:
Rivera	None	None
Reyna		
Jackson		
Sanders		
Vann		
Gonzalez		
Palma		
Arroyo		
Garodnick		
Lappin		

Cont'd

Mendez
Vacca
Koo
Lander
Levin
Weprin
Williams
Ignizio
Halloran

In connection herewith, Council Members Comrie and Levin offered the following resolution:

Res. No. 1562

Resolution approving the decision of the City Planning Commission on ULURP No. C 120156 MMM, an amendment to the City Map (L.U. No. 699).

By Council Members Comrie and Levin.

WHEREAS, the City Planning Commission filed with the Council on August 24, 2012 its decision dated August 22, 2012 (the "Decision"), on the application

submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Sections 197-c and 199 of the New York City Charter, and Section 5-430 *et seq.* of the New York City Administrative Code, for an amendment to the City Map involving:

- the establishment of Broome Street between Norfolk Street and Clinton Street;
- the establishment of Suffolk Street between Grand Street and Delancey Street;
- the narrowing, by elimination, discontinuance and closing, of Clinton Street between Grand Street and Delancey Street;
- the narrowing, by elimination, discontinuance and closing, of Delancey Street between Norfolk Street and Clinton Street;
- the establishment of the name Delancey Street for the Unnamed Street between Clinton Street and Franklin D. Roosevelt Drive;
- and the adjustment of grades necessitated thereby,

including authorization for any disposition or acquisition of real property related thereto, in accordance with Map No. 30236, dated March 14, 2012 and signed by the Borough President, (ULURP No. C 120156 MMM), Community District 3, Borough of Manhattan (the "Application");

WHEREAS, the Application is related to Application C 120226 ZMM (L.U. No. 688), a proposed amendment to the Zoning Map, Section No. 12c, establishing a C2-5 District within an existing R8 District; N 120227 ZRM (L.U. No. 689), a proposed amendment to the Zoning Resolution, modifying Sections 74-743 (Special Provisions for Bulk Modifications) and 74-744 (Modification of Use Regulations) concerning special permit regulations for large-scale general developments, relating to the former Seward Park Extension Urban Renewal Area; C 120228 ZSM (L.U. No. 690), a Special Permit, to modify the bulk regulations within a Large-Scale General Development; C 120229 ZSM (L.U. No. 691), a Special Permit, to modify the use regulations within a Large-Scale General Development; C 120231 ZSM (L.U. No. 692), a Special Permit, pursuant to Sections 13-562 and 74-52 of the Zoning Resolution, to allow a public parking garage on property bounded by Delancey Street, Norfolk Street, Broome Street and Essex Street (Site 2, Block 352, p/o Lot 1 and Lot 28), in a C6-1 District; C 120233 ZSM (L.U. No. 693), a Special Permit, pursuant to Sections 13-562 and 74-52 of the Zoning Resolution, to allow a public parking garage on property bounded by Delancey Street, Suffolk Street, Broome Street and Norfolk Street (Site 3, Block 346, p/o Lot 40), in an R8/C2-5 District; C 120234 ZSM (L.U. No. 694), a Special Permit, pursuant to Sections 13-562 and 74-52 of the Zoning Resolution, to allow a public parking on property bounded by Delancey Street, Clinton Street, Broome Street and Suffolk Street (Site 4, Block 346, p/o Lot 40), in an R8/C2-5 District; C 120235 ZSM (L.U. No. 695), a Special Permit, pursuant to Sections 13-562 and 74-52 of the Zoning Resolution, to allow a public parking garage on property bounded by Broome Street, Clinton Street, Grand Street and Suffolk Street (Site 5, Block 346, p/o Lot 40), in an R8/C2-5 District; N 120236 HAM (L.U. No. 696), an Urban Development Action Area Project (UDAAP) designation and project approval, for properties located on Essex, Delancey, Norfolk, Grand, Stanton and Broome streets (Block 346, part of Lot 40; Block 347, Lot 71; Block 352, Lots 1, 28; Block 353, Lot 44; Block 354, Lots 1, 12; and Block 409, Lot 56), as an Urban Development Action Area, to facilitate the development of residential, community facility and commercial uses, including the redevelopment of the Essex Street Market; C 120237 PQM (L.U. No. 697), Acquisition of property bounded by Essex, Delancey, Norfolk, and Broome Streets (Block 352, p/o Lots 1 and 28), by the New York City Department of Citywide Administrative Services; and C 120245 PPM (L.U. No. 698), Disposition of city-owned property (Block 346, p/o of Lot 40; Block 347, Lot 71; Block 352, Lots 1 and 28; Block 353, Lot 44; Block 354, Lots 1 and 12; and Block 409, Lot 56), by the New York City Department of Housing Preservation and Development to a future developer, or by the New York City Department of Citywide Administrative Services to the New York City Economic Development Corporation (NYCEDC) or a successor local development corporation;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(3) of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on September 19, 2012;

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application;

WHEREAS, the Council has considered the relevant environmental issues and the Final Generic Environmental Impact Statement (“FGEIS”) for which a Notice of Completion was issued on August 10, 2012 and the CEQR Technical Memorandum dated October 1, 2012 (the “CEQR Technical Memorandum”) (CEQR No. 11DME012M);

RESOLVED:

Having considered the FGEIS and the CEQR Technical Memorandum with respect to the Decision and Application, the Council finds that:

- (1) The FGEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) Consistent with social, economic and other essential considerations, from among the reasonable alternatives thereto, the Proposed Action, as modified with the modifications adopted herein, is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable; and
- (3) The adverse environmental impacts disclosed in the FGEIS and the CEQR Technical Memorandum will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, in accordance with environmental commitment letters, dated August 15, 2012, from HPD and August 15, 2012, from NYCEDC, those project components related to the environment and mitigation measures that were identified as practicable.
- (4) The Decision together with the FGEIS and the CEQR Technical Memorandum constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of the decision, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Sections 197-d and 199 of the New York City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 120156 MMM, incorporated by reference herein, the Council approves the Decision, for an amendment to the City Map involving:

- the establishment of Broome Street between Norfolk Street and Clinton Street;
- the establishment of Suffolk Street between Grand Street and Delancey Street;
- the narrowing, by elimination, discontinuance and closing, of Clinton Street between Grand Street and Delancey Street;
- the narrowing, by elimination, discontinuance and closing, of Delancey Street between Norfolk Street and Clinton Street;
- the establishment of the name Delancey Street for the Unnamed Street between Clinton Street and Franklin D. Roosevelt Drive;
- and the adjustment of grades necessitated thereby,

including authorization for any disposition or acquisition of real property related thereto, in accordance with Map No. 30236, dated March 14, 2012 and signed by the Borough President, more particularly described as follows:

Clinton Street Discontinuance and Closing Description

Starting at a **Point of Beginning** located at the corner formed by the intersection of the westerly line of Clinton Street and the northerly line of Grand Street, as said streets are shown on Alteration Map No. 30236, dated March 14, 2012;

Thence running westerly along the northerly line of Grand Street, a distance 30.00 feet to a point;

Thence running northerly along the former westerly line of Clinton Street, forming an interior angle of 90 degrees 14 minutes 44 seconds with the last mentioned course, a distance 301.82 feet to a point;

Thence running easterly along the southerly line of Broome Street, forming an interior angle of 89 degrees 50 minutes 11 seconds with the last mentioned course, a distance 30.00 feet to a point;

Thence running southerly along the westerly line of Clinton Street, forming an interior angle of 90 degrees 9 minutes 49 seconds with the last mentioned course, a distance 301.87 feet to the place or **Point of Beginning**.

Said area consists of 9,055 square feet (0.21 acres), more or less.

Clinton and Delancey Street Discontinuance and Closing Description

Starting at a **Point of Beginning** located at the corner formed by the intersection of the westerly line of Clinton Street and the northerly line of Broome Street, as said streets are shown on Alteration Map No. 30236, dated March 14, 2012;

Thence running westerly along the northerly line of Broome Street, a distance 30.00 feet to a point;

Thence running northerly along the former westerly line of Clinton Street, forming an interior angle of 90 degrees 6 minutes 5 seconds with the last mentioned course, a distance 182.00 feet to a point;

Thence running westerly along the former southerly line of Delancey Street, forming an interior angle of 265 degrees 21 minutes 4 seconds with the last mentioned course, a distance 171.58 feet to a point;

Thence running northerly along the easterly line of Suffolk Street, forming an interior angle of 94 degrees 43 minutes 13 seconds with the last mentioned course, a distance 6.98 feet to a point;

Thence running easterly along the southerly line of Delancey Street, forming an interior angle of 89 degrees 39 minutes 28 seconds with the last mentioned course, a distance 200.96 feet to a point;

Thence running southerly along the westerly line of Clinton Street, forming an interior angle of 90 degrees 19 minutes 12 seconds with the last mentioned course, a distance 201.91 feet to the place or **Point of Beginning**.

Said area consists of 8,378 square feet (0.19 acres), more or less.

Clinton Street and Delancey Street Corner Discontinuance and Closing Description

Starting at the **Point of Beginning** located at the corner formed by the intersection of the easterly line of Clinton Street and the southerly line of Delancey Street, as said streets are shown on Alteration Map No. 30236, dated March 14, 2012;

Thence running easterly along the southerly line of Delancey Street, a distance 20.08 feet to a point of curvature;

Thence running southerly along the former easterly line of Clinton Street, along an arc curving to the west, having a radius of 20.00 feet and forming an included angle of 90 degrees 13 minutes and 56 seconds, a distance 31.50 feet to a point of tangency;

Thence running northerly along the easterly line of Clinton Street, a distance 20.08 feet to the place or **Point of Beginning**.

Said area consists of 86 square feet (0.002 acres), more or less.

Delancey Street Discontinuance and Closing Description

Starting at a **Point of Beginning** located at the corner formed by the intersection of the westerly line of Suffolk Street and the southerly line of Delancey Street, as said streets are shown on Alteration Map No. 30236, dated March 14, 2012;

Thence running southerly along the westerly line of Suffolk Street, a distance 3.14 feet to a point;

Thence running easterly along the former southerly line of Delancey Street, forming an interior angle of 85 degrees 13 minutes 14 seconds with the last mentioned course, a distance 41.05 feet to a point;

Thence running easterly along the southerly line of Delancey Street, forming an interior angle of 4 degrees 23 minutes 11 seconds with the last mentioned course, a distance 40.91 feet to the place or **Point of Beginning**.

Said area consists of 64 square feet (0.001 acres), more or less.

All such approvals being subject to the following conditions:

- a. The subject amendment to the City Map shall take effect on the day following the day on which certified counterparts of Map No. 30236, dated March 14, 2012, are filed with the appropriate agencies in accordance with Section 198 subsection c of the New York City Charter and Section 5-435 of the New York City Administrative Code;
- b. The subject amendment to the City Map shall not be filed with the appropriate agencies in accordance with condition “a” above until the applicant shall have executed a mapping agreement protecting the city's interest, approved as to form and sufficiency by the Corporation Counsel and accepted by the City Planning Commission (the “Mapping Agreement”). If such agreement is not accepted by the City Planning Commission within two years of the date of this resolution, the approved amendment to the City Map may be returned to the City Planning Commission for rescission;
- c. The subject streets to be discontinued and closed shall be discontinued and closed on the day following the day on which such maps adopted by this resolution shall be filed in the offices specified by law.

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, DIANA REYNA, CHARLES BARRON, ROBERT JACKSON, ALBERT VANN, SARA M. GONZALEZ, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, JAMES VACCA, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS; Committee on Land Use, October 4, 2012

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Resolution approving various persons Commissioners of Deeds

By the Presiding Officer –

Resolved, that the following named persons be and hereby are appointed Commissioners of Deeds for a term of two years:

<i>Approved New Applicant’s Report</i>		
<u>Name</u>	<u>Address</u>	<u>District #</u>
Christopher Mills	338 East 19 th Street #A New York, N.Y. 10003	2
Griny A. Read	1960 Park Avenue #11J New York, N.Y. 10037	9
Yan Jiao Chen	35 West Central Park North #5D New York, N.Y. 10026	9
Maria L. Puschila	1832 Parkview Avenue Bronx, N.Y. 10461	13
Arlyn Rodriguez	156 West 168 th Street #1G Bronx, N.Y. 10452	16
Helen R. Aponte	999 East 163 rd Street #5C Bronx, N.Y. 10459	17
Marilyn Stuart	635 Castle Hill Avenue \$16D Bronx, N.Y. 10473	18
Isaac Lara	24-56 33 rd Street Queens, N.Y. 11102	22
Shirley Stevens	9728 57 th Avenue #11D Corona, N.Y. 11368	25
Jo-Anne Earl	253-64 149 th Road Queens, N.Y. 11422	31
Luke Petrinovic	176 8 th Avenue Brooklyn, N.Y. 11215	33
Ariel Courage	449 51 st Street Brooklyn, N.Y. 11220	38
Kevin O'Connor	7109 Fort Hamilton Parkway #3 Brooklyn, N.Y. 11228	43
Susruta Sudula	2345 Ocean Avenue #4A Brooklyn, N.Y. 11229	48

<i>Approved New Applicants and Reapplicants</i>		
<u>Name</u>	<u>Address</u>	<u>District #</u>
Yen H. Bui	430 East 6 th Street #8J New York, N.Y. 10009	2
Vanessa Gonzalez	145 2 nd Avenue #10 New York, N.Y. 10003	2
Jennifer Jarett	230 East 15 th Street #6E New York, N.Y. 10003	2
Louis Bakalar	435 West 45 th Street Ground Floor New York, N.Y. 10036	3
Amelia Elorriaga	15 Abingdon Square #62 New York, N.Y. 10014	3
Ronald M. Rivera	330 West 28 th Street #5F New York, N.Y. 10001	3
Ventura Cambrelen	211 East 89 th Street #B13 New York, N.Y. 10128	5
Jean Lee Anderson	609 Columbus Avenue #2K New York, N.Y. 10024	6

George Engel	275 West 96 th Street #34D New York, N.Y. 10025	9	Sandra Darden	Brooklyn, N.Y. 11213 257 Eldert Street	37
Marian Daniel-Olin	5700 Arlington Avenue #15G Bronx, N.Y. 10471	11	Argentina Batista	Brooklyn, N.Y. 11207 220 53 rd Street #1R	38
LaYonne C. Bost-Barkside	900 Baychester Avenue #18F Bronx, N.Y. 10475	12	Mercedes Bayon	Brooklyn, N.Y. 11220 1207 49 th Street #B9	39
Joseph K. Eady	3410 DeReimer Avenue #7D Bronx, N.Y. 10475	12	Adalberto Hernandez	Brooklyn, N.Y. 11219 444 East 5 th Street #1	39
Jahaira Lopez	1919 Colden Avenue #1 Bronx, N.Y. 10462	13	Lue B. Gibson	Brooklyn, N.Y. 11218 385 East 16 th Street #2H	40
Mildred I. Martinez	2081 Cruger Avenue #1F Bronx, N.Y. 10462	13	Darlene P. Green	Brooklyn, N.Y. 11226 593 Miller Avenue #1R	42
Paula Steward	2801 Schley Avenue #4A Bronx, N.Y. 10465	13	Antoinette Bellantuono	Brooklyn, N.Y. 11207 1262 77 th Street	43
Vivian Torres	2808 Barkley Avenue Bronx, N.Y. 10465	13	Amy J. Rosario	Brooklyn, N.Y. 11228 1860 71 st Street	43
Isabel Vazquez	795 Pelham Parkway North #1C Bronx, N.Y. 10457	13	Susan Sosa	Brooklyn, N.Y. 11204 8803 14 th Avenue	43
Crystal Ferguson	1705 Purdy Street #9H Bronx, N.Y. 10462	18	Jeffery Haffenden	Brooklyn, N.Y. 11228 661 East 59 th Street	45
Lillian Tirado	1550 Unionport Road #2H Bronx, N.Y. 10462	18	Bonita A. Tong-Kelman	Brooklyn, N.Y. 11234 3510 Avenue H #5A	45
Lujuan April Williams	1965 Lafayette Avenue #5N Bronx, N.Y. 10473	18	Felicia Thornton-Manuel	Brooklyn, N.Y. 11210 1168 East 89 th Street	46
Alcira Mejia	21-80 38 th Street #B10 Astoria, N.Y. 11105	22	Mariana Grinman	Brooklyn, N.Y. 11236 3086 West 1 st Street #L1	47
Denise Alvarez	247-31 77 th Crescent Queens, N.Y. 11426	23	Josephine Messina	Brooklyn, N.Y. 11224 189 Bay 43 rd Street	47
Eduard Arabov	73-29 181 st Street Queens, N.Y. 11366	24	Melinda Muniz	Brooklyn, N.Y. 11214 8404 Bay Parkway #B2	47
Dorita Clarke	162-15 Highland Avenue #5R Queens, N.Y. 11432	24	Cynthia Villafane	Brooklyn, N.Y. 11214 2250 West 11 th Street #11B	47
Deborah Lowe	111-27 172 nd Street Queens, N.Y. 11433	27	Victoria M. Gillen	Brooklyn, N.Y. 11223 74 Winant Street	49
Milton Warden	169-18 115 th Avenue Jamaica, N.Y. 11434	27	Ana M. Antequera	Staten Island, N.Y. 10303 50 Seaver Avenue	50
Dolores J. Daniels	134-19 166 th Place #6D Queens, N.Y. 11434	28	Marianna Bediner	Staten Island, N.Y. 10306 989 Olympia Blvd	50
Lydia Rojas	70-31 57 ^l Drive #1 Maspeth, N.Y. 11378	30	Emmanuel Brutus	Staten Island, N.Y. 10306 515 Buchanan Avenue	50
Nazime Velovic	64-07 Gates Avenue Queens, N.Y. 11385	30	Ruth C. Richards	Staten Island, N.Y. 10314 40A Dinsmore Street	50
Maryse Jacob	149-46 256 th Street Queens, N.Y. 11422	31	Yi Zhu	Staten Island, N.Y. 10314 245 Signs Road #A	50
Lucia Amoretti	162-30 97 th Street Queens, N.Y. 11414	32	Debra A. Barrett	Staten Island, N.Y. 10314 160 Lipsett Avenue	51
Giselle Liriano	97-06 97 th Avenue Queens, N.Y. 11416	32	Rita Bobe-Saleh	Staten Island, N.Y. 10312 150 Lamoka Avenue #1	51
Lydia Machado	85-20 Dumont Avenue #10 Queens, N.Y. 11417	32	Doris Gentile	Staten Island, N.Y. 10308 36 Bent Street	51
Denise Motta	160-12 89 th Street Queens, N.Y. 11414	32	Stephanie Miranda	Staten Island, N.Y. 10312 26 Santa Monica Lane	51
Jeanne Marie Powell	155-52 101 st Street Howard Beach, N.Y. 11414	32	Elisa Pritchard	Staten Island, N.Y. 10309 469 Mosley Avenue	51
Lucero Garcia-Flores	72 George Street #3R Brooklyn, N.Y. 11206	34		Staten Island, N.Y. 10312	
Lillie Huey	1684 Gates Avenue #2L Queens, N.Y. 11385	34			
Mary A. Dunn	309 Lafayette Avenue #1C Brooklyn, N.Y. 11238	35			
Sharon Goodin	593 Vanderbilt Avenue #24I Brooklyn, N.Y. 11238	35			
Victoria McArthur-Isaac	416 Clermont Avenue #1F Brooklyn, N.Y. 11238	35			
Sara Murphy	455 Carlton Avenue #12D Brooklyn, N.Y. 11238	35			
Maggie Castillo	3 Tompkins Avenue Brooklyn, N.Y. 11206	36			
Classic Dockery	235A Lexington Avenue Brooklyn, N.Y. 11216	36			
Theresa P. Gibbs	400 Herkimer Street #1P Brooklyn, N.Y. 11213	36			
Patsy E. McKeller	400 Herkimer Street #5R	36			
			On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).		

ROLL CALL ON GENERAL ORDERS FOR THE DAY (Items Coupled on General Order Calendar)		
(1)	M 909 & Res 1550 -	Jose M. Araujo- Re-appointment to the New York City Board of Election
(2)	Int 648-A -	In relation to requiring the Human Resources Administration and the Department of Youth and Community Development to publish on the agencies’ websites information relating to the process for youth and young adults aged sixteen through twenty applying for or receiving public assistance.
(3)	Int 649-A –	In relation to requiring the Human Resources Administration to clarify the process for serving youth and young adults aged 16 through twenty-four receiving public assistance as head of household.
(4)	Int 657-A -	In relation to collecting and reporting data related to access of individuals aged sixteen through twenty-four to public assistance as head of household.
(5)	Int 683-A -	In relation to the apparel used by operators of bicycles used for commercial purposes.
(6)	Int 733-A -	In relation to the boundaries of the Far Rockaway empire zone.
(7)	Int 783-A -	In relation to requiring commercial bicyclists to complete a bicycle safety course.
(8)	Int 896-A -	In relation to the enforcement of commercial bicycle provisions.
(9)	Int 910-A -	In relation to the use of bicycles for commercial purposes.
(10)	Res 1539 -	Designation of funding in the Expense Budget (Transparency Resolution).
(11)	Res 1540 -	Amending the Rules of the Council in relation to discretionary funding.
(12)	L.U. 680 & Res 1541 -	App. 20135029 HAQ, 107-05 Sutphin Boulevard (Block 10090, Lot 21) and 107-08 150th Street (Block 10090, Lot 23), Borough of Queens, Community Board 12, Council Districts 24 and 28.
(13)	L.U. 688 & Res 1551 -	App. C 120226 ZMM, amendment of the Zoning Map, Section No. 12c, by establishing within an existing R8 District a C2-5 District, Borough of Manhattan, Community District 3, Council District 1.
(14)	L.U. 689 & Res 1552 -	App. N 120227 ZRM, amendment of the Zoning Resolution of the City of New York, modifying Sections 74-743 (Special Provisions for bulk modifications) and 74-744 (Modification of use regulations) concerning special permit regulations for large scale general developments, relating to the former Seward Park Extension Urban Renewal Area, Borough of Manhattan, Community Board 3, Council District 1.
(15)	L.U. 690 & Res 1553 -	App. C 120228 ZSM, proposed mixed use development, within a large-scale general development (Block 346, p/o Lot 40; Block 347, Lot 71; Block 352, Lots 1 and 28; and Block 409, Lot 56) in R8/C2-5 and C6-1 districts, partially within the former Seward Park Extension Urban Renewal Area, Borough of Manhattan, Community Board 3, Council District 1.
(16)	L.U. 691 & Res 1554 -	App. C 120229 ZSM, proposed mixed use development, within a large-scale general development (Block 346, p/o Lot 40; Block 347, Lot 71; Block 352, Lots 1 and 28; and Block 409, Lot 56) in R8/C2-5 and C6-1 districts, partially within the former Seward Park Extension Urban Renewal Area, Borough of Manhattan, Community Board 3, Council District 1.
(17)	L.U. 692 & Res 1555 -	App. C 120231 ZSM, Zoning Resolution to allow a public parking garage with a maximum capacity of 168 spaces on portions of the ground floor, cellar level 1 and cellar level 2 of a proposed development on property bounded by Delancey Street, Norfolk Street, Broome Street and Essex Street (Site 2, Block 353, p/o Lot 1 and Lot 28), in a C6-1 District, Borough of Manhattan, Community Board 3, Council District 1.
(18)	L.U. 693 & Res 1556 -	App. C 120233 ZSM, Zoning Resolution to allow a public parking garage with a maximum capacity of 250 spaces on portions of the ground floor, cellar level 1 and cellar level 2 of a proposed development on property bounded by Delancey Street, Suffolk Street, Broome Street and Norfolk Street (Site 3, Block 346, p/o Lot 40), in an R 8/C2-5, Borough of Manhattan, Community Board 3, Council District 1.
(19)	L.U. 694 & Res 1557 -	App. C 120234 ZSM, Zoning Resolution to allow a public parking garage with a maximum capacity of 250 spaces on portions of the ground floor, cellar level 1 and cellar level 2 of a proposed development on property bounded by Delancey Street, Clinton Street, Broome Street and Suffolk Street (Site 4, Block 346, p/o Lot 40), in an R8/C2-5 District, Borough of Manhattan, Community Board 3, Council District 1.
(20)	L.U. 695 & Res 1558 -	App. C 120235 ZSM, Zoning Resolution to allow a public parking garage with a maximum capacity of 305 spaces on portions of the ground floor, cellar level 1 and cellar level 2 of a proposed development on property bounded by Broome Street, Clinton Street, Grand Street and Suffolk Street (Site 5, Block 346, p/o Lot 40), in an R8/C2-5 District, Borough of Manhattan, Community Board 3, Council District 1.
(21)	L.U. 696 & Res 1559 -	App. N 120236 HAM, Essex, Delancey, Norfolk, Grand, Stanton and Broome streets (Block 346, part of Lot 40; Block 347, Lot 71; Block 352, Lots 1, 28; Block 353, Lot 44; Block 354, Lots 1, 12; and Block 409, Lot 56) and the disposition of city owned property, to facilitate the development of residential, community facility and commercial uses, including the redevelopment of the Essex Street Market, Borough of Manhattan, Community Board 3, Council District 1.
(22)	L.U. 697 & Res 1560 -	App. C 120237 PQM, property bounded by Essex, Delancey, Norfolk, and Broome streets (Block 352, p/o Lots 1 and 28), Borough of Manhattan, Community Board 3, Council District 1.
(23)	L.U. 698 & Res 1561 -	App. C 120245 PPM, disposition of city-owned property (Block 346, p/o of Lot 40; Block 347, Lot 71; Block 352, Lots 1 and 28; Block 353, Lot 44; Block 354, Lots 1 and 12; and Block 409, Lot 56), by HPD to a future developer or by DCAS to the New York City Economic Development Corporation or a successor local development corporation, Borough of Manhattan, Community Board 3, Council District 1.
(24)	L.U. 699 & Res 1562 -	App. C 120156 MMM, amendment to the City Map involving: the establishment of portions of Broome Street and Suffolk Street; the narrowing, by elimination, discontinuance and closing, of portions of Clinton Street and Delancey Street; the establishment of the name Delancey Street between Clinton Street and FDR Drive; the adjustment of grades; and authorization for any disposition or acquisition of real property related thereto, in Borough of Manhattan, Community Board 3, Council District 1.
(25)	L.U. 705 & Res 1542 -	App. 20135017 HKM (N 130002 HKM), Riverside-West End Historic District Extension I (List No. 457, LP-2463), Borough of Manhattan, Community Board 7, Council District 6, as an historic district.
(26)	L.U. 706 & Res 1543 -	App. 20125808 TCM, 10 Little West 12th Street, Borough of Manhattan, Community Board 2, Council District 3.
(27)	L.U. 709 & Res 1544 -	App. C 120138 ZMQ, amendment of the Zoning Map, Section No. 7b, Borough of Queens, Community Board 7, Council District 19.
(28)	L.U. 712 & Res 1545 -	App. C 120294 ZMK, amendment of the Zoning Map, Section Nos. 12d, 13b, 16c, and 17a, Borough of Brooklyn, Community Board 3, Council Districts 34, 35, 36 and 41.
(29)	L.U. 713 & Res 1546 -	App. N 120295 ZRK, Article I, Chapters I and II, Article II, Chapter III, Article III, Chapters III, IV, V, and VI, Article VI, Chapter II, and Article XIII, Chapter II, in the Borough of Brooklyn, Community Board 3, Council Districts 34, 35, 36 and 41.

- (30)

L.U. 714 & Res 1547 -

App. N 120296 ZRY, amendment of the Zoning Resolution of the City of New York, relating to Article III, Chapter II., in the Borough of Brooklyn, Community Board 3, Council Districts 11, 15, 34, 35, 36 and 41.
- (31)

L.U. 717 & Res 1548 -

App. C 110401 MMX, Marconi Street north of Waters Place in the Borough of The Bronx, Community Board 11, Council District 13.
- (32)

L.U. 718 & Res 1549 -

App. 20135097 HAX, 1664, 1694 and 1702 Davidson Avenue (Block 2861, Lots 10, 21 and 50), Borough of the Bronx, Community Board 5, Council District 16.
- (33)

Resolution approving various persons Commissioners of Deeds.

The President Pro Tempore (Council Member Rivera) put the question whether the Council would agree with and adopt such reports which were decided in the **affirmative** by the following vote:

Affirmative – Arroyo, Barron, Brewer, Cabrera, Chin, Comrie, Crowley, Dickens, Dromm, Eugene, Ferreras, Fidler, Foster, Garodnick, Gennaro, Gentile, Gonzalez, Greenfield, Halloran, Ignizio, Jackson, James, Koo, Koppell, Koslowitz, Lander, Lappin, Levin, Mark-Viverito, Mealy, Mendez, Nelson, Palma, Recchia, Rodriguez, Rose, Sanders, Ulrich, Vacca, Vallone, Jr., Van Bramer, Vann, Weprin, Williams, Wills, Oddo, Rivera, and the Speaker (Council Member Quinn) – **48**.

The General Order vote recorded for this Stated Meeting was 48-0-0 as shown above with the exception of the votes for the following legislative items:

The following was the vote recorded for **Int No. 683-A**:

Affirmative – Arroyo, Barron, Brewer, Cabrera, Chin, Comrie, Crowley, Dickens, Dromm, Eugene, Ferreras, Fidler, Foster, Garodnick, Gennaro, Gentile, Gonzalez, Greenfield, Halloran, Ignizio, Jackson, James, Koo, Koppell, Koslowitz, Lander, Lappin, Levin, Mark-Viverito, Mealy, Mendez, Nelson, Palma, Recchia, Rodriguez, Rose, Sanders, Ulrich, Vacca, Van Bramer, Vann, Weprin, Williams, Wills, Oddo, Rivera, and the Speaker (Council Member Quinn) – **47**.

Negative – Vallone, Jr – **1**.

The following was the vote recorded for **Int No. 783-A**:

Affirmative – Arroyo, Barron, Brewer, Cabrera, Chin, Comrie, Crowley, Dickens, Dromm, Eugene, Ferreras, Fidler, Foster, Garodnick, Gennaro, Gentile, Gonzalez, Greenfield, Halloran, Ignizio, Jackson, James, Koo, Koppell, Koslowitz, Lander, Lappin, Levin, Mark-Viverito, Mealy, Mendez, Nelson, Palma, Recchia, Rodriguez, Rose, Sanders, Ulrich, Vacca, Van Bramer, Vann, Weprin, Williams, Wills, Oddo, Rivera, and the Speaker (Council Member Quinn) – **47**.

Abstention – Vallone, Jr. - **1**.

The following was the vote recorded for **Int No. 910-A**:

Affirmative – Arroyo, Barron, Brewer, Cabrera, Chin, Comrie, Crowley, Dickens, Dromm, Eugene, Ferreras, Fidler, Foster, Garodnick, Gennaro, Gentile, Gonzalez, Greenfield, Halloran, Ignizio, Jackson, James, Koo, Koppell, Koslowitz, Lander, Lappin, Levin, Mark-Viverito, Mealy, Mendez, Nelson, Palma, Recchia, Rodriguez, Rose, Sanders, Ulrich, Vacca, Van Bramer, Vann, Weprin, Williams, Wills, Oddo, Rivera, and the Speaker (Council Member Quinn) – **47**.

Abstention – Vallone, Jr. - **1**.

The following Introductions were sent to the Mayor for his consideration and approval: Int Nos.648-A, 649-A, 657-A, 683-A, 733-A, 783-A, 896-A, and 910-A.

INTRODUCTION AND READING OF BILLS

Int. No. 941

By Council Members Brewer, Jackson, Chin, Gentile, Gonzalez, James, Koo, Koppell, Mendez, Palma, Recchia, Rose, Williams and Lappin.

A Local Law to amend the New York city charter, in relation to standardized customer service training for agency inspectors.

Be it enacted by the Council as follows:

Section 1. Section 15 of the New York city charter is amended by adding a new subdivision g to read as follows:

g. 1. The office of operations shall develop a standardized customer service training curriculum to be used, to the extent practicable, by relevant agencies for training agency inspectors. For purposes of this subdivision, relevant agencies shall include the department of buildings, the department of consumer affairs, the department of health and mental hygiene, the department of environmental protection, the department of sanitation, and the bureau of fire prevention of the fire department.

2. The office of operations shall review each relevant agency’s inspector training program to ensure that such program includes customer service training and, to the extent practicable, includes the standardized customer service training curriculum developed by the office of operations pursuant to paragraph one of this subdivision. After completing such review, the office of operations shall certify an agency’s inspector training program if it includes, to the extent practicable, the standardized customer service training curriculum developed by the office of operations pursuant to paragraph one of this subdivision. Any such certification shall be provided to the speaker of the council upon request.

3. No later than December 1, 2012, the office of operations shall submit to the mayor and the speaker of the council a copy of the standardized customer service training curriculum developed pursuant to paragraph one of this subdivision and shall report the number of agency inspector training programs reviewed by the office of operations and the number of such programs that were certified. No later than December 1, 2013 and annually thereafter, the office of operations shall submit to the mayor and the speaker of the council any substantive changes to the standardized customer service training curriculum and shall report the number of agency inspector training programs that were reviewed and the number of such programs that were certified by the office of operations during the prior year.

§2. This local law shall take effect thirty days following enactment.

Referred to the Committee on Governmental Operations.

Int. No. 942

By Council Members Comrie, Arroyo, Gentile, James, Koo, Palma, Rose and Williams.

A Local Law to amend the administrative code of the city of New York, in relation to agency liaisons.

Be it enacted by the Council as follows:

Section 1. Subchapter 1 of chapter 1 of title 3 of the administrative code of the city of New York is amended by adding a new section 3-114 to read as follows:

§ 3-114 Agency liaisons. a. The chief business operations officer, or other representative of the office of the mayor designated by the mayor, shall ensure that each relevant agency designates an employee or employees to serve as agency liaison(s) to such agency’s regulated community or communities, including but not limited to relevant chambers of commerce and industry groups. Each liaison shall, to the extent practicable, meet regularly with such liaison’s agency’s regulated community or communities. For purposes of this subdivision, relevant agencies shall include the department of buildings, the department of consumer affairs, the department of health and mental hygiene, the department of environmental protection, the department of sanitation, and the fire department.

b. No later than January 1, 2013, and no later than every January 1 thereafter, the chief business operations officer, or other representative of the office of the mayor designated by the mayor, shall provide to the mayor and the speaker of the council a listing of the name and contact information of designated agency liaisons.

§ 2. This local law shall take effect thirty days following enactment.

Referred to the Committee on Small Business

Int. No. 943

By Council Members Dickens, Comrie, Fidler, Koo, Mealy, Rose, Williams and Rodriguez (in conjunction with the Mayor).

A Local Law to amend the administrative code of the city of New York, in relation to the place of assembly certificate of operation and the place of assembly permit.

Be it enacted by the Council as follows:

Section 1. Table 28-112.8 of chapter 1 of title 28 of the administrative code of the city of New York, as amended by local law number 45 for the year 2011, is amended to read as follows:

Table 28-112.8

Item Description	Fee	Comments
Place of assembly certificate of operation.	\$200.	\$100 [renewal] amendment.

§2. Section 28-117.1.1 of chapter 1 of title 28 of the administrative code of the city of New York, as added by local law number 33 for the year 2007, is amended to read as follows:

§28-117.1.1 Contents of the place of assembly certificate of operation. The place of assembly certificate of operation shall contain the place of assembly certificate number, the number of persons who may legally occupy the space and any other information that the commissioner may determine. Such place of assembly certificate of operation shall be framed and mounted in a location that is conspicuously visible to a person entering the space. For the purposes of this article a *department issued* place of assembly permit [issued prior to the effective date of this code] *or place of assembly certificate of operation* shall be valid until its expiration, *at which time a new place of assembly certificate of operation shall be required in accordance with the provisions of this article and with the filing requirements of the department.* [Prior to the expiration of the term of such place of assembly permit, the party responsible for renewal shall apply to the department for a certificate of operation in accordance with this article, except that the issuance of such certificate shall be subject to the same inspection requirement as a renewal of a certificate of operation pursuant to this code.]

§3. Section 28-117.1 of chapter 1 of title 28 of the administrative code of the city of New York is amended by adding new sections 28-117.1.2 and 28-117.1.3 to read as follows:

§28-117.1.2 New certificate required. *The following changes to a place of assembly shall require a new place of assembly certificate of operation instead of an amendment filed in accordance with section 28-117.1.3:*

- 1. For a department issued place of assembly permit or place of assembly certificate of operation that does not have a nine-digit job number, any change of zoning use group, assembly occupancy group A-1 through A-5, or any of the changes set forth in section 28-117.1.3.*
- 2. For all other department issued place of assembly permits or place of assembly certificates of operation, any change of zoning use group or assembly occupancy group A-1 through A-5.*

§28-117.1.3 Amendments. *No change shall be made to a place of assembly that is inconsistent with the most recently issued place of assembly certificate of operation or renewal unless an amendment to such certificate is filed with and approved or accepted by the department. Changes that require an amendment include, but are not limited to, any of the following:*

- 1. Any physical change requiring an alteration permit to be issued by the department.*
- 2. Any amendment to the plan for seating and other moveable furnishings, in accordance with section 28-117.1.*
- 3. Any change to the name of the establishment.*

§4. Section 28-117.3 of chapter 1 of title 28 of the administrative code of the city of New York, as added by local law number 33 for the year 2007, is amended to read as follows:

§28-117.3 Duration [and renewal] of certificate. A place of assembly certificate of operation shall be issued [for a term of 1 year and may be renewed annually upon payment of proper fees and proof of satisfactory inspection by the fire department] *by the department and shall be effective for one year after its issuance. Thereafter, such certificate shall be effective only for periods of time during which there is in effect an annual place of assembly permit issued by the fire department pursuant to section 105.6 of the New York city fire code.*

§5. Section 3110.7 of the New York city building code, as added by local law number 33 for the year 2007, is amended to read as follows:

3110.7 Assembly seating. Unless separated from seating inside the building by fire partitions complying with Section 708, the seating for enclosed sidewalk cafés shall be added to that inside the building in order to determine whether a place of assembly [permit] *certificate of operation* is required.

§6. Section FC 105.3.1 of the New York city fire code, chapter 2 of title 29 of the administrative code of the city of New York, as added by local law number 26 for the year 2008, is amended to read as follows:

105.3.1 Permit issuance and renewal. Every permit or renewal thereof granted by the commissioner shall be for a period specified therein, not to exceed two years, *or as set forth in Section 105.6,* and shall expire at the end of such period unless the commissioner approves its renewal. Permits are not transferable and any change in occupancy, operation, tenancy or ownership shall require that a new permit be issued.

§7. The “places of assembly” subdivision of section FC 105.6 of the New York city fire code, chapter 2 of title 29 of the administrative code of the city of New York, as added by local law number 26 for the year 2008, is amended to read as follows:

Places of assembly. A permit is required to maintain or operate a place of assembly. *The term of such permit shall be for a period not to exceed 1 year.*

§8. This local law shall take effect 120 days after its enactment; provided, however, that the commissioner of buildings and the fire commissioner may, in

advance of such effective date, promulgate rules and take any other actions necessary to implement this local law.

Referred to the Committee on Fire and Criminal Justice Services.

Res. No. 1535

Resolution condemning the Boy Scouts of America’s discriminatory policy of banning lesbian, gay, bisexual and transgender scouts and troop leaders.

By Council Members Dromm, Brewer, Chin, James, Koppell, Koslowitz, Lander, Mendez, Palma, Rose, Rodriguez and Lappin.

Whereas, The Boy Scouts of America was founded in 1910; and

Whereas, According to its Vision Statement, “The Boy Scouts of America will prepare every eligible youth in America to become a responsible, participating citizen and leader who is guided by the Scout Oath and Law”; and

Whereas, The Scout Oath is, “On my honor I will do my best to do my duty to God and my country and to obey the Scout law; to help other people at all times; to keep myself physically strong, mentally awake, and morally straight”; and

Whereas According to the Scout Law, a Scout is “trustworthy, loyal, helpful, friendly, courteous, kind, obedient, cheerful, thrifty, brave, clean, and reverent”; and

Whereas, Despite its noble mission, the Boy Scouts of America has an unfortunate and longstanding policy of excluding gay, bisexual and transgender youth from its membership, and lesbian, gay, bisexual and transgender (“LGBT”) adults from its leadership; and

Whereas, The Boy Scouts of America has spoken out against LGBT-inclusive leadership on numerous occasions, stating that “homosexuals do not provide a desirable role model for Scouts” and that “homosexual conduct is inconsistent with the obligations in the Scout Oath and Scout Law to be morally straight and clean in thought, word, and deed”; and

Whereas, More recently, in June 2012, the Boy Scouts of America issued a policy statement indicating that while it does not seek information on the sexual orientation of those involved in the organization, “[it does] not grant membership to individuals who are open and avowed homosexuals or who engage in behavior that would become a distraction to the mission of the [Boy Scouts of America]”; and

Whereas, In July 2012, after a two-year review of its exclusionary policy, the Boy Scouts of America announced that there would be no changes to the policy and that it was “absolutely the best policy for the Boy Scouts”; and

Whereas, Despite its clearly discriminatory policy, the right of the Boy Scouts of America to exclude LGBT youth and adults from its organization has been upheld by the United States Supreme Court, which ruled in *Boy Scouts of America v. Dale* that, since it is a private organization, the freedom of association allows it to set its own membership policy; and

Whereas, Excluding LGBT individuals from participation in the Boy Scouts of America only serves to threaten the long-term viability of the organization, which has seen its membership decrease nearly 44 percent over the past four decades; and

Whereas, It is truly unfortunate that an organization that has so much potential to instill in its members a sense of citizenship, civic involvement and service to the community sees fit to deny membership to an entire segment of the population simply because of whom they love; now, therefore, be it

Resolved, That the Council of the City of New York condemns the Boy Scouts of America’s discriminatory policy of banning lesbian, gay, bisexual and transgender scouts and troop leaders.

Referred to the Committee on Civil Rights.

Int. No. 944

By Council Members Eugene, Williams, Chin, James, Koppell, Koslowitz, Mendez, Nelson, Palma, Rose, Wills, Rodriguez and Dromm.

A Local Law to amend the New York city charter, in relation to the translation and publication of the New York city voters guide in additional languages.

Be it enacted by the Council as follows:

Section 1. Section 1053 of the New York city charter is amended to read as follows:

§ 1053. Voters guide. Each voters guide published by the board shall contain: (a) material explaining the date and hours during which the polls will be open for that election; when, where, and how to register to vote; when a citizen is required to reregister; when, where, and how absentee ballots are obtained and used; instructions on how to vote; maps showing the boundaries of council districts; and any other general information on voting deemed by the board to be necessary or useful to the electorate or otherwise consistent with the goals of this charter; (b) such tables of contents, graphics, and other materials which the board determines will make the voters guide easier to understand or more useful for the average voter; (c) biographical information on each candidate, including but not limited to name, party

affiliation, present and previous public offices held, present occupation and employer, prior employment and other public service experience, educational background, and a listing of major organizational affiliations and endorsements; (d) concise statements by each candidate of his or her principles, platform or views; and (e) where there is a ballot proposal or referendum, concise statements explaining such proposal or referendum and an abstract of each such proposal or referendum. The guide shall be prepared in plain language using words with common and everyday meanings. No later than the first day of January of nineteen hundred eighty nine, the board shall promulgate such rules as it deems necessary for the preparation and publication of the guide in English, Spanish and any other languages the board determines to be necessary and appropriate, *including, but not limited to, each of the top seven limited-English proficiency languages spoken by the population of New York City, as those languages are determined by the department of city planning, based on United States census data,* and for the distribution of the guide. The purpose of such rules shall be to ensure that the guide and its distribution will serve to fully, fairly and impartially inform the public about the issues and candidates appearing on the ballot.

§ 2. This local law shall take effect ninety days following enactment.

Referred to the Committee on Governmental Operations.

Int. No. 945

By Council Members Eugene, Comrie, Fidler, Gentile, Gonzalez, James, Koppell, Koslowitz, Mendez, Nelson, Palma, Rose, Sanders, Williams, Wills, Rodriguez, Dromm and Halloran.

A Local Law to amend the New York city administrative code, in relation to a job bank for veterans.

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 3 of the administrative code of the city of New York is amended by adding a new subchapter 3 to read as follows:

Subchapter 3 Office of Veterans’ Affairs

§ 3-122. *Employment resources.* a. *Definitions. For the purposes of this section:*

1. *“Federal veterans job bank” shall mean the job bank developed by the federal government for veterans or any subsequent online tool that the federal government utilizes to connect veterans with employment opportunities.*

2. *“City job” shall mean employment with the government of the city of New York.*

b. *The office of veterans’ affairs shall publish on its website information concerning resources intended to assist veterans in obtaining employment including, but not limited to:*

1. *a link to the federal veterans job bank;*

2. *links to websites describing veteran employment services provided by the federal government and New York state government, including but not limited to, the websites of the United States department of labor, the New York state department of labor, the United States department of veterans affairs, and the New York state department of veterans’ affairs; and*

3. *links to any additional resources deemed relevant by the office.*

c. *The office shall consult with the department of citywide administrative services and other appropriate city agencies to identify city job postings for inclusion in the federal veterans job bank and shall also ensure that such job postings are included in such job bank and are updated as necessary to maintain accuracy;*

d. *The office shall consult with the department of small business services to identify job postings that are received or maintained by the department for inclusion in the federal veterans job bank and shall also ensure that such job postings are included in such job bank and are updated as necessary to maintain accuracy.*

§2. This local law shall take effect ninety days after its enactment into law.

Referred to the Committee on Veterans.

Res. No. 1536

Resolution calling on the United States Department of Homeland Security to expedite the adjustment of immigration status of immigrants serving in the United States Armed Forces and to halt deportations of immigrants who are active duty service members or who have been honorably discharged from the United States Armed Forces.

By Council Members Eugene, Williams, Brewer, Chin, Comrie, Fidler, Gonzalez, James, Koppell, Lander, Mendez, Nelson, Palma, Rose, Sanders, Vann and Wills.

Whereas, According to the 2010 United States Census, more than a third of all residents of New York City, approximately three million people, are foreign born, representing countries throughout the world; and

Whereas, In a time in which national military service members are in great need, immigrants who volunteer are an integral part of our country’s military; and

Whereas, According to a report by the Immigration Policy Center, entitled *Immigrants in the Military Eight Years After 9/11* (“the Report”), as of 2009, nationally, more than 100,000 immigrants were in active duty in the United States Armed Forces; and

Whereas, Furthermore, of those 100,000 immigrants, approximately 12 percent were undocumented; and

Whereas, According to the United States Citizenship and Immigration Services (“USCIS”), members of the U.S. Armed Forces include those serving in either the Army, Navy, Marine Corps, Air Force, Coast Guard, certain Reserve components of the National Guard, and the Selected Reserve of the Ready Reserve; and

Whereas, Thousands of immigrants join the U.S. Armed Forces each year, serving in Iraq, Afghanistan and other locations across the globe; and

Whereas, Volunteering in the Armed Forces demonstrates a clear commitment and devotion to the United States, which is deserving of our respect and honor as a city, state, and country; and

Whereas, However, membership in the U.S. Armed Forces does not automatically grant non-citizen immigrants U.S. citizenship status and, like all applicants, active duty service members must meet certain requirements; and

Whereas, Presidential Executive Order No. 13269 of 2002, entitled *Expedited Naturalization of Aliens and Noncitizen Nationals Serving in Active-Duty Status During the War on Terrorism*, allows non-citizens on active duty in the U.S. Armed Forces, who served at any time during a specified period of hostility, beginning September 11, 2001, to immediately apply for naturalization; and

Whereas, According to the Report, despite this expedited citizenship process, many immigrants who served in the U.S. Armed Forces during this period of hostility continue to have long waits for their naturalization applications to be processed; and

Whereas, The Report states it generally takes five years before a legal immigrant can apply to become a citizen, and three years for those immigrants in the military, depending on various circumstances; and

Whereas, Non-citizen immigrants are allowed to serve in the U.S. Armed Forces in order to show their appreciation, support and commitment to this country, even though veterans must wait a lengthy amount of time to be deemed citizens of this country; and

Whereas, According to USCIS, part of the process of granting a person citizenship involves the government identifying an individual as having good moral character, even after being in the service; and

Whereas, The goal of many immigrants is to become naturalized U.S. citizens so they can take advantage of the opportunities available in this country and offer their skills to the nation; and

Whereas, In order to be eligible for certain New York City positions, such as police officers, fire fighters, or other professions, veterans must be U.S. citizens; and

Whereas, Non-citizen immigrants should no longer be denied the rights and privileges of U.S. citizenship after proving their devotion to this nation by serving in the U.S. Armed Forces; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the United States Department of Homeland Security to expedite the adjustment of immigration status of immigrants serving in the United States Armed Forces and to halt deportations of immigrants who are active duty service members or who have been honorably discharged from the United States Armed Forces.

Referred to the Committee on Immigration.

Int. No. 946

By Council Members Ferreras, Chin, Gentile, James, Koslowitz, Palma, Rose, Williams and Rodriguez.

A Local Law to amend the New York City charter, in relation to disclosing certain information related to transportation.

Be it enacted by the Council as follows:

Section 1. Section 2903 of chapter 71 of the New York City charter is amended by adding a new subdivision e to read as follows:

e. *Studies conducted by the department. The commissioner shall make available to the public within sixty days of completion the results of all studies, surveys and reports prepared or conducted by the department pursuant to chapter 71 of the charter and pursuant to title 19 of the administrative code. Such results shall be made available online and, upon request, in paper form.*

§ 2. This local law shall take effect ninety days after its enactment into law.

Referred to the Committee on Transportation.

Int. No. 947

By Council Members Ferreras, Chin, Eugene, Gonzalez, James, Koppell, Koslowitz, Mendez, Nelson, Palma, Rose, Vann, Williams, Wills and Rodriguez.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of health and mental hygiene to report on the incidence of food-borne illness.

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-198 to read as follows:

§ 17-198 Report on food-borne illness. a. Beginning January 15, 2013, and on or before every January 15 thereafter, the department shall submit to the council a written report that shall provide information about the incidence of food-borne illness in New York city for the preceding calendar year. Such report shall include a list of the five most common food-borne illnesses in New York city. Such report shall also include, but not be limited to, the following information, disaggregated by each of the five such illnesses:

1. the number of individuals that suffered from food-borne illness in New York city, disaggregated by borough;
 2. the number of individuals that presented to emergency departments with food-borne illness or symptoms of food-borne illness, disaggregated by borough;
 3. the number of hospitalizations attributed to food-borne illness, disaggregated by borough;
 4. the number of deaths attributed to food-borne illness, disaggregated by borough;
 5. the origin of the food which caused the food-borne illness;
 6. the type of food which caused the food-borne illness;
 7. the location where such food was sold, consumed or prepared, including but not limited to, a private residence, food service establishment, mobile food vendor, catering hall, or any other location where food is served;
 8. the number of investigations conducted by the department pertaining to food-borne illness, disaggregated by borough;
 9. a summary of such investigations conducted by the department; and
 10. information on the prevention of food-borne illness.
- b. Each annual report prepared pursuant to subdivision a of this section shall be made available to the public on the department’s website.

§ 2. This local law shall take effect ninety days after its enactment.

Referred to the Committee on Health.

Res. No. 1537

Resolution calling upon the New York State Legislature to pass and the Governor to sign Aidan’s Law, A.10813/S.7837, legislation requiring adrenoleukodystrophy screening of newborns.

By Council Members Greenfield, Williams, Arroyo, Brewer, Chin, Fidler, Gonzalez, Koo, Koppell, Koslowitz, Nelson, Palma, Wills, Dromm and Halloran.

Whereas, Adrenoleukodystrophy (ALD) is a rare metabolic disease, which affects the brain and all neurological functioning; and

Whereas, Symptoms can include aggression, memory loss, hyperactivity and vision loss; and

Whereas, This disease affects approximately 1 out of 17,000 people in the United States, primarily males; and

Whereas, Death usually occurs within 1 to 10 years after symptoms appear, yet if detected early, the childhood cerebral form of the disease can be treated with a bone marrow transplant; and

Whereas, Senator Eric Adams (D-Brooklyn) and Assembly Member James Brennan (D-Brooklyn) introduced Aidan’s Law, S.7837/ A.10813; and

Whereas, Aidan Jack Seeger, the namesake of this legislation, was diagnosed with ALD on June 2, 2011, at the age of 6 years old; and

Whereas, Aidan’s battle with ALD began innocently enough as he was in first grade, performing above grade level, and playing with other children; and

Whereas, He started to experience vision problems in April of 2011 and it was assumed that he simply required glasses; and

Whereas, After testing, including an MRI and a very long chain fatty acid blood test, Aidan was diagnosed with ALD, and the only option to stop the progression of this disease was through a bone marrow transplant; and

Whereas, Aidan received this transplant on his seventh birthday, however the following months were difficult for Aidan, because although the transplant was successful he had already experienced symptoms and had to undergo chemotherapy; and

Whereas, As the disease further progressed, Aidan lost his sight, hearing, and the ability to eat, walk, and communicate; and

Whereas, After ten months in the hospital, Aidan succumbed to ALD on April 29, 2012; and

Whereas, Aidan’s parents, Elisa and Bobby Seeger, have advocated for the passage of Aidan’s Law and have taken their fight to Albany and Washington, D.C.; and

Whereas, In New York, Aidan’s law would require that all newborns in New

York State be screened for ALD; and

Whereas, According to the New York Daily News, if passed, Aidan’s Law would add ALD to the list of more than 40 conditions that newborns are screened for in New York hospitals; and

Whereas, Newborns would be screened at the same time and in the same way they are currently screened for more than 40 conditions, by extracting blood from the infant’s heel; and

Whereas, It has been estimated that the cost of screening a newborn for ALD is \$1.50 per child or \$375,000 per year for all New York newborns; and

Whereas, The Seegers have generated an abundance of support from more than 20,000 members of Aidan’s Facebook page and a group called “Aidan Has A Posse”; and

Whereas, With routine screening for ALD, New York State can ensure that other families do not experience the same tragedy as the Seeger family, and that newborns receive prompt treatment and care; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass and the Governor to sign Aidan’s Law, A.10813/S.7837, legislation requiring adrenoleukodystrophy screening of newborns.

Referred to the Committee on Health

Int. No. 948

By Council Members Koppell, James, Palma, Williams and Halloran.

A Local Law to amend the administrative code of the city of New York, in relation to public hearings and notice requirements of the Franchise Concession and Review Committee.

Be it enacted by the Council as follows:

Section 1. Section 371 of the New York city charter is amended to read as follows:

§ 371. Public hearing on proposed agreement; publication of notice. The franchise and concession review committee in the case of a franchise, or the responsible agency in the case of a revocable consent, shall hold a public hearing [on]prior to entering into or renewing the proposed agreement memorializing the terms and conditions of each proposed franchise or revocable consent[before final approval of the proposed franchise or consent]. Any such public hearing conducted by the franchise and concession review committee shall be held within [thirty]sixty days of the filing with the committee by the responsible agency of a newly proposed agreement, or within forty-five days of the filing with the committee by the responsible agency of a proposed renewal agreement, containing the terms and conditions of the proposed franchise. No hearing held by the franchise and concession review committee or by the responsible agency shall be held until after notice thereof and a summary of the terms and conditions of the newly proposed agreement or the proposed renewal agreement shall have been published for at least [fifteen]thirty or twenty days, respectively, except Sundays and legal holidays, immediately prior thereto in the City Record, nor until a notice of such hearing, indicating the place where copies of the proposed agreement may be obtained by all those interested therein, shall have been published at least twice at the expense of the proposed grantee in a daily newspaper designated by the mayor which is published in the city of New York and having a circulation in the borough or boroughs in which the affected property of the city is located and a weekly newspaper or newspapers designated by the mayor which are published in the city of New York and have a circulation in the community district or districts in which the affected property of the city is located. In the event a franchise or revocable consent relates to property of the city located in more than one borough, notice of hearing in a weekly newspaper shall not be required; however, in that event, notice of hearing in two daily newspapers, and mailing by the grantee, no later than [fifteen]thirty days immediately prior to the date of the public hearing for a newly proposed agreement or twenty days immediately prior to the date of the public hearing for a proposed renewal agreement, of such notice to the borough presidents and community boards and council members in whose districts the affected property of the city is located, shall be required. In the case of a franchise for a bus route which crosses one or more borough boundaries, notice of hearing in a weekly newspaper shall not be required; however, in that event, notice of hearing in two daily newspapers, and mailing by the grantee, no later than [fifteen]thirty days immediately prior to the date of the public hearing for a newly proposed agreement or twenty days immediately prior to the date of the public hearing for a proposed renewal agreement, of such notice to the borough presidents and community boards and council members in whose districts the bus route is located, and posting of such notice in the buses operating upon such route, shall be required.

§2. This local law shall take effect ninety days after its enactment into law.

Referred to the Committee on Governmental Operations.

Res. No. 1538

Resolution calling upon the New York State Legislature to adopt A.7860-A and S.5425-A, which would create “New York Health,” a state single payer health insurance plan to provide comprehensive health coverage for all New Yorkers.

By Council Members Koppell, Brewer, Chin, James, Lander, Rose, Wills and Rodriguez.

Whereas, According to a New York State report, there are an estimated 2.7 million uninsured New Yorkers; and

Whereas, A.7860-A, sponsored by Assembly Member Richard Gottfried and S.5425-A, sponsored by State Senator Tom Duane, would create “New York Health,” a state single payer health insurance plan to provide comprehensive health coverage for all New Yorkers; and

Whereas, Under the proposed legislation, every New York resident would be eligible to enroll, regardless of age, income, health or employment status; and

Whereas, Furthermore, patients would not be subject to out-of-pocket charges such as premiums, deductibles, or co-pays, and coverage would be publicly funded; and

Whereas, Benefits would include comprehensive outpatient and inpatient medical care, primary and preventative care, prescription drugs, laboratory tests, rehabilitative care, dental, vision and other benefits; and

Whereas, The New York Health plan would provide savings through the consolidation of health care expenditures under a single, publicly financed, insurance program; and

Whereas, The aforementioned report indicated that a single payer program could save the State an estimated \$20 billion annually by 2019; and

Whereas, According to advocacy group Single Payer New York, such a health insurance program would also provide stability to New York’s hospitals by freeing up resources for patient care; and

Whereas, A study by the New York State Health Foundation (“the Foundation”) found that the percentage of New York residents who get health insurance through their jobs has dropped considerably from 69% in 2003 to 58% in 2009, which is below the national average of 65%; and

Whereas, The study also found that a single payer health program would significantly benefit New York small business owners; and

Whereas, A single payer plan could reduce the amount of wages that would otherwise be lost to health insurance costs by a cumulative \$50 billion, or 92% over ten years, according to the Foundation; and

Whereas, Further, small businesses would be able to preserve 50% more jobs by 2018 when compared to the status quo; and

Whereas, In 2011, Vermont became the first state to establish a single payer healthcare system; and

Whereas, Since a single payer provision is not included in the Affordable Care Act, a waiver from the federal government would eventually be required to implement such system, however, the federal waiver will not be available until 2017; and

Whereas, Other states considering a single payer program include California, Illinois, Massachusetts, Minnesota, Montana and Pennsylvania; and

Whereas, A single payer health plan could result in significant savings for the State, and help to secure more jobs, while providing high-quality health insurance coverage for all New Yorkers; now, therefore be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to adopt A.7860-A and S.5425-A, which would create “New York Health,” a state single payer health insurance plan to provide comprehensive health coverage for all New Yorkers.

Referred to the Committee on Health.

Res. No. 1539

Resolution approving the new designation and changes in the designation of certain organizations to receive funding in the Expense Budget.

By Council Members Recchia, Comrie, Fidler and Wills.

Whereas, On June 28, 2012 the Council of the City of New York (the “City Council”) adopted the expense budget for fiscal year 2013 with various programs and initiatives (the “Fiscal 2013 Expense Budget”); and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2013 Expense Budget by approving the new designation and changes in the designation of certain organizations receiving local, aging and youth discretionary funding, and by approving the new designation and changes in the designation of certain organizations to receive funding pursuant to certain initiatives in accordance therewith; and

Whereas, On June 29, 2011 the Council adopted the expense budget for fiscal year 2012 with various programs and initiatives (the “Fiscal 2012 Expense Budget”); and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2012 Expense Budget by approving the new

designation and changes in the designation of certain organizations receiving local discretionary funding; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2013 Expense Budget by approving the new Description/Scope of Services for New York City Center, Inc., as described in the report attached hereto; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2013 Expense Budget by approving the new Description/Scope of Services for the Council of Senior Center Services, as described in the report attached hereto; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2013 Expense Budget by approving the new Description/Scope of Services for Grand Street Management Association, as described in the report attached hereto; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2013 Expense Budget by approving the new Description/Scope of Services for the Southside Community Mission, Inc., as described in the report attached hereto; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2013 Expense Budget by approving the new Description/Scope of Services for The Maspeth Chamber of Commerce, as described in the report attached hereto; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2013 Expense Budget by approving the new Description/Scope of Services for Metropolitan New York Coordinating Council on Jewish Poverty, as described in the report attached hereto; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2013 Expense Budget by approving the new Description/Scope of Services for the Council of Jewish Organizations of Flatbush, Inc., as described in the report attached hereto; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2013 Expense Budget by approving the new Description/Scope of Services for the Legal Aid Society, as described in the report attached hereto; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2013 Expense Budget by approving the new Description/Scope of Services for the Bedford Stuyvesant Community Legal Services Corporation, as described in the report attached hereto; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2013 Expense Budget by approving the new Description/Scope of Services for Legal Services NYC-Bronx, as described in the report attached hereto; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2013 Expense Budget by approving the new Description/Scope of Services for Legal Services NYC-Manhattan, as described in the report attached hereto; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2013 Expense Budget by approving the new Description/Scope of Services for Legal Services NYC-Queens Legal Services Corporation, as described in the report attached hereto; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2013 Expense Budget by approving the new Description/Scope of Services for Legal Services NYC-Staten Island Legal Services, as described in the report attached hereto; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2013 Expense Budget by approving the new Description/Scope of Services for the New York Legal Assistance Group, as described in the report attached hereto; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2013 Expense Budget by approving the new Description/Scope of Services for the Ecuadorian International Center, as described in the report attached hereto; and

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 1; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of a certain organization receiving aging discretionary funding in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 2; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 3; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of a certain organization receiving funding pursuant to the Obesity Initiative in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 4; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of a certain organization receiving funding pursuant to the Out of School Time Initiative in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 5; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of a certain organization receiving funding pursuant to the Anti-Gun

Violence Initiative in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 6; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving funding pursuant to the Asthma Control Program Initiative in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 7; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Anti-Gun Violence Initiative in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 8; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Senior Centers and Programs Restoration Initiative in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 9; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Cultural After School Adventures Initiative in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 10; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Immigrant Opportunities Initiative in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 11; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the EarlyLearn/Childcare Initiative in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 12; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2012 Expense Budget, as set forth in Chart 13.

Adopted by the Council (preconsidered and approved by the Committee on Finance; for text of the Exhibits, please see the Attachment to the resolution following the Report of the Committee on Finance for Res No. 1539 printed in these Minutes).

Int. No. 949

By Council Members Reyna, Comrie, Koo, Mendez, Rose, Wills and Halloran.

A Local Law to provide for retrospective review by the department of buildings, the department of consumer affairs, the department of health and mental hygiene, the department of environmental protection, the department of sanitation, and the fire department of those agencies’ existing violations.

Be it enacted by the Council as follows:

Section 1. *Retrospective review of existing violations. Within 180 days of the enactment of this section, the department of buildings, the department of consumer affairs, the department of health and mental hygiene, the department of environmental protection, the department of sanitation, and the fire department shall conduct a retrospective review of such agency’s rules establishing violations and submit a report to the mayor and the speaker regarding those existing violations for which a penalty or fine may be assessed for which there is no cure period or other opportunity for ameliorative action by the party or parties subject to enforcement prior to the imposition of a penalty or fine. This report shall include:*

(1) a description of each violation for which the agency recommends that a cure period or other opportunity for ameliorative action be provided prior to the imposition of a penalty or fine, and the basis for such conclusion; and

(2) a list of all other existing violations established by the agency’s rules for which a penalty or fine may be assessed for which there is no cure period or other opportunity for ameliorative action by the party or parties subject to enforcement prior to the imposition of a penalty or fine. This list shall identify, either on individual item or aggregate basis, the rationale for the absence of a cure period or other opportunity for ameliorative action.

§2. This local law shall take effect immediately.

Referred to the Committee on Small Business.

Int. No. 950

By Council Members Vacca, Brewer, Comrie, Eugene, James, Koo, Koppell, Palma, Rose, Williams, Wills, Chin, Rodriguez and Halloran.

A Local Law to amend the administrative code of the city of New York, in relation to traffic calming measures on streets adjacent to public housing buildings.

Be it enacted by the Council as follows:

Section 1. Section 19-177 of the administrative code of the city of New York is

amended by adding a new subdivision d to read as follows:

d. Notwithstanding the aforementioned provisions of this section, the official speed limit for a vehicle in the city of New York on all streets adjacent to residential developments operated by the New York city housing authority shall be twenty miles per hour. The commissioner shall post a sign that states such speed limit at locations to be determined by the department. The department shall also install at least one traffic calming device on streets adjacent to such residential developments. “Traffic calming device” shall have the same meaning as it does in section 19-183 of this code.

§2. This local law shall take effect ninety days after its enactment into law.

Referred to the Committee on Transportation.

Int. No. 951

By Council Members Vacca, James, Koo, Koslowitz, Palma, Rose, Chin and Halloran.

A Local Law to amend the New York city charter, in relation to public notice of final rules.

Be it enacted by the Council as follows:

Section 1. Subdivision e of section 1043 of chapter 45 of the New York city charter is amended to read as follows:

e. Opportunity for and consideration of agency and public comment. The agency shall provide the public an opportunity to comment on the proposed rule (i) through outreach to the discrete regulated community or communities, if one exists, provided that this clause shall not be construed to create a private right of action to enforce this requirement; (ii) through submission of written data, views, or arguments, and (iii) at a public hearing unless it is determined by the agency in writing, which shall be published in the notice of proposed rulemaking in the City Record, that such a public hearing on a proposed rule would serve no public purpose. All written comments and a summary of oral comments concerning a proposed rule received from the public or any agency shall be placed in a public record and be made readily available to the public as soon as practicable and in any event within a reasonable time, not to be delayed because of the continued pendency of consideration of the proposed rule. After consideration of the relevant comments presented, the agency may adopt a final rule pursuant to subdivision f of this section; *except that, other than a rule adopted pursuant to subdivision i, no final rule shall be adopted by an agency unless it is (i) published in its final form along with a statement of basis and purpose in the City Record, (ii) posted in a prominent location on such agency’s website, (iii) electronically transmitted to the office of the speaker of the council, the council’s office of legislative documents, the corporation counsel, each council member, the chairs of all community boards, the news media*

and civic organizations, and, if the agency is a board or commission, to each member of such board or commission, and (iv) transmitted to the NYC Rules online portal or any successor city website or page that is substantially similar in form or function. Such publishing, posting, and transmission shall occur at least seven calendar days, exclusive of Sundays, prior to such rule’s adoption. Such final rule may include revisions of the proposed rule, and such adoption of revisions based on the consideration of relevant agency or public comments shall not require further notice and comment pursuant to this section; except that, the statement of basis and purpose for such final rule shall include a description of any revisions of the proposed rule.

§ 2. This local law shall take effect ninety days after enactment.

Referred to the Committee on Governmental Operations.

Res. No. 1540

Resolution to Amend the Rules of the Council in relation to discretionary funding.

By Council Member Williams, the Speaker (Council Member Quinn), Recchia, Koppell, Brewer, Garodnick, Comrie, Koo, Lander, Mealy, Palma and Rose.

2.55. Discretionary Funding. a. The Speaker shall establish a policy to ensure the integrity and transparency of the Council discretionary funding process. Such policy shall require that all organizations that wish to be considered for discretionary funding from the expense budget or for discretionary funding from the capital budget for a “non-City capital project” shall file an application with the Council or relevant City offices and/or agencies. For the purposes of this rule, a “non-City capital project” is a project for which the applicant organization is required to submit a Capital Funding Request Form for Not-for-Profit Organizations. Applications for discretionary funding from the expense budget or for discretionary funding from the capital budget for a non-City capital project shall be reviewed by the Council and/or relevant City offices and/or agencies to ensure that they are legally eligible to receive

the City funds, are capable of providing the services for which they seek funding, are seeking funding for a public purpose, and are in compliance with all applicable laws and regulations. All expense applications received by the Council shall be made available to the public in a searchable on-line database in summary form. All allocations for discretionary funding from the expense budget or for discretionary funding from the capital budget for a non-City capital project shall be made available to the public in a searchable on-line database.

In addition, such policy shall require completion of conflicts of interest disclosure/certification forms as specified by the Speaker from i) all organizations seeking discretionary funding from the expense budget or discretionary funding from the capital budget for a non-City capital project, ii) all Council Members sponsoring discretionary funding allocations and iii) all Council Members prior to voting to designate discretionary funds. Such disclosure/certification forms shall contain either disclosure of any relationship between an organization and applicable City officials and associated persons or firms so that a determination may be made as to whether funding such organization is consistent with the City’s Conflicts of Interest Laws and if so whether disclosure is necessary, or a certification that no such relationships exist.

b. Allocation of discretionary funds from the expense budget or discretionary funds from the capital budget for a non-City capital project, designation of recipients of discretionary funds from the expense budget or discretionary funds from the capital budget for a non-City capital project, and delineation of the uses of such funds shall be made solely through the budget adoption or modification process or through a discretionary funding transparency resolution.

Adopted by the Council (preconsidered and approved by the Committee on Rules, Privileges and Elections for Res No. 1540).

L.U. No. 720

By Council Member Comrie:

Application no. 20135041 HKQ (N 130043 HKQ), pursuant to §3020 of the Charter of the City of New York, concerning the designation by the Landmarks Preservation Commission of Brinckerhoff Cemetery located at 69-65 to 69-73 182nd Street (Block 7135, Lots 54 and 60), (Designation List 458, LP-2087). Borough of Queens, Community Board 8, Council District no. 24.

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Siting and Maritime Uses.

L.U. No. 721

By Council Member Comrie:

Application no. C 120267 PPM submitted by the New York City Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of New York City Charter, for the disposition of two (2) city-owned properties located at 22 Reade Street (Block 154, p/o Lot 23) and 49-51 Chambers Street (Block 153, Lot 1), pursuant to zoning, Borough of Manhattan, Community Board 1, Council District 1 . This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to §197-d(b)(2) of the Charter or called up by a vote of the Council pursuant to 197-d(b)(3) of the Charter.

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions and Concessions.

L.U. No. 722

By Council Member Comrie:

Application no. C 090002 ZSM submitted by 54 Greene Street Realty Corp. pursuant to Section 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Section 74-711 of the Zoning Resolution to modify the use regulations of Section 42-17D(1)(b) to allow Use Group 17D uses (Joint Living-Work Quarters for Artist) on the second and fourth floors; and Section 42-14D(2)(b) to allow Use Group 6 (retail uses) on portions of the ground floor and cellar, of an property located at 54 Greene Street, Borough of Manhattan, Community Board 2, Council District 1 . This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to §197-d(b)(2) of the Charter or called up by a vote of the Council pursuant to 197-d(b)(3) of the Charter.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 723

By Council Member Comrie:

Application no. 20125755 TCQ, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of MCSR Restaurant Corp., d.b.a Bar 30 Lounge, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 34-19 30th Avenue, Borough of Queens, Community Board 1, Council District 22. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and §20-226(e) of the New York City Administrative Code.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

At this point the Speaker (Council Member Quinn) made the following announcements:

ANNOUNCEMENTS:

Monday, October 15, 2012

Committee on **GOVERNMENTAL OPERATIONS 2:00 P.M.**
Int. 613 - By Council Members Dickens, Chin, Comrie, Dromm, Ferreras, Fidler, Garodnick, Gentile, Gonzalez, James, Koslowitz, Rose, Van Bramer, Nelson, Mendez, Jackson, Lander, Vallone, Rodriguez, Lappin, Barron, Recchia, Williams, Levin, Foster, Mark-Viverito, Palma, Mealy, Brewer, Greenfield, Weprin, Vann, Vacca, Gennaro, Arroyo, Koo, Sanders Jr., Koppell, Wills, Halloran and Oddo - A Local Law to amend the New York city charter, in relation to providing email notifications to prospective New York City voters.
Int. 721 - By Council Members Lappin, Ferreras, Gentile, Lander, Dromm, Garodnick, Rodriguez, Barron, Recchia, Williams, Mendez, Mark-Viverito, Palma, Brewer, Vann, Vacca, Arroyo, Dickens, Sanders, Koo, Sanders Jr., Nelson, Comrie, Jackson, Ulrich and Halloran - A Local Law to amend the New York city charter, in relation to establishing a city employee poll worker program.
Int. 728 - By Council Members Greenfield, Wills, Fidler, Foster, James, Koppell, Lander, Levin, Recchia, Rose, Williams, Koslowitz, Palma, Chin, Comrie, Gentile, Jackson, Vann, Garodnick, Lappin, Rodriguez, Barron, Dromm, Mark-Viverito, Brewer, Weprin, Ferreras, Gonzalez, Mendez, Dickens, Gennaro, Arroyo, Nelson, Koo, Van Bramer, Sanders Jr. and Halloran - A Local Law to amend the administrative code of the city of New York, in relation to the provision of voter registration materials to families.
Int. 760 - By Council Members Williams, Dromm, James, Lander, Mendez, Wills, Rodriguez, Garodnick, Fidler, Lappin, Barron, Recchia, Levin, Foster, Mark-Viverito, Chin, Brewer, Greenfield, Weprin, Vann, Ferreras, Gonzalez, Dickens, Gennaro, Arroyo, Koo, Nelson, Sanders Jr., Koppell, Van Bramer, Comrie, Jackson, Vacca, Gentile and Halloran - A Local Law to amend the New York city charter, in relation to improving compliance with the City's Pro-Voter Law.
Int. 764 - By Council Members Brewer, Cabrera, Dromm, Ferreras, James, Lander, Levin, Mark-Viverito, Mendez, Recchia, Sanders Jr., Van Bramer, Williams and Greenfield - A Local Law to amend the administrative code of the city of New York, in relation to allowing for political contributions via text message.
Int. 769 - By Council Members Eugene, Jackson, James, Koo, Koppell, Lander, Williams, Foster, Vann, Garodnick, Fidler, Rodriguez, Lappin, Barron, Recchia, Dromm, Mendez, Levin, Mark-Viverito, Palma, Mealy, Chin, Weprin, Vacca, Ferreras, Gonzalez, Dickens, Gennaro, Arroyo, Nelson, Sanders Jr., Brewer, Van Bramer, Comrie, Gentile, Halloran and Oddo - A Local Law to amend the New York city charter, in relation to including information about candidates for federal, state, and county offices in the New York City voters guide.
Int. 778 - By Council Members Lander, James, Williams, Garodnick, Jackson, Vallone, Jr., Fidler, Rodriguez, Barron, Recchia, Dromm, Mendez, Mark-Viverito, Palma, Chin, Brewer, Greenfield, Weprin, Vann, Vacca, Ferreras, Nelson, Gonzalez, Dickens, Gennaro, Koo, Levin, Sanders Jr., Foster, Koppell, Wills, Van Bramer, Comrie, Gentile, Arroyo, Lappin, Halloran and Ulrich - A Local Law to amend the New York city charter, in relation to additional reporting by the board of elections to the council regarding performance.
Oversight - Evaluating the Board of Elections’ Preparedness for the 2012 General Election and Various Proposals for Improving Elections in New York City
Committee Room – 250 Broadway, 14th Floor Gale Brewer, Chairperson

Tuesday, October 16, 2012

★ *Note Topic Addition*
Committee on **HOUSING AND BUILDINGS**.....**10:00 A.M.**
Oversight – Update on the City's Response to Illegal Use and Illegal Conversion Complaints
Committee Room – 250 Broadway, 16th Floor
.....Erik Martin-Dilan, Chairperson

★ *Deferred*
Committee on **TRANSPORTATION**.....**10:00 A.M.**
Agenda to be announced
Committee Room – 250 Broadway, 14th FloorJames Vacca, Chairperson

★ *Note Topic Addition*
Committee on **YOUTH SERVICES**..... **1:00 P.M.**
Oversight - STEM Opportunities in After-School Programs
Committee Room – 250 Broadway, 14th Floor Lewis Fidler, Chairperson

★ *Deferred*
Committee on **HEALTH**..... **1:00 P.M.**
Agenda to be announced
Committee Room – 250 Broadway, 16th Floor
..... Maria del Carmen Arroyo, Chairperson

Wednesday, October 17, 2012

★ *Note Topic and Committees Addition*
Committee on **WOMEN’S ISSUES** jointly with the
★Committee on **CIVIL RIGHTS** the
★Committee on **HIGHER EDUCATION** and the
★Committee on **PUBLIC SAFETY**.....**10:00 A.M.**
Oversight - Examining Sexual Assault and Harassment Procedures at Higher Education Institutions
Committee Room – 250 Broadway, 16th Floor
.....Julissa Ferreras, Chairperson
.....Deborah Rose, Chairperson
.....Ydanis Rodriguez, Chairperson
.....Peter Vallone, Chairperson

★*Deferred*
Committee on **CONTRACTS** jointly with the
Committee on **TECHNOLOGY**.....**10:00 A.M.**
Oversight – One Year Later: Revisiting the Management of New York City Government IT Contracts and Exploring the Function of the Newly formed Technology Development Corporation
Committee Room – 250 Broadway, 14th Floor Darlene Mealy, Chairperson
.....Fernando Cabrera, Chairperson

★*Deferred*
Committee on **VETERANS**... ..**1:00 P.M.**
Agenda to be announced
Committee Room – 250 Broadway, 14th Floor
..... Mathieu Eugene, Chairperson

★*Deferred*
Committee on **PARKS AND RECREATION**..... **1:00 P.M.**
Agenda to be announced
Committee Room – 250 Broadway, 16th
.....Melissa Mark Viverito, Chairperson

Thursday, October 18, 2012

★ *Deferred*
Committee on **GENERAL WELFARE****10:00 A.M.**
Oversight – Oversight: Overview of ACS Preventive Services

Committee Room – 250 Broadway, 14th Floor Annabel Palma, Chairperson

Committee on **FINANCE**.....**10:00 A.M.**
Int. 940 - By Council Member Recchia (by request of the Mayor) - A Local Law to amend the administrative code of the city of New York, in relation to establishing a general building fire safety inspection program.
Committee Room – 250 Broadway, 16th Floor
.....Domenic M. Recchia, Chairperson

★*Deferred*
Committee on **IMMIGRATION** **1:00 PM.**
Agenda to be announced
Committee Room – 250 Broadway, 14th Floor
.....Daniel Dromm, Chairperson

★*Note Topic Addition*
Committee on **CONSUMER AFFAIRS**..... **1:00 PM.**
Proposed Int. 597-A- By Council Members Garodnick, James, Koppell, Mendez and Williams – A Local Law to amend the administrative code of the city of New York, in relation to pedicab fares and receipts.
Committee Room – 250 Broadway, 16th Floor
..... Daniel Garodnick, Chairperson

Monday, October 22, 2012

★ *Deferred*
Committee on **SMALL BUSINESS** jointly with the
Committee on **AGING**.....**10:00 A.M.**
Oversight – Making Local Businesses Age Friendly
Committee Room – 250 Broadway, 14th Floor
.....Diana Reyna, Chairperson
.....Jessica Lappin, Chairperson

★ *Addition*
Committee on **HIGHER EDUCATION****1:00 P.M.**
Agenda to be announced
Committee Room – 250 Broadway, 14th Floor
.....Ydanis Rodriguez, Chairperson

Tuesday, October 23, 2012

★*Note Location Change*
Subcommittee on **ZONING & FRANCHISES****9:30 A.M.**
See Land Use Calendar Available Wednesday, October 17, 2012
★Council Chambers – City HallMark Weprin, Chairperson

★ *Note Topic Addition*
Committee on **PUBLIC HOUSING****10:00 A.M.**
Oversight – Rightsizing/Downsizing – NYCHA’s Policy of Transferring Tenants in Under-Occupied Apartments.
Committee Room – 250 Broadway, 14th Floor
.....Rosie Mendez, Chairperson

★*Deferred*
Committee on **CONSUMER AFFAIRS** jointly with the
Committee on **ECONOMIC DEVELOPMENT**.....**10:00 A.M.**
Oversight – The Business Integrity Commission and Its Role in Regulating the Public Wholesale Markets
Council Chambers – City HallDaniel Garodnick, Chairperson
.....Karen Koslowitz, Chairperson

★*Note Location Change*
Subcommittee on **LANDMARKS, PUBLIC SITING & MARITIME USES**.....**11:00 A.M.**
See Land Use Calendar Available Wednesday, October 17, 2012
★ Committee Room – City Hall Brad Lander, Chairperson

★*Note Location Change*
Subcommittee on **PLANNING, DISPOSITIONS & CONCESSIONS** **1:00 P.M.**

See Land Use Calendar Available Wednesday, October 17, 2012

★ Committee Room – City Hall Stephen Levin, Chairperson

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★ Note Topic Addition

Committee on **COMMUNITY DEVELOPMENT**..... **1:00 P.M.**

★Oversight - New York City Fatherhood Initiative

Committee Room – 250 Broadway, 14th FloorAlbert Vann, Chairperson

.....

★ Addition

Committee on **CIVIL RIGHTS** **6:00 P.M.**

Oversight – The New York City Police Department and Its Use of Stop, Question, and Frisk

Location: Brooklyn College Student Center

East 27th Street and Campus Road

Brooklyn, NY 11210

Details Attached.....Deborah Rose, Chairperson

Wednesday, October 24, 2012

★ Addition

Committee on **SMALL BUSINESS****10:00 A.M.**

Tour: Broadway Stages

Location: 203 Meserole Avenue

Brooklyn, NY 11222

Details Attached.....Diana Reyna, Chairperson

★ Note Topic and Committee Addition

Committee on **TRANSPORTATION** jointly with the

★Committee on **TECHNOLOGY**.....**10:00 A.M.**

★Oversight - The Impact of Modern Technology on the City’s Buses and Subways

Committee Room – 250 Broadway, 14th FloorJames Vacca, Chairperson

.....Fernando Cabrera, Chairperson

★ Note Topic and Committee Additions

Committee on **HEALTH** jointly with the

★Committee on **WOMEN’S ISSUES** and the

★Committee on **MENTAL HEALTH, MENTAL RETARDATION, ALCOHOLISM, DRUG ABUSE AND DISABILITY SERVICES**..... **10:00 A.M.**

★Oversight - Access to Mammography and other Health Services for Women with Disabilities

Committee Room – 250 Broadway, 16th Floor

..... Maria del Carmen Arroyo, Chairperson

..... Julissa Ferreras, Chairperson

..... Oliver Koppell, Chairperson

Committee on **LOWER MANHATTAN REDEVELOPMENT** **1:00 P.M.**

Agenda to be announced

Committee Room – 250 Broadway, 16th Floor

..... Margaret Chin, Chairperson

Committee on **WOMEN’S ISSUES.** **1:00 P.M.**

Agenda to be announced

Committee Room – 250 Broadway, 14th Floor Julissa Ferreras, Chairperson

★ Addition

Committee on **CIVIL RIGHTS** **6:00 P.M.**

Oversight – The New York City Police Department and Its Use of Stop, Question, and Frisk

Location: York College Faculty Dining Room

Academic Core Building, Room 2D01

94-20 Guy R. Brewer Blvd.

Jamaica, NY 11451

Details Attached.....Deborah Rose, Chairperson

Thursday, October 25, 2012

★Note Topic and Committee Addition

Committee on **AGING** jointly with the

Committee on **HIGHER EDUCATION****10:00 A.M.**

Oversight- Age-Friendly NYC College Link

Committee Room – 250 Broadway, 14th Floor

..... Jessica Lappin, Chairperson

..... Ydanis Rodriguez, Chairperson

Committee on **LAND USE****10:00 A.M.**

All items reported out of the subcommittees

AND SUCH OTHER BUSINESS AS MAY BE NECESSARY

Committee Room – 250 Broadway, 16th Floor

..... Leroy Comrie, Chairperson

Committee on **FIRE AND CRIMINAL JUSTICE SERVICES**..... **1:00 P.M.**

Agenda to be announced

Committee Room – 250 Broadway, 14th Floor

..... Elizabeth Crowley, Chairperson

Committee on **EDUCATION**..... **1:00 P.M.**

Oversight – DOE’s networks for school support

Committee Room – 250 Broadway, 16th Floor

..... Robert Jackson, Chairperson

Friday, October 26, 2012

★ Addition

Committee on **SANITATION AND SOLID WASTE MANAGEMENT****10:00 A.M.**

Agenda to be announced

Committee Room – 250 Broadway, 14^h Floor Letitia James, Chairperson

★ Addition

Committee on **GENERAL WELFARE** **1:00 P.M.**

Oversight - Oversight: Overview of ACS Preventive Services

Committee Room – 250 Broadway, 16th Floor Annabel Palma, Chairperson

Monday, October 29, 2012

★ Note Topic Addition

Committee on **IMMIGRATION****10:00 A.M.**

Oversight - How NYC Can Support Beneficiaries of Deferred Action for Childhood Arrivals (DACA)

Committee Room – 250 Broadway, 14th Floor

.....Daniel Dromm, Chairperson

★ Addition

Committee on **VETERANS**....**10:00 A.M.**

Agenda to be announced

Committee Room– 250 Broadway, 16th Floor

..... Mathieu Eugene, Chairperson

Committee on **CIVIL SERVICE AND LABOR** **1:00 P.M.**

Agenda to be announced

Committee Room – 250 Broadway, 14th Floor

..... James Sanders, Chairperson

Committee on **WATERFRONTS**..... **1:00 P.M.**

Agenda to be announced

Committee Room – 250 Broadway, 16th Floor

..... Michael Nelson, Chairperson

★ Addition

Committee on **JUVENILE JUSTICE** **1:00 P.M.**

Agenda to be announced

Hearing Room – 250 Broadway, 16th Floor Sara Gonzalez, Chairperson

★ Addition

Committee on **CULTURAL AFFAIRS, LIBRARIES & INTERNATIONAL INTERGROUP RELATIONS** **2:00 P.M.**

Tour: Lincoln Center

Location: 70 Lincoln Center Plaza (W 65th St. near Amsterdam Ave.)

New York, NY 10023
Details Attached..... James Van Bramer, Chairperson

Tuesday, October 30, 2012

★ *Deferred*
Committee on ~~PUBLIC SAFETY~~**10:00 A.M.**
Agenda to be announced
Committee Room — 250 Broadway, 16th Floor Peter Vallone, Chairperson

★ *Deferred*
Committee on ~~ENVIRONMENTAL PROTECTION~~ **1:00 P.M.**
Agenda to be announced
Committee Room — 250 Broadway, 16th Floor
..... James Gennaro, Chairperson

★ *Deferred*
Committee on ~~JUVENILE JUSTICE~~ **1:00 P.M.**
Agenda to be announced
Committee Room — 250 Broadway, 14th Floor Sara Gonzalez, Chairperson

★ *Note Addition*
Stated Council Meeting..... *Ceremonial Tributes – 1:00 p.m.*
..... *Agenda – 1:30 p.m.*
Location ~ Council Chambers ~ City Hall.....

★ Deferred
Committee on ~~CULTURAL AFFAIRS, LIBRARIES & INTERNATIONAL INTERGROUP RELATIONS~~.....
..... **2:00 P.M.**
Tour: Lincoln Center
Location: 70 Lincoln Center Plaza (W 65th St. near Amsterdam Ave.)
New York, NY 10023
Details Attached..... James Van Bramer, Chairperson

Wednesday, October 31, 2012

★ Note Location Change
Committee on **FINANCE**.....**10:00 A.M.**
Oversight – Examining the issues concerning the SOHO BID.
★ Council Chambers – City Hall..... Domenic M. Recchia, Chairperson

Committee on **TRANSPORTATION**.....**10:00 A.M.**
Agenda to be announced
Committee Room – 250 Broadway, 14th Floor James Vacca, Chairperson

★ Addition
Committee on **ENVIRONMENTAL PROTECTION** **1:00 P.M.**
Agenda to be announced
Committee Room – 250 Broadway, 16th Floor
..... James Gennaro, Chairperson

★ Addition
Committee on **PARKS AND RECREATION** **1:00 P.M.**
Agenda to be announced
Committee Room – 250 Broadway, 14th Floor
..... Melissa Mark-Viverito, Chairperson

★ *Deferred*
Stated Council Meeting..... *Ceremonial Tributes – 1:00 p.m.*
..... *Agenda – 1:30 p.m.*
Location *Council Chambers – City Hall...*

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The Next Stated Council Meeting Will be held on Tuesday, October 30, 2012  
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MEMORANDUM

October 2, 2012

TO: ALL COUNCIL MEMBERS

RE: OFF-SITE HEARING BY THE COMMITTEE ON CIVIL RIGHTS

Please be advised that all Council Members are invited to attend an off-site hearing:

Oversight – The New York City Police Department and Its Use of Stop, Question, and Frisk

**Brooklyn College Student Center
East 27th Street and Campus Road
Brooklyn, NY 11210**

The off-site hearing will be on **Tuesday, October 23, 2012 beginning at 6:00 p.m.** A van will be leaving from City Hall parking lot at **5:00 p.m. sharp.**

Council Members interested in riding in the van should call **Julene Beckford** at **212-788-7020.**

Hon. Deborah Rose, Chairperson
Committee on Civil Rights
Council

Hon. Christine C. Quinn
Speaker of the

MEMORANDUM

October 2, 2012

TO: ALL COUNCIL MEMBERS

RE: OFF-SITE HEARING BY THE COMMITTEE ON CIVIL RIGHTS

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Oversight – The New York City Police Department and Its Use of Stop, Question, and Frisk

**York College Faculty Dining Room
Academic Core Building, Room 2D01
94-20 Guy R. Brewer Blvd.
Jamaica, NY 11451**

The off-site hearing will be on **Wednesday, October 24, 2012 beginning at 6:00 p.m.** A van will be leaving from City Hall parking lot at **5:00 p.m. sharp.**

Council Members interested in riding in the van should call **Julene Beckford** at **212-788-7020.**

Hon. Deborah Rose, Chairperson
Committee on Civil Rights
Council

Hon. Christine C. Quinn
Speaker of the

MEMORANDUM

October 9, 2012

TO: ALL COUNCIL MEMBERS

RE: TOUR BY THE COMMITTEE ON SMALL BUSINESS

Please be advised that all Council Members are invited to attend a tour:

Broadway Stages
203 Meserole Avenue
Brooklyn, NY 11222

The tour will be on **Wednesday, October 24, 2012 beginning at 10:00 a.m.** A van will be leaving City Hall at **9:30 a.m.**

Please Contact Faith Corbett, at 212-788-2802, if you have any questions.

Diana Reyna, Chairperson
Committee on Small Business

Christine C. Quinn
Speaker of the Council

MEMORANDUM

October 3, 2012

TO: ALL COUNCIL MEMBERS

RE: TOUR BY THE COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES & INTERNATIONAL INTERGROUP RELATIONS

Please be advised that all Council Members are invited to attend a tour:

Lincoln Center
70 Lincoln Center Plaza (W 65th St. near Amsterdam Ave.)
New York, NY 10023

The tour will be on **Monday, October 29, 2012 beginning at 2:00 p.m.** A van will be leaving City Hall at **1:30 p.m. sharp.**

Council Members interested in riding in the van should call Tai Meah at 212-788-9063.

James Van Bramer, Chairperson
Committee on Cultural Affairs,
Libraries & International
Intergroup Relations

Christine C. Quinn
Speaker of the Council

Whereupon on motion of the Speaker (Council Member Quinn), the President Pro Tempore (Council Member Rivera) adjourned these proceedings to meet again for the Stated Meeting on Tuesday, October 30, 2012.

MICHAEL M. McSWEENEY, City Clerk
Clerk of the Council

(Editor’s Note: Due to Hurricane Sandy and its aftermath, the Stated Meeting of October 30, 2012 was deferred; the next Stated Meeting scheduled to be held is on Tuesday, November 13, 2012)