NEW YORK STATE OF OPPORTUNITY | Department of Environmental Conservation

BROWNFIELD CLEANUP PROGRAM (BCP) APPLICATION FORM

DEC requires an application to request major changes to the description of the property set forth in a Brownfield Cleanup Agreement, or "*BCA*" (e.g., adding a significant amount of new property, or adding property that could affect an eligibility determination due to contamination levels or intended land use). Such application must be submitted and processed in the same manner as the original application, including the required public comment period. **Is this an application to amend an existing BCA?**

☐ **Yes** ☑ **No** **If yes, provide existing site number:** _____

PART A (note: application is separated into Parts A and B for DEC review purposes) ***BCP App Rev 11***

Section I. Requestor Information - See Instructions for Further Guidance

DEC USE ONLY
BCP SITE #: _____

NAME GO Covenant LLC

ADDRESS c/o Gotham Organization, LLC Attn: Wade Stevens, VP Development, 432 Park Avenue South, 2nd Floor

CITY/TOWN New York, New York ZIP CODE 10016

PHONE 917-715-9632 | FAX NA | E-MAIL wstevens@gothamorg.com

Is the requestor authorized to conduct business in New York State (NYS)? ☑ Yes ☐ No

- If the requestor is a Corporation, LLC, LLP or other entity requiring authorization from the NYS Department of State to conduct business in NYS, the requestor's name must appear, exactly as given above, in the NYS Department of State's Corporation & Business Entity Database. A print-out of entity information from the database must be submitted to the New York State Department of Environmental Conservation (DEC) with the application to document that the requestor is authorized to do business in NYS. **Please note:** If the requestor is an LLC, the members/owners names need to be provided on a separate attachment.

Do all individuals that will be certifying documents meet the requirements detailed below? ☑ Yes ☐ No

- Individuals that will be certifying BCP documents, as well as their employers, meet the requirements of Section 1.5 of *DER-10: Technical Guidance for Site Investigation and Remediation* and Article 145 of New York State Education Law. **Documents that are not properly certified will be not approved under the BCP**.

Section II. Project Description

1. What stage is the project starting at? ☑ Investigation ☐ Remediation

NOTE: If the project is proposed to start at the remediation stage, a Remedial Investigation Report (RIR) at a minimum is required to be attached, resulting in a 30-day public comment period. If an Alternatives Analysis and Remedial Work Plan are also attached (see DER-10 / Technical Guidance for Site Investigation and Remediation for further guidance) then a 45-day public comment period is required.

2. If a final RIR is included, please verify it meets the requirements of Environmental Conservation Law (ECL) Article 27-1415(2): ☐ Yes ☐ No

3. Please attach a short description of the overall development project, including:

- the date that the remedial program is to start; and
- the date the Certificate of Completion is anticipated.

Section III. Property's Environmental History

All applications **must include** an Investigation Report (per ECL 27-1407(1)). The report must be sufficient to establish that the site requires remediation and contamination of environmental media on the site above applicable Standards, Criteria and Guidance (SCGs) based on the reasonably anticipated use of the property. To the extent that existing information/studies/reports are available to the requestor, please attach the following (***please submit the information requested in this section in electronic format only***):

1. **Reports:** an example of an Investigation Report is a Phase II Environmental Site Assessment report prepared in accordance with the latest American Society for Testing and Materials standard (ASTM E1903). **Please submit a separate electronic copy of each report in Portable Document Format (PDF). Please do not submit paper copies of supporting documents.**

2. SAMPLING DATA: INDICATE KNOWN CONTAMINANTS AND THE MEDIA WHICH ARE KNOWN TO HAVE BEEN AFFECTED. LABORATORY REPORTS SHOULD BE REFERENCED AND COPIES INCLUDED.

Contaminant Category	Soil	Groundwater	Soil Gas
Petroleum			X
Chlorinated Solvents			X
Other VOCs			X
SVOCs	X	X	
Metals	X	x	
Pesticides			
PCBs			
Other*		X PFAS	

***Please describe:** Hazardous Lead levels found on the site

3. FOR EACH IMPACTED MEDIUM INDICATED ABOVE, INCLUDE A SITE DRAWING INDICATING:

- **SAMPLE LOCATION**
- **DATE OF SAMPLING EVENT**
- **KEY CONTAMINANTS AND CONCENTRATION DETECTED**
- **FOR SOIL, HIGHLIGHT IF ABOVE REASONABLY ANTICIPATED USE**
- **FOR GROUNDWATER, HIGHLIGHT EXCEEDANCES OF 6NYCRR PART 703.5**
- **FOR SOIL GAS/ SOIL VAPOR/ INDOOR AIR, HIGHLIGHT IF ABOVE MITIGATE LEVELS ON THE NEW YORK STATE DEPARTMENT OF HEALTH MATRIX**

THESE DRAWINGS ARE TO BE REPRESENTATIVE OF ALL DATA BEING RELIED UPON TO MAKE THE CASE THAT THE SITE IS IN NEED OF REMEDIATION UNDER THE BCP. DRAWINGS SHOULD NOT BE BIGGER THAN 11" X 17". THESE DRAWINGS SHOULD BE PREPARED IN ACCORDANCE WITH ANY GUIDANCE PROVIDED.

ARE THE REQUIRED MAPS INCLUDED WITH THE APPLICATION?* ☑ **Yes** ☐ **No**
(*answering No will result in an incomplete application)

4. INDICATE PAST LAND USES (CHECK ALL THAT APPLY):

☐ Coal Gas Manufacturing	☑ Manufacturing	☐ Agricultural Co-op	☐ Dry Cleaner
☐ Salvage Yard	☐ Bulk Plant	☐ Pipeline	☑ Service Station
☐ Landfill	☐ Tannery	☐ Electroplating	☐ Unknown

Other: former piano factory; filling stations

Section IV. Property Information - See Instructions for Further Guidance

PROPOSED SITE NAME 550 Tenth Avenue Filling Station Site

ADDRESS/LOCATION 550 10th Avenue a/k/a 554 10th Avenue

CITY/TOWN Manhattan, New York ZIP CODE 10018

MUNICIPALITY(IF MORE THAN ONE, LIST ALL): Manhattan, New York City, New York County

COUNTY New York SITE SIZE (ACRES) 0.365

LATITUDE (degrees/minutes/seconds)	LONGITUDE (degrees/minutes/seconds)
40 ° 45 ' 30.8N "	73 ° 59 ' 45.8W "

Complete tax map information for all tax parcels included within the proposed site boundary. If a portion of any lot is proposed , please indicate as such by inserting "P/O" in front of the lot number in the appropriate box below, and only include the acreage for that portion of the tax parcel in the corresponding far right column.ATTACH REQUIRED MAPS PER THE APPLICATION INSTRUCTIONS.

Parcel Address	Section No.	Block No.	Lot No.	Acreage
550 10th Avenue a/k/a 554 10th Avenue		1050	61	0.365

1. Do the proposed site boundaries correspond to tax map metes and bounds? ☑ Yes ☐ No
   If no, please attach an accurate map of the propsed site.

2. Is the required property map attached to the application? ☑ Yes ☐ No
   (application will not be processed without map)

3. Is the property within a designated Environmental Zone (En-zone) pursuant to Tax Law 21(b)(6)?
   (See DEC's website for more information) Yes ☐ No ☑

   If yes, identify census tract : _____

   Percentage of property in En-zone (check one): ☑ 0-49% ☐ 50-99% ☐ 100%

4. Is this application one of multiple applications for a large development project, where the development project spans more than 25 acres (see additional criteria in BCP application instructions)? ☐ Yes ☑ No

   If yes, identify name of properties (and site numbers if available) in related BCP applications:_____

5. Is the contamination from groundwater or soil vapor solely emanating from property other than the site subject to the present application? ☐ Yes ☑ No

6. Has the property previously been remediated pursuant to Titles 9, 13, or 14 of ECL Article 27, Title 5 of ECL Article 56, or Article 12 of Navigation Law? ☐ Yes ☑ No
   If yes, attach relevant supporting documentation.

7. Are there any lands under water? ☐ Yes ☑ No
   If yes, these lands should be clearly delineated on the site map.

Section IV. Property Information (continued)

8. Are there any easements or existing rights of way that would preclude remediation in these areas? If yes, identify here and attach appropriate information. ☐ Yes ☑ No

Easement/Right-of-way Holder	Description
NA	

9. List of Permits issued by the DEC or USEPA Relating to the Proposed Site (type here or attach information)

Type	Issuing Agency	Description
NA		

10. Property Description and Environmental Assessment – **please refer to application instructions for the proper format of each narrative requested.**

Are the Property Description and Environmental Assessment narratives included in the **prescribed format**? ☑ Yes ☐ No

Note: Questions 11 through 13 only pertain to sites located within the five counties comprising New York City

11. Is the requestor seeking a determination that the site is eligible for tangible property tax credits? ☑ Yes ☐ No
If yes, requestor must answer questions on the supplement at the end of this form.

12. Is the Requestor now, or will the Requestor in the future, seek a determination that the property is Upside Down? ☐ Yes ☑ No

13. If you have answered *Yes* to Question 12, above, is an independent appraisal of the value of the property, as of the date of application, prepared under the hypothetical condition that the property is not contaminated, included with the application? ☐ Yes ☐ No

NOTE: If a tangible property tax credit determination is not being requested in the application to participate in the BCP, the applicant may seek this determination at any time before issuance of a certificate of completion by using the BCP Amendment Application, except for sites seeking eligibility under the underutilized category.

If any changes to Section IV are required prior to application approval, a new page, initialed by each requestor, must be submitted.

Initials of each Requestor: _____ _____ _____ _____ _____ _____

BCP application - PART B (note: application is separated into Parts A and B for DEC review purposes)

Section V. Additional Requestor Information
See Instructions for Further Guidance

DEC USE ONLY
BCP SITE NAME: _____
BCP SITE #:_____

NAME OF REQUESTOR'S AUTHORIZED REPRESENTATIVE David L. Picket, Member		
ADDRESS GO Covenant LLC c/o Gotham Organization, 432 Park Avenue South, 2nd Floor		
CITY/TOWN New York, NY 10016		ZIP CODE
PHONE 212-716-2583	FAX NA	E-MAIL dpicket@gothamorg.com
NAME OF REQUESTOR'S CONSULTANT Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C.		
ADDRESS 300 Kimball Drive Attn: Amanda Forsburg		
CITY/TOWN Parsippany, NJ		ZIP CODE 07054
PHONE (973) 560 - 4900	FAX (973) 560 - 4901	E-MAIL aforsburg@langan.com
NAME OF REQUESTOR'S ATTORNEY Linda R. Shaw, Esq., Knauf Shaw LLP		
ADDRESS 1400 Crossroads Building, 2 State Street		
CITY/TOWN Rochester, New York		ZIP CODE 14614
PHONE (585) 546-8430	FAX (585) 546-4324	E-MAIL lshaw@nyenvlaw.com

Section VI. Current Property Owner/Operator Information – if not a Requestor

CURRENT OWNER'S NAME CH Housing Development Fund Corporation		OWNERSHIP START DATE: 4/15/2019
ADDRESS 5 Penn Plaza Attn: John DuCoff		
CITY/TOWN New York, New York		ZIP CODE 10001
PHONE (212) 613-0300	FAX N/A	E-MAIL jducoff@covenanthouse.org
CURRENT OPERATOR'S NAME Covenant House of New York		
ADDRESS 550 10th Avenue		
CITY/TOWN New York, New York		ZIP CODE 10018
PHONE (212) 613-0300	FAX N/A	E-MAIL jducoff@covenanthouse.org

PROVIDE A LIST OF PREVIOUS PROPERTY OWNERS AND OPERATORS WITH NAMES, LAST KNOWN ADDRESSES AND TELEPHONE NUMBERS AS AN ATTACHMENT. DESCRIBE REQUESTOR'S RELATIONSHIP, TO EACH PREVIOUS OWNER AND OPERATOR, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND PREVIOUS OWNER AND OPERATOR. IF NO RELATIONSHIP, PUT "NONE".

IF REQUESTOR IS NOT THE CURRENT OWNER, DESCRIBE REQUESTOR'S RELATIONSHIP TO THE CURRENT OWNER, INCLUDING ANY RELATIONSHIP BETWEEN REQUESTOR'S CORPORATE MEMBERS AND THE CURRENT OWNER.

Section VII. Requestor Eligibility Information (Please refer to ECL § 27-1407)

If answering "yes" to any of the following questions, please provide an explanation as an attachment.

1. Are any enforcement actions pending against the requestor regarding this site? ☐ Yes ☑ No
2. Is the requestor subject to an existing order for the investigation, removal or remediation of contamination at the site? ☐ Yes ☑ No
3. Is the requestor subject to an outstanding claim by the Spill Fund for this site? Any questions regarding whether a party is subject to a spill claim should be discussed with the Spill Fund Administrator. ☐ Yes ☑ No

Section VII. Requestor Eligibility Information (continued)

4. Has the requestor been determined in an administrative, civil or criminal proceeding to be in violation of i) any provision of the ECL Article 27; ii) any order or determination; iii) any regulation implementing Title 14; or iv) any similar statute, regulation of the state or federal government? If so, provide an explanation on a separate attachment. ☐ Yes ☑ No
5. Has the requestor previously been denied entry to the BCP? If so, include information relative to the application, such as name, address, DEC assigned site number, the reason for denial, and other relevant information. ☐ Yes ☑ No
6. Has the requestor been found in a civil proceeding to have committed a negligent or intentionally tortious act involving the handling, storing, treating, disposing or transporting of contaminants? ☐ Yes ☑ No
7. Has the requestor been convicted of a criminal offense i) involving the handling, storing, treating, disposing or transporting of contaminants; or ii) that involves a violent felony, fraud, bribery, perjury, theft, or offense against public administration (as that term is used in Article 195 of the Penal Law) under federal law or the laws of any state? ☐ Yes ☑ No
8. Has the requestor knowingly falsified statements or concealed material facts in any matter within the jurisdiction of DEC, or submitted a false statement or made use of or made a false statement in connection with any document or application submitted to DEC? ☐ Yes ☑ No
9. Is the requestor an individual or entity of the type set forth in ECL 27-1407.9 (f) that committed an act or failed to act, and such act or failure to act could be the basis for denial of a BCP application? ☐ Yes ☑ No
10. Was the requestor's participation in any remedial program under DEC's oversight terminated by DEC or by a court for failure to substantially comply with an agreement or order? ☐ Yes ☑ No
11. Are there any unregistered bulk storage tanks on-site which require registration? ☐ Yes ☑ No

THE REQUESTOR MUST CERTIFY THAT HE/SHE IS EITHER A PARTICIPANT OR VOLUNTEER IN ACCORDANCE WITH ECL 27-1405 (1) BY CHECKING ONE OF THE BOXES BELOW:

☐ PARTICIPANT

A requestor who either 1) was the owner of the site at the time of the disposal of hazardous waste or discharge of petroleum or 2) is otherwise a person responsible for the contamination, unless the liability arises solely as a result of ownership, operation of, or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.

☑ VOLUNTEER

A requestor other than a participant, including a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site subsequent to the disposal of hazardous waste or discharge of petroleum.

NOTE: By checking this box, a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site certifies that he/she has exercised appropriate care with respect to the hazardous waste found at the facility by taking reasonable steps to: i) stop any continuing discharge; ii) prevent any threatened future release; iii) prevent or limit human, environmental, or natural resource exposure to any previously released hazardous waste.

If a requestor whose liability arises solely as a result of ownership, operation of or involvement with the site, submit a statement describing why you should be considered a volunteer – be specific as to the appropriate care taken.

Section VII. Requestor Eligibility Information (continued)

Requestor Relationship to Property (check one):
☐ Previous Owner ☐ Current Owner ☐ Potential /Future Purchaser ☑ Other Site Developer

If requestor is not the current site owner, **proof of site access sufficient to complete the remediation must be submitted**. Proof must show that the requestor will have access to the property before signing the BCA and throughout the BCP project, including the ability to place an easement on the site Is this proof attached?

☑ Yes ☐ No

Note: a purchase contract does not suffice as proof of access.

Section VIII. Property Eligibility Information - See Instructions for Further Guidance

1. Is / was the property, or any portion of the property, listed on the National Priorities List?
   If yes, please provide relevant information as an attachment. ☐ Yes ☑ No
2. Is / was the property, or any portion of the property, listed on the NYS Registry of Inactive Hazardous Waste Disposal Sites pursuant to ECL 27-1305? ☐ Yes ☑ No
   If yes, please provide: Site #_____ Class # _____
3. Is / was the property subject to a permit under ECL Article 27, Title 9, other than an Interim Status facility? ☐ Yes ☑ No
   If yes, please provide: Permit type:_____ EPA ID Number:_____
   Date permit issued:_____ Permit expiration date:_____
4. If the answer to question 2 or 3 above is yes, is the site owned by a volunteer as defined under ECL 27-1405(1)(b), or under contract to be transferred to a volunteer? Attach any information available to the requestor related to previous owners or operators of the facility or property and their financial viability, including any bankruptcy filing and corporate dissolution documentation. ☐ Yes ☐ No
5. Is the property subject to a cleanup order under Navigation Law Article 12 or ECL Article 17 Title 10?
   If yes, please provide: Order #_____ ☐ Yes ☑ No
6. Is the property subject to a state or federal enforcement action related to hazardous waste or petroleum?
   If yes, please provide explanation as an attachment. ☐ Yes ☑ No

Section IX. Contact List Information

To be considered complete, the application must include the Brownfield Site Contact List in accordance with *DER-23 / Citizen Participation Handbook for Remedial Programs*. Please attach, at a minimum, the names and addresses of the following:

1. The chief executive officer and planning board chairperson of each county, city, town and village in which the property is located.
2. Residents, owners, and occupants of the property and properties adjacent to the property.
3. Local news media from which the community typically obtains information.
4. The public water supplier which services the area in which the property is located.
5. Any person who has requested to be placed on the contact list.
6. The administrator of any school or day care facility located on or near the property.
7. The location of a document repository for the project (e.g., local library). **If the site is located in a city with a population of one million or more, add the appropriate community board as an additional document repository**. In addition, attach a copy of an acknowledgement from each repository indicating that it agrees to act as the document repository for the site.

Section X. Land Use Factors

1. What is the current municipal zoning designation for the site? C2-8 and HY Zoning

   What uses are allowed by the current zoning? (Check boxes, below)

   ☑ Residential ☑ Commercial ☐ Industrial

   If zoning change is imminent, please provide documentation from the appropriate zoning authority.

2. Current Use: ☐ Residential ☑ Commercial ☐ Industrial ☐ Vacant ☐ Recreational (check all that apply)
   Attach a summary of current business operations or uses, with an emphasis on identifying possible contaminant source areas. If operations or uses have ceased, provide the date.

3. Reasonably anticipated use Post Remediation: ☑ Residential ☑ Commercial ☐ Industrial (check all that apply) **Attach a statement detailing the specific proposed use.**

   If residential, does it qualify as single family housing? ☐ Yes ☑ No

4. Do current historical and/or recent development patterns support the proposed use? See Support Narrative.	☑ Yes ☐ No
5. Is the proposed use consistent with applicable zoning laws/maps? Briefly explain below, or attach additional information and documentation if necessary. See Support Narrative.	☑ Yes ☐ No
6. Is the proposed use consistent with applicable comprehensive community master plans, local waterfront revitalization plans, or other adopted land use plans? Briefly explain below, or attach additional information and documentation if necessary. See Support Narrative.	☑ Yes ☐ No

XI. Statement of Certification and Signatures

(By requestor who is an individual)

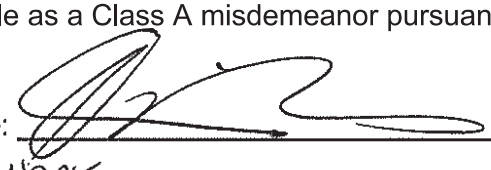
If this application is approved, I hereby acknowledge and agree: (1) to execute a Brownfield Cleanup Agreement (BCA) within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the *DER-32, Brownfield Cleanup Program Applications and Agreements*; and (3) that in the event of a conflict between the general terms and conditions of participation and the terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law.

Date: _____ Signature: _____

Print Name: _____

(By a requestor other than an individual)

I hereby affirm that I am Member (title) of GO Covenant LLC (entity); that I am authorized by that entity to make this application and execute the Brownfield Cleanup Agreement (BCA) and all subsequent amendments; that this application was prepared by me or under my supervision and direction. If this application is approved, I acknowledge and agree: (1) to execute a BCA within 60 days of the date of DEC's approval letter; (2) to the general terms and conditions set forth in the *DER-32, Brownfield Cleanup Program Applications and Agreements*; and (3) that in the event of a conflict between the general terms and conditions of participation and the terms contained in a site-specific BCA, the terms in the site-specific BCA shall control. Further, I hereby affirm that information provided on this form and its attachments is true and complete to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

Date: 5/26/2021 Signature: 

Print Name: David L. Picket, Member
GO Covenant, LLC

SUBMITTAL INFORMATION:

- **Two (2)** copies, one paper copy of the application form with original signatures and table of contents, and one complete electronic copy in final, non-fillable Portable Document Format (PDF), must be sent to:
    - Chief, Site Control Section
    - New York State Department of Environmental Conservation
    - Division of Environmental Remediation
    - 625 Broadway
    - Albany, NY 12233-7020

PLEASE DO NOT SUBMIT PAPER COPIES OF SUPPORTING DOCUMENTS. Please provide a hard copy of ONLY the application form and a table of contents.

FOR DEC USE ONLY
BCP SITE T&A CODE: _____ **LEAD OFFICE:** _____

Supplemental Questions for Sites Seeking Tangible Property Credits in New York City ONLY. Sufficient information to demonstrate that the site meets one or more of the criteria identified in ECL 27 1407(1-a) must be submitted if requestor is seeking this determination.

BCP App Rev 11

Property is in Bronx, Kings, New York, Queens, or Richmond counties. ☑ Yes ☐ No
Requestor seeks a determination that the site is eligible for the tangible property credit component of the brownfield redevelopment tax credit. ☑ Yes ☐ No
Please answer questions below and provide documentation necessary to support answers.
1. Is at least 50% of the site area located within an environmental zone pursuant to NYS Tax Law 21(b)(6)? Please see DEC's website for more information. ☐ Yes ☑ No
2. Is the property upside down or underutilized as defined below? Upside Down? ☐ Yes ☑ No Underutilized? ☐ Yes ☑ No **From ECL 27-1405(31):** "Upside down" shall mean a property where the projected and incurred cost of the investigation and remediation which is protective for the anticipated use of the property equals or exceeds seventy-five percent of its independent appraised value, as of the date of submission of the application for participation in the brownfield cleanup program, developed under the hypothetical condition that the property is not contaminated. **From 6 NYCRR 375-3.2(l) as of August 12, 2016:** (Please note: Eligibility determination for the underutilized category can only be made at the time of application) 375-3.2: (l) "Underutilized" means, as of the date of application, real property on which no more than fifty percent of the permissible floor area of the building or buildings is certified by the applicant to have been used under the applicable base zoning for at least three years prior to the application, which zoning has been in effect for at least three years; and (1) the proposed use is at least 75 percent for industrial uses; or (2) at which: (i) the proposed use is at least 75 percent for commercial or commercial and industrial uses; (ii) the proposed development could not take place without substantial government assistance, as certified by the municipality in which the site is located; and (iii) one or more of the following conditions exists, as certified by the applicant: (a) property tax payments have been in arrears for at least five years immediately prior to the application; (b) a building is presently condemned, or presently exhibits documented structural deficiencies, as certified by a professional engineer, which present a public health or safety hazard; or (c) there are no structures. "Substantial government assistance" shall mean a substantial loan, grant, land purchase subsidy, land purchase cost exemption or waiver, or tax credit, or some combination thereof, from a governmental entity.

Supplemental Questions for Sites Seeking Tangible Property Credits in New York City (continued)

3. If you are seeking a formal determination as to whether your project is eligible for Tangible Property Tax Credits based in whole or in part on its status as an affordable housing project (defined below), you must attach the regulatory agreement with the appropriate housing agency (typically, these would be with the *New York City Department of Housing, Preservation and Development*; *the New York State Housing Trust Fund Corporation*; the *New York State Department of Housing and Community Renewal*; or the *New York State Housing Finance Agency*, though other entities may be acceptable pending Department review). **Check appropriate box, below**:

☐ Project is an Affordable Housing Project - Regulatory Agreement Attached;

☑ Project is Planned as Affordable Housing, But Agreement is Not Yet Available* (*Checking this box will result in a "pending" status. The Regulatory Agreement will need to be provided to the Department and the Brownfield Cleanup Agreement will need to be amended prior to issuance of the CoC in order for a positive determination to be made.);

☐ This is Not an Affordable Housing Project.

From 6 NYCRR 375- 3.2(a) as of August 12, 2016:

(a) "Affordable housing project" means, for purposes of this part, title fourteen of article twenty seven of the environmental conservation law and section twenty-one of the tax law only, a project that is developed for residential use or mixed residential use that must include affordable residential rental units and/or affordable home ownership units.

(1) Affordable residential rental projects under this subdivision must be subject to a federal, state, or local government housing agency's affordable housing program, or a local government's regulatory agreement or legally binding restriction, which defines (i) a percentage of the residential rental units in the affordable housing project to be dedicated to (ii) tenants at a defined maximum percentage of the area median income based on the occupants' households annual gross income.

(2) Affordable home ownership projects under this subdivision must be subject to a federal, state, or local government housing agency's affordable housing program, or a local government's regulatory agreement or legally binding restriction, which sets affordable units aside for home owners at a defined maximum percentage of the area median income.

(3) "Area median income" means, for purposes of this subdivision, the area median income for the primary metropolitan statistical area, or for the county if located outside a metropolitan statistical area, as determined by the United States department of housing and urban development, or its successor, for a family of four, as adjusted for family size.

BCP Application Summary (for DEC use only)

Site Name: 550 Tenth Avenue Filling Station Site **Site Address:** 550 10th Avenue a/k/a 554 10th Avenue
City: Manhattan, New York **County:** New York **Zip:** 10018

Tax Block & Lot
Section (if applicable): **Block:** 1050 **Lot:** 61

Requestor Name: GO Covenant LLC **Requestor Address:** c/o Gotham Organization, LLC Attn: Wade Stevens, VP Development
City: New York, New York **Zip:** 10016 **Email:** wstevens@gothamorg.com

Requestor's Representative (for billing purposes)
Name: David L. Picket, Member **Address:** GO Covenant LLC c/o Gotham Organization, 432 Park Avenue South, 2nd Floor
City: New York, NY 10016 **Zip:** **Email:** dpicket@gothamorg.com

Requestor's Attorney
Name: Linda R. Shaw, Esq., Knauf Shaw LLP **Address:** 1400 Crossroads Building, 2 State Street
City: Rochester, New York **Zip:** 14614 **Email:** lshaw@nyenvlaw.com

Requestor's Consultant
Name: Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology **Address:** 300 Kimball Drive Attn: Amanda Forsburg
City: Parsippany, NJ **Zip:** 07054 **Email:** aforsburg@langan.com

Percentage claimed within an En-Zone: ☑ **0%** ☑ **<50%** ☐ **50-99%** ☐ **100%**

DER Determination: ☐ Agree ☐ Disagree

Requestor's Requested Status: ☑ **Volunteer** ☐ **Participant**

DER/OGC Determination: ☐ Agree ☐ Disagree
Notes:

For NYC Sites, is the Requestor Seeking Tangible Property Credits: ☑ Yes ☐ No

Does Requestor Claim Property is Upside Down: ☐ Yes ☑ No

DER/OGC Determination: ☐ Agree ☐ Disagree ☐ Undetermined

Notes:

Does Requestor Claim Property is Underutilized: ☐ Yes ☑ No

DER/OGC Determination: ☐ Agree ☐ Disagree ☐ Undetermined

Notes:

Does Requestor Claim Affordable Housing Status: ☐ Yes ☐ No ☑ Planned, No Contract

DER/OGC Determination: ☐ Agree ☐ Disagree ☐ Undetermined

Notes:

BCP APPLICATION SUPPORT DOCUMENT

BCP APPLICATION SUPPORT DOCUMENT
Exhibit List

Exhibit A - DOS Entity Information

Exhibit B- Corporate Consent

Exhibit C- Deed

Exhibit D- Site Access Agreement

Exhibit E- Previous Owners and Operators

Exhibit F- Site Drawing Spider Maps

Exhibit G- Survey and Tax Maps

Exhibit H- Site Location Map, Base Map, En-Zone Map, BOA, and EJ Maps

Exhibit I- Zoning Map

Exhibit J- Flood Map

Exhibit K- Site Contact List

Exhibit L- Repository Letters

ENVIRONMENTAL REPORTS SEPARATELY ATTACHED ON CD:

1. July 2004 Spill No. 0404424 – 460 W 41st Street/Covenant House
2. March 2007 Spill No. 0613314 – 460 W 41st Street
3. Sept. 2015 TRC Engineers, Inc. ("TRC") Phase I Environmental Site Assessment ("ESA") prepared for Covenant House International
4. Dec. 2017 Langan Engineering, Environmental, Surveying and Landscape Architecture, D.P.C. ("Langan") prepared for Gotham
5. Dec. 2018 Enviroprobe Service, Inc. ("Enviroprobe") Geophysical Investigation Report prepared for Langan
6. May 2018 Langan Amended Phase II Environmental Site Investigation ("ESI") Report prepared for Langan
7. Dec. 2019 Langan Phase II Investigation Work Plan ("IWP") prepared for GO Covenant LLC
8. Feb. 2021 Enviroprobe Geophysical Investigation Report prepared for Langan
9. May 2021 Langan Environmental Soil Pre-Characterization Results prepared for GO Covenant LLC
10. May 2021 Langan Remedial Investigation Report ("RIR") (NYCOER Site No. 20TMP0490M, 20EH-N114M)
11. May 2021 Langan Remedial Investigation Work Plan ("RIWP")
12. May 2021 Langan Interim Remedial Measures Work Plan ("IRMWP")

PART A
SECTION I - REQUESTOR INFORMATION

The Requestor is GO Covenant LLC, a New York limited liability company, located at c/o Gotham Organization, LLC, 423 Park Avenue South, 2nd Floor, New York, New York 10016. GO Covenant LLC is authorized to do business in the State of New York. *See* Exhibit A, NYSDOS Entity Information. The members are as follows:

1. GO Covenant MM, LLC is the Managing Member of GO Covenant LLC in a joint venture with Goldman Sachs (GO Covenant LLC).
2. GO Covenant MM, LLC is a joint venture between GO Venture, LLC and Greenlight Development Ventures, LLC.

The Written Consent provides David L. Picket with authority to sign all Brownfield Cleanup Program ("BCP") documents on behalf of the Requestor GO Covenant LLC. *See* Exhibit B, Corporate Consent.

As further described below in Section IV, the Site is located at 550 10th Avenue a/k/a 538-554 10th Avenue & 460 W 41st Street, Manhattan, New York County, New York 10018, Tax Block 1050, Lot 61 ("Site" or "BCP Site").

Requestor is not the owner of the Site. As more fully described below in Section VI, CH Housing Development Fund Corporation is the current owner of the Site. *See* Exhibits C Deed. The Requestor has received a temporary license from the Owner to access the property to perform investigation and remediation work required by the BCP. *See* Exhibit D Site Access Agreement.

The Requestor has no prior relationship with any current or past owners or operators of the Site. *See* Sections V and VI below, and Exhibit E, Previous Owners and Operators List. The Requestor did not cause any of the contamination of the Site, which predates the Requestor's involvement at the Site.

SECTION II - PROJECT DESCRIPTION

Please refer to responses to Questions 1-3 on the BCP Application Form.

4. Short Project Description

550 Tenth Avenue (the "Project" or the "BCP Site") is a mixed-use development proposed to be constructed by GO Covenant LLC (aka the Gotham Organization) (the "Developer") in the Hudson Yards / Hell's Kitchen neighborhood of Manhattan within Community District 4. The Project has frontage on 10th Avenue between the NE corner of 40th Street and the SE corner of 41st Street. The Project is approximately 436,000 square feet (429,000 zsf), including approximately 27,000 square feet (25,000 zsf) of office / community facility space that will serve as Covenant House's ("CH") New York City office / administrative space, approximately 343,000 square feet (343,000 zsf) of residential space, and approximately 9,000 square feet (6,000 zsf) of retail space (at grade

and below) activating the urban streetscape of 10th Avenue. Indoor and outdoor residential amenity space for residents and their guests is provided at the 8th and 45th floors, with landscaped terraces enlivening the skyline.

The Project contains 453 new residential rental units including 113 inclusionary housing ("IH") units and 23 Affordable New York units. The residential component complies with Hudson Yards Special District IH Option 2, requiring at least 10% of the residential floor area be set-aside for affordable housing units at 80% AMI or less, and at least 15% of the residential floor area be set-aside for affordable housing units at 125% AMI or less. The residential component also complies Option F of Affordable New York, requiring at least 10% of the residential floor area be set-aside for affordable housing units at 70% AMI or less and at least 20% of the residential floor area be set-aside for affordable housing units at 130% AMI or less. To comply with both of these requirements, the Project has 47 low-income units at 70% AMI and 89 middle-income units at 125% AMI. The remaining 317 units are Market Rate.

The Project is the second phase of a two-phase development that is contributing to the ongoing viability of CH, an international non-profit that serves homeless, trafficked, and runaway youth. In the first phase of the development, which will be completed in fall 2021, the Developer is constructing a new ~90,000 square foot international headquarters for CH adjacent to the Project at 460 West 41st Street (Block 1050, Lot 1) (the "Phase I Development"). The new headquarters will contain a robust set of programs including youth shelter housing, administrative office space, event space and provisions for a multitude of services which will enable CH to expand upon the mission-critical services it provides to New York City's urban youth. The second phase of the development, as outlined above, will contain an additional ~27,000 GSF of office / administrative space, which will be conveyed to CH. In total, both phases will enable CH to reduce its operating overhead, alleviating the financial strain on this essential non-profit.

The Phase I Development was remediated under the New York City Office of Environmental Remediation ("NYCOER") E-Designation Program. The BCP Site was also proceeding through the OER E-Designation Program until hazardous lead soil was unexpectedly found increasing project costs and making the Project potentially unviable in an increasingly difficult New York City real estate market with shrinking financing available. Participation in the BCP is now critically important for the Project to proceed. The financial viability of the Project is especially important given that the proceeds from the closing of the Project (when Gotham (GO Covenant LLC) will purchase the BCP Site for the Project from CH) will enable CH to pay off the construction loan used to build Phase I and will fund the organization's endowment.

The planned redevelopment of the Site entails the demolition of the existing 8-story Covenant House building and associated cellar space. The asphalt parking lot will also be removed as part of the redevelopment. This demolition allows Phase II to proceed.

Schedule- Commencement through COC

A Remedial Investigation Work Plan (RIWP) and an Interim Remedial Measures (IRM) Work Plan (IRMWP) are being submitted with this application. As a result, the Remedial Investigation is expected to be commenced on the Site shortly after the Brownfield Cleanup Agreement (BCA)

is executed. Some demolition is required for the investigation in the center of the Site since the interior of the building could not be accessed, which is expected between October through November 2021 and demolition is expected to be commenced by December 2021 and proceed for 5-6 months thereafter through March-April 2022. The IRMWP has been submitted to include the demolition an address an area where hazardous lead soil has been found and to install an initial foundational element for the planned 421(a) affordable housing component of the project.

The Remedial Action Work Plan ("RAWP") will be completed in April 2022 and any required remediation may commence in July 2022. The Certificate of Completion is anticipated to be issued by December 2022 or in early 2023.

SECTION III – PROPERTY'S ENVIRONMENTAL HISTORY

1. List of Environmental Reports

The following is the list of environmental reports for the Site separately attached:

A. July 2004 Spill No. 0404424 – 460 W 41st Street/Covenant House
B. March 2007 Spill No. 0613314 – 460 W 41st Street
C. Sept. 2015 TRC Engineers, Inc. ("TRC") Phase I Environmental Site Assessment ("ESA") prepared for Covenant House International
D. Dec. 2017 Langan Engineering, Environmental, Surveying and Landscape Architecture, D.P.C. ("Langan") prepared for Gotham
E. Dec. 2018 Enviroprobe Service, Inc. ("Enviroprobe") Geophysical Investigation Report prepared for Langan
F. May 2018 Langan Amended Phase II Environmental Site Investigation ("ESI") Report prepared for Langan
G. Dec. 2019 Langan Phase II Investigation Work Plan ("IWP") prepared for GO Covenant LLC
H. Feb. 2021 Enviroprobe Geophysical Investigation Report prepared for Langan
I. May 2021 Langan Environmental Soil Pre-Characterization Results prepared for GO Covenant LLC
J. May 2021 Langan Remedial Investigation Report ("RIR") (NYCOER Site No. 20TMP0490M, 20EH-N114M)
K. May 2021 Langan Remedial Investigation Work Plan ("RIWP")
L. May 2021 Langan Interim Remedial Measures Work Plan ("IRMWP")

2. Sampling Data

See Exhibit F, Spider Maps which include sampling data summaries, and Section IV.10.F.

3. Site Drawing

See Exhibit F, Spider Maps.

4. Past Land Uses

See Section IV.10.D for full description of past land uses. Most recently, the southern portion Site was used as an 8-story homeless shelter for youth, and the northern portion of the Site was used as a parking lot. Prior to that use, the Site had a long history of use as a filling station and an automotive repair shop. The historical owners and uses associated with the Site are described in the Exhibit E Previous Owners and Operators List.

SECTION IV – PROPERTY INFORMATION

1. Site Boundary and Tax Parcel Information

The Site boundary does correspond to the tax lot boundary. The Tax Boundary Map and a Survey map is provided in Exhibit G. The Site Location, Base Property, Brownfield Opportunity Area (BOA), Environmental Justice (EJ) and En-Zone Maps are in Exhibit H. The Site is not located in an En-Zone or a BOA but the Site is located in an EJ Area based on the NYC, EPA and DEC EJ maps. See EJ Maps in exhibit H. Approximately 65 percent of the area is composed of minority populations. In addition, approximately 36 percent of the residents in the area allegedly do not speak English.

2. Property Map

The Site Location and Base Property Map are in Exhibit H. A Survey map is in Exhibit G.

Please refer to responses to Questions 3-9 on the BCP Application Form.

10. Property Description Narrative

A. <u>Site Location</u>

See Response to Section IV.1 and IV.2 above. The Site is located at 550 10th Avenue a/k/a 554 10th Avenue, Manhattan, New York 10018, Tax Block 1050, Lot 61. The Site is located in a mixed-use neighborhood known as the Clinton neighborhood of Manhattan. It is part of Manhattan Community District 4. The Site is bordered by 10th Avenue to the west, W 41st Street to the North, and W 40th Street to the south. NYCOER Site No. 16EH-N056M is located east of the Site. The NYCOER Site is the first phase of the two-phase redevelopment plan related to the Site. A bus stop is located adjacent to the Site on 10th Avenue. An entrance to the Lincoln Tunnel and access ramps for the nearby Port Authority Bus Terminal are located south of the Site, beyond West 40th Street. Additional neighborhood uses include restaurants, hotels, apartment buildings, churches, schools, and parking lots.

B. Site Features

The approximately 0.365-acre Site is currently improved with an 8-story building with a cellar. The cellar extends to approximately 10.5 and 15 feet below sidewalk level ("ft-bsl"). An asphalt parking lot is located within the northern portion of the property along West 41st Street. Construction field offices associated with the redevelopment of the adjacent site to the east are also currently present on the Site. The Hudson River is located approximately 0.402 miles from the Site. The Site is not located in a Federal Emergency Management Agency ("FEMA") flood zone. *See* Exhibit J Flood Plain Map.

C. Current Zoning and Land Use

The Site is currently located in the C2-8 and HY Zoning Districts. *See* Zoning Map in Exhibit I. C2-8 districts are commercial districts that are predominantly residential in character. C2-8 districts are mapped along major thorough fares in medium- and higher-density areas of the city. The Special Hudson Yards, or HY District, was established to foster a mix of uses and densities, provide new publicly accessible open space, extend the Midtown central business district by providing opportunities for substantial new office and hotel development, reinforce existing residential neighborhoods and encourage new housing on Manhattan's Far West Side.

The Site is currently improved with an 8-story building and an adjacent parking lot. Current occupants of the building include Covenant House New York and Ko Alice MD, FACOG. The surrounding property uses include restaurants, hotels, apartment buildings, churches, and parking lots. The closest residential area is the 555Ten apartment complex located across 10th Avenue. Another apartment complex, the MiMA Apartments, is located approximately 400 feet from the Site. New York City Transit ("NYCT") 7 Line subway tunnels are located north of the Site below West 41st Street. Penn Station is located approximately 0.567 miles from the Site. A high school is located approximately 0.179 miles from the Site.

D. Past Use of the Site

It is important to note that the BCP Site was once a portion of former Lot 1 and former Lot 61. *See* the map attached to the Previous owners Operators List in Exhibit E. Therefore, the past use of portion of former Lot 1 that makes up the BCP Site and Lot 61 are summarized below.

1. Past Use of the Site

Former Portion of Lot 1

Between 1890 and 1911, Lot 1 was developed with multiple buildings, including a 5-story piano factory on the southern portion of the Site. A filling station was in the southern portion of the lot from 1950 until about 1968. At that time, the former factory was used as an auto repair shop and for vehicle storage. In 1961, an on-site building was used as a hotel with an attached garage. By 1979, the buildings along 10th Avenue were demolished and

a building was constructed. The current on-Site structure was constructed in 1985. The Site has been in its current configuration since approximately 1990. In 2003, an auto repair facility occupied a portion of Lot 1. Lot 1 was the subject of two partial condemnations in August and September 2006 as part of a rezoning project. These past uses may have contributed to on-Site contamination.

Former Lot 61

Between 1890 and 1911, the Lot 61 was developed with multiple buildings. Between 1930 and 1950, two of the buildings along the corner of 10th Avenue and 41st Street were demolished and replaced with a triangular-shaped retail building. The lot may have been used as a parking lot between 1940 and 1942. A filling station was present on Lot 61 from approximately 1950 to 1987. The property at 460 W 41st Street is registered as NYSDEC petroleum bulk storage ("PBS") Site No. 2-610819. However, the 10,000-gallon #2 fuel oil tank associated with that listing does not correspond to the current BCP Site. The tank was associated with the adjacent lot but near the property boundary with the BCP Site. *See* summary of spill history below. Multiple changes in ownership occurred between 1984 and 1986. The filling station appears to have been replaced by a parking lot in maps from 1988. Lot 61 was the subject of two partial condemnations in August and September 2006 as part of a rezoning project. These past uses may have contributed to on-Site contamination.

Current Lot 61

In May 2018, a portion of Lot 1 was reapportioned to be included in Lot 61. The reapportioned Lot 61 makes up the 0.365-acre Site that is the subject of this application.

Spill History

There is a spill history associated with both the BCP Site and the adjacent Lot 1 OER Site when both were owned by Covenant House. The exact location of these spills is not clear. However, a former 10,000 gallon #2 fuel oil tank located on the OER Site that was just remediated is close to the BCP property boundary near the parking lot, and therefore not too far from where the hazardous lead soil exceedance has been found. In July 2004, petroleum impacted soils were identified at the Site during drilling activities for the nearby NYCT 7 Line Subway Extension (Spill No. 0404424). The spill was reported at 460 W 41st Street/Covenant House. The contaminated soils were reportedly removed and replaced with clean soils. The Spill was closed in October 2005. In March 2007, oily water was observed on the Site after excavation activities. A #2 fuel oil spill was reported at the Covenant House property (Spill No. 0613314). Approximately 3,000 gallons of oily water were pumped out during the excavation. The spill was closed in October 2009.

2. Past Investigations Related to Uses and Environmental Conditions that Led to the Submission of this Application.

In 2015, TRC prepared a Phase I ESA for the adjacent OER site and current BCP Site. TRC observed a 100-gallon aboveground storage tank ("AST") associated with an emergency generator in the parking area near 10th Avenue. At the time, the Site was listed on the NY E-Designation database for window/wall noise attenuation and hazardous

materials as part of the 2005 No. 7 Subway Extension – Hudson Yards rezoning study. The ESA noted that the Site and nearby properties were historically occupied by a coal yard and a piano factory. The EDR US Hist Auto Stations database lists the Site as an auto repair facility. TRC observed possible asbestos containing material, possible lead-based paint and other regulated hazardous building materials during its investigation. TRC recommended a Phase II ESA and an Asbestos and Regulated Materials Survey prior to Site redevelopment.

Langan prepared a Phase II ESI Report in December 2017. The limited investigation evaluated both Lots 1 and 61. The presence of an approximately 36- by 9-foot metallic anomaly, which was assumed to be the active 10,000-gallon fuel oil UST on the adjacent lot, was confirmed. Fuel oil feed and return lines were traced from the UST to the northeastern portion of Lot 61. Langan identified the contaminants of concern as metals in soil and SVOCs and metals in groundwater. Langan observed odors, staining, and elevated PID readings in the vicinity of the former gasoline station near the corner of 10th Avenue and West 40th Street. Langan recommended additional Site investigation.

Langan amended its Phase II ESI in 2018 to summarize a Supplemental Phase II EI. Investigation activities consisted of geophysical utility clearance in the vicinity of proposed sample locations, installation of sampling points, and sample collection. Results indicated that the contaminants of concern are VOCs, SVOCs, and metals in soil, SVOCs and metals in groundwater, and VOCs in soil vapor. Sample results indicated the presence of a historic fill layer at the Site. Langan recommended removal of the UST prior to redevelopment.

In December 2019, Langan prepared a Phase II IWP, which corresponded to the extents of the approved tentative reapportionment of Lot 61 (i.e. the current BCP Site). The findings were similar to past findings and Langan noted that it would prepare a RIR for OER to provide detailed summaries of the investigative findings.

In May 2021, Langan conducted soil pre-characterization sampling at the Site. Composite samples were collected from multiple borings in order to characterize the anticipated excavation depth of 17.5 feet bsl. A deeper sample was collected from the area of the proposed elevator pit to characterize soil to be excavated for deeper foundation elements. Langan found higher level SVOCs and metals on the BCP Site than previously detected, including hazardous lead concentrations detected from 9 to 18 ft-bsl in WC-1B, and VOCs within the BCP Site building footprint. WC-1B is located within the footprint of the former filling station in the northern portion of the Site. Once this discovery was made, which shall increase costs, a decision was made to submit a BCP Application.

Langan has prepared a RIWP to further investigate the hazardous waste area and perform additional investigation work to complete a BCP-required Remedial Investigation for the Site. Langan prepared an IRMWP to perform on-Site building demolition, hot spot removal of the hazardous lead area and installation of an initial pile to satisfy upcoming 421(a) requirements for the proposed affordable housing component of the Project.

E. Site Geology and Hydrogeology

According to the United States Geological Survey (USGS) topographic map, Central Park, New York quadrangle dated 1995, the Site elevation is approximately 26 feet above mean sea level ("msl"). The Site topography is generally flat with a slight slope to the west. The assumed direction of shallow groundwater flow is to the west. The water table is expected to be encountered at approximately 14 ft-bsl. During on-Site investigations, groundwater was encountered between 9 and 17.5 ft-bsl.

The stratigraphy below the asphalt parking lot on the northwestern portion of the subject property consists of an approximately 9.5- to 20-foot-thick layer of historical fill underlain by a silty sand unit. Weathered mica Schist rock is present under the sand unit. During investigatory activities, a clayey silt unit was encountered from approximately 21 ft-bsl to the depth of drilling refusal at approximately 25 ft-bsl in the parking lot area. Groundwater was encountered at approximately 16-18 ft-bsl under the parking lot.

The stratigraphy below the existing basement floor also consists of a 0- to 13-foot-thick layer of historic urban fill. Fill was observed to be 2.5 to 3.5 feet thick in the southwestern portion of the building footprint and 3 to 3.5 feet thick in the eastern portion of the building footprint. The fill material in the eastern portion of the building footprint was observed to be underlain with silty sand to the depth of drilling refusal, which varied between 5 and 10.5 feet below the basement floor slab. Langan presumed the drilling refusal occurred because of mica schist present beneath the Site. In the central portion of the building, fill material was observed to be between 8 and 13 feet thick. The fill was underlain by a silty sand. In several borings within the building footprint, native material was observed directly beneath the existing basement slab. At these locations, drilling refusal on mica schist was encounter between 5 and 6 feet below the basement slab. Clay was also encountered in the northeastern portion of the building from 9 to 10.5 feet below the basement slab.

F. Environmental Assessment

Based on the investigations conducted to date, the primary contaminants of concern are SVOCs and metals in soil, including hazardous lead levels in soil, SVOCs and metals in groundwater, and various petroleum and chlorinated VOCs in soil vapor. See Exhibit F Site Drawing Spider Maps.

Soil:

Several SVOCs, specifically polyaromatic hydrocarbons (PAHs), were detected above the NYSDEC Protection of Groundwater Guidance SCOs including:

- benzo(a)anthracene (max. 10.8 mg/kg),
- benzo(b)fluoranthene (max. 8.44 mg/kg), and
- benzo(k)fluoranthene (max. 7.34 mg/kg).

The following SVOCs were detected above the NYSDEC Restricted Residential RUSCOs, but below the Protection of Groundwater SCOs:

- benzo(a)pyrene (9 mg/kg);
- dibenzo(a,h)anthracene (max 2.49 mg/kg);
- indeno(1,2,3-cd)pyrene (max 5.46 mg/kg).

Benzo(k)fluoranthene (max. 1.22 mg/kg) and chrysene (max. 1.27 mg/kg) were also detected above the NYSDEC Unrestricted Use SCOs.

One pesticide, 4,4-DDT (max. 0.0187 mg/kg), was detected at a concentration exceeding the NYSDEC Unrestricted Use SCOs.

One metal, selenium (max 15.7 mg/kg) was detected at a concentration exceeding the NYSDEC Protection of Groundwater SCOs.

Metals were detected at concentrations exceeding the NYSDEC Restricted Residential RUSCOs including:

- barium (max. 562 mg/kg)
- lead (max. 3,050 mg/kg).

Several metals including cadmium (max.14 3.93 mg/kg), copper (max. 50.8 mg/kg), manganese (max. 1,660 mg/kg), mercury (max. 0.533 mg/kg), nickel (max. 31.4 mg/kg), selenium (max. 19.3 mg/kg), and zinc (max. 463 mg/kg) were detected above the NYSDEC Unrestricted Use SCOs throughout the site footprint.

Perfluorooctanesulfonic acid (PFOS) (10.7 µg/kg) was detected in the sample collected from LSB-2A from 0 to 2 feet bsl exceeding the NYSDEC January 2021 Unrestricted Use SCO Guidance Value.

Groundwater:

Groundwater samples that exceeded the NYCRR Part 703.5 and NYSDEC Technical & Operational Guidance Series (TOGS) 1.1.1 Ambient Water Quality Standards and Guidance Values (collectively referred to as SGVs) and screening values provided in the NYSDEC's Guidelines for Sampling and Analysis of PFAS (NYSDEC January 2021 Guidance Values) including SVOCs, specifically PAHs:

- benzo(a)anthracene (max. 0.115 µg/l) in TW-2, LMW-8 , and LMW-9
- benzo(a)pyrene (max. 0.0842 µg/l) in TW-2 and LMW-9
- benzo(b)fluoranthene (max. 0.0842 µg/l) in TW-2 and LMW-9
- benzo(k)fluoranthene (max. 0.0737 µg/l) in TW-2 and LMW-9
- chrysene (max. 0.108 µg/l) in TW-2 and LMW-9 and
- indeno(1,2,3-c,d)pyrene (0.0526 µg/l) in LMW-9.

Dissolved metals were detected in groundwater samples at concentrations exceeding NYSDEC SGVs included:

- manganese (max. 1,660 µg/l)
- selenium (10.2 µg/l) and

- sodium (max. 1,380,000 µg/l).

PFOS (67.5 ng/l) and perfluorooctanoic acid (PFOA) (45.4 ng/l) were detected above the NYSDEC January 2021 Guidance Values in LMW-11.

Soil Vapor:

Soil vapor samples collected during the RI were compared to the October 2006 New York State Department of Health (NYSDOH) Final Guidance for Evaluating Soil Vapor Intrusion in the State of New York and Soil Vapor/Indoor Air decision matrices A through C (updated May 2017). Soil vapor samples did not reveal concentrations of chlorinated VOCs in soil vapor at the subject property that indicated further action is required based on the NYSDOH Guidance but the results showed the following:

Total concentrations of petroleum-related VOCs (BTEX) within the four soil vapor samples ranged from 1.83 µg/m³ to 12.3 µg/m³.

The chlorinated solvents detected included carbon tetrachloride (max. 0.286 µg/m³), methylene chloride (max. 11 µg/m³), tetrachloroethylene (PCE) (max. 4.1 µg/m³), and trichloroethylene (TCE) (max. 1.2 µg/m³).

Total VOC vapors ranged from 17.5 up to 2,640 µg/m³.
Total CVOC vapors ranged from 3 up to 6.51 µg/m³.
Total BTEX vapors ranged from 1.83 to 12.3 µg/m³.

Regarding Questions 11-13 on the BCP Application:

Requestor is seeking a determination that the Site is eligible for tangible tax property credits because the final 2017 Hudson Yards Zoning Resolution already mandated that this BCP Site, which is located with the Hudson Yards (HY) Special District Inclusionary Housing Option 2, and which requires at least 10% of the residential floor area be set-aside for affordable housing units at 80 percent AMI or less and at least 15% of the residential floor area be set-aside for affordable housing units at 125 percent AMI or less, be redeveloped for 25% Inclusionary Housing required by the zoning. The residential component also complies Option F of Affordable New York, requiring at least 10% of the residential floor area be set-aside for affordable housing units at 70% AMI or less and at least 20% of the residential floor area be set-aside for affordable housing units at 130% AMI or less. *See* the Full 2017 HY Zoning Resolution and the excerpt sections of the Resolution that are specific to this BCP Site in Exhibit M.

The applicable affordable housing definition in 6 NYCRR §375-3.2(a) states:

> (a) "Affordable housing project" means, for purposes of this part, title fourteen of article twenty seven of the environmental conservation law and section twenty-one of the tax law only, a project that is developed for residential use or mixed residential use that must include affordable residential rental units and/or affordable home ownership units.

> (1) Affordable residential rental projects under this subdivision **must be subject to a** federal, state, or local government housing agency's affordable housing program, or a local government's regulatory agreement or **legally binding restriction**, which defines (i) a percentage of the residential rental units in the affordable housing project to be dedicated to (ii) tenants at a defined maximum percentage of the area median income based on the occupants' households annual gross income. [emphasis added]…

While the regulatory agreement will not be finalized until the closing scheduled for the fourth quarter this year, the attached Resolution in Exhibit M meets the second criteria for establishing eligibility for the tangible property tax credits (i.e. legally binding restriction) since the attached Resolution creates a legally binding restriction that the proposed development project must include 25% affordable housing as defined in the attached documents.

Thus, since the Requestor is already mandated to develop 25% Inclusionary Housing through a legally binding restriction as supported by the attached Resolution, and it is adding another 5% under the Affordable NY Program, Requestor is seeking a determination now that it is entitled to the tangible property tax credits. See Exhibit M. The Requestor is not, nor will it in the future, be seeking a determination that the property is Upside Down or Underutilized.

PART B
SECTION V- ADDITIONAL REQUESTOR INFORMATION

See Section I, Requestor Information and responses in the Application form. As stated in Section I, the Requestor has no prior relationship with any current or past owners or operators of the Site other than the Requestor intends to purchase the Site from the current Site owner later this year. *See also* Exhibit E, Previous Owners and Operators List. The Requestor did not cause any of the contamination of the Site, which predates the Requestor's involvement at the Site.

SECTION VI- CURRENT PROPERTY OWNER/OPERATOR INFORMATION

CH Housing Development Fund Corporation is the owner of the Site. CH Housing Development Fund Corporation has owned the Site since April 2019. *See* Exhibit C Deed.

The Previous Owner and Operator list is attached in Exhibit E. This Exhibit includes both current and previous property owners and operators by name, last known address, telephone number, and the Requestor's relationship to each owner and operator (all of which are "None"). Exhibit E also includes the prior operators' use of the Site.

SECTION VII- REQUESTOR ELIGIBILITY INFORMATION

Please refer to responses to Questions 1-11 on the BCP Application Form.

REQUESTOR CERTIFICATION

The Requestor certifies it is a Volunteer, since it does not own the Site; and does not have nor has ever had a relationship with any of the past owners or operators of the Site that caused the contamination, nor did it have involvement with the Site at the time of disposal. The Requestor has performed all required environmental due diligence prior to acquiring the Site and has implemented due care of the Site.

SECTION VIII- PROPERTY ELIGIBILITY INFORMATION

Please refer to the responses to the Questions 1-6 on the BCP Application Form, which confirms the site is not ineligible for the BCP.

In addition to the responses on the application form, which clarify the Site is an eligible brownfield site pursuant to ECL § 27-1405, the following information further demonstrates this Site's eligibility for the BCP.

The Site meets the definition of an eligible "brownfield site" in Environmental Conservation Law § 27-1405(2) as "any real property where a contaminant is present at levels exceeding the soil cleanup objectives or other health-based or environmental standards, criteria or guidance adopted by the department that are applicable based on the reasonably anticipated use of the property, in accordance with applicable regulations." Environmental investigation results show evidence of impact from the Site's previous commercial and industrial uses, which can be linked to and caused Site contamination above the applicable cleanup standards. See Environmental Reports separately attached and the Spider Maps in Exhibit F, providing the data demonstrating exceedances of the cleanup standards for this Site. As a result, the Site meets the definition of a brownfield site pursuant to Environmental Conservation Law §27-1405(2).

SECTION IX - CONTACT LIST INFORMATION

See Exhibit K for the Site Contact List. See Exhibit L, for the Repository Letters.

SECTION X- LAND USE FACTORS

1. Current Zoning

The Site is within the C2-8 and HY Zoning Districts. *See* Exhibit I, Zoning Map. C2-8 districts are commercial districts that are predominantly residential in character. The Special Hudson Yards, or HY District, was established to foster a mix of uses and densities, provide new publicly accessible open space, extend the Midtown central business district by providing opportunities for substantial new office and hotel development, reinforce existing residential neighborhoods and encourage new housing on Manhattan's Far West Side.

2. Current Use

This Site is currently improved as an 8-story building with an asphalt parking lot on the northern portion of the Site. The Site is used as a homeless shelter for runaway youth by Covenant House. In addition, medical offices are present within the building.

3. Intended Use Post Remediation

Post remediation use of the Site will entail the demolition of the current on-Site structure and parking lot. A new 435,000 sq ft building will be constructed on the Site. Approximately 27,000 sq ft will serve as office space and community facilities for Covenant House International's New York City office space. The development will also include approximately 453 residential units, including 113 Inclusionary Housing units and 23 affordable units. Indoor and outdoor amenity space, as well as retail space, will occupy a portion of the Site. *See* Section II, Project Scope for a more detailed description and Exhibit M for proof of the approved inclusionary housing restriction.

4. Do current historical and/or recent development patterns support the proposed use?

Yes, current, historical and recent development patterns support the proposed use of the Site.

5. Is the proposed use consistent with applicable zoning laws/maps?

Yes, the residential component of the development complies with Hudson Yards Special District Inclusionary Housing Option 2 requiring at least 10% of the residential floor area be set-aside for affordable housing units at 80 percent AMI or less and at least 15% of the residential floor area be set-aside for affordable housing units at 125 percent AMI or less.

6. Consistent with the Master Plan?

Yes, the project is consistent with the Hudson Yards Zoning Project, which intends to foster

a mix of uses and densities, provide new publicly accessible open space, extend the Midtown central business district by providing opportunities for substantial new office and hotel development, reinforce existing residential neighborhoods and encourage new housing on Manhattan's Far West Side.

EXHIBIT A

Department of State

Existing Corporations and Businesses ▸

Corporation & Business Entity Database Search

Selected Entity Name: GO COVENANT LLC

Selected Entity Status Information

Current Entity Name:	GO COVENANT LLC
DOS ID #:	5151879
Initial DOS Filing Date:	JUNE 09, 2017
County:	NEW YORK
Jurisdiction:	NEW YORK
Entity Type:	DOMESTIC LIMITED LIABILITY COMPANY
Current Entity Status:	ACTIVE

Selected Entity Address Information

DOS Process (Address to which DOS will mail process if accepted on behalf of the entity)

ATTENTION: CHRISTOPHER JASKIEWICZ
C/O GOTHAM ORGANIZATION, LLC
432 PARK AVENUE SOUTH, 2ND FL
NEW YORK, NEW YORK, 10016

Registered Agent

NONE

This office does not require or maintain information regarding the names and addresses of members or managers of nonprofessional limited liability companies. Professional limited liability companies must include the name(s) and address(es) of the original members, however this information is not recorded and only available by viewing the certificate.

*Stock Information

# of Shares	Type of Stock	$ Value per Share
No Information Available		

*Stock information is applicable to domestic business corporations.

Name History

Filing Date	Name Type	Entity Name
JUN 09, 2017	Actual	GO COVENANT LLC

A **Fictitious** name must be used when the **Actual** name of a foreign entity is unavailable for use in New York State. The entity must use the fictitious name when conducting its activities or business in New York State.

NOTE: New York State does not issue organizational identification numbers.

Search Results New Search

EXHIBIT B

WRITTEN CONSENT

The undersigned, being a Member GO Covenant MM, LLC, which is the Managing Member of GO Covenant LLC, does hereby certify as follows:

1. GO Covenant LLC is the prospective volunteer for the 550 Tenth Avenue Filling Station Site located at 550 10th Avenue, Manhattan, New York 10018, Tax Block 1050, Lot 61 (a/k/a 554 10th Avenue), (the "Site").

2. The following person, David Picket, the Manager/Member of GO Covenant MM, LLC, which is the Managing Member of GO Covenant LLC, has been authorized to execute any documents required by the New York State Department of Environmental Conservation on behalf of Brownfield Site Volunteer GO Covenant LLC, holding the office position in GO Covenant LLC indicated above.

IN WITNESS WHEREOF, the undersigned has executed this Certificate on this 26th day of May 2021.

GO Covenant LLC
By: GO Covenant MM, LLC, its Managing Member

Bryan Kelly
Member

EXHIBIT C

NYC DEPARTMENT OF FINANCE
OFFICE OF THE CITY REGISTER

This page is part of the instrument. The City Register will rely on the information provided by you on this page for purposes of indexing this instrument.The information on this page will control for indexing purposes in the event of any conflict with the rest of the document.

2019050101023001001E865B

RECORDING AND ENDORSEMENT COVER PAGE **PAGE 1 OF 6**

Document ID: 2019050101023001 Document Date: 04-15-2019 Preparation Date: 05-01-2019
Document Type: DEED
Document Page Count: 5

PRESENTER:
FEDERATED NATIONAL LAND, LLC
501 SEVENTH AVENUE, 7TH FLOOR
FNL-NY-200549-NY
NEW YORK, NY 10018
212-796-4280
INFO@FEDERATEDNL.COM

RETURN TO:
NIKI TSISMENAKIS, ESQ.
GOLDSTEIN HALL PLLC
80 BROAD STREET, SUITE 303
NEW YORK, NY 10004

PROPERTY DATA

Borough	Block	Lot		Unit	Address
MANHATTAN	1050	1	Entire Lot		538 10TH AVENUE

Property Type: COMMERCIAL REAL ESTATE

Borough	Block	Lot		Unit	Address
MANHATTAN	1050	61	Entire Lot		554 10TH AVENUE

Property Type: COMMERCIAL REAL ESTATE

CROSS REFERENCE DATA

CRFN_____ *or* DocumentID_____ *or* _____ Year_____ Reel____ Page_____ *or* File Number_____

PARTIES

GRANTOR/SELLER:
COVENANT HOUSE
5 PENN PLZ
NEW YORK, NY 10001-1810

GRANTEE/BUYER:
CH HOUSING DEVELOPMENT FUND CORPORATION
5 PENN PLZ
NEW YORK, NY 10001-1810

FEES AND TAXES

Mortgage :

Mortgage Amount:	$	0.00
Taxable Mortgage Amount:	$	0.00
Exemption:		
TAXES: County (Basic):	$	0.00
City (Additional):	$	0.00
Spec (Additional):	$	0.00
TASF:	$	0.00
MTA:	$	0.00
NYCTA:	$	0.00
Additional MRT:	$	0.00
TOTAL:	$	0.00
Recording Fee:	$	65.00
Affidavit Fee:	$	0.00

Filing Fee: $ 250.00

NYC Real Property Transfer Tax: $ 0.00

NYS Real Estate Transfer Tax: $ 0.00

RECORDED OR FILED IN THE OFFICE OF THE CITY REGISTER OF THE CITY OF NEW YORK
Recorded/Filed 05-07-2019 09:04
City Register File No.(CRFN): **2019000144401**

City Register Official Signature

BARGAIN AND SALE DEED WITH COVENANT AGAINST GRANTOR'S ACTS (INDIVIDUAL OR CORPORATION)

FORM 8002 (short version), FORM 8007 (long version)

CAUTION: THIS AGREEMENT SHOULD BE PREPARED BY AN ATTORNEY AND REVIEWED BY ATTORNEYS FOR SELLER AND PURCHASER BEFORE SIGNING.

THIS INDENTURE, made as of the 15th day of April, 2019.

BETWEEN

COVENANT HOUSE, a New York not-for-profit corporation, having its principal offices located at 5 Penn Plaza, New York, New York 10001,

party of the first part, and

CH HOUSING DEVELOPMENT FUND CORPORATION, a New York not-for-profit corporation organized pursuant to Article XI of the Private Housing Finance Law of the State of New York and Section 402 of the Not-for-Profit Corporation Law of the State of New York, having its principal offices located at 5 Penn Plaza, New York, New York 10001,

party of the second part;

WITNESSETH, that the party of the first part, in consideration of Ten dollars ($10.00) and other good and valuable consideration, lawful money of the United States, paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever;

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Borough of Manhattan, County of New York, City and State of New York located at and known as Block: 1050; Lots: 1 & 61, and more particularly described on SCHEDULE A attached hereto;

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

THE FOLLOWING covenants shall be covenants running with the land:

As to Block 1050, Lot 1, the party of the second part covenants and agrees that on behalf of itself, its successors and assigns, and every successor in interest to the Premises in whole or in part, and any lessee to the Premises in whole or in part, to comply with the terms and conditions of the Declaration of Restrictive Covenants between Covenant House and the United States Department of Housing and Urban Development (HUD) dated March 26, 2007 and recorded on April 11, 2008 in CRFN 2008000146029.

PARTY OF THE FIRST PART herein is the same person as grantee and the premises is and is intended to be the same premises conveyed to the party of the first part by two deeds, as follows:

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(i) As to Block 1050, Lot 1, Deed made by The New York State Urban Development Corporation dated April 19, 1984 and recorded July 18, 1984 in Reel 814 Page 651 in the Office of the City Register of the City of New York, New York County; and

(ii) As to Block 1050, Lot 61, Deed made by Rockrose Company dated April 5, 1989 and recorded April 11, 1989 in Reel 1559 Page 1039 in the Office of the City Register of the City of New York, New York County.

AND the party of the first part, covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

COVENANT HOUSE

By: _____
Name: Daniel McCarthy
Title: Treasurer

Acknowledgment

STATE OF NEW YORK :
: ss.:
COUNTY OF NEW YORK :

On the 12th day of April, 2019 before me, the undersigned, personally appeared Daniel McCarthy, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is(are) subscribed to within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted executed the instrument.

_____
Notary Public

NIKI TSISMENAKIS
NOTARY PUBLIC-STATE OF NEW YORK
No. 02TS6264869
Qualified in Kings County
My commission expires July 2, 2020

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RECORD AND RETURN TO:
Goldstein Hall PLLC
80 Broad Street, Suite 303
New York, New York 10004
Attention: Niki Tsismenakis, Esq.

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SCHEDULE A DESCRIPTION
Amended 03/04/2019

As to Parcel 1 Block 1050 Lot 1

ALL that certain plot piece or parcel of land, situate, lying and being in the Borough of Manhattan, City and State of New York, bounded and described as follows:

BEGINNING at the corner formed by the intersection of the northeasterly side of West 40th Street (width varies) and the southeasterly side of 10th Avenue (100 feet wide);

RUNNING THENCE northeasterly along the southeasterly side of 10th Avenue a distance of 158 feet 1 inch to a point;

RUNNING THENCE southeasterly at right angles to the southeasterly side of 10th Avenue a distance of 64.00 feet to a point;

RUNNING THENCE northeasterly at right angles to the last mentioned course a distance of 39 feet 5 inches to a point in the southwesterly side of West 41st Street;

RUNNING THENCE southeasterly along the southwesterly side of West 41st Street (60 feet wide) a distance of 86.00 feet to a point which point is distant 150.00 feet from the intersection of the lines formed by the southwesterly side of West 41st Street and the southeasterly side of 10th Avenue;

RUNNING THENCE southwesterly at right angles to the southwesterly side of West 41st Street a distance of 48 feet 3 ½ inches to a point;

RUNNING THENCE northwesterly at right angles to the last mentioned course a distance of 2 ½ inches to a point;

RUNNING THENCE southwesterly at right angles to the last mentioned course 50 feet 5 ½ inches to a point;

RUNNING THENCE northwesterly at right angles to the last mentioned course a distance of 9 feet 9 ½ inches to a point;

RUNNING THENCE southwesterly at right angles to the last mentioned course a distance of 98 feet 9 inches to a point in the northeasterly side of West 40th Street;

RUNNING THENCE northwesterly along the northeasterly side of West 40th Street a distance of 140.00 feet to the point and place of BEGINNING.

For Information Only:
Said premises known as and by street address(es): 538/550 10th Avenue, a/k/a 457/467 West 40th Street, a/k/a 456/460 West 41st Street, New York, NY

As to Parcel 2 Block 1050 Lot 61

ALL that certain plot piece or parcel of land, situate, lying and being in the Borough of Manhattan, City and State of New York, bounded and described as follows:

BEGINNING at a point on the southeasterly side of 10th Avenue, distant 39 feet 5 inches southwesterly from the corner formed by the intersection of the southeasterly side 10th Avenue and the southwesterly side of West 41st Street;

AND RUNNING THENCE southeasterly at right angles to the southeasterly side of 10th Avenue a distance of 64 feet to a point;

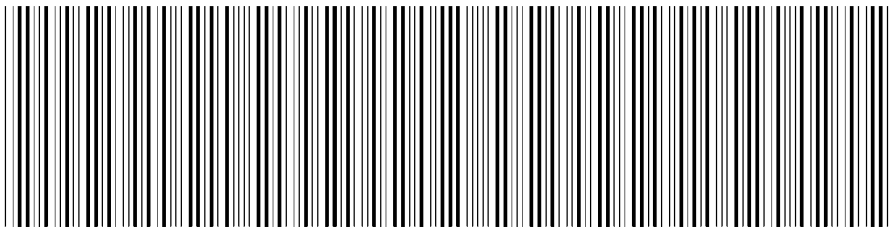
THENCE northeasterly at right angles to the last mentioned course, 39 feet 5 inches to the southwesterly side of West 41st Street;

THENCE northwesterly along the said southwesterly side of West 41st Street, 64 feet to the corner formed by the intersection of the southwesterly side of West 41st Street with the southeasterly side of 10th Avenue;

THENCE southwesterly along the said southeasterly side of 10th Avenue, 39 feet 5 inches to the point or place of BEGINNING.

For Information Only:
Said premises known as and by street address(es): 552/554 10th Avenue, a/k/a 466 West 41st Street, New York, NY

NYC DEPARTMENT OF FINANCE
OFFICE OF THE CITY REGISTER



2019050101023001001S48DA

SUPPORTING DOCUMENT COVER PAGE **PAGE 1 OF 1**

Document ID: 2019050101023001 Document Date: 04-15-2019 Preparation Date: 05-01-2019
Document Type: DEED

ASSOCIATED TAX FORM ID: 2019040800284

SUPPORTING DOCUMENTS SUBMITTED:

	Page Count
DEP CUSTOMER REGISTRATION FORM FOR WATER AND SEWER BILLING	2
RP - 5217 REAL PROPERTY TRANSFER REPORT	2
SMOKE DETECTOR AFFIDAVIT	2

The City of New York
Department of Environmental Protection
Bureau of Customer Services
59-17 Junction Boulevard
Flushing, NY 11373-5108

Customer Registration Form for Water and Sewer Billing

Property and Owner Information:

(1) **Property receiving service: BOROUGH: MANHATTAN** **BLOCK: 1050** **LOT: 1**

(2) **Property Address: 538 10TH AVENUE, NEW YORK, NY 10018**

(3) **Owner's Name:** **CH HOUSING DEVELOPMENT FUND CORPORATION**

Additional Name:

Affirmation:

☑ Your water & sewer bills will be sent to the property address shown above.

Customer Billing Information:

Please Note:

A. Water and sewer charges are the legal responsibility of the owner of a property receiving water and/or sewer service. The owner's responsibility to pay such charges is not affected by any lease, license or other arrangement, or any assignment of responsibility for payment of such charges. Water and sewer charges constitute a lien on the property until paid. In addition to legal action against the owner, a failure to pay such charges when due may result in foreclosure of the lien by the City of New York, the property being placed in a lien sale by the City or Service Termination.

B. Original bills for water and/or sewer service will be mailed to the owner, **at the property address or to an alternate mailing address**. DEP will provide a duplicate copy of bills to one other party (such as a managing agent), however, any failure or delay by DEP in providing duplicate copies of bills shall in no way relieve the owner from his/her liability to pay all outstanding water and sewer charges. Contact DEP at (718) 595-7000 during business hours or visit www.nyc.gov/dep to provide us with the other party's information.

Owner's Approval:

The undersigned certifies that he/she/it is the owner of the property receiving service referenced above; that he/she/it has read and understands Paragraphs A & B under the section captioned "Customer Billing Information"; and that the information supplied by the undersigned on this form is true and complete to the best of his/her/its knowledge.

Print Name of Owner: CH Housing Development Fund Corporation

Signature: Daniel McCarthy Date (mm/dd/yyyy) 04/12/2019

Name and Title of Person Signing for Owner, if applicable: Daniel McCarthy, Treasurer

SEE ATTACHED PAGE FOR ADDITIONAL APPLICABLE PROPERTIES

2019040800284101

The City of New York
Department of Environmental Protection
Bureau of Customer Services
59-17 Junction Boulevard
Flushing, NY 11373-5108

Customer Registration Form for Water and Sewer Billing

Borough	Block	Lot	Street	City	State	Zip
MANHATTAN	1050	61	554 10TH AVENUE	NY	NY	10018

201904080028410101

FOR CITY USE ONLY

C1. County Code | | C2. Date Deed Recorded | / / | Month Day Year

C3. Book OR C5. CRFN | | C4. Page | |

REAL PROPERTY TRANSFER REPORT

STATE OF NEW YORK
STATE BOARD OF REAL PROPERTY SERVICES

RP - 5217NYC

PROPERTY INFORMATION

1. Property Location: 538 (STREET NUMBER) | 10TH AVENUE (STREET NAME) | MANHATTAN (BOROUGH) | 10018 (ZIP CODE)

2. Buyer Name: CH HOUSING DEVELOPMENT FUND CORPORATION (LAST NAME / COMPANY) | (FIRST NAME)

(LAST NAME / COMPANY) | (FIRST NAME)

3. Tax Billing Address: Indicate where future Tax Bills are to be sent if other than buyer address (at bottom of form) (LAST NAME / COMPANY) | (FIRST NAME)

(STREET NUMBER AND STREET NAME) | (CITY OR TOWN) | (STATE) | (ZIP CODE)

4. Indicate the number of Assessment Roll parcels transferred on the deed: 2 # of Parcels OR ☐ Part of a Parcel

4A. Planning Board Approval - N/A for NYC
4B. Agricultural District Notice - N/A for NYC

5. Deed Property Size: (FRONT FEET) X (DEPTH) OR (ACRES)

Check the boxes below as they apply:
6. Ownership Type is Condominium ☐
7. New Construction on Vacant Land ☐

8. Seller Name: COVENANT HOUSE (LAST NAME / COMPANY) | (FIRST NAME)

(LAST NAME / COMPANY) | (FIRST NAME)

9. Check the box below which most accurately describes the use of the property at the time of sale:

A ☐ One Family Residential
B ☐ 2 or 3 Family Residential
C ☐ Residential Vacant Land
D ☐ Non-Residential Vacant Land
E ☑ Commercial
F ☐ Apartment
G ☐ Entertainment / Amusement
H ☐ Community Service
I ☐ Industrial
J ☐ Public Service

SALE INFORMATION

10. Sale Contract Date: 3 / 15 / 2019 (Month Day Year)

11. Date of Sale / Transfer: 4 / 12 / 2019 (Month Day Year)

12. Full Sale Price: $ 10

(Full Sale Price is the total amount paid for the property including personal property. This payment may be in the form of cash, other property or goods, or the assumption of mortgages or other obligations.) *Please round to the nearest whole dollar amount.*

13. Indicate the value of personal property included in the sale: |

14. Check one or more of these conditions as applicable to transfer:

A ☐ Sale Between Relatives or Former Relatives
B ☑ Sale Between Related Companies or Partners in Business
C ☐ One of the Buyers is also a Seller
D ☐ Buyer or Seller is Government Agency or Lending Institution
E ☐ Deed Type **not** Warranty or Bargain and Sale (Specify Below)
F ☐ Sale of Fractional or Less than Fee Interest (Specify Below)
G ☐ Significant Change in Property Between Taxable Status and Sale Dates
H ☐ Sale of Business is Included in Sale Price
I ☐ Other Unusual Factors Affecting Sale Price (Specify Below)
J ☐ None

ASSESSMENT INFORMATION - Data should reflect the latest Final Assessment Roll and Tax Bill

15. Building Class: 15

16. Total Assessed Value (of all parcels in transfer): 13,330,350

17. Borough, Block and Lot / Roll Identifier(s) (If more than three, attach sheet with additional identifier(s))

MANHATTAN 1050 1 | MANHATTAN 1050 61 |

CERTIFICATION

I certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and understand that the making of any willful false statement of material fact herein will subject me to the provisions of the penal law relative to the making and filing of false instruments.

BUYER			BUYER'S ATTORNEY	
BUYER SIGNATURE	DATE		LAST NAME	FIRST NAME
Daniel M Carthy Treasurer	04/12/2019		Tsismenakis	Alice
5 PENN PLZ				
STREET NUMBER / STREET NAME (AFTER SALE)			AREA CODE	TELEPHONE NUMBER
NEW YORK	NY	10001-1810	SELLER	
CITY OR TOWN	STATE	ZIP CODE	SELLER SIGNATURE	DATE
			Daniel M Carthy Treasurer	04/12/2019

2019040800284201

AFFIDAVIT OF COMPLIANCE
WITH SMOKE DETECTOR REQUIREMENT FOR ONE- AND TWO-FAMILY DWELLINGS

State of New York
County of NY } **SS.:**

The undersigned, being duly sworn, depose and say under penalty of perjury that they are the grantor and grantee of the real property or of the cooperative shares in a cooperative corporation owning real property located at

538 10TH AVENUE , ,
Street Address Unit/Apt.

MANHATTAN New York, 1050 1 (the "Premises");
Borough Block Lot

That the Premises is a one or two family dwelling, or a cooperative apartment or condominium unit in a one- or two-family dwelling, and that installed in the Premises is an approved and operational smoke detecting device in compliance with the provisions of Article 6 of Subchapter 17 of Chapter 1 of Title 27 of the Administrative Code of the City of New York concerning smoke detecting devices;

That they make affidavit in compliance with New York City Administrative Code Section 11-2105 (g). (The signatures of at least one grantor and one grantee are required, and must be notarized).

Currant House
Name of Grantor (Type or Print)

Signature of Grantor

Sworn to before me
this 12th day of April 2019

NIKI TSISMENAKIS
NOTARY PUBLIC-STATE OF NEW YORK
No. 02TS6264869
Qualified in Kings County
My commission expires July 2, 2022

CH Housing Development Fund Corporation
Name of Grantee (Type or Print)

Signature of Grantee

Sworn to before me
this 12th day of April 2019

NIKI TSISMENAKIS
NOTARY PUBLIC-STATE OF NEW YORK
No. 02TS6264869
Qualified in Kings County
My commission expires July 2, 2022

These statements are made with the knowledge that a willfully false representation is unlawful and is punishable as a crime of perjury under Article 210 of the Penal Law.

NEW YORK CITY REAL PROPERTY TRANSFER TAX RETURNS FILED ON OR AFTER FEBRUARY 6th, 1990, WITH RESPECT TO THE CONVEYANCE OF A ONE- OR TWO-FAMILY DWELLING, OR A COOPERATIVE APARTMENT OR A CONDOMINIUM UNIT IN A ONE- OR TWO-FAMILY DWELLING, WILL NOT BE ACCEPTED FOR FILING UNLESS ACCOMPANIED BY THIS AFFIDAVIT.

SEE ATTACHED PAGE FOR ADDITIONAL APPLICABLE PROPERTIES

2019040800284101

Applicable properties compliant with the Smoke Detector requirement

Street Address	Unit/Apt	Borough	Block	Lot
554 10TH AVENUE		MANHATTAN	1050	61

EXHIBIT D

CH Housing Development Fund Corporation
Attn: John DuCoff, Chief Legal Officer
5 Penn Plaza
New York, New York 10001

Re: Site Access to Perform Brownfield Cleanup Program Work
550 10th Avenue, Manhattan, New York 10018
Tax Block 1050, Lot 61 (a/k/a 338-554 10th Avenue)

Dear John:

GO Covenant LLC is submitting a Brownfield Cleanup Program ("BCP") Application to the New York State Department of Environmental Conservation to voluntarily investigate and remediate the following property: 550 10th Avenue, Manhattan, New York 10018, tax Block 1050, Lot 61 (a/k/a 338-554 10th Avenue) (the "BCP Site"). As you know, CH Housing Development Fund Corporation owns the aforementioned parcel that makes up the BCP Site. We need your written permission below to access your property for the purpose of performing environmental investigation and remediation work as a criteria for acceptance into the BCP.

If you agree to sign below, you are granting us what is known as a "temporary license" to allow an appropriate contractor we hire to enter the property to perform investigation and remediation work. We promise to provide you with copies of any information we generate about the property, and if we do accidentally damage your property in any way, we agree to repair the damages to restore the property to the way it was before we entered. Our contractor will also maintain insurance that would cover any accidents on the job. We promise to minimize any and all inconvenience to you in connection with this work, and will give you one week notice before the work begins.

In addition, in the unlikely circumstance that you still own the BCP Site when the remediation is complete and the Certificate of Completion is about to be obtained, and a Track 1 remediation level is not achieved, you are hereby also agreeing to impose an environmental easement on the BCP Site if required by the New York State Department of Environmental Conservation. Thank you for your cooperation.

Sincerely,

GO Covenant LLC
By. Bryan Kelly, Member

As a member of the site owner, I am authorized to grant this temporary license and agree to allow GO Covenant LLC and its agents to enter my property to perform the BCP Investigation and/or remediation work required. **For the avoidance of doubt, nothing in this letter derogates from the terms and conditions in that certain Access Agreement, dated as of September 8, 2017, between Covenant House and GO Covenant LLC.**

CH Housing Development Fund Corporation
By. John DuCoff, Chief Legal Officer

EXHIBIT E

PREVIOUS OWNERS & OPERATORS LIST
550 Tenth Avenue Filling Station Site
550 10th Avenue a/k/a 554 10th Avenue, Manhattan, New York 10018

Year	Contact Information Lot 61	Status	Relation to Requestor
Unknown – 9/25/1984	Norman C. Norman (Sold by Shirley S. Rosenberg as Executors) Address: c/o Stroock & Stroock & Lavan LLP Phone: (212)806-5400 180 Maiden Lane New York, New York 10038	Deceased 7/1/1980	None
9/25/1984 – 2/20/1986	Shirley S. Rosenberg and Morton M. Rosenberg (of the trust for Shirley Rosenberg) Address: c/o Danziger Bangser Klipstien Goldsmith and Greenwald 230 Park Avenue Phone: Unknown New York, New York 10169	Inactive	None
2/20/1986 – 4/5/1989	Rockrose Company Address: c/o Leimas, Roth & Schein Phone: (212) 349-2090 71 Murray Street New York, New York 10007	Active	None
4/5/1989 – 4/15/2019	Covenant House Address: 461 Eighth Avenue Phone: (800) 388-3888 New York, New York 10001	Active	None
4/15/2019 – Present	CH Housing Development Fund Corporation Address: c/o Covenant House International Phone: (800) 388-3888 5 Penn Plaza New York, New York 10001	Active	Current Owner of Site
Operator			
1930 - 1950	Retail Store	n/a	None
1940 – 1942	Portion of lot was used as a parking lot	n/a	None
1950 – 1987	Filling Station	n/a	None
1988	Parking lot	n/a	None
Present	Covenant House New York Address: 550 10th Avenue Phone: (212) 613-0300 New York, New York 10018	Active	Current Operator

PREVIOUS OWNERS & OPERATORS LIST
550 Tenth Avenue Filling Station Site
550 10th Avenue a/k/a 554 10th Avenue, Manhattan, New York 10018

Year	Contact Information Portion of Lot 1[1]	Status	Relation to Requestor
Unknown – 1966	Irving Maidman Address: Unknown Phone: Unknown	Deceased 10/7/1979	None
1966 – 4/19/1984	New York State Urban Development Corporation Address: c/o Empire State Development 633 Third Avenue, 36th Floor Phone: (212) 519-0231 New York, New York 10017	Active	None
4/19/1984 – 4/15/2019	Covenant House Address: 461 Eighth Avenue Phone: (800) 388-3888 New York, New York 10001	Active	None
August 2006	City of New York (Took title to a portion of the lot during partial condemnation) Address: City Hall Park Phone: (212) 639-9675 New York, New York 10007	Active	None
September 2006	Metropolitan Transportation Authority (Took title to a portion of the lot during partial condemnation) Address: 2 Broadway Phone: (718) 393-4999 New York, New York 10004	Active	None
4/15/2019 – Present	CH Housing Development Fund Corporation Address: c/o Covenant House International Phone: (800) 388-3888 5 Penn Plaza New York, New York 10001	Active	Current Owner of Site
Operator			
1890 – 1950	Piano Factory	n/a	None
1911 – 1930	Residential buildings with a first-floor commercial space	n/a	None
1911 – 1930	Drug Store and Bakery	n/a	None
1930 – 1950	N.Y. Public Library Address: 476 5th Avenue Phone (9917) 275-6975 New York, New York 10018	Active	None
1950 – 1968	Auto Parking (Northeastern Corner), Auto Repair (Southern Portion) and Filling Station (Northern and Southwestern Corner)	n/a	None
1961	Hotel with Garage	n/a	None
Between 1968 and 1979	Buildings located on property were demolished, and a new building constructed.	n/a	None
1968 - 1990	NYS Narcotic Rehabilitation Center Address: c/o Office of Addition Services and Support 501 7th Avenue Phone: (518) 473-3460 New York, New York 10018	Inactive	None
1985	Current building was constructed	n/a	None

[1] Prior to 2018, lot 61 and 1 were in a different configuration. As part of the redevelopment project the lots were reapportioned. The current lot 61 now encompasses a portion of the former lot 1. Please see maps attached as schedule A.

PREVIOUS OWNERS & OPERATORS LIST
550 Tenth Avenue Filling Station Site
550 10th Avenue a/k/a 554 10th Avenue, Manhattan, New York 10018

1985 – Present	Covenant House (Main residential and administrative Facility) Address: 550 10th Avenue Phone: (212) 613-0300 New York, New York 10018	Active	Current Operator
1992	Medical Office (Second floor of current building)	n/a	None
2003	Acc Car Care center Address: 30 Wall Street Phone: (646) 862-5200 New York, New York 10005	Active	None

PREVIOUS OWNERS & OPERATORS LIST
550 Tenth Avenue Filling Station Site
550 10th Avenue a/k/a 554 10th Avenue, Manhattan, New York 10018
SCHEDULE A

Lot Configuration Prior to 2018 — Approximate BCP Site Location

Lot Configuration Post 2018

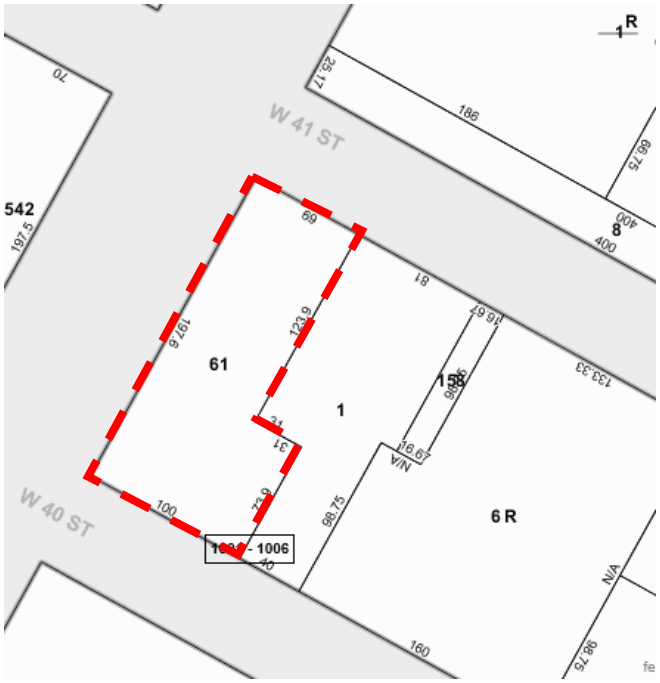


EXHIBIT F

Sample ID	LSB-22_120618
Sample Date	12/6/2018
Sample Depth (feet bsl)	12-14
VOCs (mg/kg)	NE
SVOCs (mg/kg)	NE
Pesticides (mg/kg)	ND
PCBs (mg/kg)	ND
Inorganics (mg/kg)	
Lead	285 B
Mercury	0.412
PFAS (µg/kg)	NA

Sample ID	LSB-5 (1-3)	DUP-1_112117
Sample Date	11/21/2017	11/21/2017
Sample Depth (feet bsl)	11.5-13.5	11.5-13.5
VOCs (mg/kg)	ND	ND
SVOCs (mg/kg)		
Pesticides (mg/kg)	NA	NA
PCBs (mg/kg)	NA	NA
Inorganics (mg/kg)		
Lead	153 B	123 B
Mercury	0.255	0.218
Selenium	11.2 B	13.1 B
PFAS (µg/kg)	NA	NA

Sample ID	LSB-8A_0-2_20210211
Sample Date	2/11/2021
Sample Depth (feet bsl)	11.5-13.5
VOCs (mg/kg)	NA
SVOCs (mg/kg)	NA
Pesticides (mg/kg)	ND
PCBs (mg/kg)	ND
Inorganics (mg/kg)	NA
PFAS (µg/kg)	NA

Sample ID	LSB-8 (0-2)
Sample Date	11/20/2017
Sample Depth (feet bsl)	11.5-13.5
VOCs (mg/kg)	NE
SVOCs (mg/kg)	NE
Pesticides (mg/kg)	NA
PCBs (mg/kg)	NA
Inorganics (mg/kg)	
Mercury	0.207
Selenium	12.8 B
PFAS (µg/kg)	NA

Sample ID	LSB-24_120618
Sample Date	12/6/2018
Sample Depth (feet bsl)	12.5-14.5
VOCs (mg/kg)	NE
SVOCs (mg/kg)	NE
Pesticides (mg/kg)	ND
PCBs (mg/kg)	ND
Inorganics (mg/kg)	NE
PFAS (µg/kg)	NA

Sample ID	LSB-24A_0-2_20210211	LSB-24A_3-5_20210211	LSB-24A_5-7_20210211
Sample Date	2/11/2021	2/11/2021	2/11/2021
Sample Depth (feet bsl)	11.5-13.5	14.5-16.5	16.5-18.5
VOCs (mg/kg)	NA	NE	NE
SVOCs (mg/kg)	NA	NE	NE
Pesticides (mg/kg)	ND	ND	ND
PCBs (mg/kg)	ND	ND	ND
Inorganics (mg/kg)			
Copper	NA	50.8	14.4
Mercury	NA	0.414	0.473
PFAS (µg/kg)	NA	NA	NA

Sample ID	LSB-22A_4-6_20210210
Sample Date	2/10/2021
Sample Depth (feet bsl)	14.5-16.5
VOCs (mg/kg)	NE
SVOCs (mg/kg)	NE
Pesticides (mg/kg)	ND
PCBs (mg/kg)	ND
Inorganics (mg/kg)	
Lead	136
PFAS (µg/kg)	NA

Sample ID	LSB-21A_0-2_20210211
Sample Date	2/11/2021
Sample Depth (feet bsl)	0-2
VOCs (mg/kg)	NE
SVOCs (mg/kg)	
Benzo(a)anthracene	1.37 D
Benzo(a)pyrene	1.61 D
Benzo(b)fluoranthene	1.41 D
Benzo(k)fluoranthene	1.22 D
Chrysene	1.27 D
Dibenz(a,h)anthracene	0.341 D
Indeno(1,2,3-cd)pyrene	0.909 D
Pesticides (mg/kg)	
4,4'-DDT	0.0187 D
PCBs (mg/kg)	NE
Inorganics (mg/kg)	
Barium	562
Cadmium	3.93
Lead	3,050
Mercury	0.533
Zinc	463 B
PFAS (µg/kg)	NA

Sample ID	LSB-9 (0-2)
Sample Date	11/20/2017
Sample Depth (feet bsl)	11.5-13.5
VOCs (mg/kg)	NE
SVOCs (mg/kg)	NE
Pesticides (mg/kg)	NA
PCBs (mg/kg)	NA
Inorganics (mg/kg)	
Selenium	15.7 B
PFAS (µg/kg)	NA

Sample ID	LSB-6 (1-3)
Sample Date	11/21/2017
Sample Depth (feet bsl)	12.5-14.5
VOCs (mg/kg)	NE
SVOCs (mg/kg)	NE
Pesticides (mg/kg)	NA
PCBs (mg/kg)	NA
Inorganics (mg/kg)	
Lead	89.4 B
Mercury	0.345
Selenium	10.9 B
PFAS (µg/kg)	NA

Sample ID	LSB-23A_0-2_20210211	LSB-23A_3-5_20210211
Sample Date	2/11/2021	2/11/2021
Sample Depth (feet bsl)	11.5-13.5	14.5-16.5
VOCs (mg/kg)	NA	NE
SVOCs (mg/kg)	NA	NE
Pesticides (mg/kg)	ND	ND
PCBs (mg/kg)	ND	ND
Inorganics (mg/kg)	NA	NE
PFAS (µg/kg)	NA	NA

Sample ID	LSB-21_120518
Sample Date	12/5/2018
Sample Depth (feet bsl)	13-15
VOCs (mg/kg)	NE
SVOCs (mg/kg)	ND
Pesticides (mg/kg)	ND
PCBs (mg/kg)	ND
Inorganics (mg/kg)	
Nickel	31.4
PFAS (µg/kg)	NA

Sample ID	LSB-1 (15-17)
Sample Date	11/20/2017
Sample Depth (feet bsl)	15-17
VOCs (mg/kg)	NE
SVOCs (mg/kg)	ND
Pesticides (mg/kg)	NA
PCBs (mg/kg)	NA
Inorganics (mg/kg)	
Selenium	15.5 B
PFAS (µg/kg)	NA

Sample ID	LSB-23_120618	DUP-6_120618
Sample Date	12/6/2018	12/6/2018
Sample Depth (feet bsl)	12.5-14.5	12.5-14.5
VOCs (mg/kg)	NE	NE
SVOCs (mg/kg)	NE	NE
Pesticides (mg/kg)	ND	ND
PCBs (mg/kg)	ND	ND
Inorganics (mg/kg)		
Lead	64.3 B	60.3 B
Mercury	0.198	0.263
Zinc	99.2	114
PFAS (µg/kg)	NA	NA

Sample ID	LSB-7 (0-2)
Sample Date	11/20/2017
Sample Depth (feet bsl)	11.5-13.5
VOCs (mg/kg)	NE
SVOCs (mg/kg)	NE
Pesticides (mg/kg)	NA
PCBs (mg/kg)	NA
Inorganics (mg/kg)	
Selenium	7.96 B
PFAS (µg/kg)	NA

Analyte	CAS Number	NYSDEC Part 375 Unrestricted Use SCOs	NYSDEC Part 375 Protection of Groundwater SCOs	NYSDEC Part 375 Restricted Use Restricted-Residential SCOs
SVOCs (mg/kg)				
Benzo(a)anthracene	56-55-3	1	1	1
Benzo(a)pyrene	50-32-8	1	22	1
Benzo(b)fluoranthene	205-99-2	1	1.7	1
Benzo(k)fluoranthene	207-08-9	0.8	1.7	3.9
Chrysene	218-01-9	1	1	3.9
Dibenz(a,h)anthracene	53-70-3	0.33	1,000	0.33
Indeno(1,2,3-cd)pyrene	193-39-5	0.5	8.2	0.5
Pesticides (mg/kg)				
4,4'-DDT	50-29-3	0.0033	136	7.9
Inorganics (mg/kg)				
Barium	7440-39-3	350	820	400
Cadmium	7440-43-9	2.5	7.5	4.3
Copper	7440-50-8	50	1,720	270
Lead	7439-92-1	63	450	400
Manganese	7439-96-5	1,600	2,000	2,000
Mercury	7439-97-6	0.18	0.73	0.81
Nickel	7440-02-0	30	130	310
Selenium	7782-49-2	3.9	4	180
Zinc	7440-66-6	109	2,480	10,000

Analyte	CAS Number	NYSDEC Part 375 Unrestricted Use Guidance Values	NYSDEC Part 375 Protection of Groundwater Guidance Values	NYSDEC Part 375 Restricted Use Restricted-Residential Guidance Values
PFAS (ppb)				
Perfluorooctanesulfonic Acid (PFOS)	1763-23-1	0.88	3.7	44

Notes:
1. Soil sample analytical results are compared to the New York State Department of Environmental Conservation (NYSDEC) Title 6 of the Official Compilation of New York Codes, Rules, and Regulations (NYCRR) Part 375 Unrestricted Use and Restricted Use Restricted-Residential Soil Cleanup Objectives (SCO). PFAS analytical results are compared to the New York State Department of Environmental Conservation (NYSDEC) Part 375 Remedial Program Guidelines for Sampling and Analysis of Per- and Polyfluoroalkyl Substances (PFAS) Unrestricted Use and Restricted Use Restricted-Residential Guidance Values (January 2021).
2. Detected analytical results above Unrestricted Use SCOs are bolded.
3. Detected analytical results above Protection of Groundwater SCOs are underlined.
4. Detected analytical results above Restricted Use Restricted-Residential SCOs are shaded.
5. Sample DUP-1_112117 is a duplicate sample of LSB-5 (1-3); sample DUP-6_120618 is a duplicate sample of LSB-23_120618; and sample DUP01_20210211 is a duplicate sample of LSB-2A_11-13_20210211.
6. bsl = below sidewalk level
7. mg/kg = milligram per kilogram
8. µg/kg = microgram per kilogram
9. NE = No exceedances
10. NA = Not analyzed
11. ND = Not detected

Qualifiers:
D = The concentration reported is a result of a diluted sample.
B = The analyte was found in the associated analysis batch blank.

Sample ID	LSB-2A_0-2_20210211	LSB-2A_11-13_20210211	DUP01_20210211
Sample Date	2/11/2021	2/11/2021	2/11/2021
Sample Depth (feet bsl)	0-2	11-13	11-13
VOCs (mg/kg)	NE	NA	NA
SVOCs (mg/kg)			
Benzo(a)anthracene	10.8 D	NA	NA
Benzo(a)pyrene	9 D	NA	NA
Benzo(b)fluoranthene	8.44 D	NA	NA
Benzo(k)fluoranthene	7.34 D	NA	NA
Chrysene	9.67 D	NA	NA
Dibenz(a,h)anthracene	2.49 D	NA	NA
Indeno(1,2,3-cd)pyrene	5.46 D	NA	NA
Pesticides (mg/kg)	ND	ND	ND
PCBs (mg/kg)	ND	ND	ND
Inorganics (mg/kg)			
Lead	105	NA	NA
Zinc	350 B	NA	NA
PFAS (ppb)			
Perfluorooctanesulfonic Acid (PFOS)	10.7	NA	NA

Sample ID	LSB-2 (15-17)
Sample Date	11/20/2017
Sample Depth (feet bsl)	15-17
VOCs (mg/kg)	NE
SVOCs (mg/kg)	ND
Pesticides (mg/kg)	NA
PCBs (mg/kg)	NA
Inorganics (mg/kg)	
Lead	119 B
Manganese	1,660
Selenium	19.3 B
PFAS (µg/kg)	NA

Sample ID	LSB-5A_2-4_20210210
Sample Date	2/10/2021
Sample Depth (feet bsl)	12.5-14.5
VOCs (mg/kg)	NA
SVOCs (mg/kg)	NA
Pesticides (mg/kg)	ND
PCBs (mg/kg)	ND
Inorganics (mg/kg)	NA
PFAS (µg/kg)	NA

Adjacent Development Site
NYCOER No. 16EH-N056M

WEST 41ST STREET

WEST 40TH STREET

TENTH AVENUE

Former Filling Station

Former Filling Station

Former Auto Repair

LSB-1
LSB-2
LSB-2A
LSB-21/ LMW-8
LSB-21A/LSV-12
LSB-22
LSB-22A/LMW-11
LSB-25
LSB-26
LSB-27
LSB-28
LSB-5
LSB-5A
LSB-6/TW-2
LSB-8
LSB-8A
LSB-9/TW-3
LSB-24A
LSB-24/LMW-10
LSB-23A
LSB-23/LMW-9
LSV-9
LSV-10
LSV-11
LSB-7

Notes:
1. Property boundary digitized from basemap and measurements provided on the New York City Digital Tax Map maintained online by the Department of Finance
2. Building layout imagery provided in Covenant House Building Massing & Stacking, 8 May 2017, by F X Fowle, Denham, Wolf and CH Phase 2 plan, 14 July 2018, by Handel Architects, LLP.
3. Soil boring, monitoring well, and soil vapor sampling locations based on field measurements collected during November 2017, December 2018, May 2019, and February 2021 site investigations.
4. Historical filling station and automobile repair locations obtained from Sanborn Fire Insurance Maps provided in the Phase I Environmental Site Assessment prepared by TRC Engineers, Inc., dated September 2015.
5. Remediation of Tax Lot 1 (Phase 1) was completed in June 2020.

0 15 30
SCALE IN FEET

Legend
- Remedial Investigation Supplemental Soil Boring Location (2021)
- Remedial Investigation Supplemental Soil Boring/Permanent Monitoring Well Location (2021)
- Remedial Investigation Supplemental Soil Boring/Soil Vapor Location (2021)
- Langan Soil Vapor Location (2019)
- Langan Soil Boring Location (2018)
- Langan Soil Boring/Permanent Monitoring Well Location (2018)
- Langan Soil Boring Location (2017)
- Langan Soil Boring/Temporary Well Point Location (2017)
- Tax Lot 61 Proposed Redevelopment Extents (Phase 2)
- Tax Lot 1 Redevelopment Extents (Phase 1)
- Historical Use of Concern
- Existing Building Outline
- Tax Lot/Block Boundary

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Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C.
Langan International LLC
Collectively known as Langan

Project
550 10TH AVENUE REDEVELOPMENT
BLOCK No. 1050, LOT No. 61
MANHATTAN
NEW YORK COUNTY NEW YORK

Drawing Title
SOIL ANALYTICAL RESULTS

Project No.	100674402
Date	6/14/2021
Scale	1 " = 15 '
Drawn By	IHB
Submission Date	6/14/2021
Figure	1

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Path: I:\langan.com\data\PAR\data4\100674401\Project Data\ArcGIS\MXD\Environmental_Figures\2021-05 - BCP Application\Figure 1 - Soil Analytical Results.mxd Date: 6/14/2021 User: ibaker Time: 1:01:09 PM

Sample ID	WC-2_021121
Sample Date	2/11/2021
Sample Depth (feet bgs)	10.5-18 (10.5-11)
VOCs (mg/kg)	NE
SVOCs (mg/kg)	NE
TPH (mg/kg)	NE
Pesticides (mg/kg)	ND
Herbicides (mg/kg)	ND
PCBs (mg/kg)	ND
Inorganics (mg/kg)	
Lead	**81.6**
Mercury	**0.214**
TCLP - Inorganics (mg/L)	
Lead	1.39

Sample ID	WC-5_021121
Sample Date	2/11/2021
Sample Depth (feet bgs)	18-27.5 (24-24.5)
VOCs (mg/kg)	
Acetone	**0.06**
SVOCs (mg/kg)	NE
TPH (mg/kg)	ND
Pesticides (mg/kg)	ND
Herbicides (mg/kg)	ND
PCBs (mg/kg)	ND
Inorganics (mg/kg)	NE
TCLP - Inorganics (mg/L)	
Lead	0.626

Sample ID	WC-1A_021121		WC-1B_021121		DUP01_021121	
Sample Date	2/11/2021		2/11/2021		2/11/2021	
Sample Depth (feet bgs)	0-9 (0-0.5)		9-18 (14-14.5)		9-18 (14-14.5)	
VOCs (mg/kg)	NE		NE		NE	
SVOCs (mg/kg)						
3 & 4 Methylphenol (m&p Cresol)	0.142	D	**0.396**	**D**	0.175	D
Benzo(a)anthracene	**10.6**	**D**	**25.9**	**D**	**10.8**	**D**
Benzo(a)pyrene	**8.44**	**D**	**22.5**	**D**	**9.45**	**D**
Benzo(b)fluoranthene	**7.66**	**D**	**21.4**	**D**	**8.95**	**D**
Benzo(k)fluoranthene	**6.6**	**D**	**16.9**	**D**	**7.34**	**D**
Chrysene	**10.1**	**D**	**23.6**	**D**	**10.3**	**D**
Dibenz(a,h)anthracene	**1.78**	**D**	**5.54**	**D**	**2.35**	**D**
Dibenzofuran	2.3	D	**7.97**	**D**	2.62	D
Indeno(1,2,3-cd)pyrene	**4.43**	**D**	**12.6**	**D**	**5.48**	**D**
Naphthalene	5.59	D	**16.9**	**D**	7.43	D
TPH (mg/kg)	NE		NE		NE	
Pesticides (mg/kg)	ND		ND		ND	
Herbicides (mg/kg)	ND		ND		ND	
PCBs (mg/kg)	ND		ND		ND	
Inorganics (mg/kg)						
Cadmium	ND		ND		**20.9**	
Lead	**128**		**9.340**		**488**	
Mercury	**0.717**		**0.251**		**0.505**	
Zinc	80.1	B	44.4	B	**9.690**	**BD**
TCLP - Inorganics (mg/L)						
Lead	0.693		20.8		2.81	

Sample ID	WC-4_021121
Sample Date	2/11/2021
Sample Depth (feet bgs)	15-21.5 (19.5-20)
VOCs (mg/kg)	ND
SVOCs (mg/kg)	NE
TPH (mg/kg)	NE
Pesticides (mg/kg)	ND
Herbicides (mg/kg)	ND
PCBs (mg/kg)	ND
Inorganics (mg/kg)	NE
TCLP - Inorganics (mg/L)	ND

Analyte	CAS Number	RCRA Characteristics for Hazardous Waste
TCLP - Inorganics (mg/L)		
Lead	7439-92-1	5

Analyte	CAS Number	NYSDEC Part 375 Unrestricted Use SCOs	NYSDEC Part 375 Protection of Groundwater SCOs	NYSDEC Part 375 Restricted Use Restricted-Residential SCOs
VOCs (mg/kg)				
Acetone	67-64-1	0.05	0.05	100
SVOCs (mg/kg)				
3 & 4 Methylphenol (m&p Cresol)	65794-96-9	0.33	0.33	100
Benzo(a)anthracene	56-55-3	1	1	1
Benzo(a)pyrene	50-32-8	1	22	1
Benzo(b)fluoranthene	205-99-2	1	1.7	1
Benzo(k)fluoranthene	207-08-9	0.8	1.7	3.9
Chrysene	218-01-9	1	1	3.9
Dibenz(a,h)anthracene	53-70-3	0.33	1,000	0.33
Dibenzofuran	132-64-9	7	210	59
Indeno(1,2,3-cd)pyrene	193-39-5	0.5	8.2	0.5
Naphthalene	91-20-3	12	12	100
Inorganics (mg/kg)				
Cadmium	7440-43-9	2.5	7.5	4.3
Lead	7439-92-1	63	450	400
Mercury	7439-97-6	0.18	0.73	0.81
Zinc	7440-66-6	109	2,480	10,000

Notes:
1. Soil sample analytical results are compared to the New York State Department of Environmental Conservation (NYSDEC) Title 6 of the Official Compilation of New York Codes, Rules, and Regulations (NYCRR) Part 375 Unrestricted Use Soil Cleanup Objectives (SCO), Protection of Groundwater SCOs, and to Restricted Use Restricted-Residential SCOs.
2. Detected analytical results above Unrestricted Use SCOs are bolded.
3. Detected analytical results above Protection of Groundwater SCOs are underlined.
4. Detected analytical results above Restricted Use Restricted-Residential SCOs are shaded grey.
5. Detected analytical results above RCRA Maximum Concentration of Contaminants for the Toxicity Characteristic are shaded red.
6. Sample DUP01_021121 is a duplicate sample of WC-1B_021121.
7. bsl = below sidewalk level
8. mg/kg = milligrams per kilogram
9. mg/L = milligrams per liter
10. NE = No exceedances
11. NA = Not analyzed
12. ND = Not detected

Qualifiers:
D = The concentration reported is a result of a diluted sample.
B = The analyte was found in the associated analysis batch blank.

Sample ID	WC-3_021021 / WC-3_021121
Sample Date	2/10/2021 / 2/11/2021
Sample Depth (feet bgs)	10.5-18 (12.5-13)
VOCs (mg/kg)	NE
SVOCs (mg/kg)	NE
TPH (mg/kg)	NE
Pesticides (mg/kg)	ND
Herbicides (mg/kg)	ND
PCBs (mg/kg)	ND
Inorganics (mg/kg)	NE
TCLP - Inorganics (mg/L)	
Lead	0.358

Adjacent Development Site
NYCOER No. 16EH-N056M

WEST 40TH STREET

TENTH AVENUE

Former Auto Repair

Former Filling Station

Former Filling Station

LSB-1, LSB-2, LSB-2A, LSB-21/LMW-8, LSB-21A/LSV-12, LSB-22, LSB-22A/LMW-11, LSB-25, LSB-26, LSB-27, LSB-28, LSB-5, LSB-5A, LSB-6/TW-2, LSB-7, LSB-8, LSB-8A, LSB-9/TW-3, LSB-23A, LSB-23/LMW-9, LSB-24/LMW-10, LSB-24A, LSV-9, LSV-10, LSV-11

0 15 30
SCALE IN FEET

Notes:
1. Property boundary digitized from basemap and measurements provided on the New York City Digital Tax Map maintained online by the Department of Finance
2. Building layout imagery provided in Covenant House Building Massing & Stacking, 8 May 2017, by F X Fowle, Denham, Wolf and CH Phase 2 plan, 14 July 2018, by Handel Architects, LLP.
3. Soil boring, monitoring well, and soil vapor sampling locations based on field measurements collected during November 2017, December 2018, May 2019, and February 2021 site investigations.
4. Historical filling station and automobile repair locations obtained from Sanborn Fire Insurance Maps provided in the Phase I Environmental Site Assessment prepared by TRC Engineers, Inc., dated September 2015.
5. Remediation of Tax Lot 1 (Phase 1) was completed in June 2020.

Legend
- Remedial Investigation Supplemental Soil Boring Location (2021)
- Remedial Investigation Supplemental Soil Boring/Permanent Monitoring Well Location (2021)
- Remedial Investigation Supplemental Soil Boring/Soil Vapor Location (2021)
- Langan Soil Vapor Location (2019)
- Langan Soil Boring Location (2018)
- Langan Soil Boring/Permanent Monitoring Well Location (2018)
- Langan Soil Boring Location (2017)
- Langan Soil Boring/Temporary Well Point Location (2017)
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Langan International LLC
Collectively known as Langan

Project
550 10TH AVENUE REDEVELOPMENT
BLOCK No. 1050, LOT No. 61
MANHATTAN
NEW YORK COUNTY NEW YORK

Drawing Title
WASTE CHARACTERIZATION SOIL ANALYTICAL RESULTS

Project No.	100674402
Date	6/14/2021
Scale	1 " = 15 '
Drawn By	IHB
Submission Date	6/14/2021

Figure 2

Path: \\langan.com\data\PAR\data\4\100674401\Project Data\ArcGIS\MXD\Environmental_Figures\2021-05 BCP RIWP\Figure 2B - Soil Analytical Results.mxd Date: 6/14/2021 User: lbaker Time: 12:34:13 PM

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Sample ID Sample Date	LMW-11_20210212 2/12/2021	DUP-1_20210212_GW 2/12/2021
VOCs (µg/L)	NE	NE
SVOCs (µg/L)	NE	NE
Pesticides (µg/L)	ND	ND
PCBs (µg/L)	ND	ND
Inorganics (µg/L)		
Iron	**6,790**	**40,400**
Lead	**49.7**	**472**
Manganese	**1,210**	**1,590**
Manganese (Dissolved)	**938**	**786**
Mercury	ND	**1**
Sodium	**282,000**	**277,000**
Sodium (Dissolved)	**273,000**	**271,000**
PFAS (ng/L)		
Perfluorooctanesulfonic Acid (PFOS)	**67.5**	NA
Perfluorooctanoic Acid (PFOA)	**45.4**	NA

Sample ID Sample Date	LMW-10_120718 12/7/2018		LMW-10_20210212 2/12/2021	
VOCs (µg/L)	ND		NE	
SVOCs (µg/L)	NE		NE	
Pesticides (µg/L)	ND		ND	
PCBs (µg/L)	ND		ND	
Inorganics (µg/L)				
Iron	**1,630**		**2,500**	
Manganese	**808**		**1,710**	
Manganese (Dissolved)	**684**		**1,660**	
Sodium	NA		**988,000**	
Sodium (Dissolved)	**1,480,000**	**D**	**1,000,000**	
PFAS (ng/L)	NA		NA	

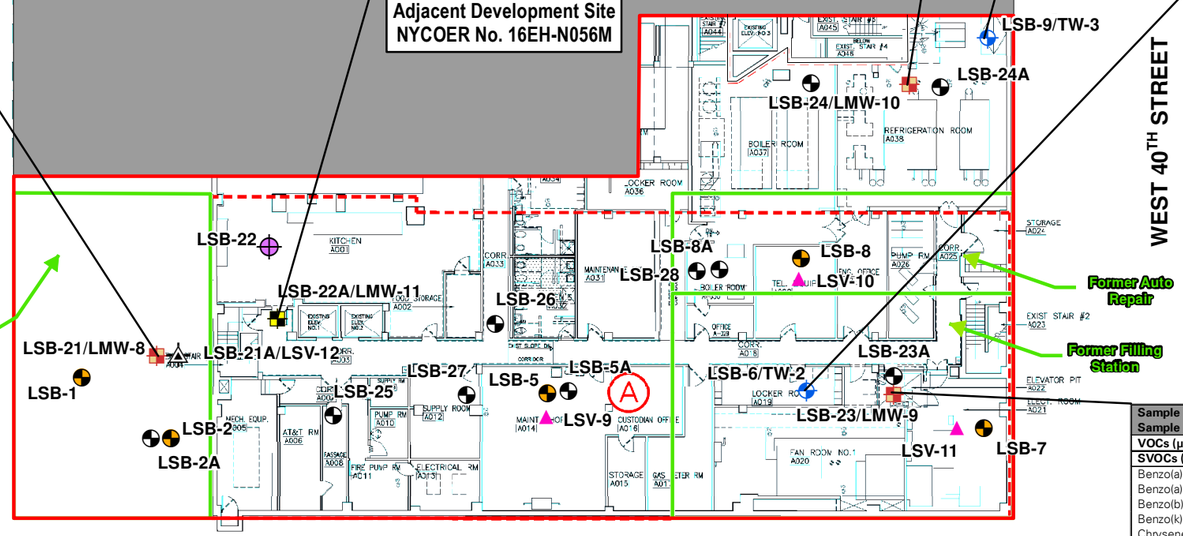
Sample ID Sample Date	TW-3_112117 11/21/2017
VOCs (µg/L)	NE
SVOCs (µg/L)	NA
Pesticides (µg/L)	NA
PCBs (µg/L)	NA
Inorganics (µg/L)	NA
PFAS (ng/L)	NA

Sample ID Sample Date	LMW-8_120718 12/7/2018
VOCs (µg/L)	NE
SVOCs (µg/L)	
Benzo(a)anthracene	**0.0556**
Pesticides (µg/L)	ND
PCBs (µg/L)	ND
Inorganics (µg/L)	
Iron	**2,440**
Lead	**151**
Manganese	**726**
Manganese (Dissolved)	**745**
Sodium	**299,000**
Sodium (Dissolved)	**312,000**
PFAS (ng/L)	NA

Sample ID Sample Date	TW-2_112117 11/21/2017		DUP-2_112117 11/21/2017	
VOCs (µg/L)	NE		NE	
SVOCs (µg/L)				
Benzo(a)anthracene	**0.115**		**0.0615**	
Benzo(a)pyrene	**0.0615**		ND	
Benzo(b)fluoranthene	**0.0385**		ND	
Benzo(k)fluoranthene	**0.0385**		ND	
Chrysene	**0.108**		**0.0538**	
Pesticides (µg/L)	NA		NA	
PCBs (µg/L)	NA		NA	
Inorganics (µg/L)				
Barium	**1,930**	**D**	**1,700**	**D**
Beryllium	**4.81**		**4.54**	
Iron	**93,100**	**D**	**80,100**	**D**
Lead	**92.8**	**D**	**78.9**	**D**
Manganese	**7,470**	**D**	**6,490**	**D**
Selenium	**28.7**		**23.1**	
Sodium	**779,000**	**BD**	**718,000**	**BD**
PFAS (ng/L)	NA		NA	

Sample ID Sample Date	LMW-9_120718 12/7/2018	DUP-7_120718 12/7/2018	LMW-9_20210212 2/12/2021
VOCs (µg/L)	ND	ND	NE
SVOCs (µg/L)			
Benzo(a)anthracene	**0.0947**	**0.227**	ND
Benzo(a)pyrene	**0.0842**	**0.238**	ND
Benzo(b)fluoranthene	**0.0842**	**0.162**	ND
Benzo(k)fluoranthene	**0.0737**	**0.205**	ND
Chrysene	**0.0947**	**0.27**	ND
Indeno(1,2,3-cd)pyrene	**0.0526**	**0.141**	ND
Pesticides (µg/L)	ND	ND	ND
PCBs (µg/L)	ND	ND	ND
Inorganics (µg/L)			
Chromium, Total	**56.2**	**72.9**	ND
Iron	**51,000**	**64,400**	**1,280**
Lead	**313**	**335**	ND
Manganese	**1,050**	**1,190**	**455**
Manganese (Dissolved)	191	232	**441**
Selenium	**60**	**71.4**	ND
Selenium (Dissolved)	**10.2**	8.21	ND
Sodium	**1,320,000**	**1,310,000**	**717,000**
Sodium (Dissolved)	**1,380,000**	**1,370,000**	**678,000**
PFAS (ng/L)	NA	NA	NA

Analyte	CAS Number	NYSDEG SGVs
VOCs (µg/L)		No Exeedances
SVOCs (µg/L)		
Benzo(a)anthracene	56-55-3	0.002
Benzo(a)pyrene	50-32-8	ND
Benzo(b)fluoranthene	205-99-2	0.002
Benzo(k)fluoranthene	207-08-9	0.002
Chrysene	218-01-9	0.002
Indeno(1,2,3-cd)pyrene	193-39-5	0.002
Pesticides (µg/L)		Not Detected
PCBs (µg/L)		Not Detected
Inorganics (µg/L)		
Barium	7440-39-3	1,000
Beryllium	7440-41-7	3
Chromium, Total	7440-47-3	50
Iron	7439-89-6	300
Lead	7439-92-1	25
Manganese	7439-96-5	300
Mercury	7439-97-6	0.7
Selenium	7782-49-2	10
Sodium	7440-23-5	20,000
Analyte	**CAS Number**	**NYSDEC January 2021 Guidance Values**
PFAS (ng/L)		
Perfluorooctanesulfonic Acid (PFOS)	1763-23-1	10
Perfluorooctanoic Acid (PFOA)	335-67-1	10



Legend

- Remedial Investigation Supplemental Soil Boring Location (2021)
- Remedial Investigation Supplemental Soil Boring/Permanent Monitoring Well Location (2021)
- Remedial Investigation Supplemental Soil Boring/Soil Vapor Location (2021)
- Langan Soil Vapor Location (2019)
- Langan Soil Boring Location (2018)
- Langan Soil Boring/Permanent Monitoring Well Location (2018)
- Langan Soil Boring Location (2017)
- Langan Soil Boring/Temporary Well Point Location (2017)
- Tax Lot 61 Proposed Redevelopment Extents (Phase 2)
- Tax Lot 1 Redevelopment Extents (Phase 1)
- Historical Use of Concern
- Existing Building Outline

Notes:
1. Groundwater sample analytical results are compared to the New York State Department of Environmental Conservation (NYSDEC) Title 6 of the Official Compilation of New York Codes, Rules and Regulations (NYCRR) Part 703.5 and the NYSDEC Technical and Operational Guidance Series (TOGS) 1.1.1 Ambient Water Quality Standards and Guidance Values for Class GA Water (herein collectively referenced as "NYSDEC SGVs"). PFAS Groundwater sample analytical results are compared to the NYSDEC Part 375 Remedial Programs Guidelines for Sampling and Analysis of Per- and Polyfluoroalkyl Substances (PFAS) (January 2021) and the 1,4-Dioxane value reflects the drinking water maximum contaminant level (MCL) adopted by New York State for public water systems (July 2020). Pursuant to Part 375-1.7(f)(2), the NYSDEC will treat the MCL as relevant and appropriate and will consider this value in remedy selection.
2. Detected analytical results above NYSDEC SGVs are bolded and shaded.
3. Sample DUP-7_120718 is a duplicate sample of LMW-9_20210212; sample DUP-2_112117 is a duplicate sample of TW-2_112117; and sample DUP-1_20210212_GW is a duplicate sample of LMW-11_20210212.
4. µg/l = micrograms per liter
5. ng/l = nanograms per liter
6. NE = No exceedances
7. NA = Not analyzed
8. ND = Not detected

Qualifiers:
D = The concentration reported is a result of a diluted sample.
B = The analyte was found in the associated analysis batch blank.

Notes:
1. Property boundary digitized from basemap and measurements provided on the New York City Digital Tax Map maintained online by the Department of Finance
2. Building layout imagery provided in Covenant House Building Massing & Stacking, 8 May 2017, by F X Fowle, Denham, Wolf and CH Phase 2 plan, 14 July 2018, by Handel Architects, LLP.
3. Soil boring, monitoring well, and soil vapor sampling locations based on field measurements collected during November 2017, December 2018, May 2019, and February 2021 site investigations.
4. Historical filling station and automobile repair locations obtained from Sanborn Fire Insurance Maps provided in the Phase I Environmental Site Assessment prepared by TRC Engineers, Inc., dated September 2015.
5. Remediation of Tax Lot 1 (Phase 1) was completed in June 2020.

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Langan Engineering & Environmental Services, Inc.
Langan Engineering, Environmental, Surveying, Geology and Landscape Architecture, D.P.C.
Langan International LLC
Collectively known as Langan

NJ CERTIFICATE OF AUTHORIZATION No. 24GA27996400

Project
550 10TH AVENUE REDEVELOPMENT
BLOCK No. 1050,
LOT No. 61
MANHATTAN
NEW YORK COUNTY NEW YORK

Drawing Title
GROUNDWATER ANALYTICAL RESULTS

Project No. 100674402
Date 3/30/2021
Scale 1"=30'
Drawn By ATR
Last Revised 5/19/2021
Figure 3

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Sample ID	LSV-12_20210212		DUP-1_20210212	
Sample Date	2/12/2021		2/12/2021	
Sample Type	SV		SV	
VOCs (µg/m³)				
1,2,4-Trimethylbenzene	ND		ND	
1,3,5-Trimethylbenzene (Mesitylene)	ND		ND	
2-Hexanone	ND		ND	
4-Ethyltoluene	ND		ND	
Acetone	3.49	D	9.34	D
Benzene	0.92	D	80.4	D
Bromodichloromethane	ND		ND	
Carbon Disulfide	ND		ND	
Carbon Tetrachloride	0.286	D	ND	
Chloroform	ND		6.35	D
Chloromethane	1.06	D	ND	
Cyclohexane	ND		12.2	D
Dichlorodifluoromethane	2.1	D	1.69	D
Ethyl Acetate	ND		8.38	D
Ethylbenzene	ND		ND	
Isopropanol	2.68	D	11.3	D
M,P-Xylene	ND		ND	
Methyl Ethyl Ketone (2-Butanone)	0.491	D	1.21	D
Methyl Isobutyl Ketone (4-Methyl-2-Pentanone)	ND		ND	
Methylene Chloride	2.26	D	10.1	D
n-Heptane	ND		25.5	D
n-Hexane	2.24	D	212	D
o-Xylene (1,2-Dimethylbenzene)	ND		ND	
Tetrachloroethene (PCE)	ND		ND	
Tetrahydrofuran	ND		ND	
Toluene	0.913	D	41.1	D
Trichloroethene (TCE)	ND		ND	
Trichlorofluoromethane	1.02	D	ND	
Total BTEX	1.83		122	
Total CVOCs	ND		ND	
Total VOCs	17.5		420	

Analyte	CAS Number	NYSDOH Decision Matrices Minimum Concentrations
VOCs (µg/m³)		
1,2,4-Trimethylbenzene	95-63-6	~
1,3,5-Trimethylbenzene (Mesitylene)	108-67-8	~
2-Hexanone	591-78-6	~
4-Bromofluorobenzene	460-00-4	~
4-Ethyltoluene	622-96-8	~
Acetone	67-64-1	~
Benzene	71-43-2	~
Bromodichloromethane	75-27-4	~
Carbon Disulfide	75-15-0	~
Carbon Tetrachloride	56-23-5	6
Chloroform	67-66-3	~
Chloromethane	74-87-3	~
Cyclohexane	110-82-7	~
Dichlorodifluoromethane	75-71-8	~
Ethyl Acetate	141-78-6	~
Ethylbenzene	100-41-4	~
Isopropanol	67-63-0	~
M,P-Xylene	179601-23-1	~
Methyl Ethyl Ketone (2-Butanone)	78-93-3	~
Methyl Isobutyl Ketone (4-Methyl-2-Pentanone)	108-10-1	~
Methylene Chloride	75-09-2	100
n-Heptane	142-82-5	~
n-Hexane	110-54-3	~
o-Xylene (1,2-Dimethylbenzene)	95-47-6	~
Tetrachloroethene (PCE)	127-18-4	100
Tetrahydrofuran	109-99-9	~
Toluene	108-88-3	~
Trichloroethene (TCE)	79-01-6	6
Trichlorofluoromethane	75-69-4	~
Total BTEX		~
Total CVOCs		~
Total VOCs		~

Sample ID	003 LSV-10	
Sample Date	5/8/2019	
Sample Type	SV	
VOCs (µg/m³)		
1,2,4-Trimethylbenzene	72	D
1,3,5-Trimethylbenzene (Mesitylene)	26	D
2-Hexanone	19	D
4-Bromofluorobenzene	9.3	BD
4-Ethyltoluene	32	D
Acetone	1,500	D
Benzene	ND	
Bromodichloromethane	ND	
Carbon Disulfide	53	D
Carbon Tetrachloride	ND	
Chloroform	13	D
Chloromethane	ND	
Cyclohexane	6.2	D
Dichlorodifluoromethane	ND	
Ethyl Acetate	ND	
Ethylbenzene	ND	
Isopropanol	66	D
M,P-Xylene	ND	
Methyl Ethyl Ketone (2-Butanone)	45	D
Methyl Isobutyl Ketone (4-Methyl-2-Pentanone)	29	D
Methylene Chloride	11	D
n-Heptane	ND	
n-Hexane	740	D
o-Xylene (1,2-Dimethylbenzene)	ND	
Tetrachloroethene (PCE)	4.1	D
Tetrahydrofuran	ND	
Toluene	11	D
Trichloroethene (TCE)	ND	
Trichlorofluoromethane	ND	
Total BTEX	11	
Total CVOCs	4.1	
Total VOCs	2,640	

Sample ID	004 LSV-11	
Sample Date	5/8/2019	
Sample Type	SV	
VOCs (µg/m³)		
1,2,4-Trimethylbenzene	2.1	D
1,3,5-Trimethylbenzene (Mesitylene)	ND	
2-Hexanone	ND	
4-Bromofluorobenzene	9.1	BD
4-Ethyltoluene	1.6	D
Acetone	560	D
Benzene	ND	
Bromodichloromethane	ND	
Carbon Disulfide	2.1	D
Carbon Tetrachloride	0.81	D
Chloroform	ND	
Chloromethane	1.7	D
Cyclohexane	3.3	D
Dichlorodifluoromethane	2.7	D
Ethyl Acetate	ND	
Ethylbenzene	ND	
Isopropanol	21	D
M,P-Xylene	3.2	D
Methyl Ethyl Ketone (2-Butanone)	3.7	D
Methyl Isobutyl Ketone (4-Methyl-2-Pentanone)	ND	
Methylene Chloride	8.3	D
n-Heptane	ND	
n-Hexane	350	D
o-Xylene (1,2-Dimethylbenzene)	ND	
Tetrachloroethene (PCE)	1.8	D
Tetrahydrofuran	1.9	D
Toluene	3.7	D
Trichloroethene (TCE)	1.2	D
Trichlorofluoromethane	3.5	D
Total BTEX	6.9	
Total CVOCs	3	
Total VOCs	982	

Sample ID	002 LSV-9		005 DUP-1	
Sample Date	5/9/2019		5/9/2019	
Sample Type	SV		SV	
VOCs (µg/m³)				
1,2,4-Trimethylbenzene	4.2	D	1.9	D
1,3,5-Trimethylbenzene (Mesitylene)	1.1	D	ND	
2-Hexanone	ND		ND	
4-Bromofluorobenzene	9.3	BD	8.8	BD
4-Ethyltoluene	2.5	D	1.3	D
Acetone	18	D	4.2	D
Benzene	ND		ND	
Bromodichloromethane	2.3	D	3.3	D
Carbon Disulfide	7.6	D	12	D
Carbon Tetrachloride	0.64	D	0.57	D
Chloroform	44	D	52	D
Chloromethane	0.51	D	ND	
Cyclohexane	ND		ND	
Dichlorodifluoromethane	2.4	D	2.3	D
Ethyl Acetate	ND		ND	
Ethylbenzene	1.4	D	0.72	D
Isopropanol	3.8	D	ND	
M,P-Xylene	5.9	D	3.1	D
Methyl Ethyl Ketone (2-Butanone)	1.6	D	ND	
Methyl Isobutyl Ketone (4-Methyl-2-Pentanone)	ND		ND	
Methylene Chloride	4.4	D	ND	
n-Heptane	0.77	D	ND	
n-Hexane	3.8	D	2	D
o-Xylene (1,2-Dimethylbenzene)	2.1	D	1.1	D
Tetrachloroethene (PCE)	6.2	D	6.1	D
Tetrahydrofuran	ND		ND	
Toluene	2.9	D	1.7	D
Trichloroethene (TCE)	0.31	D	0.57	D
Trichlorofluoromethane	1.7	D	1.5	D
Total BTEX	12.3		6.62	
Total CVOCs	6.51		6.67	
Total VOCs	127		103	

Notes:
1. Soil vapor sample analytical results are compared to the minimum soil vapor concentrations at which mitigation is recommended as set forth in the New York State Department of Health (NYSDOH) October 2006 Guidance for Evaluating Soil Vapor Intrusion in the State of New York Decision Matrices for Sub-Slab Vapor and Indoor Air and subsequent updates (2017).
2. Sample DUP-1_20210212 is a duplicate of parent sample LSV-12_20210212.
3. – = Regulatory limit for this analyte does not exist
4. µg/m³ = micrograms per cubic meter
5. SV = Soil Vapor
6. ND = Not detected

Qualifiers:
D = The concentration reported is a result of a diluted sample.
B = The analyte was found in the associated analysis batch blank.

Legend
- Remedial Investigation Supplemental Soil Boring Location (2021)
- Remedial Investigation Supplemental Soil Boring/Permanent Monitoring Well Location (2021)
- Remedial Investigation Supplemental Soil Boring/Soil Vapor Locstion (2021)
- Langan Soil Vapor Location (2019)
- Langan Soil Boring Location (2018)
- Langan Soil Boring/Permanent Monitoring Well Location (2018)
- Langan Soil Boring Location (2017)
- Langan Soil Boring/Temporary Well Point Location (2017)
- Tax Lot 61 Proposed Redevelopment Extents (Phase 2)
- Tax Lot 1 Redevelopment Extents (Phase 1)
- Historical Use of Concern
- Existing Building Outline
- Tax Lot/Block Boundary

Notes:
1. Property boundary digitized from basemap and measurements provided on the New York City Digital Tax Map maintained online by the Department of Finance
2. Building layout imagery provided in Covenant House Building Massing & Stacking, 8 May 2017, by F.X Fowle, Denham, Wolf and CH Phase 2 plan, 14 July 2018, by Handel Architects, LLP.
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5. Remediation of Tax Lot 1 (Phase 1) was completed in June 2020.

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LANGAN
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Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C.
Langan International LLC
Collectively known as Langan

Project
550 10TH AVENUE REDEVELOPMENT
BLOCK No. 1050, LOT No. 61
MANHATTAN
NEW YORK COUNTY NEW YORK

Drawing Title
SOIL VAPOR ANALYTICAL RESULTS

Project No.	100674402
Date	5/19/2021
Scale	1 " = 20 '
Drawn By	IHB
Submission Date	5/19/2021
Figure	4

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Table 1A
Remedial Investigation Report
Soil Sample Analytical Results

460 West 41st Street Redevelopment Phase 2 (Wing A)
New York, New York
OER Regulatory Site No.: 20TMP0490M
Langan Project No.: 100674402

Location Sample ID Laboratory ID Sample Date Sample Depth (feet bsl)	NYSDEC Part 375 Unrestricted Use SCOs	NYSDEC Part 375 Protection of Groundwater SCOs	NYSDEC Part 375 Restricted Use Restricted-Residential SCOs	LSB-1 LSB-1 (15-17) 17K0876-03 11/20/2017 15-17	LSB-2 LSB-2 (15-17) 17K0876-04 11/20/2017 15-17	LSB-2A LSB-2A_0-2_20210211 21B0426-01 2/11/2021 0-2	LSB-2A LSB-2A_0-2_20210211 21B0426-01RE1 2/11/2021 0-2	LSB-2A LSB-2A_11-13_20210211 21B0426-02 2/11/2021 11-13	LSB-2A DUP01_20210211 21B0426-10 2/11/2021 11-13	LSB-5 LSB-5 (1-3) 17K0876-08 11/21/2017 11.5-13.5	LSB-5 DUP-1_112117 17K0876-09 11/21/2017 11.5-13.5	LSB-5A LSB-5A_2-4_20210210 21B0347-02 2/10/2021 12.5-14.5	LSB-6 LSB-6 (1-3) 17K0876-10 11/21/2017 12.5-14.5	LSB-7 LSB-7 (0-2) 17K0876-07 11/20/2017 11.5-13.5	LSB-8 LSB-8 (0-2) 17K0876-06 11/20/2017 11.5-13.5	LSB-8A LSB-8A_0-2_20210211 21B0426-03 2/11/2021 11.5-13.5
Volatile Organic Compounds (mg/kg)																
1,1,1,2-Tetrachloroethane	~		~	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
1,1,1-Trichloroethane	0.68	0.68	100	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
1,1,2,2-Tetrachloroethane	~	~	~	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
1,1,2-Trichloro-1,2,2-Trifluoroethane	~	~	~	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
1,1,2-Trichloroethane	~	~	~	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
1,1-Dichloroethane	0.27	0.27	26	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
1,1-Dichloroethene	0.33	0.33	100	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
1,1-Dichloropropene	~	~	~	NA	NA	0.0024 U	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
1,2,3-Trichlorobenzene	~	~	~	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
1,2,3-Trichloropropane	~	~	~	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
1,2,4-Trichlorobenzene	~	~	~	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
1,2,4-Trimethylbenzene	3.6	3.6	52	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
1,2-Dibromo-3-Chloropropane	~	~	~	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
1,2-Dibromoethane (Ethylene Dibromide)	~	~	~	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
1,2-Dichlorobenzene	1.1	1.1	100	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
1,2-Dichloroethane	0.02	0.02	3.1	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
1,2-Dichloropropane	~	~	~	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
1,3,5-Trimethylbenzene (Mesitylene)	8.4	8.4	52	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
1,3-Dichlorobenzene	2.4	2.4	49	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
1,3-Dichloropropane	~	~	~	NA	NA	0.0024 U	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
1,4-Dichlorobenzene	1.8	1.8	13	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
1,4-Dioxane (P-Dioxane)	0.1	0.1	13	0.042 U	0.056 U	0.047 U	NA	NA	NA	0.048 U	0.046 U	NA	0.046 U	0.059 U	0.051 U	NA
2,2-Dichloropropane	~	~	~	NA	NA	0.0024 U	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
2-Chlorotoluene	~	~	~	NA	NA	0.0024 U	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
2-Hexanone	~	~	~	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
4-Chlorotoluene	~	~	~	NA	NA	0.0024 U	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Acetone	0.05	0.05	100	0.0073 J	0.013	0.0074 J	NA	NA	NA	0.0048 U	0.0046 U	NA	0.01	0.0061 J	0.0072 J	NA
Acrolein	~	~	~	0.0042 U	0.0056 U	0.0047 U	NA	NA	NA	0.0048 U	0.0046 U	NA	0.0046 U	0.0059 U	0.0051 U	NA
Acrylonitrile	~	~	~	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
Benzene	0.06	0.06	4.8	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
Bromobenzene	~	~	~	NA	NA	0.0024 U	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Bromochloromethane	~	~	~	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
Bromodichloromethane	~	~	~	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
Bromoform	~	~	~	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
Bromomethane	~	~	~	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
Carbon Disulfide	~	~	~	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
Carbon Tetrachloride	0.76	0.76	2.4	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
Chlorobenzene	1.1	1.1	100	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
Chloroethane	~	~	~	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
Chloroform	0.37	0.37	49	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
Chloromethane	~	~	~	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
Cis-1,2-Dichloroethene	0.25	0.25	100	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
Cis-1,3-Dichloropropene	~	~	~	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
Cyclohexane	~	~	~	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
Dibromochloromethane	~	~	~	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
Dibromomethane	~	~	~	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
Dichlorodifluoromethane	~	~	~	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
Ethylbenzene	1	1	41	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
Hexachlorobutadiene	~	~	~	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
Isopropylbenzene (Cumene)	~	~	~	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
M,P-Xylene	~	~	~	0.0042 U	0.0056 U	0.0047 U	NA	NA	NA	0.0048 U	0.0046 U	NA	0.0046 U	0.0059 U	0.0051 U	NA
Methyl Acetate	~	~	~	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
Methyl Ethyl Ketone (2-Butanone)	0.12	0.12	100	0.0021 U	0.0074	0.0048	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0028 J	NA
Methyl Isobutyl Ketone (4-Methyl-2-Pentanone)	~	~	~	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
Methylcyclohexane	~	~	~	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
Methylene Chloride	0.05	0.05	100	0.0042 U	0.0056 U	0.0047 U	NA	NA	NA	0.0048 U	0.0046 U	NA	0.0046 U	0.0059 U	0.0051 U	NA
n-Butylbenzene	12	12	100	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
n-Propylbenzene	3.9	3.9	100	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
o-Xylene (1,2-Dimethylbenzene)	~	~	~	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
p-Cymene (p-Isopropyltoluene)	~	~	~	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
Sec-Butylbenzene	11	11	100	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
Styrene	~	~	~	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
T-Butylbenzene	5.9	5.9	100	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
Tert-Butyl Alcohol	~	~	~	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
Tert-Butyl Methyl Ether	0.93	0.93	100	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
Tetrachloroethene (PCE)	1.3	1.3	19	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
Toluene	0.7	0.7	100	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
Total Xylenes	0.26	1.6	100	0.0062 U	0.0084 U	0.0071 U	NA	NA	NA	0.0072 U	0.0069 U	NA	0.0069 U	0.0088 U	0.0077 U	NA
Trans-1,2-Dichloroethene	0.19	0.19	100	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
Trans-1,3-Dichloropropene	~	~	~	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
Trichloroethene (TCE)	0.47	0.47	21	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
Trichlorofluoromethane	~	~	~	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
Vinyl Acetate	~	~	~	NA	NA	0.0024 U	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Vinyl Chloride	0.02	0.02	0.9	0.0021 U	0.0028 U	0.0024 U	NA	NA	NA	0.0024 U	0.0023 U	NA	0.0023 U	0.0029 U	0.0026 U	NA
Total BTEX	~	~	~	ND	ND	ND	NA	NA	NA	ND	ND	NA	ND	ND	ND	NA
Total CVOCs	~	~	~	ND	D	ND	NA	NA	NA	ND	ND	NA	ND	ND	ND	NA
Total VOCs	~	~	~	0.0073	0.0204	0.0122	NA	NA	NA	ND	ND	NA	0.01	0.0061	0.01	NA

Notes provided on Page 7.
Concentrations above Unrestricted Use SCOs are bolded.
Concentrations above Protection of Groundwater SCOs are underlined.
Concentrations above Restricted Use Restricted-Residential SCOs are shaded.

Table 1A
Remedial Investigation Report
Soil Sample Analytical Results

460 West 41st Street Redevelopment Phase 2 (Wing A)
New York, New York
OER Regulatory Site No.: 20TMP0490M
Langan Project No.: 100674402

Location	NYSDEC Part 375 Unrestricted Use SCOs	NYSDEC Part 375 Protection of Groundwater SCOs	NYSDEC Part 375 Restricted Use Restricted-Residential SCOs	LSB-1	LSB-2	LSB-2A	LSB-2A	LSB-2A	LSB-2A	LSB-5	LSB-5	LSB-5A	LSB-6	LSB-7	LSB-8	LSB-8A
Sample ID				LSB-1 (15-17)	LSB-2 (15-17)	LSB-2A_0-2_20210211	LSB-2A_0-2_20210211	LSB-2A_11-13_20210211	DUP01_20210211	LSB-5 (1-3)	DUP-1_112117	LSB-5A_2-4_20210210	LSB-6 (1-3)	LSB-7 (0-2)	LSB-8 (0-2)	LSB-8A_0-2_20210211
Laboratory ID				17K0876-03	17K0876-04	21B0426-01	21B0426-01RE1	21B0426-02	21B0426-10	17K0876-08	17K0876-09	21B0347-02	17K0876-10	17K0876-07	17K0876-06	21B0426-03
Sample Date				11/20/2017	11/20/2017	2/11/2021	2/11/2021	2/11/2021	2/11/2021	11/21/2017	11/21/2017	2/10/2021	11/21/2017	11/20/2017	11/20/2017	2/11/2021
Sample Depth (feet bsl)				15-17	15-17	0-2	0-2	11-13	11-13	11.5-13.5	11.5-13.5	12.5-14.5	12.5-14.5	11.5-13.5	11.5-13.5	11.5-13.5
Semivolatile Organic Compounds (mg/kg)																
1,2,4,5-Tetrachlorobenzene	~	~	~	0.102 U	0.0997 U	0.0991 U	NA	NA	NA	0.103 U	0.103 U	NA	0.0964 U	0.0919 U	0.0947 U	NA
1,2,4-Trichlorobenzene	~	~	~	0.0512 U	0.05 U	0.0497 U	NA	NA	NA	0.0517 U	0.0519 U	NA	0.0483 U	0.046 U	0.0475 U	NA
1,2-Dichlorobenzene	1.1	1.1	100	0.0512 U	0.05 U	0.0497 U	NA	NA	NA	0.0517 U	0.0519 U	NA	0.0483 U	0.046 U	0.0475 U	NA
1,2-Diphenylhydrazine	~	~	~	0.0512 U	0.05 U	0.0497 U	NA	NA	NA	0.0517 U	0.0519 U	NA	0.0483 U	0.046 U	0.0475 U	NA
1,3-Dichlorobenzene	2.4	2.4	49	0.0512 U	0.05 U	0.0497 U	NA	NA	NA	0.0517 U	0.0519 U	NA	0.0483 U	0.046 U	0.0475 U	NA
1,4-Dichlorobenzene	1.8	1.8	13	0.0512 U	0.05 U	0.0497 U	NA	NA	NA	0.0517 U	0.0519 U	NA	0.0483 U	0.046 U	0.0475 U	NA
1,4-Dioxane (P-Dioxane)	0.1	0.1	13	NA	NA	0.0099 U	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
2,3,4,6-Tetrachlorophenol	~	~	~	0.102 U	0.0997 U	0.0991 U	NA	NA	NA	0.103 U	0.103 U	NA	0.0964 U	0.0919 U	0.0947 U	NA
2,4,5-Trichlorophenol	~	~	~	0.0512 U	0.05 U	0.0497 U	NA	NA	NA	0.0517 U	0.0519 U	NA	0.0483 U	0.046 U	0.0475 U	NA
2,4,6-Trichlorophenol	~	~	~	0.0512 U	0.05 U	0.0497 U	NA	NA	NA	0.0517 U	0.0519 U	NA	0.0483 U	0.046 U	0.0475 U	NA
2,4-Dichlorophenol	~	~	~	0.0512 U	0.05 U	0.0497 U	NA	NA	NA	0.0517 U	0.0519 U	NA	0.0483 U	0.046 U	0.0475 U	NA
2,4-Dimethylphenol	~	~	~	0.0512 U	0.05 U	0.148 D	NA	NA	NA	0.0517 U	0.0519 U	NA	0.0483 U	0.046 U	0.0475 U	NA
2,4-Dinitrophenol	~	~	~	0.102 U	0.0997 U	0.0991 U	NA	NA	NA	0.103 U	0.103 U	NA	0.0964 U	0.0919 U	0.0947 U	NA
2,4-Dinitrotoluene	~	~	~	0.0512 U	0.05 U	0.0497 U	NA	NA	NA	0.0517 U	0.0519 U	NA	0.0483 U	0.046 U	0.0475 U	NA
2,6-Dinitrotoluene	~	~	~	0.0512 U	0.05 U	0.0497 U	NA	NA	NA	0.0517 U	0.0519 U	NA	0.0483 U	0.046 U	0.0475 U	NA
2-Chloronaphthalene	~	~	~	0.0512 U	0.05 U	0.0497 U	NA	NA	NA	0.0517 U	0.0519 U	NA	0.0483 U	0.046 U	0.0475 U	NA
2-Chlorophenol	~	~	~	0.0512 U	0.05 U	0.0497 U	NA	NA	NA	0.0517 U	0.0519 U	NA	0.0483 U	0.046 U	0.0475 U	NA
2-Methylnaphthalene	~	~	~	0.0512 U	0.05 U	NA	4.12 D	NA	NA	0.0517 U	0.0519 U	NA	0.0483 U	0.046 U	0.0475 U	NA
2-Methylphenol (o-Cresol)	0.33	0.33	100	0.0512 U	0.05 U	0.0935 JD	NA	NA	NA	0.0517 U	0.0519 U	NA	0.0483 U	0.046 U	0.0475 U	NA
2-Nitroaniline	~	~	~	0.102 U	0.0997 U	0.0991 U	NA	NA	NA	0.103 U	0.103 U	NA	0.0964 U	0.0919 U	0.0947 U	NA
2-Nitrophenol	~	~	~	0.0512 U	0.05 U	0.0497 U	NA	NA	NA	0.0517 U	0.0519 U	NA	0.0483 U	0.046 U	0.0475 U	NA
3 & 4 Methylphenol (m&p Cresol)	0.33	0.33	100	0.0512 U	0.05 U	0.19 D	NA	NA	NA	0.0517 U	0.0519 U	NA	0.0483 U	0.046 U	0.0475 U	NA
3,3'-Dichlorobenzidine	~	~	~	0.0512 U	0.05 U	0.0497 U	NA	NA	NA	0.0517 U	0.0519 U	NA	0.0483 U	0.046 U	0.0475 U	NA
3-Nitroaniline	~	~	~	0.102 U	0.0997 U	0.0991 U	NA	NA	NA	0.103 U	0.103 U	NA	0.0964 U	0.0919 U	0.0947 U	NA
4,6-Dinitro-2-Methylphenol	~	~	~	0.102 U	0.0997 U	0.0991 U	NA	NA	NA	0.103 U	0.103 U	NA	0.0964 U	0.0919 U	0.0947 U	NA
4-Bromophenyl Phenyl Ether	~	~	~	0.0512 U	0.05 U	0.0497 U	NA	NA	NA	0.0517 U	0.0519 U	NA	0.0483 U	0.046 U	0.0475 U	NA
4-Chloro-3-Methylphenol	~	~	~	0.0512 U	0.05 U	0.0497 U	NA	NA	NA	0.0517 U	0.0519 U	NA	0.0483 U	0.046 U	0.0475 U	NA
4-Chloroaniline	~	~	~	0.0512 U	0.05 U	0.0497 U	NA	NA	NA	0.0517 U	0.0519 U	NA	0.0483 U	0.046 U	0.0475 U	NA
4-Chlorophenyl Phenyl Ether	~	~	~	0.0512 U	0.05 U	0.0497 U	NA	NA	NA	0.0517 U	0.0519 U	NA	0.0483 U	0.046 U	0.0475 U	NA
4-Nitroaniline	~	~	~	0.102 U	0.0997 U	0.0991 U	NA	NA	NA	0.103 U	0.103 U	NA	0.0964 U	0.0919 U	0.0947 U	NA
4-Nitrophenol	~	~	~	0.102 U	0.0997 U	0.0991 U	NA	NA	NA	0.103 U	0.103 U	NA	0.0964 U	0.0919 U	0.0947 U	NA
Acenaphthene	20	98	100	0.0512 U	0.05 U	NA	4.05 D	NA	NA	0.0517 U	0.0519 U	NA	0.0879 JD	0.046 U	0.0475 U	NA
Acenaphthylene	100	107	100	0.0512 U	0.05 U	0.614 D	NA	NA	NA	0.0517 U	0.0519 U	NA	0.0483 U	0.046 U	0.0475 U	NA
Acetophenone	~	~	~	0.0512 U	0.05 U	0.0497 U	NA	NA	NA	0.0517 U	0.0519 U	NA	0.0483 U	0.046 U	0.0475 U	NA
Aniline (Phenylamine, Aminobenzene)	~	~	~	0.204 U	0.2 U	0.199 U	NA	NA	NA	0.206 U	0.207 U	NA	0.193 U	0.184 U	0.19 U	NA
Anthracene	100	1,000	100	0.0512 U	0.05 U	NA	5.71 D	NA	NA	0.0517 U	0.0519 U	NA	0.0817 JD	0.046 U	0.0475 U	NA
Atrazine	~	~	~	0.0512 U	0.05 U	0.0497 U	NA	NA	NA	0.0517 U	0.0519 U	NA	0.0483 U	0.046 U	0.0475 U	NA
Benzaldehyde	~	~	~	0.0512 U	0.05 U	0.0497 U	NA	NA	NA	0.0517 U	0.0519 U	NA	0.0483 U	0.046 U	0.0475 U	NA
Benzidine	~	~	~	0.204 U	0.2 U	0.199 U	NA	NA	NA	0.206 U	0.207 U	NA	0.193 U	0.184 U	0.19 U	NA
Benzo(a)anthracene	1	1	1	0.0512 U	0.05 U	NA	**10.8** D	NA	NA	0.0517 U	0.0519 U	NA	0.0909 JD	0.046 U	0.0475 U	NA
Benzo(a)pyrene	1	22	1	0.0512 U	0.05 U	NA	**9** D	NA	NA	0.0517 U	0.0519 U	NA	0.0948 JD	0.046 U	0.0475 U	NA
Benzo(b)fluoranthene	1	1.7	1	0.0512 U	0.05 U	NA	**8.44** D	NA	NA	0.0517 U	0.0519 U	NA	0.103 D	0.046 U	0.0475 U	NA
Benzo(g,h,i)Perylene	100	1,000	100	0.0512 U	0.05 U	NA	5.37 D	NA	NA	0.0517 U	0.0519 U	NA	0.0578 JD	0.046 U	0.0475 U	NA
Benzo(k)fluoranthene	0.8	1.7	3.9	0.0512 U	0.05 U	NA	**7.34** D	NA	NA	0.0517 U	0.0519 U	NA	0.0709 JD	0.046 U	0.0475 U	NA
Benzoic Acid	~	~	~	0.0512 U	0.05 U	0.0497 U	NA	NA	NA	0.0517 U	0.0519 U	NA	0.0483 U	0.046 U	0.0475 U	NA
Benzyl Alcohol	~	~	~	0.0512 U	0.05 U	0.0497 U	NA	NA	NA	0.0517 U	0.0519 U	NA	0.0483 U	0.046 U	0.0475 U	NA
Benzyl Butyl Phthalate	~	~	~	0.0512 U	0.05 U	0.0497 U	NA	NA	NA	0.572 D	0.0519 U	NA	0.0987 D	0.046 U	0.0475 U	NA
Biphenyl (Diphenyl)	~	~	~	0.0512 U	0.05 U	0.598 D	NA	NA	NA	0.0517 U	0.0519 U	NA	0.0483 U	0.046 U	0.0475 U	NA
Bis(2-chloroethoxy) methane	~	~	~	0.0512 U	0.05 U	0.0497 U	NA	NA	NA	0.0517 U	0.0519 U	NA	0.0483 U	0.046 U	0.0475 U	NA
Bis(2-chloroethyl) ether (2-chloroethyl ether)	~	~	~	0.0512 U	0.05 U	0.0497 U	NA	NA	NA	0.0517 U	0.0519 U	NA	0.0483 U	0.046 U	0.0475 U	NA
Bis(2-chloroisopropyl) ether	~	~	~	0.0512 U	0.05 U	0.0497 U	NA	NA	NA	0.0517 U	0.0519 U	NA	0.0483 U	0.046 U	0.0475 U	NA
Bis(2-ethylhexyl) phthalate	~	~	~	0.0512 U	0.05 U	0.0497 U	NA	NA	NA	0.0517 U	0.0519 U	NA	0.0778 JD	0.046 U	0.0475 U	NA
Caprolactam	~	~	~	0.102 U	0.0997 U	0.0991 U	NA	NA	NA	0.103 U	0.103 U	NA	0.0964 U	0.0919 U	0.0947 U	NA
Carbazole	~	~	~	0.0512 U	0.05 U	NA	3.5 D	NA	NA	0.0517 U	0.0519 U	NA	0.0483 U	0.046 U	0.0475 U	NA
Chrysene	1	1	3.9	0.0512 U	0.05 U	NA	**9.67** D	NA	NA	0.0517 U	0.0519 U	NA	0.084 JD	0.046 U	0.0475 U	NA
Dibenz(a,h)anthracene	0.33	1,000	0.33	0.0512 U	0.05 U	**2.49** D	NA	NA	NA	0.0517 U	0.0519 U	NA	0.0483 U	0.046 U	0.0475 U	NA
Dibenzofuran	7	210	59	0.0512 U	0.05 U	3.02 D	NA	NA	NA	0.0517 U	0.0519 U	NA	0.0483 U	0.046 U	0.0475 U	NA
Dibutyl phthalate	~	~	~	0.0512 U	0.05 U	0.0497 U	NA	NA	NA	0.0517 U	0.0519 U	NA	0.0483 U	0.046 U	0.0475 U	NA
Diethyl phthalate	~	~	~	0.0512 U	0.05 U	0.0497 U	NA	NA	NA	0.0517 U	0.0519 U	NA	0.0483 U	0.046 U	0.0475 U	NA
Dimethyl phthalate	~	~	~	0.0512 U	0.05 U	0.0497 U	NA	NA	NA	0.0517 U	0.0519 U	NA	0.0483 U	0.046 U	0.0475 U	NA
Dioctyl phthalate	~	~	~	0.0512 U	0.05 U	0.0497 U	NA	NA	NA	0.0517 U	0.0519 U	NA	0.0483 U	0.046 U	0.0475 U	NA
Fluoranthene	100	1,000	100	0.0512 U	0.05 U	NA	26 D	NA	NA	0.0544 JD	0.0519 U	NA	0.193 D	0.046 U	0.0689 JD	NA
Fluorene	30	386	100	0.0512 U	0.05 U	NA	4.76 D	NA	NA	0.0517 U	0.0519 U	NA	0.0971 D	0.046 U	0.0475 U	NA
Hexachlorobenzene	0.33	3.2	1.2	0.0512 U	0.05 U	0.0497 U	NA	NA	NA	0.0517 U	0.0519 U	NA	0.0483 U	0.046 U	0.0475 U	NA
Hexachlorobutadiene	~	~	~	0.0512 U	0.05 U	0.0497 U	NA	NA	NA	0.0517 U	0.0519 U	NA	0.0483 U	0.046 U	0.0475 U	NA
Hexachlorocyclopentadiene	~	~	~	0.0512 U	0.05 U	0.0497 U	NA	NA	NA	0.0517 U	0.0519 U	NA	0.0483 U	0.046 U	0.0475 U	NA
Hexachloroethane	~	~	~	0.0512 U	0.05 U	0.0497 U	NA	NA	NA	0.0517 U	0.0519 U	NA	0.0483 U	0.046 U	0.0475 U	NA
Indeno(1,2,3-cd)pyrene	0.5	8.2	0.5	0.0512 U	0.05 U	NA	**5.46** D	NA	NA	0.0517 U	0.0519 U	NA	0.0524 JD	0.046 U	0.0475 U	NA
Isophorone	~	~	~	0.0512 U	0.05 U	0.0497 U	NA	NA	NA	0.0517 U	0.0519 U	NA	0.0483 U	0.046 U	0.0475 U	NA
Naphthalene	12	12	100	0.0512 U	0.05 U	NA	8.2 D	NA	NA	0.0517 U	0.0519 U	NA	0.0483 U	0.046 U	0.0475 U	NA
Nitrobenzene	~	~	~	0.0512 U	0.05 U	0.0497 U	NA	NA	NA	0.0517 U	0.0519 U	NA	0.0483 U	0.046 U	0.0475 U	NA
n-Nitrosodimethylamine	~	~	~	0.0512 U	0.05 U	0.0497 U	NA	NA	NA	0.0517 U	0.0519 U	NA	0.0483 U	0.046 U	0.0475 U	NA
n-Nitrosodi-N-Propylamine	~	~	~	0.0512 U	0.05 U	0.0497 U	NA	NA	NA	0.0517 U	0.0519 U	NA	0.0483 U	0.046 U	0.0475 U	NA
n-Nitrosodiphenylamine	~	~	~	0.0512 U	0.05 U	0.0497 U	NA	NA	NA	0.0517 U	0.0519 U	NA	0.0483 U	0.046 U	0.0475 U	NA
Pentachlorophenol	0.8	0.8	6.7	0.0512 U	0.05 U	0.0497 U	NA	NA	NA	0.0517 U	0.0519 U	NA	0.0483 U	0.046 U	0.0475 U	NA
Phenanthrene	100	1,000	100	0.0512 U	0.05 U	NA	28.7 D	NA	NA	0.0517 U	0.0519 U	NA	0.199 D	0.046 U	0.0475 U	NA
Phenol	0.33	0.33	100	0.0512 U	0.05 U	0.0497 U	NA	NA	NA	0.0517 U	0.0519 U	NA	0.0483 U	0.046 U	0.0475 U	NA
Pyrene	100	1,000	100	0.0512 U	0.05 U	NA	19.1 D	NA	NA	0.0569 JD	0.0519 U	NA	0.187 D	0.0492 JD	0.0696 JD	NA
Pyridine	~	~	~	NA	NA	0.199 U	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

Notes provided on Page 7.
Concentrations above Unrestricted Use SCOs are bolded.
Concentrations above Protection of Groundwater SCOs are underlined.
Concentrations above Restricted Use Restricted-Residential SCOs are shaded.

Table 1A
Remedial Investigation Report
Soil Sample Analytical Results

460 West 41st Street Redevelopment Phase 2 (Wing A)
New York, New York
OER Regulatory Site No.: 20TMP0490M
Langan Project No.: 100674402

Location Sample ID Laboratory ID Sample Date Sample Depth (feet bsl)	NYSDEC Part 375 Unrestricted Use SCOs	NYSDEC Part 375 Protection of Groundwater SCOs	NYSDEC Part 375 Restricted Use Restricted-Residential SCOs	LSB-1 LSB-1 (15-17) 17K0876-03 11/20/2017 15-17	LSB-2 LSB-2 (15-17) 17K0876-04 11/20/2017 15-17	LSB-2A LSB-2A_0-2_20210211 21B0426-01 2/11/2021 0-2	LSB-2A LSB-2A_0-2_20210211 21B0426-01RE1 2/11/2021 0-2	LSB-2A LSB-2A_11-13_20210211 21B0426-02 2/11/2021 11-13	LSB-2A DUP01_20210211 21B0426-10 2/11/2021 11-13	LSB-5 LSB-5 (1-3) 17K0876-08 11/21/2017 11.5-13.5	LSB-5 DUP-1_112117 17K0876-09 11/21/2017 11.5-13.5	LSB-5A LSB-5A_2-4_20210210 21B0347-02 2/10/2021 12.5-14.5	LSB-6 LSB-6 (1-3) 17K0876-10 11/21/2017 12.5-14.5	LSB-7 LSB-7 (0-2) 17K0876-07 11/20/2017 11.5-13.5	LSB-8 LSB-8 (0-2) 17K0876-06 11/20/2017 11.5-13.5	LSB-8A LSB-8A_0-2_20210211 21B0426-03 2/11/2021 11.5-13.5
Pesticides (mg/kg)																
4,4'-DDD	0.0033	14	13	NA	NA	0.00195 U	NA	0.00201 U	0.00202 U	NA	NA	0.00189 U	NA	NA	NA	0.00207 U
4,4'-DDE	0.0033	17	8.9	NA	NA	0.00195 U	NA	0.00201 U	0.00202 U	NA	NA	0.00189 U	NA	NA	NA	0.00207 U
4,4'-DDT	0.0033	136	7.9	NA	NA	0.00195 U	NA	0.00201 U	0.00202 U	NA	NA	0.00189 U	NA	NA	NA	0.00207 U
Aldrin	0.005	0.19	0.097	NA	NA	0.00195 U	NA	0.00201 U	0.00202 U	NA	NA	0.00189 U	NA	NA	NA	0.00207 U
Alpha BHC (Alpha Hexachlorocyclohexane)	0.02	0.02	0.48	NA	NA	0.00195 U	NA	0.00201 U	0.00202 U	NA	NA	0.00189 U	NA	NA	NA	0.00207 U
Alpha Chlordane	0.094	2.9	4.2	NA	NA	0.00195 U	NA	0.00201 U	0.00202 U	NA	NA	0.00189 U	NA	NA	NA	0.00207 U
Alpha Endosulfan	2.4	102	24	NA	NA	0.00195 U	NA	0.00201 U	0.00202 U	NA	NA	0.00189 U	NA	NA	NA	0.00207 U
Beta Bhc (Beta Hexachlorocyclohexane)	0.036	0.09	0.36	NA	NA	0.00195 U	NA	0.00201 U	0.00202 U	NA	NA	0.00189 U	NA	NA	NA	0.00207 U
Beta Endosulfan	2.4	102	24	NA	NA	0.00195 U	NA	0.00201 U	0.00202 U	NA	NA	0.00189 U	NA	NA	NA	0.00207 U
Chlordane (alpha and gamma)	~	~	~	NA	NA	0.039 U	NA	0.0401 U	0.0403 U	NA	NA	0.0378 U	NA	NA	NA	0.0414 U
Delta Bhc (Delta Hexachlorocyclohexane)	0.04	0.25	100	NA	NA	0.00195 U	NA	0.00201 U	0.00202 U	NA	NA	0.00189 U	NA	NA	NA	0.00207 U
Dieldrin	0.005	0.1	0.2	NA	NA	0.00195 U	NA	0.00201 U	0.00202 U	NA	NA	0.00189 U	NA	NA	NA	0.00207 U
Endosulfan Sulfate	2.4	1,000	24	NA	NA	0.00195 U	NA	0.00201 U	0.00202 U	NA	NA	0.00189 U	NA	NA	NA	0.00207 U
Endrin	0.014	0.06	11	NA	NA	0.00195 U	NA	0.00201 U	0.00202 U	NA	NA	0.00189 U	NA	NA	NA	0.00207 U
Endrin Aldehyde	~	~	~	NA	NA	0.00195 U	NA	0.00201 U	0.00202 U	NA	NA	0.00189 U	NA	NA	NA	0.00207 U
Endrin Ketone	~	~	~	NA	NA	0.00195 U	NA	0.00201 U	0.00202 U	NA	NA	0.00189 U	NA	NA	NA	0.00207 U
Gamma Bhc (Lindane)	0.1	0.1	1.3	NA	NA	0.00195 U	NA	0.00201 U	0.00202 U	NA	NA	0.00189 U	NA	NA	NA	0.00207 U
Gamma-Chlordane	~	~	~	NA	NA	0.00195 U	NA	0.00201 U	0.00202 U	NA	NA	0.00189 U	NA	NA	NA	0.00207 U
Heptachlor	0.042	0.38	2.1	NA	NA	0.00195 U	NA	0.00201 U	0.00202 U	NA	NA	0.00189 U	NA	NA	NA	0.00207 U
Heptachlor Epoxide	~	~	~	NA	NA	0.00195 U	NA	0.00201 U	0.00202 U	NA	NA	0.00189 U	NA	NA	NA	0.00207 U
Methoxychlor	~	~	~	NA	NA	0.00195 U	NA	0.00201 U	0.00202 U	NA	NA	0.00189 U	NA	NA	NA	0.00207 U
Toxaphene	~	~	~	NA	NA	0.195 U	NA	0.201 U	0.202 U	NA	NA	0.189 U	NA	NA	NA	0.207 U
Polychlorinated Biphenyls (mg/kg)																
PCB-1016 (Aroclor 1016)	~	~	~	NA	NA	0.0197 U	NA	0.0202 U	0.0203 U	NA	NA	0.0191 U	NA	NA	NA	0.0209 U
PCB-1221 (Aroclor 1221)	~	~	~	NA	NA	0.0197 U	NA	0.0202 U	0.0203 U	NA	NA	0.0191 U	NA	NA	NA	0.0209 U
PCB-1232 (Aroclor 1232)	~	~	~	NA	NA	0.0197 U	NA	0.0202 U	0.0203 U	NA	NA	0.0191 U	NA	NA	NA	0.0209 U
PCB-1242 (Aroclor 1242)	~	~	~	NA	NA	0.0197 U	NA	0.0202 U	0.0203 U	NA	NA	0.0191 U	NA	NA	NA	0.0209 U
PCB-1248 (Aroclor 1248)	~	~	~	NA	NA	0.0197 U	NA	0.0202 U	0.0203 U	NA	NA	0.0191 U	NA	NA	NA	0.0209 U
PCB-1254 (Aroclor 1254)	~	~	~	NA	NA	0.0197 U	NA	0.0202 U	0.0203 U	NA	NA	0.0191 U	NA	NA	NA	0.0209 U
PCB-1260 (Aroclor 1260)	~	~	~	NA	NA	0.0197 U	NA	0.0202 U	0.0203 U	NA	NA	0.0191 U	NA	NA	NA	0.0209 U
Total PCBs	0.1	3.2	1	NA	NA	0.0197 U	NA	0.0202 U	0.0203 U	NA	NA	0.0191 U	NA	NA	NA	0.0209 U
Inorganics (mg/kg)																
Aluminum	~	~	~	12,500	8,180	10,800	NA	NA	NA	10,700	9,940	NA	9,460	6,810	10,400	NA
Antimony	~	~	~	1.76	1.71	2.99 U	NA	NA	NA	1.9	1.76	NA	1.47	2.24	1.4	NA
Arsenic	13	16	16	2.15	1.44	1.79 U	NA	NA	NA	3.08	1.91	NA	1.16 U	1.13	1.14 U	NA
Barium	350	820	400	92	71.6	93.9	NA	NA	NA	100	97.7	NA	63.8	49.4	84.6	NA
Beryllium	7.2	47	72	0.122 U	0.12 U	0.06 U	NA	NA	NA	0.124 U	0.124 U	NA	0.116 U	0.11 U	0.114 U	NA
Cadmium	2.5	7.5	4.3	0.367 U	0.36 U	0.955	NA	NA	NA	0.371 U	0.373 U	NA	0.347 U	0.33 U	0.341 U	NA
Calcium	~	~	~	1,270	23,700	5,060 B	NA	NA	NA	42,300	10,200	NA	2,200	71,600	13,000	NA
Chromium, Hexavalent	1	19	110	0.612 U	0.6 U	0.598 U	NA	NA	NA	0.618 U	0.622 U	NA	0.578 U	0.551 U	0.568 U	NA
Chromium, Total	~	~	~	16.3	11.1	15.9	NA	NA	NA	21.5	19.4	NA	13.5	38.2	15.1	NA
Chromium, Trivalent	30	~	180	NA	NA	15.9	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Cobalt	~	~	~	9.59	6.15	7.17	NA	NA	NA	7.53	8.42	NA	6.29	3.36	8.98	NA
Copper	50	1,720	270	22.6 B	15.8 B	17.3	NA	NA	NA	37.4 B	30.9 B	NA	21.1 B	19.4 B	34.5 B	NA
Cyanide	27	40	27	NA	NA	0.598 U	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Iron	~	~	~	19,500	24,900	19,100	NA	NA	NA	13,600	15,900	NA	13,500	9,100	16,200	NA
Lead	63	450	400	16.6 B	**119** B	**105**	NA	NA	NA	**153** B	**123** B	NA	**89.4** B	12.8 B	43.3 B	NA
Magnesium	~	~	~	3,490	2,530	3,050	NA	NA	NA	5,320	3,090	NA	2,610	3,210	3,900	NA
Manganese	1,600	2,000	2,000	253	**1,660**	209	NA	NA	NA	277	256	NA	170	157	298	NA
Mercury	0.18	0.73	0.81	0.0439	0.0816	0.0395 U	NA	NA	NA	**0.255**	**0.218**	NA	**0.345**	0.033 U	**0.207**	NA
Nickel	30	130	310	0.612 U	0.6 U	17.9	NA	NA	NA	0.618 U	0.622 U	NA	0.578 U	1.29	0.568 U	NA
Potassium	~	~	~	1,220	718	1,260 B	NA	NA	NA	1,730	1,570	NA	893	936	2,290	NA
Selenium	3.9	4	180	**15.5** B	**19.3** B	2.99 U	NA	NA	NA	**11.2** B	**13.1** B	NA	**10.9** B	**7.96** B	**12.8** B	NA
Silver	2	8.3	180	0.612 U	0.6 U	0.598 U	NA	NA	NA	0.618 U	0.622 U	NA	0.578 U	0.551 U	0.568 U	NA
Sodium	~	~	~	295	212	213	NA	NA	NA	663	455	NA	304	496	742	NA
Thallium	~	~	~	1.22 U	1.2 U	2.99 U	NA	NA	NA	1.24 U	1.24 U	NA	1.16 U	1.1 U	1.14 U	NA
Vanadium	~	~	~	24.5	15.1	20.4	NA	NA	NA	20	20.9	NA	17.5	13.1	19.6	NA
Zinc	109	2,480	10,000	39.5	29.7	**350** B	NA	NA	NA	76	66.6	NA	45.4	34.9	47.2	NA
General Chemistry (%)																
Solids, Percent	~	~	~	81.7	83.3	83.6	NA	82	81.6	80.9	80.3	86.4	86.5	90.8	88.1	78.8

Notes provided on Page 7.
Concentrations above Unrestricted Use SCOs are bolded.
Concentrations above Protection of Groundwater SCOs are underlined.
Concentrations above Restricted Use Restricted-Residential SCOs are shaded.

Table 1A
Remedial Investigation Report
Soil Sample Analytical Results

460 West 41st Street Redevelopment Phase 2 (Wing A)
New York, New York
OER Regulatory Site No.: 20TMP0490M
Langan Project No.: 100674402

Location Sample ID Laboratory ID Sample Date Sample Depth (feet bsl)	NYSDEC Part 375 Unrestricted Use SCOs	NYSDEC Part 375 Protection of Groundwater SCOs	NYSDEC Part 375 Restricted Use Restricted-Residential SCOs	LSB-9 LSB-9 (0-2) 17K0876-05 11/20/2017 15-17	LSB-21 LSB-21_120518 18L0241-01 12/5/2018 13-15	LSB-21A LSB-21A_0-2_20210211 21B0426-04 2/11/2021 0-2	LSB-22 LSB-22_120618 18L0288-04 12/6/2018 12-14	LSB-22A LSB-22A_4-6_20210210 21B0347-01 2/10/2021 14.5-16.5	LSB-23 LSB-23_120618 18L0288-02 12/6/2018 12.5-14.5	LSB-23 DUP-6_120618 18L0288-03 12/6/2018 12.5-14.5	LSB-23A LSB-23A_0-2_20210211 21B0426-05 2/11/2021 11.5-13.5	LSB-23A LSB-23A_3-5_20210211 21B0426-06 2/11/2021 14.5-16.5	LSB-24 LSB-24_120618 18L0288-01 12/6/2018 16-18	LSB-24A LSB-24A_0-2_20210211 21B0426-07 2/11/2021 15-17	LSB-24A LSB-24A_3-5_20210211 21B0426-08 2/11/2021 18-20	LSB-24A LSB-24A_5-7_20210211 21B0426-09 2/11/2021 20-22
Volatile Organic Compounds (mg/kg)																
1,1,1,2-Tetrachloroethane	~		~	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
1,1,1-Trichloroethane	0.68	0.68	100	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
1,1,2,2-Tetrachloroethane	~	~	~	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
1,1,2-Trichloro-1,2,2-Trifluoroethane	~	~	~	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
1,1,2-Trichloroethane	~	~	~	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
1,1-Dichloroethane	0.27	0.27	26	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
1,1-Dichloroethene	0.33	0.33	100	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
1,1-Dichloropropene	~	~	~	NA	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
1,2,3-Trichlorobenzene	~	~	~	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
1,2,3-Trichloropropane	~	~	~	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
1,2,4-Trichlorobenzene	~	~	~	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
1,2,4-Trimethylbenzene	3.6	3.6	52	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
1,2-Dibromo-3-Chloropropane	~	~	~	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
1,2-Dibromoethane (Ethylene Dibromide)	~	~	~	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
1,2-Dichlorobenzene	1.1	1.1	100	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
1,2-Dichloroethane	0.02	0.02	3.1	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
1,2-Dichloropropane	~	~	~	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
1,3,5-Trimethylbenzene (Mesitylene)	8.4	8.4	52	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
1,3-Dichlorobenzene	2.4	2.4	49	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
1,3-Dichloropropane	~	~	~	NA	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
1,4-Dichlorobenzene	1.8	1.8	13	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
1,4-Dioxane (P-Dioxane)	0.1	0.1	13	0.05 U	0.036 U	0.053 U	0.045 U	0.046 U	0.047 U	0.048 U	NA	0.038 U	0.057 U	NA	0.044 U	0.04 U
2,2-Dichloropropane	~	~	~	NA	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
2-Chlorotoluene	~	~	~	NA	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
2-Hexanone	~	~	~	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
4-Chlorotoluene	~	~	~	NA	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
Acetone	0.05	0.05	100	0.011	0.013	0.0074 J	0.02	0.033	0.017	0.019	NA	0.034	0.011	NA	0.011	0.012
Acrolein	~	~	~	0.005 U	0.0036 U	0.0053 U	0.0045 U	0.0046 U	0.0047 U	0.0048 U	NA	0.0038 U	0.0057 U	NA	0.0044 U	0.004 U
Acrylonitrile	~	~	~	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
Benzene	0.06	0.06	4.8	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
Bromobenzene	~	~	~	NA	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
Bromochloromethane	~	~	~	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
Bromodichloromethane	~	~	~	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
Bromoform	~	~	~	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
Bromomethane	~	~	~	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
Carbon Disulfide	~	~	~	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
Carbon Tetrachloride	0.76	0.76	2.4	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
Chlorobenzene	1.1	1.1	100	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
Chloroethane	~	~	~	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
Chloroform	0.37	0.37	49	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
Chloromethane	~	~	~	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
Cis-1,2-Dichloroethene	0.25	0.25	100	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
Cis-1,3-Dichloropropene	~	~	~	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
Cyclohexane	~	~	~	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
Dibromochloromethane	~	~	~	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
Dibromomethane	~	~	~	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
Dichlorodifluoromethane	~	~	~	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
Ethylbenzene	1	1	41	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
Hexachlorobutadiene	~	~	~	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
Isopropylbenzene (Cumene)	~	~	~	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
M,P-Xylene	~	~	~	0.005 U	0.0036 U	0.0053 U	0.0045 U	0.0046 U	0.0047 U	0.0048 U	NA	0.0038 U	0.0057 U	NA	0.0044 U	0.004 U
Methyl Acetate	~	~	~	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
Methyl Ethyl Ketone (2-Butanone)	0.12	0.12	100	0.005	0.0018 U	0.0026 U	0.0022 U	0.0075	0.0024 U	0.0024 U	NA	0.0071	0.0028 U	NA	0.0039 J	0.0032 J
Methyl Isobutyl Ketone (4-Methyl-2-Pentanone)	~	~	~	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
Methylcyclohexane	~	~	~	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
Methylene Chloride	0.05	0.05	100	0.005 U	0.015	0.0053 U	0.014	0.0046 U	0.017	0.017	NA	0.0038 U	0.023	NA	0.0044 U	0.004 U
n-Butylbenzene	12	12	100	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
n-Propylbenzene	3.9	3.9	100	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
o-Xylene (1,2-Dimethylbenzene)	~	~	~	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
p-Cymene (p-Isopropyltoluene)	~	~	~	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
Sec-Butylbenzene	11	11	100	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
Styrene	~	~	~	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
T-Butylbenzene	5.9	5.9	100	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
Tert-Butyl Alcohol	~	~	~	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
Tert-Butyl Methyl Ether	0.93	0.93	100	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
Tetrachloroethene (PCE)	1.3	1.3	19	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
Toluene	0.7	0.7	100	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0028 J	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
Total Xylenes	0.26	1.6	100	0.0075 U	0.0054 U	0.0079 U	0.0067 U	0.0069 U	0.0071 U	0.0072 U	NA	0.0057 U	0.0085 U	NA	0.0066 U	0.006 U
Trans-1,2-Dichloroethene	0.19	0.19	100	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
Trans-1,3-Dichloropropene	~	~	~	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
Trichloroethene (TCE)	0.47	0.47	21	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
Trichlorofluoromethane	~	~	~	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
Vinyl Acetate	~	~	~	NA	NA	0.0026 U	NA	0.0023 U	NA	NA	NA	0.0019 U	NA	NA	0.0022 U	0.002 U
Vinyl Chloride	0.02	0.02	0.9	0.0025 U	0.0018 U	0.0026 U	0.0022 U	0.0023 U	0.0024 U	0.0024 U	NA	0.0019 U	0.0028 U	NA	0.0022 U	0.002 U
Total BTEX	~	~	~	ND	ND	ND	ND	ND	ND	0.0028	NA	ND	ND	NA	ND	ND
Total CVOCs	~	~	~	ND	ND	ND	ND	ND	ND	ND	NA	ND	ND	NA	ND	ND
Total VOCs	~	~	~	0.016	0.028	0.0074	0.034	0.0405	0.034	0.0388	NA	0.0411	0.034	NA	0.0149	0.0152

Notes provided on Page 7.
Concentrations above Unrestricted Use SCOs are bolded.
Concentrations above Protection of Groundwater SCOs are underlined.
Concentrations above Restricted Use Restricted-Residential SCOs are shaded.

Table 1A
Remedial Investigation Report
Soil Sample Analytical Results

460 West 41st Street Redevelopment Phase 2 (Wing A)
New York, New York
OER Regulatory Site No.: 20TMP0490M
Langan Project No.: 100674402

Location Sample ID Laboratory ID Sample Date Sample Depth (feet bsl)	NYSDEC Part 375 Unrestricted Use SCOs	NYSDEC Part 375 Protection of Groundwater SCOs	NYSDEC Part 375 Restricted Use Restricted-Residential SCOs	LSB-9 LSB-9 (0-2) 17K0876-05 11/20/2017 15-17	LSB-21 LSB-21_120518 18L0241-01 12/5/2018 13-15	LSB-21A LSB-21A_0-2_20210211 21B0426-04 2/11/2021 0-2	LSB-22 LSB-22_120618 18L0288-04 12/6/2018 12-14	LSB-22A LSB-22A_4-6_20210210 21B0347-01 2/10/2021 14.5-16.5	LSB-23 LSB-23_120618 18L0288-02 12/6/2018 12.5-14.5	LSB-23 DUP-6_120618 18L0288-03 12/6/2018 12.5-14.5	LSB-23A LSB-23A_0-2_20210211 21B0426-05 2/11/2021 11.5-13.5	LSB-23A LSB-23A_3-5_20210211 21B0426-06 2/11/2021 14.5-16.5	LSB-24 LSB-24_120618 18L0288-01 12/6/2018 16-18	LSB-24A LSB-24A_0-2_20210211 21B0426-07 2/11/2021 15-17	LSB-24A LSB-24A_3-5_20210211 21B0426-08 2/11/2021 18-20	LSB-24A LSB-24A_5-7_20210211 21B0426-09 2/11/2021 20-22
Semivolatile Organic Compounds (mg/kg)																
1,2,4,5-Tetrachlorobenzene	~	~	~	0.102 U	0.0871 U	0.0948 U	0.099 U	0.108 U	0.101 U	0.104 U	NA	0.0988 U	0.1 U	NA	0.105 U	0.0969 U
1,2,4-Trichlorobenzene	~	~	~	0.051 U	0.0436 U	0.0475 U	0.0496 U	0.0542 U	0.0508 U	0.0522 U	NA	0.0495 U	0.0501 U	NA	0.0528 U	0.0486 U
1,2-Dichlorobenzene	1.1	1.1	100	0.051 U	0.0436 U	0.0475 U	0.0496 U	0.0542 U	0.0508 U	0.0522 U	NA	0.0495 U	0.0501 U	NA	0.0528 U	0.0486 U
1,2-Diphenylhydrazine	~	~	~	0.051 U	0.0436 U	0.0475 U	0.0496 U	0.0542 U	0.0508 U	0.0522 U	NA	0.0495 U	0.0501 U	NA	0.0528 U	0.0486 U
1,3-Dichlorobenzene	2.4	2.4	49	0.051 U	0.0436 U	0.0475 U	0.0496 U	0.0542 U	0.0508 U	0.0522 U	NA	0.0495 U	0.0501 U	NA	0.0528 U	0.0486 U
1,4-Dichlorobenzene	1.8	1.8	13	0.051 U	0.0436 U	0.0475 U	0.0496 U	0.0542 U	0.0508 U	0.0522 U	NA	0.0495 U	0.0501 U	NA	0.0528 U	0.0486 U
1,4-Dioxane (P-Dioxane)	0.1	0.1	13	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
2,3,4,6-Tetrachlorophenol	~	~	~	0.102 U	0.0871 U	0.0948 U	0.099 U	0.108 U	0.101 U	0.104 U	NA	0.0988 U	0.1 U	NA	0.105 U	0.0969 U
2,4,5-Trichlorophenol	~	~	~	0.051 U	0.0436 U	0.0475 U	0.0496 U	0.0542 U	0.0508 U	0.0522 U	NA	0.0495 U	0.0501 U	NA	0.0528 U	0.0486 U
2,4,6-Trichlorophenol	~	~	~	0.051 U	0.0436 U	0.0475 U	0.0496 U	0.0542 U	0.0508 U	0.0522 U	NA	0.0495 U	0.0501 U	NA	0.0528 U	0.0486 U
2,4-Dichlorophenol	~	~	~	0.051 U	0.0436 U	0.0475 U	0.0496 U	0.0542 U	0.0508 U	0.0522 U	NA	0.0495 U	0.0501 U	NA	0.0528 U	0.0486 U
2,4-Dimethylphenol	~	~	~	0.051 U	0.0436 U	0.0475 U	0.0496 U	0.0542 U	0.0508 U	0.0522 U	NA	0.0495 U	0.0501 U	NA	0.0528 U	0.0486 U
2,4-Dinitrophenol	~	~	~	0.102 U	0.0871 U	0.0948 U	0.099 U	0.108 U	0.101 U	0.104 U	NA	0.0988 U	0.1 U	NA	0.105 U	0.0969 U
2,4-Dinitrotoluene	~	~	~	0.051 U	0.0436 U	0.0475 U	0.0496 U	0.0542 U	0.0508 U	0.0522 U	NA	0.0495 U	0.0501 U	NA	0.0528 U	0.0486 U
2,6-Dinitrotoluene	~	~	~	0.051 U	0.0436 U	0.0475 U	0.0496 U	0.0542 U	0.0508 U	0.0522 U	NA	0.0495 U	0.0501 U	NA	0.0528 U	0.0486 U
2-Chloronaphthalene	~	~	~	0.051 U	0.0436 U	0.0475 U	0.0496 U	0.0542 U	0.0508 U	0.0522 U	NA	0.0495 U	0.0501 U	NA	0.0528 U	0.0486 U
2-Chlorophenol	~	~	~	0.051 U	0.0436 U	0.0475 U	0.0496 U	0.0542 U	0.0508 U	0.0522 U	NA	0.0495 U	0.0501 U	NA	0.0528 U	0.0486 U
2-Methylnaphthalene	~	~	~	0.051 U	0.0436 U	0.149 D	0.0496 U	0.0542 U	0.0508 U	0.0522 U	NA	0.0495 U	0.0501 U	NA	0.0528 U	0.0486 U
2-Methylphenol (o-Cresol)	0.33	0.33	100	0.051 U	0.0436 U	0.0475 U	0.0496 U	0.0542 U	0.0508 U	0.0522 U	NA	0.0495 U	0.0501 U	NA	0.0528 U	0.0486 U
2-Nitroaniline	~	~	~	0.102 U	0.0871 U	0.0948 U	0.099 U	0.108 U	0.101 U	0.104 U	NA	0.0988 U	0.1 U	NA	0.105 U	0.0969 U
2-Nitrophenol	~	~	~	0.051 U	0.0436 U	0.0475 U	0.0496 U	0.0542 U	0.0508 U	0.0522 U	NA	0.0495 U	0.0501 U	NA	0.0528 U	0.0486 U
3 & 4 Methylphenol (m&p Cresol)	0.33	0.33	100	0.051 U	0.0436 U	0.0475 U	0.0496 U	0.0542 U	0.0508 U	0.0522 U	NA	0.0495 U	0.0501 U	NA	0.0528 U	0.0486 U
3,3'-Dichlorobenzidine	~	~	~	0.051 U	0.0436 U	0.0475 U	0.0496 U	0.0542 U	0.0508 U	0.0522 U	NA	0.0495 U	0.0501 U	NA	0.0528 U	0.0486 U
3-Nitroaniline	~	~	~	0.102 U	0.0871 U	0.0948 U	0.099 U	0.108 U	0.101 U	0.104 U	NA	0.0988 U	0.1 U	NA	0.105 U	0.0969 U
4,6-Dinitro-2-Methylphenol	~	~	~	0.102 U	0.0871 U	0.0948 U	0.099 U	0.108 U	0.101 U	0.104 U	NA	0.0988 U	0.1 U	NA	0.105 U	0.0969 U
4-Bromophenyl Phenyl Ether	~	~	~	0.051 U	0.0436 U	0.0475 U	0.0496 U	0.0542 U	0.0508 U	0.0522 U	NA	0.0495 U	0.0501 U	NA	0.0528 U	0.0486 U
4-Chloro-3-Methylphenol	~	~	~	0.051 U	0.0436 U	0.0475 U	0.0496 U	0.0542 U	0.0508 U	0.0522 U	NA	0.0495 U	0.0501 U	NA	0.0528 U	0.0486 U
4-Chloroaniline	~	~	~	0.051 U	0.0436 U	0.0475 U	0.0496 U	0.0542 U	0.0508 U	0.0522 U	NA	0.0495 U	0.0501 U	NA	0.0528 U	0.0486 U
4-Chlorophenyl Phenyl Ether	~	~	~	0.051 U	0.0436 U	0.0475 U	0.0496 U	0.0542 U	0.0508 U	0.0522 U	NA	0.0495 U	0.0501 U	NA	0.0528 U	0.0486 U
4-Nitroaniline	~	~	~	0.102 U	0.0871 U	0.0948 U	0.099 U	0.108 U	0.101 U	0.104 U	NA	0.0988 U	0.1 U	NA	0.105 U	0.0969 U
4-Nitrophenol	~	~	~	0.102 U	0.0871 U	0.0948 U	0.099 U	0.108 U	0.101 U	0.104 U	NA	0.0988 U	0.1 U	NA	0.105 U	0.0969 U
Acenaphthene	20	98	100	0.0789 JD	0.0436 U	0.184 D	0.0496 U	0.0542 U	0.0508 U	0.0522 U	NA	0.0495 U	0.0501 U	NA	0.0528 U	0.0486 U
Acenaphthylene	100	107	100	0.051 U	0.0436 U	0.18 D	0.0496 U	0.0542 U	0.0508 U	0.0522 U	NA	0.0495 U	0.0501 U	NA	0.0528 U	0.0486 U
Acetophenone	~	~	~	0.051 U	0.0436 U	0.0475 U	0.0496 U	0.0542 U	0.0508 U	0.0522 U	NA	0.0495 U	0.0501 U	NA	0.0528 U	0.0486 U
Aniline (Phenylamine, Aminobenzene)	~	~	~	0.204 U	0.174 U	0.19 U	0.198 U	0.216 U	0.203 U	0.209 U	NA	0.198 U	0.2 U	NA	0.211 U	0.194 U
Anthracene	100	1,000	100	0.152 D	0.0436 U	0.405 D	0.072 JD	0.0542 U	0.0818 JD	0.109 D	NA	0.0495 U	0.0501 U	NA	0.0977 JD	0.0486 U
Atrazine	~	~	~	0.051 U	0.0436 U	0.0475 U	0.0496 U	0.0542 U	0.0508 U	0.0522 U	NA	0.0495 U	0.0501 U	NA	0.0528 U	0.0486 U
Benzaldehyde	~	~	~	0.051 U	0.0436 U	0.0475 U	0.0496 U	0.0587 JD	0.0508 U	0.0522 U	NA	0.0495 U	0.0501 U	NA	0.0528 U	0.0486 U
Benzidine	~	~	~	0.204 U	0.174 U	0.19 U	0.198 U	0.216 U	0.203 U	0.209 U	NA	0.198 U	0.2 U	NA	0.211 U	0.194 U
Benzo(a)anthracene	1	1	1	0.286 D	0.0436 U	**1.37** D	0.236 D	0.0542 U	0.246 D	0.251 D	NA	0.0495 U	0.0501 U	NA	0.0927 JD	0.0486 U
Benzo(a)pyrene	1	22	1	0.251 D	0.0436 U	**1.61** D	0.227 D	0.0544 JD	0.268 D	0.24 D	NA	0.0495 U	0.0501 U	NA	0.0885 JD	0.0486 U
Benzo(b)fluoranthene	1	1.7	1	0.126 D	0.0436 U	**1.41** D	0.196 D	0.0542 U	0.213 D	0.19 D	NA	0.0495 U	0.0501 U	NA	0.0657 JD	0.0486 U
Benzo(g,h,i)Perylene	100	1,000	100	0.141 D	0.0436 U	0.928 D	0.118 D	0.0542 U	0.155 D	0.124 D	NA	0.0495 U	0.0501 U	NA	0.0632 JD	0.0486 U
Benzo(k)fluoranthene	0.8	1.7	3.9	0.143 D	0.0436 U	**1.22** D	0.192 D	0.0542 U	0.195 D	0.179 D	NA	0.0495 U	0.0501 U	NA	0.0632 JD	0.0486 U
Benzoic Acid	~	~	~	0.051 U	0.0436 U	0.0475 U	0.0496 U	0.0542 U	0.0508 U	0.0522 U	NA	0.0495 U	0.0501 U	NA	0.0528 U	0.0486 U
Benzyl Alcohol	~	~	~	0.051 U	0.0436 U	0.0475 U	0.0496 U	0.0542 U	0.0508 U	0.0522 U	NA	0.0495 U	0.0501 U	NA	0.0528 U	0.0486 U
Benzyl Butyl Phthalate	~	~	~	0.051 U	0.0436 U	0.0475 U	0.0496 U	0.0542 U	0.0508 U	0.0522 U	NA	0.0495 U	0.0501 U	NA	0.0528 U	0.336 D
Biphenyl (Diphenyl)	~	~	~	0.051 U	0.0436 U	0.0475 U	0.0496 U	0.0542 U	0.0508 U	0.0522 U	NA	0.0495 U	0.0501 U	NA	0.0528 U	0.0486 U
Bis(2-chloroethoxy) methane	~	~	~	0.051 U	0.0436 U	0.0475 U	0.0496 U	0.0542 U	0.0508 U	0.0522 U	NA	0.0495 U	0.0501 U	NA	0.0528 U	0.0486 U
Bis(2-chloroethyl) ether (2-chloroethyl ether)	~	~	~	0.051 U	0.0436 U	0.0475 U	0.0496 U	0.0542 U	0.0508 U	0.0522 U	NA	0.0495 U	0.0501 U	NA	0.0528 U	0.0486 U
Bis(2-chloroisopropyl) ether	~	~	~	0.051 U	0.0436 U	0.0475 U	0.0496 U	0.0542 U	0.0508 U	0.0522 U	NA	0.0495 U	0.0501 U	NA	0.0528 U	0.0486 U
Bis(2-ethylhexyl) phthalate	~	~	~	0.051 U	0.0436 U	0.132 D	0.0496 U	0.0542 U	0.0508 U	0.0522 U	NA	0.0495 U	0.0863 JD	NA	0.0528 U	0.0486 U
Caprolactam	~	~	~	0.102 U	0.0871 U	0.0948 U	0.099 U	0.108 U	0.101 U	0.104 U	NA	0.0988 U	0.1 U	NA	0.105 U	0.0969 U
Carbazole	~	~	~	0.051 U	0.0436 U	0.181 D	0.0496 U	0.0542 U	0.0508 U	0.0522 U	NA	0.0495 U	0.0501 U	NA	0.0528 U	0.0486 U
Chrysene	1	1	3.9	0.344 D	0.0436 U	**1.27** D	0.245 D	0.0542 U	0.231 D	0.231 D	NA	0.0495 U	0.0501 U	NA	0.091 JD	0.0486 U
Dibenz(a,h)anthracene	0.33	1,000	0.33	0.051 U	0.0436 U	**0.341** D	0.0496 U	0.0542 U	0.0508 U	0.0522 U	NA	0.0495 U	0.0501 U	NA	0.0528 U	0.0486 U
Dibenzofuran	7	210	59	0.051 U	0.0436 U	0.12 D	0.0496 U	0.0542 U	0.0508 U	0.0522 U	NA	0.0495 U	0.0501 U	NA	0.0528 U	0.0486 U
Dibutyl phthalate	~	~	~	0.051 U	0.0436 U	0.0475 U	0.0496 U	0.0542 U	0.0508 U	0.0522 U	NA	0.0495 U	0.0501 U	NA	0.0528 U	0.0486 U
Diethyl phthalate	~	~	~	0.051 U	0.0436 U	0.0475 U	0.0496 U	0.0542 U	0.0508 U	0.0522 U	NA	0.0495 U	0.0501 U	NA	0.0528 U	0.0486 U
Dimethyl phthalate	~	~	~	0.051 U	0.0436 U	0.0475 U	0.0496 U	0.0542 U	0.0508 U	0.0522 U	NA	0.0495 U	0.0501 U	NA	0.0528 U	0.0486 U
Dioctyl phthalate	~	~	~	0.051 U	0.0436 U	0.0475 U	0.0496 U	0.0542 U	0.0508 U	0.0522 U	NA	0.0495 U	0.0501 U	NA	0.0528 U	0.0486 U
Fluoranthene	100	1,000	100	0.44 D	0.0436 U	2.33 D	0.544 D	0.104 JD	0.547 D	0.645 D	NA	0.0577 JD	0.0501 U	NA	0.174 D	0.0736 JD
Fluorene	30	386	100	0.051 U	0.0436 U	0.206 D	0.0496 U	0.0542 U	0.0508 U	0.0522 U	NA	0.0495 U	0.0501 U	NA	0.0598 JD	0.0486 U
Hexachlorobenzene	0.33	3.2	1.2	0.051 U	0.0436 U	0.0475 U	0.0496 U	0.0542 U	0.0508 U	0.0522 U	NA	0.0495 U	0.0501 U	NA	0.0528 U	0.0486 U
Hexachlorobutadiene	~	~	~	0.051 U	0.0436 U	0.0475 U	0.0496 U	0.0542 U	0.0508 U	0.0522 U	NA	0.0495 U	0.0501 U	NA	0.0528 U	0.0486 U
Hexachlorocyclopentadiene	~	~	~	0.051 U	0.0436 U	0.0475 U	0.0496 U	0.0542 U	0.0508 U	0.0522 U	NA	0.0495 U	0.0501 U	NA	0.0528 U	0.0486 U
Hexachloroethane	~	~	~	0.051 U	0.0436 U	0.0475 U	0.0496 U	0.0542 U	0.0508 U	0.0522 U	NA	0.0495 U	0.0501 U	NA	0.0528 U	0.0486 U
Indeno(1,2,3-cd)pyrene	0.5	8.2	0.5	0.0902 JD	0.0436 U	**0.909** D	0.119 D	0.0542 U	0.137 D	0.119 D	NA	0.0495 U	0.0501 U	NA	0.0528 U	0.0486 U
Isophorone	~	~	~	0.051 U	0.0436 U	0.0475 U	0.0496 U	0.0542 U	0.0508 U	0.0522 U	NA	0.0495 U	0.0501 U	NA	0.0528 U	0.0486 U
Naphthalene	12	12	100	0.051 U	0.0436 U	0.314 D	0.0681 JD	0.0542 U	0.0508 U	0.0522 U	NA	0.0495 U	0.0501 U	NA	0.0528 U	0.0486 U
Nitrobenzene	~	~	~	0.051 U	0.0436 U	0.0475 U	0.0496 U	0.0542 U	0.0508 U	0.0522 U	NA	0.0495 U	0.0501 U	NA	0.0528 U	0.0486 U
n-Nitrosodimethylamine	~	~	~	0.051 U	0.0436 U	0.0475 U	0.0496 U	0.0542 U	0.0508 U	0.0522 U	NA	0.0495 U	0.0501 U	NA	0.0528 U	0.0486 U
n-Nitrosodi-N-Propylamine	~	~	~	0.051 U	0.0436 U	0.0475 U	0.0496 U	0.0542 U	0.0508 U	0.0522 U	NA	0.0495 U	0.0501 U	NA	0.0528 U	0.0486 U
n-Nitrosodiphenylamine	~	~	~	0.051 U	0.0436 U	0.0475 U	0.0496 U	0.0542 U	0.0508 U	0.0522 U	NA	0.0495 U	0.0501 U	NA	0.0528 U	0.0486 U
Pentachlorophenol	0.8	0.8	6.7	0.051 U	0.0436 U	0.0475 U	0.0496 U	0.0542 U	0.0508 U	0.0522 U	NA	0.0495 U	0.0501 U	NA	0.0528 U	0.0486 U
Phenanthrene	100	1,000	100	0.444 D	0.0436 U	1.48 D	0.373 D	0.0542 U	0.22 D	0.352 D	NA	0.0495 U	0.0501 U	NA	0.319 D	0.116 D
Phenol	0.33	0.33	100	0.051 U	0.0436 U	0.0475 U	0.0496 U	0.0542 U	0.0508 U	0.0522 U	NA	0.0495 U	0.0501 U	NA	0.0528 U	0.0486 U
Pyrene	100	1,000	100	0.795 D	0.0436 U	2.5 D	0.389 D	0.0786 JD	0.451 D	0.471 D	NA	0.0664 JD	0.0501 U	NA	0.216 D	0.0806 JD
Pyridine	~	~	~	NA	0.174 U	0.19 U	0.198 U	0.216 U	0.203 U	0.209 U	NA	0.198 U	0.2 U	NA	0.211 U	0.194 U

Notes provided on Page 7.
Concentrations above Unrestricted Use SCOs are bolded.
Concentrations above Protection of Groundwater SCOs are underlined.
Concentrations above Restricted Use Restricted-Residential SCOs are shaded.

Table 1A
Remedial Investigation Report
Soil Sample Analytical Results

460 West 41st Street Redevelopment Phase 2 (Wing A)
New York, New York
OER Regulatory Site No.: 20TMP0490M
Langan Project No.: 100674402

Location Sample ID Laboratory ID Sample Date Sample Depth (feet bsl)	NYSDEC Part 375 Unrestricted Use SCOs	NYSDEC Part 375 Protection of Groundwater SCOs	NYSDEC Part 375 Restricted Use Restricted-Residential SCOs	LSB-9 LSB-9 (0-2) 17K0876-05 11/20/2017 15-17	LSB-21 LSB-21_120518 18L0241-01 12/5/2018 13-15	LSB-21A LSB-21A_0-2_20210211 21B0426-04 2/11/2021 0-2	LSB-22 LSB-22_120618 18L0288-04 12/6/2018 12-14	LSB-22A LSB-22A_4-6_20210210 21B0347-01 2/10/2021 14.5-16.5	LSB-23 LSB-23_120618 18L0288-02 12/6/2018 12.5-14.5	LSB-23 DUP-6_120618 18L0288-03 12/6/2018 12.5-14.5	LSB-23A LSB-23A_0-2_20210211 21B0426-05 2/11/2021 11.5-13.5	LSB-23A LSB-23A_3-5_20210211 21B0426-06 2/11/2021 14.5-16.5	LSB-24 LSB-24_120618 18L0288-01 12/6/2018 16-18	LSB-24A LSB-24A_0-2_20210211 21B0426-07 2/11/2021 15-17	LSB-24A LSB-24A_3-5_20210211 21B0426-08 2/11/2021 18-20	LSB-24A LSB-24A_5-7_20210211 21B0426-09 2/11/2021 20-22
Pesticides (mg/kg)																	
4,4'-DDD	0.0033	14	13	NA	0.00172 U	0.00188 U	0.00196 U	0.00215 U	0.00201 U	0.00206 U	0.00186 U	0.00191 U	0.00198 U	0.00189 U	0.00206 U	0.00195 U
4,4'-DDE	0.0033	17	8.9	NA	0.00172 U	0.00188 U	0.00196 U	0.00215 U	0.00201 U	0.00206 U	0.00186 U	0.00191 U	0.00198 U	0.00189 U	0.00206 U	0.00195 U
4,4'-DDT	0.0033	136	7.9	NA	0.00172 U	**0.0187** D	0.00196 U	0.00215 U	0.00201 U	0.00206 U	0.00186 U	0.00191 U	0.00198 U	0.00189 U	0.00206 U	0.00195 U
Aldrin	0.005	0.19	0.097	NA	0.00172 U	0.00188 U	0.00196 U	0.00215 U	0.00201 U	0.00206 U	0.00186 U	0.00191 U	0.00198 U	0.00189 U	0.00206 U	0.00195 U
Alpha BHC (Alpha Hexachlorocyclohexane)	0.02	0.02	0.48	NA	0.00172 U	0.00188 U	0.00196 U	0.00215 U	0.00201 U	0.00206 U	0.00186 U	0.00191 U	0.00198 U	0.00189 U	0.00206 U	0.00195 U
Alpha Chlordane	0.094	2.9	4.2	NA	0.00172 U	0.00188 U	0.00196 U	0.00215 U	0.00201 U	0.00206 U	0.00186 U	0.00191 U	0.00198 U	0.00189 U	0.00206 U	0.00195 U
Alpha Endosulfan	2.4	102	24	NA	0.00172 U	0.00188 U	0.00196 U	0.00215 U	0.00201 U	0.00206 U	0.00186 U	0.00191 U	0.00198 U	0.00189 U	0.00206 U	0.00195 U
Beta Bhc (Beta Hexachlorocyclohexane)	0.036	0.09	0.36	NA	0.00172 U	0.00188 U	0.00196 U	0.00215 U	0.00201 U	0.00206 U	0.00186 U	0.00191 U	0.00198 U	0.00189 U	0.00206 U	0.00195 U
Beta Endosulfan	2.4	102	24	NA	0.00172 U	0.00188 U	0.00196 U	0.00215 U	0.00201 U	0.00206 U	0.00186 U	0.00191 U	0.00198 U	0.00189 U	0.00206 U	0.00195 U
Chlordane (alpha and gamma)	~	~	~	NA	0.0344 U	0.0376 U	0.0392 U	0.043 U	0.0401 U	0.0411 U	0.0373 U	0.0382 U	0.0396 U	0.0379 U	0.0412 U	0.039 U
Delta Bhc (Delta Hexachlorocyclohexane)	0.04	0.25	100	NA	0.00172 U	0.00188 U	0.00196 U	0.00215 U	0.00201 U	0.00206 U	0.00186 U	0.00191 U	0.00198 U	0.00189 U	0.00206 U	0.00195 U
Dieldrin	0.005	0.1	0.2	NA	0.00172 U	0.00445 D	0.00196 U	0.00215 U	0.00201 U	0.00206 U	0.00186 U	0.00191 U	0.00198 U	0.00189 U	0.00206 U	0.00195 U
Endosulfan Sulfate	2.4	1,000	24	NA	0.00172 U	0.00188 U	0.00196 U	0.00215 U	0.00201 U	0.00206 U	0.00186 U	0.00191 U	0.00198 U	0.00189 U	0.00206 U	0.00195 U
Endrin	0.014	0.06	11	NA	0.00172 U	0.00188 U	0.00196 U	0.00215 U	0.00201 U	0.00206 U	0.00186 U	0.00191 U	0.00198 U	0.00189 U	0.00206 U	0.00195 U
Endrin Aldehyde	~	~	~	NA	0.00172 U	0.00188 U	0.00196 U	0.00215 U	0.00201 U	0.00206 U	0.00186 U	0.00191 U	0.00198 U	0.00189 U	0.00206 U	0.00195 U
Endrin Ketone	~	~	~	NA	0.00172 U	0.00188 U	0.00196 U	0.00215 U	0.00201 U	0.00206 U	0.00186 U	0.00191 U	0.00198 U	0.00189 U	0.00206 U	0.00195 U
Gamma Bhc (Lindane)	0.1	0.1	1.3	NA	0.00172 U	0.00188 U	0.00196 U	0.00215 U	0.00201 U	0.00206 U	0.00186 U	0.00191 U	0.00198 U	0.00189 U	0.00206 U	0.00195 U
Gamma-Chlordane	~	~	~	NA	0.00172 U	0.00188 U	0.00196 U	0.00215 U	0.00201 U	0.00206 U	0.00186 U	0.00191 U	0.00198 U	0.00189 U	0.00206 U	0.00195 U
Heptachlor	0.042	0.38	2.1	NA	0.00172 U	0.00188 U	0.00196 U	0.00215 U	0.00201 U	0.00206 U	0.00186 U	0.00191 U	0.00198 U	0.00189 U	0.00206 U	0.00195 U
Heptachlor Epoxide	~	~	~	NA	0.00172 U	0.00188 U	0.00196 U	0.00215 U	0.00201 U	0.00206 U	0.00186 U	0.00191 U	0.00198 U	0.00189 U	0.00206 U	0.00195 U
Methoxychlor	~	~	~	NA	0.00861 U	0.00188 U	0.0098 U	0.00215 U	0.01 U	0.0103 U	0.00186 U	0.00191 U	0.00989 U	0.00189 U	0.00206 U	0.00195 U
Toxaphene	~	~	~	NA	0.0871 U	0.188 U	0.0992 U	0.215 U	0.102 U	0.104 U	0.186 U	0.191 U	0.1 U	0.189 U	0.206 U	0.195 U
Polychlorinated Biphenyls (mg/kg)																	
PCB-1016 (Aroclor 1016)	~	~	~	NA	0.0174 U	0.019 U	0.0198 U	0.0217 U	0.0203 U	0.0208 U	0.0188 U	0.0193 U	0.02 U	0.0191 U	0.0208 U	0.0197 U
PCB-1221 (Aroclor 1221)	~	~	~	NA	0.0174 U	0.019 U	0.0198 U	0.0217 U	0.0203 U	0.0208 U	0.0188 U	0.0193 U	0.02 U	0.0191 U	0.0208 U	0.0197 U
PCB-1232 (Aroclor 1232)	~	~	~	NA	0.0174 U	0.019 U	0.0198 U	0.0217 U	0.0203 U	0.0208 U	0.0188 U	0.0193 U	0.02 U	0.0191 U	0.0208 U	0.0197 U
PCB-1242 (Aroclor 1242)	~	~	~	NA	0.0174 U	0.019 U	0.0198 U	0.0217 U	0.0203 U	0.0208 U	0.0188 U	0.0193 U	0.02 U	0.0191 U	0.0208 U	0.0197 U
PCB-1248 (Aroclor 1248)	~	~	~	NA	0.0174 U	0.019 U	0.0198 U	0.0217 U	0.0203 U	0.0208 U	0.0188 U	0.0193 U	0.02 U	0.0191 U	0.0208 U	0.0197 U
PCB-1254 (Aroclor 1254)	~	~	~	NA	0.0174 U	0.019 U	0.0198 U	0.0217 U	0.0203 U	0.0208 U	0.0188 U	0.0193 U	0.02 U	0.0191 U	0.0208 U	0.0197 U
PCB-1260 (Aroclor 1260)	~	~	~	NA	0.0174 U	0.0363	0.0198 U	0.0217 U	0.0203 U	0.0208 U	0.0188 U	0.0193 U	0.02 U	0.0191 U	0.0208 U	0.0197 U
Total PCBs	0.1	3.2	1	NA	0.0174 U	0.0363	0.0198 U	0.0217 U	0.0203 U	0.0208 U	0.0188 U	0.0193 U	0.02 U	0.0191 U	0.0208 U	0.0197 U
Inorganics (mg/kg)																	
Aluminum	~	~	~	10,300	12,200 B	8,170	8,530 B	10,100	10,000 B	9,250 B	NA	13,100	8,120 B	NA	11,900	4,750
Antimony	~	~	~	2.09	2.61 U	17.4	2.99 U	3.28 U	3.04 U	3.13 U	NA	2.98 U	3 U	NA	3.2 U	2.96 U
Arsenic	13	16	16	1.79	1.57 U	1.84	1.79 U	2.27	1.82 U	1.88 U	NA	1.79 U	1.8 U	NA	1.92 U	1.78 U
Barium	350	820	400	86.7	107	**562**	215	111	49.5	69.5	NA	53	79.1	NA	72.1	44.2
Beryllium	7.2	47	72	0.122 U	0.052 U	0.057 U	0.06 U	0.066 U	0.07	0.063 U	NA	0.06 U	0.06 U	NA	0.064 U	0.059 U
Cadmium	2.5	7.5	4.3	0.366 U	0.313 U	**3.93**	0.358 U	0.394 U	0.365 U	0.376 U	NA	0.358 U	0.36 U	NA	0.384 U	0.356 U
Calcium	~	~	~	6,020	1,680	52,200 B	9,940	9,890 B	4,240	11,100	NA	1,090 B	17,900	NA	37,000 B	26,800 B
Chromium, Hexavalent	1	19	110	0.61 U	0.522 U	0.574 U	0.597 U	0.657 U	0.608 U	0.627 U	NA	0.596 U	0.601 U	NA	0.64 U	0.593 U
Chromium, Total	~	~	~	14.4	15.9	25.8	16.4	18.8	15.8	14.2	NA	15.7	12.3	NA	13.6	7.1
Chromium, Trivalent	30	~	180	NA	15.9	25.8	16.4	18.8	15.8	14.2	NA	15.7	12.3	NA	13.6	7.1
Cobalt	~	~	~	7.52	18.7	6.19	6.71	8.21	6.58	6.28	NA	6.25	6.77	NA	8.68	3.14
Copper	50	1,720	270	16.3 B	34.7	49.1	24.7	30.2	25.5	24.7	NA	15	19.5	NA	**50.8**	14.4
Cyanide	27	40	27	NA	NA	0.792	NA	0.657 U	NA	NA	NA	0.596 U	NA	NA	0.64 U	0.593 U
Iron	~	~	~	20,500	17,100	22,100	14,100	16,600	16,200	15,200	NA	15,900	14,000	NA	19,200	8,980
Lead	63	450	400	49.4 B	5.19 B	**3,050**	**285** B	**136**	**64.3** B	60.3 B	NA	18.9	50.9 B	NA	46.5	28.3
Magnesium	~	~	~	2,880	8,350	6,290	2,690	3,260	2,800	2,690	NA	3,070	2,760	NA	3,820	2,090
Manganese	1,600	2,000	2,000	988	142	310	216	188	166	191	NA	130	190	NA	332	250
Mercury	0.18	0.73	0.81	0.0794	0.0313 U	**0.533**	**0.412**	0.0433 U	**0.198**	**0.263**	NA	0.0407	0.14	NA	**0.414**	**0.473**
Nickel	30	130	310	0.61 U	**31.4**	29.3	14.5	18.2	15.5	14.1	NA	15.4	13.1	NA	13.8	7.67
Potassium	~	~	~	858	7,210 B	929 B	1,380 B	1,870	781 B	852 B	NA	1,060 B	1,790 B	NA	1,160 B	604 B
Selenium	3.9	4	180	**15.7** B	2.61 U	2.87 U	2.99 U	3.28 U	3.04 U	3.13 U	NA	2.98 U	3 U	NA	3.2 U	2.96 U
Silver	2	8.3	180	0.61 U	0.522 U	0.574 U	0.597 U	0.657 U	0.608 U	0.627 U	NA	0.596 U	0.601 U	NA	0.64 U	0.593 U
Sodium	~	~	~	1,070	236	457	181	334	691	787	NA	765	885	NA	1,410	497
Thallium	~	~	~	1.22 U	2.61 U	2.87 U	2.99 U	3.28 U	3.04 U	3.13 U	NA	2.98 U	3 U	NA	3.2 U	2.96 U
Vanadium	~	~	~	20.2	17.9	21.4	18.2	22.6	18.2	17.1	NA	24.4	16.7	NA	46.6	10.6
Zinc	109	2,480	10,000	50.7	31.8	**463** B	105	86 B	99.2	**114**	NA	43.2 B	52.7	NA	59.2 B	38.3 B
General Chemistry (%)																	
Solids, Percent	~	~	~	82	95.8	87.1	83.7	76.2	82.2	79.8	87.1	83.8	83.2	84.5	78.1	84.4

Notes provided on Page 7.
Concentrations above Unrestricted Use SCOs are bolded.
Concentrations above Protection of Groundwater SCOs are underlined.
Concentrations above Restricted Use Restricted-Residential SCOs are shaded.

Table 1A
Remedial Investigation Report
Soil Sample Analytical Results

460 West 41st Street Redevelopment Phase 2 (Wing A)
New York, New York
OER Regulatory Site No.: 20TMP0490M
Langan Project No.: 100674402

Notes:

1. Soil sample analytical results are compared to the New York State Department of Environmental Conservation (NYSDEC) Title 6 of the Official Compilation of New York Codes, Rules, and Regulations (NYCRR) Part 375 Unrestricted Use, Protection of Groundwater and Restricted Use Restricted-Residential Soil Cleanup
2. Detected analytical results above Unrestricted Use SCOs are bolded.
3. Detected analytical results above Protection of Groundwater SCOs are underlined.
4. Detected analytical results above Restricted Use Restricted-Residential SCOs are shaded.
5. Analytical results with reporting limits (RL) above the lowest applicable criteria are italicized.
6. Sample DUP-1_112117 is a duplicate sample of LSB-5 (1-3); sample DUP-6_120618 is a duplicate sample of LSB-23_120618 and sample DUP01_20210211 is a duplicate sample of LSB-2A_11-13_20210211.
7. ~ = Regulatory limit for this analyte does not exist
8. bsl = below sidewalk level
9. mg/kg = milligrams per kilogram
10. % = percent
11. NA = Not analyzed
12. ND = Not detected

Qualifiers:

D = The concentration reported is a result of a diluted sample.
J = The analyte was detected above the Method Detection Limit (MDL), but below the RL; therefore, the result is an estimated concentration.
U = The analyte was analyzed for, but was not detected at a level greater than or equal to the RL; the value shown in the table is the RL.
B = The analyte was found in the associated analysis batch blank.

Table 1B
Remedial Investigation Report
Soil Sample Analytical Results - PFAS

460 West 41st Street Redevelopment Phase 2 (Wing A)
New York, New York
OER Regulatory Site No.: 20TMP0490M
Langan Project No.: 100674402

Location Sample ID Laboratory ID Sample Date Sample Depth (feet bsl)	NYSDEC Part 375 Unrestricted Use Guidance Values	NYSDEC Part 375 Protection of Groundwater Guidance Values	NYSDEC Part 375 Restricted Use Restricted-Residential Guidance Values	LSB-2A LSB-2A_0-2_20210211 21B0426-01 2/11/2021 0-2	
Per and Polyfluoroalkyl Substances (ppb)					
N-ethyl perfluorooctane- sulfonamidoacetic Acid (NEtFOSAA)	~	~	~	0.55	U
N-methyl perfluorooctane- sulfonamidoacetic Acid (NMeFOSAA)	~	~	~	0.55	U
Perfluorobutanesulfonic Acid (PFBS)	~	~	~	0.55	U
Perfluorobutanoic acid (PFBA)	~	~	~	0.55	U
Perfluorodecanesulfonic Acid (PFDS)	~	~	~	0.55	U
Perfluorodecanoic Acid (PFDA)	~	~	~	0.55	U
Perfluorododecanoic Acid (PFDoA)	~	~	~	0.55	U
Perfluoroheptanesulfonic Acid (PFHpS)	~	~	~	0.55	U
Perfluoroheptanoic acid (PFHpA)	~	~	~	0.55	U
Perfluorohexanesulfonic Acid (PFHxS)	~	~	~	0.55	U
Perfluorohexanoic Acid (PFHxA)	~	~	~	0.55	U
Perfluorononanoic Acid (PFNA)	~	~	~	0.55	U
Perfluorooctanesulfonamide (FOSA)	~	~	~	0.55	U
Perfluorooctanesulfonic Acid (PFOS)	0.88	3.7	44	**10.7**	
Perfluorooctanoic Acid (PFOA)	0.66	1.1	33	0.55	U
Perfluoropentanoic Acid (PFPeA)	~	~	~	0.55	U
Perfluorotetradecanoic Acid (PFTA)	~	~	~	0.55	U
Perfluorotridecanoic Acid (PFTrDA)	~	~	~	0.55	U
Perfluoroundecanoic Acid (PFUnA)	~	~	~	0.55	U
Sodium 1H,1H,2H,2H-Perfluorodecane Sulfonate (8:2) (8:2FTS)	~	~	~	0.55	U
Sodium 1H,1H,2H,2H-Perfluorooctane Sulfonate (6:2) (6:2FTS)	~	~	~	0.55	U

Notes:
1. Soil sample analytical results are compared to the New York State Department of Environmental Conservation (NYSDEC) Part 375 Remedial Programs Guidelines for Sampling and Analysis of Per- and Polyfluoroalkyl Substances (PFAS) Unrestricted Use and Restricted Use Restricted-Residential Guidance Values (Janurary 2021).
2. Detected analytical results above Unrestricted Use Guidance Values are bolded.
3. Detected analytical results above Protection of Groundwater Guidance Values are bolded.
4. Detected analytical results above Restricted Use Restricted-Residential Guidance Values are bolded.
5. ~ = Regulatory limit for this analyte does not exist
6. bsl = below sidewalk level
7. ppb = parts per billion

Qualifiers:
U = The analyte was analyzed for, but was not detected at a level greater than or equal to the Reporting Limit (RL); the value shown in the table is the RL.

Table 2
Waste Characterization report
Soil Sample Analytical Results - NY

460 West 41st Street Redevelopment Phase 2 (Wing A)
New York, New York
Regulatory Site No.: 20TMP0490M, 20EH-N114M
Langan Project No.: 100674402

Location Sample ID Laboratory ID Sample Date Sample Depth (feet bsl)	NYSDEC Part 375 Unrestricted Use SCOs	NYSDEC Part 375 Protection of Groundwater SCOs	NYSDEC Part 375 Restricted Use Restricted-Residential SCOs	WC-1A WC-1A_021121 21B0416-01 2/11/2021 0-9 (0-0.5)		WC-1B WC-1B_021121 21B0416-02 2/11/2021 9-18 (14-14.5)		WC-1B DUP01_021121 21B0416-07 2/11/2021 9-18 (14-14.5)		WC-2 WC-2_021121 21B0416-03 2/11/2021 10.5-18 (10.5-11)		WC-3 WC-3_021021 / WC-3_021121 21B0345-02 / 21B0416-04 2/10/2021 / 2/11/2021 10.5-18 (12.5-13)		WC-4 WC-4_021121 21B0416-05 2/11/2021 15-21.5 (19.5-20)		WC-5 WC-5_021121 21B0416-06 2/11/2021 18-27.5 (24-24.5)	
Volatile Organic Compounds (mg/kg)																	
1,1,1,2-Tetrachloroethane	~	~	~	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
1,1,1-Trichloroethane	0.68	0.68	100	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
1,1,2,2-Tetrachloroethane	~	~	~	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
1,1,2-Trichloro-1,2,2-Trifluoroethane	~	~	~	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
1,1,2-Trichloroethane	~	~	~	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
1,1-Dichloroethane	0.27	0.27	26	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
1,1-Dichloroethene	0.33	0.33	100	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
1,1-Dichloropropene	~	~	~	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
1,2,3-Trichlorobenzene	~	~	~	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
1,2,3-Trichloropropane	~	~	~	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
1,2,4-Trichlorobenzene	~	~	~	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
1,2,4-Trimethylbenzene	3.6	3.6	52	0.0022	U	0.0057		0.0039	J	0.0021	U	0.0021	U	0.0022	U	0.0043	U
1,2-Dibromo-3-Chloropropane	~	~	~	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
1,2-Dibromoethane (Ethylene Dibromide)	~	~	~	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
1,2-Dichlorobenzene	1.1	1.1	100	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
1,2-Dichloroethane	0.02	0.02	3.1	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0053	J
1,2-Dichloropropane	~	~	~	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
1,3,5-Trimethylbenzene (Mesitylene)	8.4	8.4	52	0.0022	U	0.0025	J	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
1,3-Dichlorobenzene	2.4	2.4	49	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
1,3-Dichloropropane	~	~	~	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
1,4-Dichlorobenzene	1.8	1.8	13	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
1,4-Dioxane (P-Dioxane)	0.1	0.1	13	0.043	U	0.043	U	0.058	U	0.042	U	0.042	U	0.044	U	0.085	U
2,2-Dichloropropane	~	~	~	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
2-Chlorotoluene	~	~	~	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
2-Hexanone	~	~	~	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
4-Chlorotoluene	~	~	~	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
Acetone	0.05	0.05	100	0.0043	U	0.016		0.035		0.027		0.035		0.018		**0.06**	
Acrolein	~	~	~	0.0043	U	0.0043	U	0.0058	U	0.0042	U	0.0042	U	0.0044	U	0.0085	U
Acrylonitrile	~	~	~	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
Benzene	0.06	0.06	4.8	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
Bromobenzene	~	~	~	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
Bromochloromethane	~	~	~	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
Bromodichloromethane	~	~	~	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
Bromoform	~	~	~	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
Bromomethane	~	~	~	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
Carbon Disulfide	~	~	~	0.0022	U	0.0021	U	0.0029	U	0.0021	J	0.0021	U	0.0022	U	0.0043	U
Carbon Tetrachloride	0.76	0.76	2.4	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
Chlorobenzene	1.1	1.1	100	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
Chloroethane	~	~	~	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
Chloroform	0.37	0.37	49	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
Chloromethane	~	~	~	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
Cis-1,2-Dichloroethene	0.25	0.25	100	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
Cis-1,3-Dichloropropene	~	~	~	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
Cyclohexane	~	~	~	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
Dibromochloromethane	~	~	~	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
Dibromomethane	~	~	~	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
Dichlorodifluoromethane	~	~	~	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
Ethylbenzene	1	1	41	0.0022	U	0.0032	J	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
Hexachlorobutadiene	~	~	~	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
Isopropylbenzene (Cumene)	~	~	~	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
M,P-Xylene	~	~	~	0.0043	U	0.0054	J	0.0058	U	0.0042	U	0.0042	U	0.0044	U	0.0085	U
Methyl Acetate	~	~	~	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
Methyl Ethyl Ketone (2-Butanone)	0.12	0.12	100	0.0027	J	0.0046		0.0089		0.0031	J	0.0074		0.0049		0.017	
Methyl Isobutyl Ketone (4-Methyl-2-Pentanone)	~	~	~	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
Methylcyclohexane	~	~	~	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
Methylene Chloride	0.05	0.05	100	0.0043	U	0.0043	U	0.0058	U	0.0042	U	0.0042	U	0.0044	U	0.0085	U
n-Butylbenzene	12	12	100	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
n-Propylbenzene	3.9	3.9	100	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
o-Xylene (1,2-Dimethylbenzene)	~	~	~	0.0022	U	0.0033	J	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
p-Cymene (p-Isopropyltoluene)	~	~	~	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
Sec-Butylbenzene	11	11	100	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
Styrene	~	~	~	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
T-Butylbenzene	5.9	5.9	100	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
Tert-Butyl Alcohol	~	~	~	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
Tert-Butyl Methyl Ether	0.93	0.93	100	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
Tetrachloroethene (PCE)	1.3	1.3	19	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
Toluene	0.7	0.7	100	0.0022	U	0.0023	J	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
Total Xylenes	0.26	1.6	100	0.0065	U	0.0088	J	0.0087	U	0.0063	U	0.0063	U	0.0066	U	0.013	U
Trans-1,2-Dichloroethene	0.19	0.19	100	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
Trans-1,3-Dichloropropene	~	~	~	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
Trichloroethene (TCE)	0.47	0.47	21	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
Trichlorofluoromethane	~	~	~	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
Vinyl Acetate	~	~	~	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	U
Vinyl Chloride	0.02	0.02	0.9	0.0022	U	0.0021	U	0.0029	U	0.0021	U	0.0021	U	0.0022	U	0.0043	e

Notes provided on Page 4.
Concentrations above Unrestricted Use SCOs are bolded.
Concentrations above Protection of Groundwater SCOs are underlined.
Concentrations above Restricted Use Restricted-Residential SCOs are shaded.

Table 2
Waste Characterization report
Soil Sample Analytical Results - NY

460 West 41st Street Redevelopment Phase 2 (Wing A)
New York, New York
Regulatory Site No.: 20TMP0490M, 20EH-N114M
Langan Project No.: 100674402

Location Sample ID Laboratory ID Sample Date Sample Depth (feet bsl)	NYSDEC Part 375 Unrestricted Use SCOs	NYSDEC Part 375 Protection of Groundwater SCOs	NYSDEC Part 375 Restricted Use Restricted-Residential SCOs	WC-1A WC-1A_021121 21B0416-01 2/11/2021 0-9 (0-0.5)		WC-1B WC-1B_021121 21B0416-02 2/11/2021 9-18 (14-14.5)		WC-1B DUP01_021121 21B0416-07 2/11/2021 9-18 (14-14.5)		WC-2 WC-2_021121 21B0416-03 2/11/2021 10.5-18 (10.5-11)		WC-3 WC-3_021021 / WC-3_021121 21B0345-02 / 21B0416-04 2/10/2021 / 2/11/2021 10.5-18 (12.5-13)		WC-4 WC-4_021121 21B0416-05 2/11/2021 15-21.5 (19.5-20)		WC-5 WC-5_021121 21B0416-06 2/11/2021 18-27.5 (24-24.5)	
Semivolatile Organic Compounds (mg/kg)																	
1,2,4,5-Tetrachlorobenzene	~	~	~	0.0979	U	0.098	U	0.099	U	0.106	U	0.1	U	0.0987	U	0.101	U
1,2,4-Trichlorobenzene	~	~	~	0.0491	U	0.0491	U	0.0496	U	0.0529	U	0.0503	U	0.0495	U	0.0507	U
1,2-Dichlorobenzene	1.1	1.1	100	0.0491	U	0.0491	U	0.0496	U	0.0529	U	0.0503	U	0.0495	U	0.0507	U
1,2-Diphenylhydrazine	~	~	~	0.0491	U	0.0491	U	0.0496	U	0.0529	U	0.0503	U	0.0495	U	0.0507	U
1,3-Dichlorobenzene	2.4	2.4	49	0.0491	U	0.0491	U	0.0496	U	0.0529	U	0.0503	U	0.0495	U	0.0507	U
1,4-Dichlorobenzene	1.8	1.8	13	0.0491	U	0.0491	U	0.0496	U	0.0529	U	0.0503	U	0.0495	U	0.0507	U
2,3,4,6-Tetrachlorophenol	~	~	~	0.0979	U	0.098	U	0.099	U	0.106	U	0.1	U	0.0987	U	0.101	U
2,4,5-Trichlorophenol	~	~	~	0.0491	U	0.0491	U	0.0496	U	0.0529	U	0.0503	U	0.0495	U	0.0507	U
2,4,6-Trichlorophenol	~	~	~	0.0491	U	0.0491	U	0.0496	U	0.0529	U	0.0503	U	0.0495	U	0.0507	U
2,4-Dichlorophenol	~	~	~	0.0491	U	0.0491	U	0.0496	U	0.0529	U	0.0503	U	0.0495	U	0.0507	U
2,4-Dimethylphenol	~	~	~	0.113	D	0.268	D	0.115	D	0.0529	U	0.0503	U	0.0495	U	0.0507	U
2,4-Dinitrophenol	~	~	~	0.0979	U	0.098	U	0.099	U	0.106	U	0.1	U	0.0987	U	0.101	U
2,4-Dinitrotoluene	~	~	~	0.0491	U	0.0491	U	0.0496	U	0.0529	U	0.0503	U	0.0495	U	0.0507	U
2,6-Dinitrotoluene	~	~	~	0.0491	U	0.0491	U	0.0496	U	0.0529	U	0.0503	U	0.0495	U	0.0507	U
2-Chloronaphthalene	~	~	~	0.0491	U	0.0491	U	0.0496	U	0.0529	U	0.0503	U	0.0495	U	0.0507	U
2-Chlorophenol	~	~	~	0.0491	U	0.0491	U	0.0496	U	0.0529	U	0.0503	U	0.0495	U	0.0507	U
2-Methylnaphthalene	~	~	~	2.93	D	9.68	D	4.16	D	0.0734	JD	0.0503	U	0.0495	U	0.0507	U
2-Methylphenol (o-Cresol)	0.33	0.33	100	0.0642	JD	0.187	D	0.0799	JD	0.0529	U	0.0503	U	0.0495	U	0.0507	U
2-Nitroaniline	~	~	~	0.0979	U	0.098	U	0.099	U	0.106	U	0.1	U	0.0987	U	0.101	U
2-Nitrophenol	~	~	~	0.0491	U	0.0491	U	0.0496	U	0.0529	U	0.0503	U	0.0495	U	0.0507	U
3 & 4 Methylphenol (m&p Cresol)	0.33	0.33	100	0.142	D	**0.396**	D	0.175	D	0.0529	U	0.0674	JD	0.0495	U	0.0507	U
3,3'-Dichlorobenzidine	~	~	~	0.0491	U	0.0491	U	0.0496	U	0.0529	U	0.0503	U	0.0495	U	0.0507	U
3-Nitroaniline	~	~	~	0.0979	U	0.098	U	0.099	U	0.106	U	0.1	U	0.0987	U	0.101	U
4,6-Dinitro-2-Methylphenol	~	~	~	0.0979	U	0.098	U	0.099	U	0.106	U	0.1	U	0.0987	U	0.101	U
4-Bromophenyl Phenyl Ether	~	~	~	0.0491	U	0.0491	U	0.0496	U	0.0529	U	0.0503	U	0.0495	U	0.0507	U
4-Chloro-3-Methylphenol	~	~	~	0.0491	U	0.0491	U	0.0496	U	0.0529	U	0.0503	U	0.0495	U	0.0507	U
4-Chloroaniline	~	~	~	0.0491	U	0.0491	U	0.0496	U	0.0529	U	0.0503	U	0.0495	U	0.0507	U
4-Chlorophenyl Phenyl Ether	~	~	~	0.0491	U	0.0491	U	0.0496	U	0.0529	U	0.0503	U	0.0495	U	0.0507	U
4-Nitroaniline	~	~	~	0.0979	U	0.098	U	0.099	U	0.106	U	0.1	U	0.0987	U	0.101	U
4-Nitrophenol	~	~	~	0.0979	U	0.098	U	0.099	U	0.106	U	0.1	U	0.0987	U	0.101	U
Acenaphthene	20	98	100	3.1	D	10.7	D	4.51	D	0.0751	JD	0.0503	U	0.0495	U	0.0507	U
Acenaphthylene	100	107	100	0.683	D	1.17	D	0.64	D	0.0529	U	0.0503	U	0.0495	U	0.0507	U
Acetophenone	~	~	~	0.0491	U	0.0491	U	0.0496	U	0.0529	U	0.0503	U	0.0495	U	0.0507	U
Aniline (Phenylamine, Aminobenzene)	~	~	~	0.196	U	0.196	U	0.198	U	0.211	U	0.201	U	0.198	U	0.203	U
Anthracene	100	1000	100	5.82	D	14.1	D	6.05	D	0.116	D	0.0503	U	0.0495	U	0.0507	U
Atrazine	~	~	~	0.0491	U	0.0491	U	0.0496	U	0.0529	U	0.0503	U	0.0495	U	0.0507	U
Benzaldehyde	~	~	~	0.0491	U	0.0491	U	0.0496	U	0.0529	U	0.0503	U	0.0495	U	0.0507	U
Benzidine	~	~	~	0.196	U	0.196	U	0.198	U	0.211	U	0.201	U	0.198	U	0.203	U
Benzo(a)anthracene	1	1	1	**10.6**	D	**25.9**	D	**10.8**	D	0.219	D	0.0503	U	0.0495	U	0.0507	U
Benzo(a)pyrene	1	22	1	**8.44**	D	**22.5**	D	**9.45**	D	0.214	D	0.0503	U	0.0495	U	0.0582	JD
Benzo(b)fluoranthene	1	1.7	1	**7.66**	D	**21.4**	D	**8.95**	D	0.187	D	0.0503	U	0.0495	U	0.0507	U
Benzo(g,h,i)Perylene	100	1000	100	4.81	D	13.7	D	5.83	D	0.154	D	0.0503	U	0.0495	U	0.0507	U
Benzo(k)fluoranthene	0.8	1.7	3.9	**6.6**	D	**16.9**	D	**7.34**	D	0.161	D	0.0503	U	0.0495	U	0.0507	U
Benzoic Acid	~	~	~	0.0491	U	0.0491	U	0.0496	U	0.0529	U	0.0503	U	0.0495	U	0.0507	U
Benzyl Alcohol	~	~	~	0.0491	U	0.0491	U	0.0496	U	0.0529	U	0.0503	U	0.0495	U	0.0507	U
Benzyl Butyl Phthalate	~	~	~	0.0491	U	0.0491	U	0.0496	U	0.0529	U	0.595	D	0.0495	U	0.0507	U
Biphenyl (Diphenyl)	~	~	~	0.559	D	1.4	D	0.634	D	0.0529	U	0.0503	U	0.0495	U	0.0507	U
Bis(2-chloroethoxy) methane	~	~	~	0.0491	U	0.0491	U	0.0496	U	0.0529	U	0.0503	U	0.0495	U	0.0507	U
Bis(2-chloroethyl) ether (2-chloroethyl ether)	~	~	~	0.0491	U	0.0491	U	0.0496	U	0.0529	U	0.0503	U	0.0495	U	0.0507	U
Bis(2-chloroisopropyl) ether	~	~	~	0.0491	U	0.0491	U	0.0496	U	0.0529	U	0.0503	U	0.0495	U	0.0507	U
Bis(2-ethylhexyl) phthalate	~	~	~	0.0491	U	0.0491	U	0.0496	U	0.0529	U	0.0503	U	0.0495	U	0.0507	U
Caprolactam	~	~	~	0.0979	U	0.098	U	0.099	U	0.106	U	0.1	U	0.0987	U	0.101	U
Carbazole	~	~	~	2.23	D	8.81	D	2.74	D	0.0667	JD	0.0503	U	0.0495	U	0.0507	U
Chrysene	1	1	3.9	**10.1**	D	**23.6**	D	**10.3**	D	0.206	D	0.0503	U	0.0495	U	0.0507	U
Dibenz(a,h)anthracene	0.33	1000	0.33	**1.78**	D	**5.54**	D	**2.35**	D	0.0529	U	0.0503	U	0.0495	U	0.0507	U
Dibenzofuran	7	210	59	2.3	D	**7.97**	D	2.62	D	0.0574	JD	0.0503	U	0.0495	U	0.0507	U
Dibutyl phthalate	~	~	~	0.0491	U	0.0491	U	0.0496	U	0.0529	U	0.0503	U	0.0495	U	0.0507	U
Diethyl phthalate	~	~	~	0.0491	U	0.0491	U	0.0496	U	0.0529	U	0.0503	U	0.0495	U	0.0507	U
Dimethyl phthalate	~	~	~	0.0491	U	0.0491	U	0.0496	U	0.0529	U	0.0503	U	0.0495	U	0.0507	U
Dioctyl phthalate	~	~	~	0.0491	U	0.0491	U	0.0496	U	0.0529	U	0.0503	U	0.0495	U	0.0507	U
Fluoranthene	100	1000	100	24.2	D	59.4	D	23.7	D	0.52	D	0.0503	U	0.106	D	0.0507	U
Fluorene	30	386	100	4.89	D	12.6	D	5.09	D	0.0928	JD	0.0503	U	0.0495	U	0.0507	U
Hexachlorobenzene	0.33	3.2	1.2	0.0491	U	0.0491	U	0.0496	U	0.0529	U	0.0503	U	0.0495	U	0.0507	U
Hexachlorobutadiene	~	~	~	0.0491	U	0.0491	U	0.0496	U	0.0529	U	0.0503	U	0.0495	U	0.0507	U
Hexachlorocyclopentadiene	~	~	~	0.0491	U	0.0491	U	0.0496	U	0.0529	U	0.0503	U	0.0495	U	0.0507	U
Hexachloroethane	~	~	~	0.0491	U	0.0491	U	0.0496	U	0.0529	U	0.0503	U	0.0495	U	0.0507	U
Indeno(1,2,3-cd)pyrene	0.5	8.2	0.5	**4.43**	D	**12.6**	D	**5.48**	D	0.128	D	0.0503	U	0.0495	U	0.0507	U
Isophorone	~	~	~	0.0491	U	0.0491	U	0.0496	U	0.0529	U	0.0503	U	0.0495	U	0.0507	U
Naphthalene	12	12	100	5.59	D	**16.9**	D	7.43	D	0.137	D	0.0503	U	0.0495	U	0.0507	U
Nitrobenzene	~	~	~	0.0491	U	0.0491	U	0.0496	U	0.0529	U	0.0503	U	0.0495	U	0.0507	U
n-Nitrosodimethylamine	~	~	~	0.0491	U	0.0491	U	0.0496	U	0.0529	U	0.0503	U	0.0495	U	0.0507	U
n-Nitrosodi-N-Propylamine	~	~	~	0.0491	U	0.0491	U	0.0496	U	0.0529	U	0.0503	U	0.0495	U	0.0507	U
n-Nitrosodiphenylamine	~	~	~	0.0491	U	0.0491	U	0.0496	U	0.0529	U	0.0503	U	0.0495	U	0.0507	U
Pentachlorophenol	0.8	0.8	6.7	0.0491	U	0.0491	U	0.0496	U	0.0529	U	0.0503	U	0.0495	U	0.0507	U
Phenanthrene	100	1000	100	26.1	D	58.3	D	24.4	D	0.526	D	0.0503	U	0.118	D	0.0507	U
Phenol	0.33	0.33	100	0.0491	U	0.0491	U	0.0496	U	0.0529	U	0.0503	U	0.0495	U	0.0507	U
Pyrene	100	1000	100	20.7	D	46.7	D	20.6	D	0.409	D	0.0503	U	0.11	D	0.0507	U
Pyridine	~	~	~	0.196	U	0.196	U	0.198	U	0.211	U	0.201	U	0.198	U	0.203	U

Notes provided on Page 4.
Concentrations above Unrestricted Use SCOs are bolded.
Concentrations above Protection of Groundwater SCOs are underlined.
Concentrations above Restricted Use Restricted-Residential SCOs are shaded.

Table 2
Waste Characterization report
Soil Sample Analytical Results - NY

460 West 41st Street Redevelopment Phase 2 (Wing A)
New York, New York
Regulatory Site No.: 20TMP0490M, 20EH-N114M
Langan Project No.: 100674402

Location Sample ID Laboratory ID Sample Date Sample Depth (feet bsl)	NYSDEC Part 375 Unrestricted Use SCOs	NYSDEC Part 375 Protection of Groundwater SCOs	NYSDEC Part 375 Restricted Use Restricted-Residential SCOs	WC-1A WC-1A_021121 21B0416-01 2/11/2021 0-9 (0-0.5)	WC-1B WC-1B_021121 21B0416-02 2/11/2021 9-18 (14-14.5)	WC-1B DUP01_021121 21B0416-07 2/11/2021 9-18 (14-14.5)	WC-2 WC-2_021121 21B0416-03 2/11/2021 10.5-18 (10.5-11)	WC-3 WC-3_021021 / WC-3_021121 21B0345-02 / 21B0416-04 2/10/2021 / 2/11/2021 10.5-18 (12.5-13)	WC-4 WC-4_021121 21B0416-05 2/11/2021 15-21.5 (19.5-20)	WC-5 WC-5_021121 21B0416-06 2/11/2021 18-27.5 (24-24.5)
Petroleum Hydrocarbons (mg/kg)										
EPA Total Extractable Petroleum Hydrocarbons Range 9 To 40	~	~	~	103	278	876 D	62.3 U	77.9	133	60.7 U
Pesticides (mg/kg)										
4,4'-DDD	0.0033	14	13	0.00194 U	0.00193 U	0.00198 U	0.00207 U	0.00197 U	0.00193 U	0.00198 U
4,4'-DDE	0.0033	17	8.9	0.00194 U	0.00193 U	0.00198 U	0.00207 U	0.00197 U	0.00193 U	0.00198 U
4,4'-DDT	0.0033	136	7.9	0.00194 U	0.00193 U	0.00198 U	0.00207 U	0.00197 U	0.00193 U	0.00198 U
Aldrin	0.005	0.19	0.097	0.00194 U	0.00193 U	0.00198 U	0.00207 U	0.00197 U	0.00193 U	0.00198 U
Alpha BHC (Alpha Hexachlorocyclohexane)	0.02	0.02	0.48	0.00194 U	0.00193 U	0.00198 U	0.00207 U	0.00197 U	0.00193 U	0.00198 U
Alpha Chlordane	0.094	2.9	4.2	0.00194 U	0.00193 U	0.00198 U	0.00207 U	0.00197 U	0.00193 U	0.00198 U
Alpha Endosulfan	2.4	102	24	0.00194 U	0.00193 U	0.00198 U	0.00207 U	0.00197 U	0.00193 U	0.00198 U
Beta Bhc (Beta Hexachlorocyclohexane)	0.036	0.09	0.36	0.00194 U	0.00193 U	0.00198 U	0.00207 U	0.00197 U	0.00193 U	0.00198 U
Beta Endosulfan	2.4	102	24	0.00194 U	0.00193 U	0.00198 U	0.00207 U	0.00197 U	0.00193 U	0.00198 U
Chlordane (alpha and gamma)	~	~	~	0.0387 U	0.0387 U	0.0395 U	0.0414 U	0.0393 U	0.0387 U	0.0396 U
Delta Bhc (Delta Hexachlorocyclohexane)	0.04	0.25	100	0.00194 U	0.00193 U	0.00198 U	0.00207 U	0.00197 U	0.00193 U	0.00198 U
Dieldrin	0.005	0.1	0.2	0.00194 U	0.00193 U	0.00198 U	0.00207 U	0.00197 U	0.00193 U	0.00198 U
Endosulfan Sulfate	2.4	1000	24	0.00194 U	0.00193 U	0.00198 U	0.00207 U	0.00197 U	0.00193 U	0.00198 U
Endrin	0.014	0.06	11	0.00194 U	0.00193 U	0.00198 U	0.00207 U	0.00197 U	0.00193 U	0.00198 U
Endrin Aldehyde	~	~	~	0.00194 U	0.00193 U	0.00198 U	0.00207 U	0.00197 U	0.00193 U	0.00198 U
Endrin Ketone	~	~	~	0.00194 U	0.00193 U	0.00198 U	0.00207 U	0.00197 U	0.00193 U	0.00198 U
Gamma Bhc (Lindane)	0.1	0.1	1.3	0.00194 U	0.00193 U	0.00198 U	0.00207 U	0.00197 U	0.00193 U	0.00198 U
Gamma-Chlordane	~	~	~	0.00194 U	0.00193 U	0.00198 U	0.00207 U	0.00197 U	0.00193 U	0.00198 U
Heptachlor	0.042	0.38	2.1	0.00194 U	0.00193 U	0.00198 U	0.00207 U	0.00197 U	0.00193 U	0.00198 U
Heptachlor Epoxide	~	~	~	0.00194 U	0.00193 U	0.00198 U	0.00207 U	0.00197 U	0.00193 U	0.00198 U
Methoxychlor	~	~	~	0.00194 U	0.00193 U	0.00198 U	0.00207 U	0.00197 U	0.00193 U	0.00198 U
Toxaphene	~	~	~	0.194 U	0.193 U	0.198 U	0.207 U	0.197 U	0.193 U	0.198 U
Herbicides (mg/kg)										
2,4,5-T (Trichlorophenoxyacetic Acid)	~	~	~	0.0195 U	0.0197 U	0.02 U	0.021 U	0.0199 U	0.0199 U	0.0202 U
2,4-D (Dichlorophenoxyacetic Acid)	~	~	~	0.0195 U	0.0197 U	0.02 U	0.021 U	0.0199 U	0.0199 U	0.0202 U
Silvex (2,4,5-Tp)	3.8	3.8	100	0.0195 U	0.0197 U	0.02 U	0.021 U	0.0199 U	0.0199 U	0.0202 U
Polychlorinated Biphenyls (mg/kg)										
PCB-1016 (Aroclor 1016)	~	~	~	0.0196 U	0.0195 U	0.02 U	0.0209 U	0.0199 U	0.0195 U	0.02 U
PCB-1221 (Aroclor 1221)	~	~	~	0.0196 U	0.0195 U	0.02 U	0.0209 U	0.0199 U	0.0195 U	0.02 U
PCB-1232 (Aroclor 1232)	~	~	~	0.0196 U	0.0195 U	0.02 U	0.0209 U	0.0199 U	0.0195 U	0.02 U
PCB-1242 (Aroclor 1242)	~	~	~	0.0196 U	0.0195 U	0.02 U	0.0209 U	0.0199 U	0.0195 U	0.02 U
PCB-1248 (Aroclor 1248)	~	~	~	0.0196 U	0.0195 U	0.02 U	0.0209 U	0.0199 U	0.0195 U	0.02 U
PCB-1254 (Aroclor 1254)	~	~	~	0.0196 U	0.0195 U	0.02 U	0.0209 U	0.0199 U	0.0195 U	0.02 U
PCB-1260 (Aroclor 1260)	~	~	~	0.0196 U	0.0195 U	0.02 U	0.0209 U	0.0199 U	0.0195 U	0.02 U
Total PCBs	0.1	3.2	1	0.0196 U	0.0195 U	0.02 U	0.0209 U	0.0199 U	0.0195 U	0.02 U
Inorganics (mg/kg)										
Aluminum	~	~	~	9,800	9,450	6,560	14,900	11,100	9,180	9,030
Antimony	~	~	~	2.96 U	2.98 U	3.03 U	3.18 U	3.03 U	3.01 U	3.06 U
Arsenic	13	16	16	2.28	3.05	1.82 U	1.91 U	2.04	1.81 U	1.84 U
Barium	350	820	400	89.7	78.6	283	116	71.4	66	57.2
Beryllium	7.2	47	72	0.059 U	0.06 U	0.061 U	0.064 U	0.061 U	0.06 U	0.061 U
Cadmium	2.5	7.5	4.3	0.356 U	0.357 U	**20.9**	0.381 U	0.363 U	0.361 U	0.368 U
Calcium	~	~	~	3,770 B	2,090 B	7,380 B	7,470 B	1,840 B	13,200 B	1,710 B
Chromium, Hexavalent	1	19	110	0.593 U	0.596 U	0.605 U	0.635 U	0.606 U	0.602 U	0.613 U
Chromium, Total	~	~	~	21.3	13.5	14.6	21.5	16.6	14.2	13.1
Chromium, Trivalent	30	~	180	21.3	13.5	14.6	21.5	16.6	14.2	13.1
Cobalt	~	~	~	7.51	5.99	6.45	11.3	7.34	6.63	7.86
Copper	50	1,720	270	28.3	25.4	40.2	27.8	14.7	15.2	16.5
Cyanide	27	40	27	0.593 U	0.596 U	0.605 U	0.635 U	0.606 U	0.602 U	0.613 U
Iron	~	~	~	15,300	16,100	154,000 D	23,900	16,700	15,900	14,200
Lead	63	450	400	**128**	**9,340**	**488**	**81.6**	31.8	36.6	23.8
Magnesium	~	~	~	3,070	2,370	2,300	4,580	3,170	2,860	3,230
Manganese	1,600	2,000	2,000	215	185	303	522	248	264	172
Mercury	0.18	0.73	0.81	**0.717**	**0.251**	**0.505**	**0.214**	0.124	0.15	0.0478
Nickel	30	130	310	18.2	14.2	19.5	22.9	17	14.3	15
Potassium	~	~	~	1,740 B	910 B	985 B	2,780 B	1,380 B	1,190 B	2,070 B
Selenium	3.9	4	180	2.96 U	2.98 U	3.03 U	3.18 U	3.03 U	3.01 U	3.06 U
Silver	2	8.3	180	0.593 U	0.596 U	0.605 U	0.635 U	0.606 U	0.602 U	0.613 U
Sodium	~	~	~	292	163	188	637	504	641	567
Thallium	~	~	~	2.96 U	2.98 U	7.45	3.18 U	3.03 U	3.01 U	3.06 U
Vanadium	~	~	~	20.1	21.7	20.8	30.9	22.4	20	18.8
Zinc	109	2,480	10,000	80.1 B	44.4 B	**9,690** BD	75.4 B	44.8 B	61 B	37.7 B

Notes provided on Page 4.
Concentrations above Unrestricted Use SCOs are bolded.
Concentrations above Protection of Groundwater SCOs are underlined.
Concentrations above Restricted Use Restricted-Residential SCOs are shaded.

Table 2
Waste Characterization report
Soil Sample Analytical Results - NY

460 West 41st Street Redevelopment Phase 2 (Wing A)
New York, New York
Regulatory Site No.: 20TMP0490M, 20EH-N114M
Langan Project No.: 100674402

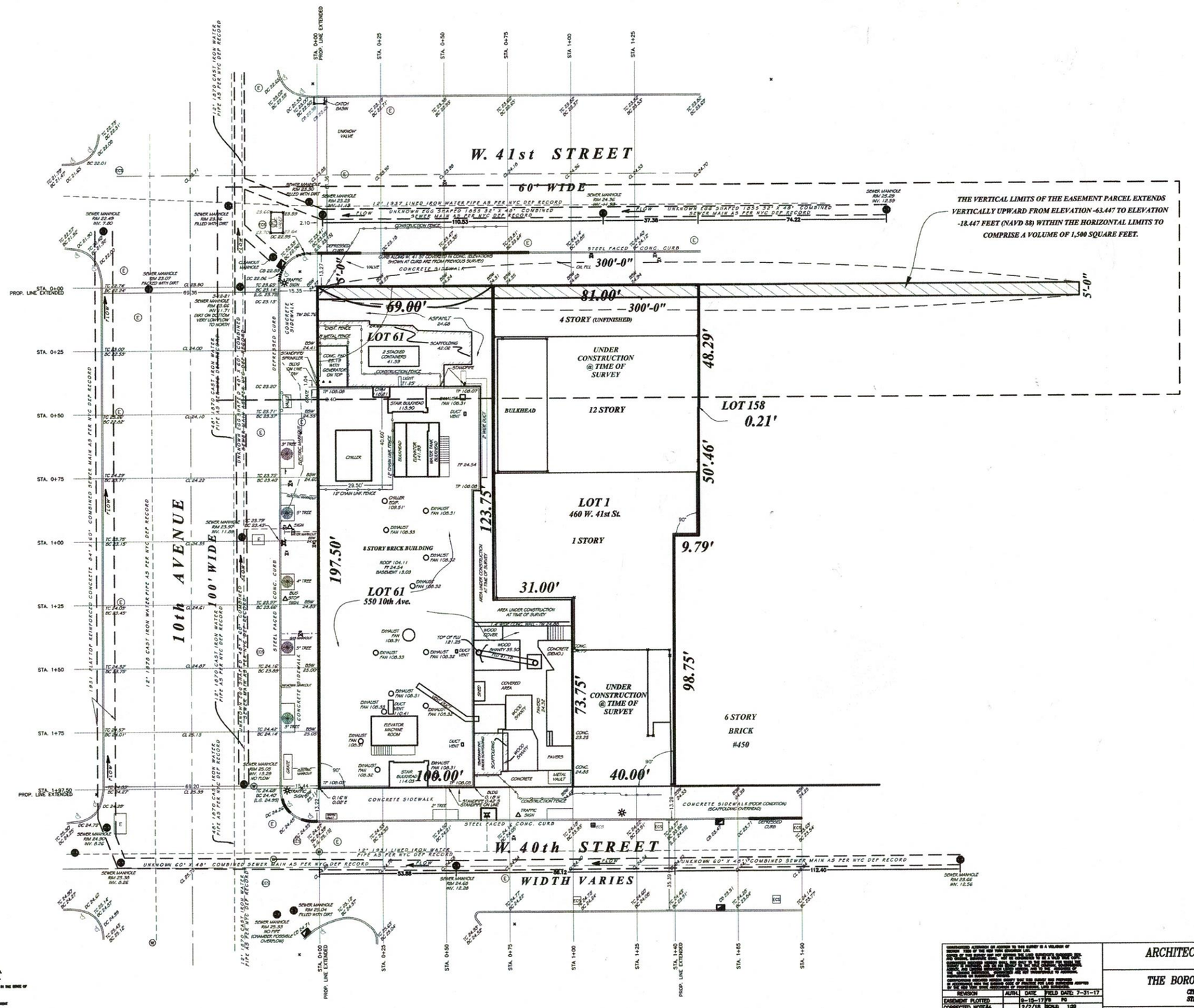
Notes:

1. Soil sample analytical results are compared to the New York State Department of Environmental Conservation (NYSDEC) Title 6 of the Official Compilation of New York Codes, Rules, and Regulations (NYCRR) Part 375 Unrestricted Use Soil Cleanup Objectives (SCO), Protection of Groundwater SCOs, and to Restricted Use Restricted-Residential SCOs.
2. Detected analytical results above Unrestricted Use SCOs are bolded.
3. Detected analytical results above Protection of Groundwater SCOs are underlined.
Sample Depth (feet bsl)
5. Analytical results with reporting limits (RL) above the lowest applicable criteria are italicized.
6. Sample DUP01_021121 is a duplicate sample of WC-1B_021121.
7. ~ = Regulatory limit for this analyte does not exist
8. bsl = below sidewalk level
9. mg/kg = milligrams per kilogram
10. NA = Not analyzed

Qualifiers:

D = The concentration reported is a result of a diluted sample.
J = The analyte was detected above the Method Detection Limit (MDL), but below the RL; therefore, the result is an estimated concentration.
U = The analyte was analyzed for, but was not detected at a level greater than or equal to the RL; the value shown in the table is the RL.
B = The analyte was found in the associated analysis batch blank.

EXHIBIT G



LOT 1
LOT AREA: 12,735.04 SQ. FT.
0.292 ACRES ±

LOT 61
LOT AREA: 15,913.75 SQ. FT.
0.365 ACRES ±

NOTES:

COVENANTS AND RESTIRCTIONS FROM FIRST AMERICAN TITLE INSURANCE COMPANY TITLE NUMBER 3020-862633 EFFECTIVE DATE 07/24/2017:

1.) *RESERVATIONS AS CONTAINED IN LETTERS PATENT RECORDED ON 05/04/1984 IN REEL 789 PAGE 1948 AND REPEATED IN DEED RECORDED 07/18/1984 IN REEL 814 PAGE 651. RESERVES THE RIGHTS OF THE PEOPLE OF THE STATE OF NEW YORK AS TO ALL GOLD AND SILVER MINES. (AFFECTS PARCEL I) NOT PLOTTABLE*

2.) *DECLARATION OF RESTRICTIVE COVENANTS RECODED 04/11/2008 AS CRFN 2008000146029. (AFFECTS PARCEL I) NOT PLOTTABLE*

3.) *EASEMENT FOR NO. 7 SUBWAY EXTENSION - HUDSON YARDS REZONING AND DEVELOPMENT PROGRAM AS CONTAINED IN ACQUISITION MAP AND ACQUISITION ORDER INDEX NO. 402590/06 AND RECORDED 09/29/2006 AS CRFN 2006000549658. (AFFECTS PARCEL I & II) AS PLOTTED.*

I CERTIFY TO:
OVERAK CONSTRUCTION
THE NEW YORK CITY BUILDING DEPARTMENT
THAT THIS SURVEY WAS PREPARED AND REVISED UNDER MY SUPERVISION IN THE OFFICE AND THE FIELD.

REVISION	AUTH.	DATE	FIELD DATE: 7-31-17
EASEMENT PLOTTED		9-15-17	FB PG
CORRECTED NOTE#3		2/2/18	SCALE: 1:20
REMOVED NOTE#3, PER CLIENT		2/16/18	DRAWN BY: ABV
UPDATED SURVEY		10-1-19	CHKD BY: JV
PROPOSED TAX LOT		2-16-19	COMP FILE: S-16-17
REVISION AS PER CLIENT		2-13-20	
UPDATED SURVEY		11-3-20	
UPDATED SURVEY		4-26-21	

ARCHITECTURAL SURVEY

SITUATED IN

THE BOROUGH OF MANHATTAN

CITY OF NEW YORK
STATE OF NEW YORK

550 10th AVENUE
LOT 61 BLOCK 1050

True North Surveyors, P.C.
111 Route 46 West, Mahwah, NJ 07430
Phone: (908) 534-5048 fax: (908) 534-4257

STATE OF NEW YORK
JOHN VIDA
LICENSED
No. 049298
PROFESSIONAL LAND SURVEYOR

John J. Vida N.Y.P.L.S. Lic. No. 049298
PROFESSIONAL LAND SURVEYOR

Tax Map - Digital Tax Map - New York City Dept. of Finance (5/12/2021)

Borough Boundary	C50	Condo Flag/Condo Nunber	BCP Site
Tax Block Boundary	A50	Air Right Flag/Lot Number	
50 Tax Block Number	S50	Subterranean Right Flag/Lot Number	
Tax Lot Boundary	R	REUC Flag	
50 Tax Lot Number		Under Water Tax Lot Boundary	
~~50~~ Condo FKA Tax Lot Number		Other Boundary	
50.5 Tax Lot Dimension		Possession Hook	
+/-5.5 Approximate Tax Lot Dimension	Misc	Miscelaneous Text	
1500 - 1550 Condo Units Range Label		Small Tax Lot Dimension	
Building Footprint		Surface Water	

EXHIBIT H

Base Map

Site Name: 550 Tenth Avenue
Filling Station Site
Address: 550 10th Avenue
a/k/a 554 10th Avenue
Manhattan, New York 10018
Block: 1050 Lot: 61

Legend:

Site Boundary

Corresponding page
lists adjacent property owners
by letter A – F

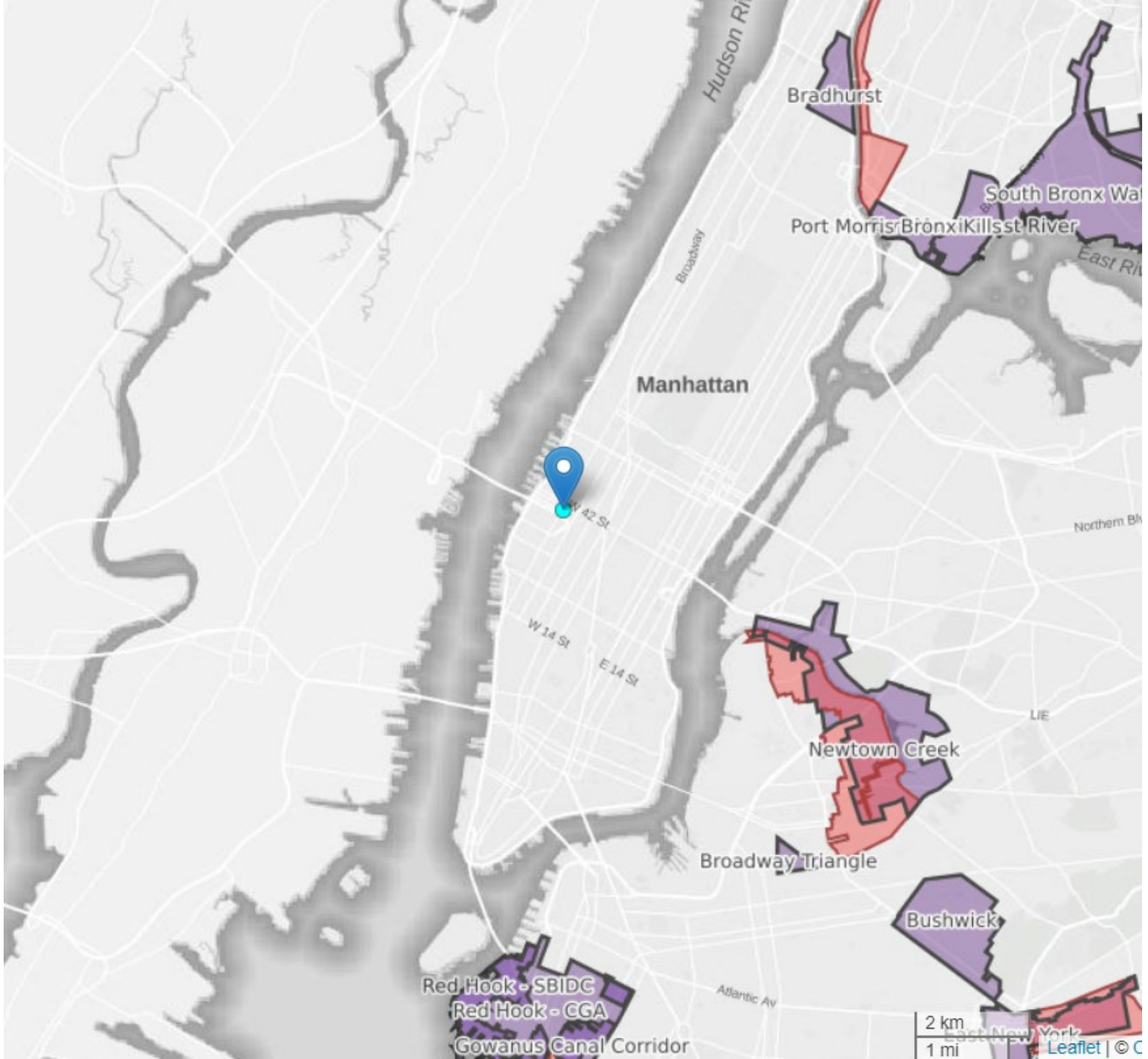
May 2021
Source: NYC GIS
Scale: 1” = 100’ approximately

Letter	Adjacent Property Owner	Adjacent Property Address	Section-Block-Lot
A	CP Housing Development Fund Corporation	538 10th Avenue	Manhattan-1050-1
B	Unavailable Owner (REUC Property)	West 39th Street	Manhattan-737-1R
C	The Port Authority of New York and New Jersey (REUC Property)	11th Avenue	Manhattan-711-1R
D	555 Tenth Avenue LLC (Condominium)	555 10th Avenue	Manhattan-1069-34
E	501 West 41 Street Associates	561 10th Avenue	Manhattan-1070-29
F	The Port Authority of New York and New Jersey	429 West 41 Street	Manhattan-1051-8

Brownfield Area Opportunity Map
Site Name: 550 Tenth Avenue Filling Station Site
Address: 550 10th Avenue a/k/a 554 10th
Manhattan, New York 10018
Block: 1050 Lot: 61

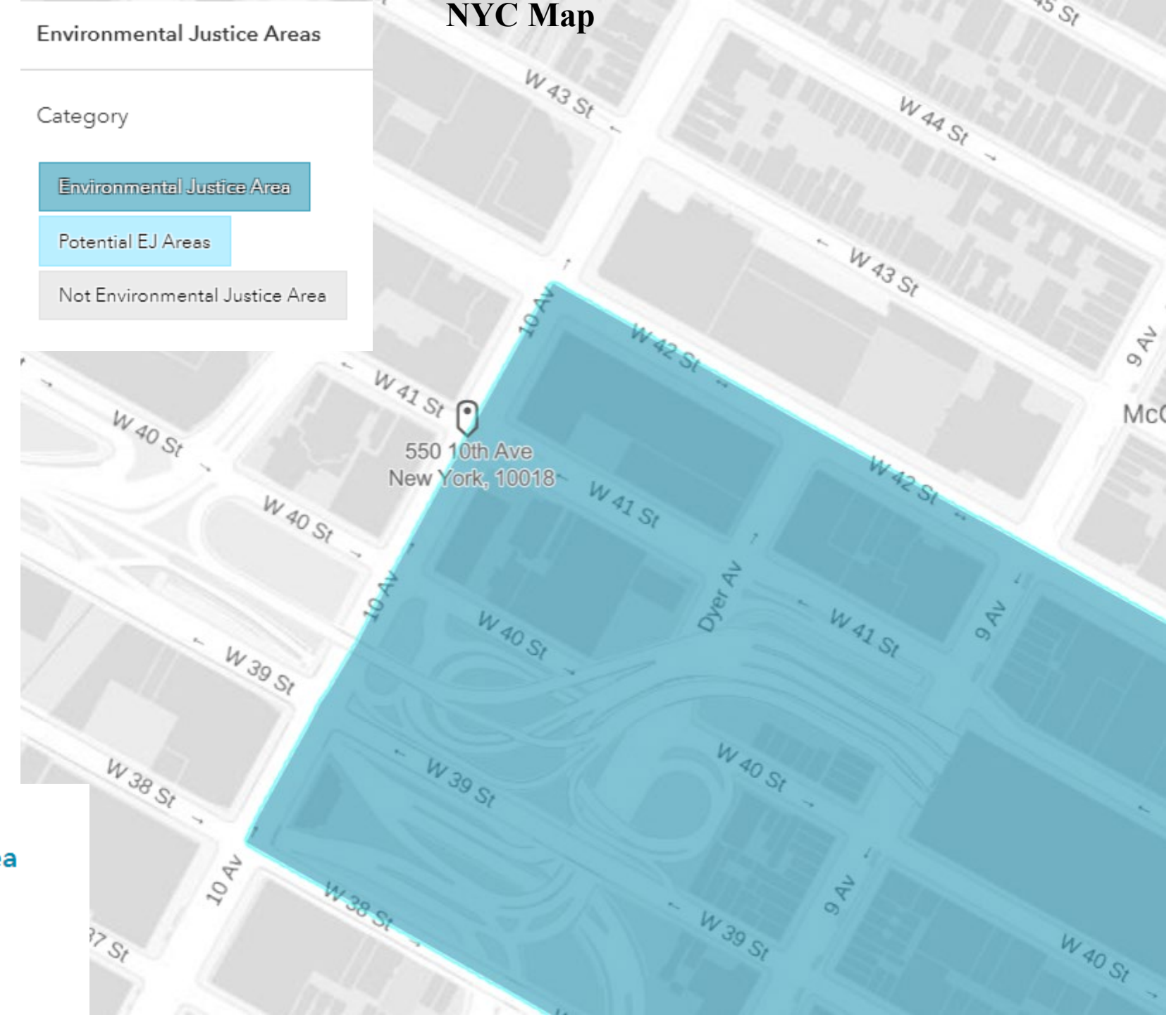
Site Location

May 2021
Source: NYC SPEED
Scale: 1” = 100’ approximately



Environmental Justice Zone Map

Site Name: 550 Tenth Avenue Filling Station Site
Address: 550 10th Avenue a/k/a 554 10th
Manhattan, New York 10018
Block: 1050 Lot: 61



Environmental Justice Zone

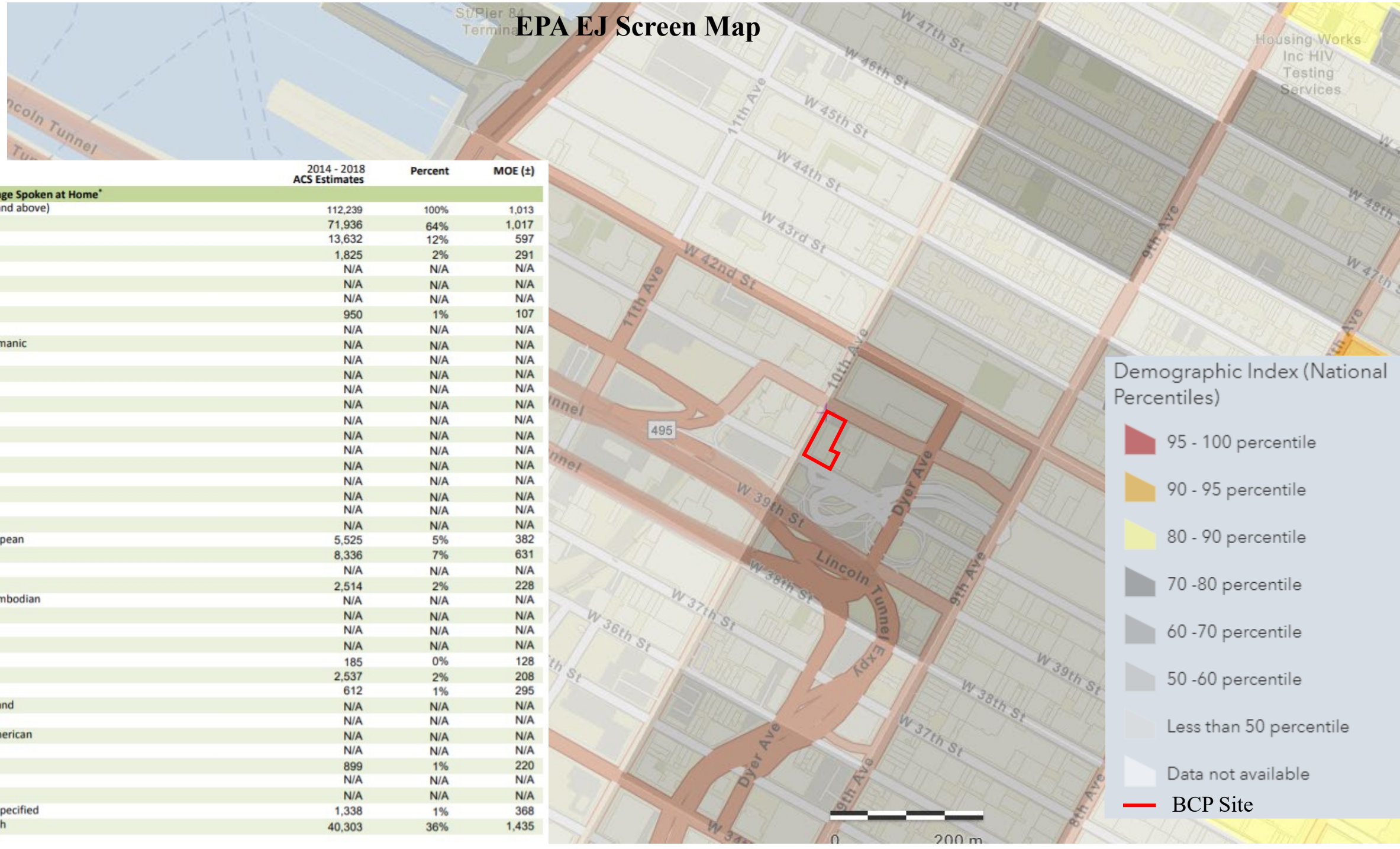
Environmental Justice Area

Clinton, Manhattan

Total Population: **3,779**
Percentage Minority: **65.0%**
Percentage Below Poverty: **18.5%**

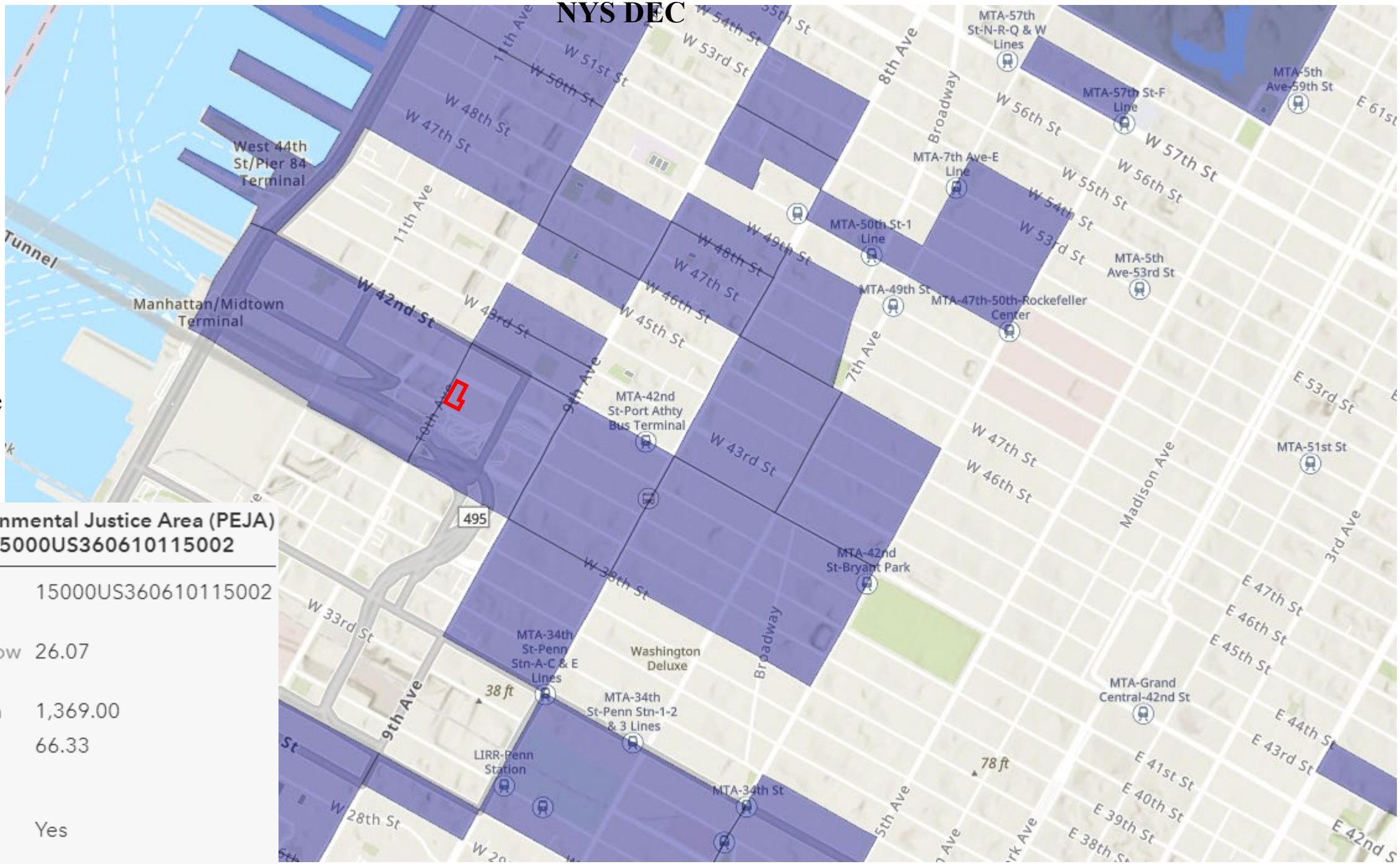
EPA EJ Screen Map

	2014 - 2018 ACS Estimates	Percent	MOE (±)
Population by Language Spoken at Home*			
Total (persons age 5 and above)	112,239	100%	1,013
English	71,936	64%	1,017
Spanish	13,632	12%	597
French	1,825	2%	291
French Creole	N/A	N/A	N/A
Italian	N/A	N/A	N/A
Portuguese	N/A	N/A	N/A
German	950	1%	107
Yiddish	N/A	N/A	N/A
Other West Germanic	N/A	N/A	N/A
Scandinavian	N/A	N/A	N/A
Greek	N/A	N/A	N/A
Russian	N/A	N/A	N/A
Polish	N/A	N/A	N/A
Serbo-Croatian	N/A	N/A	N/A
Other Slavic	N/A	N/A	N/A
Armenian	N/A	N/A	N/A
Persian	N/A	N/A	N/A
Gujarathi	N/A	N/A	N/A
Hindi	N/A	N/A	N/A
Urdu	N/A	N/A	N/A
Other Indic	N/A	N/A	N/A
Other Indo-European	5,525	5%	382
Chinese	8,336	7%	631
Japanese	N/A	N/A	N/A
Korean	2,514	2%	228
Mon-Khmer, Cambodian	N/A	N/A	N/A
Hmong	N/A	N/A	N/A
Thai	N/A	N/A	N/A
Laotian	N/A	N/A	N/A
Vietnamese	185	0%	128
Other Asian	2,537	2%	208
Tagalog	612	1%	295
Other Pacific Island	N/A	N/A	N/A
Navajo	N/A	N/A	N/A
Other Native American	N/A	N/A	N/A
Hungarian	N/A	N/A	N/A
Arabic	899	1%	220
Hebrew	N/A	N/A	N/A
African	N/A	N/A	N/A
Other and non-specified	1,338	1%	368
Total Non-English	40,303	36%	1,435



NYS DEC

BCP Site



Potential Environmental Justice Area (PEJA) Communities: 15000US360610115002

Census Block Group	15000US360610115002
Percentage Below Poverty Level	26.07
Total Population	1,369.00
Percentage Minority Population	66.33
PEJA	Yes

En-Zone Map

Site Name: 550 Tenth Avenue Filling Station Site
Address: 550 10th Avenue
a/k/a 554 10th Avenue
Manhattan, New York 10018
Block: 1050 Lot: 61

Legend:

Site Boundary

Site Location Map

Site Name: 550 Tenth Avenue Filling Station Site

Address: 550 10th Avenue a/k/a 554 10th Avenue
Manhattan, New York 10018
Block: 1050 Lot: 61

USGS science for a changing world

U.S. DEPARTMENT OF THE INTERIOR
U.S. GEOLOGICAL SURVEY

The National Map US Topo

CENTRAL PARK QUADRANGLE
NEW YORK - NEW JERSEY
7.5-MINUTE SERIES

Produced by the United States Geological Survey
North American Datum of 1983 (NAD83)
World Geodetic System of 1984 (WGS84). Projection and 1 000-meter grid: Universal Transverse Mercator, Zone 18T
This map is not a legal document. Boundaries may be generalized for this map scale. Private lands within government reservations may not be shown. Obtain permission before entering private lands.

Imagery	NAIP, July 2015 - December 2017	
Roads	U.S. Census Bureau,	2016
Names	GNIS,	1979 - 2019
Hydrography	National Hydrography Dataset,	2002 - 2015
Contours	National Elevation Dataset,	2013 - 2015
Boundaries	Multiple sources; see metadata file	2017 - 2018
Wetlands	FWS National Wetlands Inventory	2008 - 2011

UTM GRID AND 2019 MAGNETIC NORTH DECLINATION AT CENTER OF SHEET

SCALE 1:24 000

1 0.5 0 KILOMETERS 1 2
1000 500 0 METERS 1000 2000
1 0.5 0 MILES 1
1000 0 1000 2000 3000 4000 5000 6000 7000 8000 9000 10000 FEET

CONTOUR INTERVAL 10 FEET
NORTH AMERICAN VERTICAL DATUM OF 1988

This map was produced to conform with the National Geospatial Program US Topo Product Standard, 2011. A metadata file associated with this product is draft version 0.6.18

LOCATION

ADJOINING QUADRANGLES
1 Hackensack
2 Yonkers
3 Mount Vernon
4 Weehawken
5 Flushing
6 Jersey City
7 Brooklyn
8 Jamaica

ROAD CLASSIFICATION
Expressway
Secondary Hwy
Ramp
Local Connector
Local Road
4WD
Interstate Route
US Route
State Route

CENTRAL PARK, NY, NJ
2019

NSN 7643016388554
NGA REF NO. USGSX24K1974

Street Map

Site Name: 550 Tenth Avenue Filling Station Site
Address: 550 10th Avenue
a/k/a 554 10th Avenue
Manhattan, New York 10018
Block: 1050 Lot: 61

Legend:

Site Boundary

Exhibit I

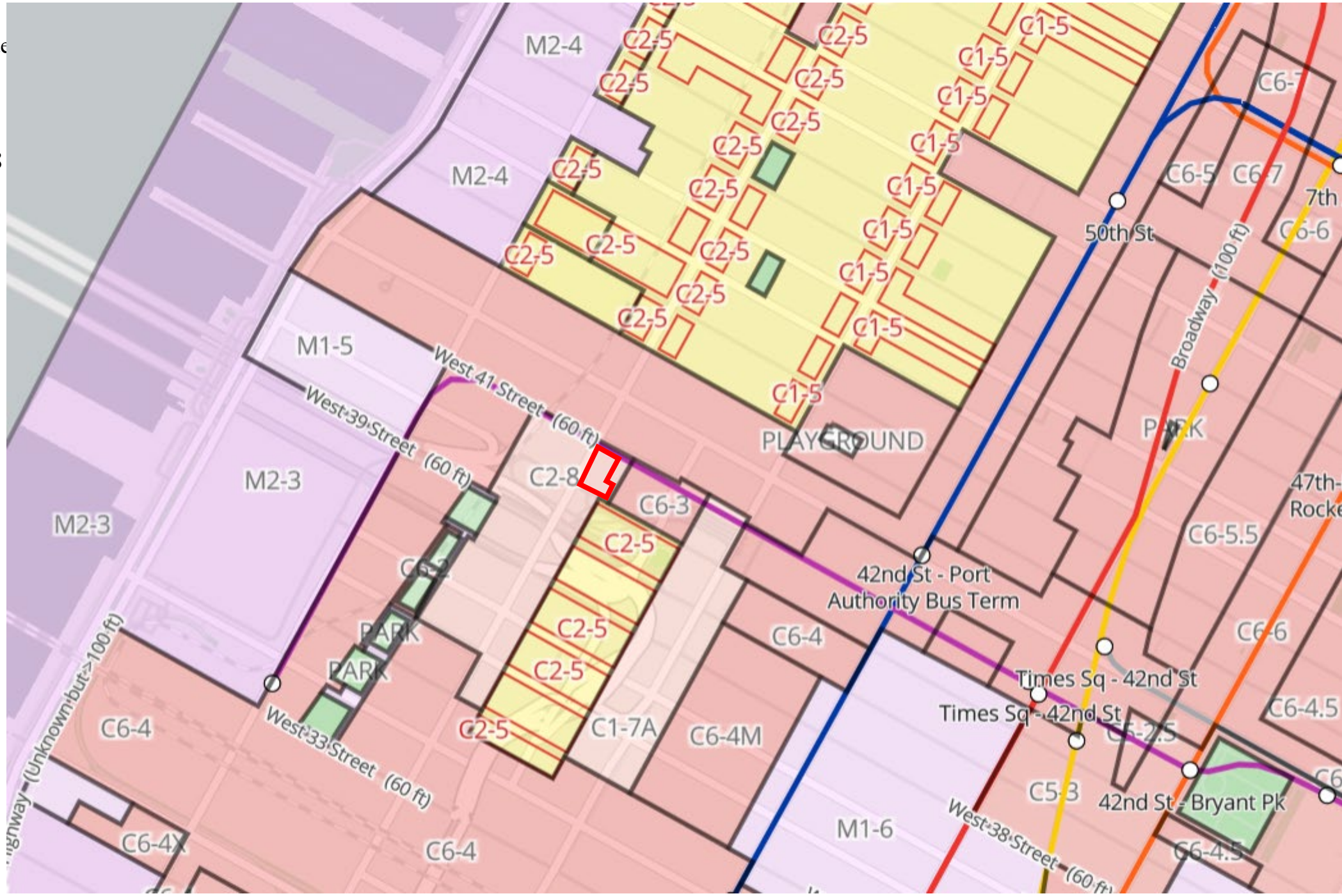
Zoning Map

Site Name: 550 Tenth Avenue
Filling Station Site
Address: 550 10th Avenue
a/k/a 554 10th Avenue
Manhattan, New York 10018
Block: 1050 Lot: 61

Legend:

BCP Site

Zoning District: C2-8 and HY



May 2021
Source: NYC ZoLa
Scale: 1" = 100' approximately

Zoning District: C2-8 (Commercial District)

C1-6 through C1-9 and C2-6 through C2-8 districts are commercial districts that are predominantly residential in character. They are mapped along major thoroughfares in medium- and higher-density areas of the city, such as Second and Lexington Avenues on the Upper East Side or Columbus and Amsterdam Avenues on the Upper West Side. As in commercial overlays districts, typical retail uses include grocery stores, dry cleaners, drug stores, restaurants and local clothing stores that cater to the daily needs of the immediate neighborhood. There are only minor differences between C1 and C2 districts, with a slightly wider range of uses permitted in C2 districts, such as funeral homes and local repair services. In mixed buildings, commercial uses are limited to one or two floors and must always be located below the residential use.

The maximum commercial floor area ratio (FAR) is 2.0. Residential uses are governed by a specific residential district equivalent. For example, in C1-6 districts, the bulk regulations of R7 districts apply for residential uses, and in C2-8A districts, the bulk regulations of R10A districts apply.

Since these districts are usually mapped in areas well served by mass transit, off-street parking is generally not required

Zoning District: HY (Special Hudson Yard District)

The Special Hudson Yards District (HY) was established to foster a mix of uses and densities, provide new publicly accessible open space, extend the Midtown central business district by providing opportunities for substantial new office and hotel development, reinforce existing residential neighborhoods and encourage new housing on Manhattan’s Far West Side. The special district includes two new corridors for high-density commercial and residential development supported by a subway line extension, new parks and an urban boulevard. New mid-density residential development will form a transition to existing residential neighborhoods and the Special Garment Center District to the east.

The district mandates a variety of use, bulk and urban design controls applicable to six subdistricts. In certain zoning districts, the maximum floor area ratios of the underlying districts may be increased through a District Improvement Bonus mechanism (alone or in tandem with the Inclusionary Housing designated areas Program that would support financing of specific capital improvements in the area. Transfers of floor area are also permitted under certain conditions.

Flexible as-of-right height and setback controls accommodate large floorplate office buildings and allow for creative design within the predominantly commercial areas. Mandated improvements include retail use on major corridors, street wall continuity, pedestrian circulation space, plantings, subway entrance easements, and screened or below-grade parking. The district has unique off-street parking regulations that manage the total amount of parking that can be constructed in the district as it is developed

Exhibit J

Flood Map

Site Name: 550 Tenth Avenue
Filling Station Site
Address: 550 10th Avenue
a/k/a 554 10th Avenue
Manhattan, New York 10018
Block: 1050 Lot: 61

★ BCP Site Location

NOTES TO USERS

This map is for use in administering the National Flood Insurance Program. It does not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size. The **community map repository** should be consulted for possible updated or additional flood hazard information.

To obtain more detailed information in areas where **Base Flood Elevations** (BFEs) and/or **floodways** have been determined, users are encouraged to consult the Flood Profiles and Floodway Data and/or Summary of Stillwater Elevations tables contained within the Flood Insurance Study (FIS) report that accompanies this FIRM. Users should be aware that BFEs shown on the FIRM represent rounded whole-foot elevations. These BFEs are intended for flood insurance rating purposes only and should not be used as the sole source of flood elevation information. Accordingly, flood elevation data presented in the FIS report should be utilized in conjunction with the FIRM for purposes of construction and/or floodplain management.

Coastal Base Flood Elevations (BFEs) shown on this map apply only landward of 0.0' National Geodetic Vertical Datum of 1929 (NGVD 29). Users of this FIRM should be aware that coastal flood elevations are also provided in the Summary of Stillwater Elevations tables in the Flood Insurance Study report for this jurisdiction. Elevations shown in the Summary of Stillwater Elevations tables should be used for construction and/or floodplain management purposes when they are higher than the elevations shown on this FIRM.

Boundaries of the **floodways** were computed at cross sections and interpolated between cross sections. The floodways were based on hydraulic considerations with regard to requirements of the National Flood Insurance Program. Floodway widths and other pertinent floodway data are provided in the Flood Insurance Study report for this jurisdiction.

Certain areas not in Special Flood Hazard Areas may be protected by **flood control structures**. Refer to Section 2.4 "Flood Protection Measures" of the Flood Insurance Study report for information on flood control structures for this jurisdiction.

The **projection** used in the preparation of this map was New York State Plane FIPSZONE 3104. The **horizontal datum** was NAD 83, GRS80 spheroid. Differences in datum, spheroid, projection or State Plane zones used in the production of FIRMs for adjacent jurisdictions may result in slight positional differences in map features across jurisdiction boundaries. These differences do not affect the accuracy of this FIRM.

Flood elevations on this map are referenced to the National Geodetic Vertical Datum of 1929. These flood elevations must be compared to structure and ground elevations referenced to the same **vertical datum**. For information regarding conversion between the National Geodetic Vertical Datum of 1929 and the North American Vertical Datum of 1988, visit the National Geodetic Survey website at http://www.ngs.noaa.gov or contact the National Geodetic Survey at the following address:

NGS Information Services
NOAA, N/NGS12
National Geodetic Survey
SSMC-3, #9202
1315 East-West Highway
Silver Spring, Maryland 20910-3182
(301) 713-3242

To obtain current elevation, description, and/or location information for **bench marks** shown on this map, please contact the Information Services Branch of the National Geodetic Survey at **(301) 713-3242**, or visit its website at http://www.ngs.noaa.gov.

Base map information shown on this FIRM was provided in digital format by the Department of Information Technology and Telecommunication, City of New York. This information was derived from digital orthophotos produced at a scale of 1:1,200 with 2-foot pixel resolution from photography dated 2004.

Based on updated topographic information, this map reflects more detailed and up-to-date **stream channel configurations and floodplain delineations** than those shown on the previous FIRM for this jurisdiction. As a result, the Flood Profiles and Floodway Data tables in the Flood Insurance Study Report (which contains authoritative hydraulic data) may reflect stream channel distances that differ from what is shown on this map. Also, the road to floodplain relationships for unrevised streams may differ from what is shown on previous maps.

Corporate limits shown on this map are based on the best data available at the time of publication. Because changes due to annexations or de-annexations may have occurred after this map was published, map users should contact appropriate community officials to verify current corporate limit locations.

Please refer to the separately printed **Map Index** for an overview map showing the layout of map panels for this jurisdiction.

Contact the **FEMA Map Service Center** at 1-800-358-9616 for information on available products associated with this FIRM. Available products may include previously issued Letters of Map Change, a Flood Insurance Study report, and/or digital versions of this map. The FEMA Map Service Center may also be reached by Fax at 1-800-358-9620 and its website at http://msc.fema.gov.

If you have **questions about this map** or questions concerning the National Flood Insurance Program in general, please call **1-877-FEMA MAP** (1-877-336-2627) or visit the FEMA website at http://www.fema.gov.

LEGEND

SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD

The 1% annual flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zones A, AE, AH, AO, AR, A99, V, and VE. The Base Flood Elevation is the water-surface elevation of the 1% annual chance flood.

- **ZONE A** — No Base Flood Elevations determined.
- **ZONE AE** — Base Flood Elevations determined.
- **ZONE AH** — Flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevations determined.
- **ZONE AO** — Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.
- **ZONE AR** — Special Flood Hazard Area formerly protected from the 1% annual chance flood by a flood control system that was subsequently decertified. Zone AR indicates that the former flood control system is being restored to provide protection from the 1% annual chance or greater flood.
- **ZONE A99** — Area to be protected from 1% annual chance flood by a Federal flood protection system under construction; no Base Flood Elevations determined.
- **ZONE V** — Coastal flood zone with velocity hazard (wave action); no Base Flood Elevations determined.
- **ZONE VE** — Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.

FLOODWAY AREAS IN ZONE AE

The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.

OTHER FLOOD AREAS

- **ZONE X** — Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.

OTHER AREAS

- **ZONE X** — Areas determined to be outside the 0.2% annual chance floodplain.
- **ZONE D** — Areas in which flood hazards are undetermined, but possible.

COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS

OTHERWISE PROTECTED AREAS (OPAs)

CBRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas.

- 1% annual chance floodplain boundary
- 0.2% annual chance floodplain boundary
- Floodway boundary
- Zone D boundary
- CBRS and OPA boundary
- Boundary dividing Special Flood Hazard Area Zones and boundary dividing Special Flood Hazard Areas of different Base Flood Elevations, flood depths or flood velocities.
- 513 — Base Flood Elevation line and value; elevation in feet*
- (EL 987) — Base Flood Elevation value where uniform within zone; elevation in feet*

* Referenced to the National Geodetic Vertical Datum of 1929

- A — A — Cross section line
- 23 — 23 — Transect line
- 87°07'45", 32°22'30" — Geographic coordinates referenced to the North American Datum of 1983 (NAD 83), Western Hemisphere
- 1000-meter Universal Transverse Mercator grid values, zone 18
- 600000 FT — 5000-foot grid ticks: New York State Plane coordinate system, Long Island zone (FIPSZONE 3104), Lambert Conformal Conic projection
- DX5510 × — Bench mark (see explanation in Notes to Users section of this FIRM panel)
- ●M1.5 — River Mile

MAP REPOSITORY
Refer to listing of Map Repositories on Map Index

INITIAL NFIP MAP DATE
June 28, 1974

FLOOD HAZARD BOUNDARY MAP REVISIONS
June 11, 1976

FLOOD INSURANCE RATE MAP EFFECTIVE
November 16, 1983

FLOOD INSURANCE RATE MAP REVISIONS
September 5, 2007 - to change Special Flood Hazard Areas, to reflect updated topographic information, and to update map format

To determine if flood insurance is available in this community, contact your Insurance agent or call the National Flood Insurance Program at 1-800-638-6620.

MAP SCALE 1" = 500'
250 0 500 1000 FEET
150 0 150 300 METERS

NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0088F

FIRM

FLOOD INSURANCE RATE MAP

CITY OF
NEW YORK, NEW YORK
BRONX, RICHMOND, NEW YORK, QUEENS, AND KINGS COUNTIES

PANEL 88 OF 457

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
NEW YORK, CITY OF	360497	0088	F

Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.

MAP NUMBER
3604970088F

MAP REVISED
SEPTEMBER 5, 2007

Federal Emergency Management Agency

Exhibit K

Site Contact List

550 Tenth Avenue Filling Station Site

550 10th Avenue a/k/a 554 10th Avenue, Manhattan, New York 10018

Name	Title	Address	City	State	Zip
Hon. Charles Schumer	U.S. Senator	780 Third Ave., Suite 2301	New York	NY	10017
Hon. Kirsten Gillibrand	U.S. Senator	780 Third Ave., Suite 2601	New York	NY	10017
Sarah Crowell	NYS Office of Planning and Development, Director	1 Commerce Plaza, 99 Washington Ave	Albany	NY	12231
Jerry Nadler	U.S. House of Representatives, 10th District	201 Varick Street, Suite 669	New York	NY	10014
Brad Hoylman	New York State Senator, 27th District	322 Eighth Avenue, Suite 1700	New York	NY	10001
Marisa Lago	NYC Planning Commission, Chair	120 Broadway, 31st Floor	New York	NY	10271
Bill De Blasio	Mayor of NYC	City Hall	New York	NY	10007
Milton Tingling	County Clerk of New York County	60 Centre Street, Room 161	New	NY	10007
Gale Brewer	Manhattan Borough President	431 West 125th Street	New York	NY	10027
Lizette Chaparro	Manhattan Land Use Director	431 West 125th Street	New York	NY	10027
New York Daily News	Media Outlet	220 East 42nd Street	New York	NY	10017
Alfonso L. Carney, Jr.	Chair of the NYC Water Board	59-17 Junction Boulevard, 8th Floor	Flushing	NY	11373
Vincent Sapienza	NYC Public Water Supply System Department	59-17 Junction Boulevard, 13th Floor	Flushing	NY	11373
Leiana Spooner	Library Manager, NYPL Columbus Public Library	742 10th Avenue	New York	NY	10019
Jesse Bodine	District Manager, Manhattan Community Board No. 4	330 West 42nd Street, 26th Floor	New York	NY	10036
Cindy Wang	Public School 33 Chelsea Prep, Principal	281 9th Avenue	New York	NY	10001
Roberta Palumbo, Ma.Ed.	Aaron School High School, Head of School	42 East 30th Street	New York	NY	10016
Nadia Ali-Hung	Bright Horizons at Hudson Yards, Director	529A West 29th Street	New York	NY	10001
Milinaire Davis	Shining Bright Nurturing Space WeeCare, Direcotr	100 West 31st Street, #23K	New York	NY	10001
Nikki Tang	Star America Preschool, Director	780 9th Avenue	New York	NY	10036
Taconya Lucas	Bright Horizons at Midtown West, Director	406 West 55th Street	New York	NY	10019
Erica Morales	Bright Horizons at West 53rd, Director	528 West 53rd Street	New York	NY	10019
Karyn Alston	Bright Horizons at Columbus Circle, Director	910 9th Avenue	New York	NY	10019
Ean Gensler	Bright Horizons at Chelsea, Director	258 West 26th Street	New York	NY	10001
CP Housing Development Fund Corp.	Adjacent Property Owner of 538 10th Avenue	5 Penn Plaza	New York	NY	10001
The Port of Authority if NY and NJ	Adjacent Property Owner of 11th Avenue and 429 W. 41st Street	225 Park Avenue South, 18th Floor	New York	NY	10003
555 Tenth Avenue LLC	Adjacent Property Owner of 555 10th Avenue	28 Liberty Street	New York	NY	10005
501 West 41st Street Associates LLC	Adjacent Property Owner of 561 10th Avenue	733 3rd Avenue, Fl 23 c/o SFA Properties	New York	NY	10017
Treehaus Wine and Liquor Store	Adjacent Property Operator of 429 West 41 Street	566 10th Avenue	New York	NY	10036
Victory	Adjacent Property Operator of 561 10th Avenue	561 10th Avenue	New York	NY	10036
CVS	Adjacent Property Operator of 561 10th Avenue	561 10th Avenue	New York	NY	10036
Success Academy Hudson Yards	Adjacent Property Operator of 555 10th Avenue	500 West 41st Street	New York	NY	10036
Superior Gourmet Marketplace	Adjacent Property Operator of 555 10th Avenue	555 10th Avenue	New York	NY	10018
Throw Me A Bone Inc.	Adjacent Property Operator of 555 10th Avenue	555 10th Avenue	New York	NY	10018

Exhibit L

Knauf Shaw LLP
ATTORNEYS AT LAW

May 12, 2021

VIA ELECTRONIC MAIL
jbodine@cb.nyc.gov

Jesse Bodine, District Manager
Manhattan Community Board No. 4
330 West 42nd Street, 26th Floor
New York, New York 10036

RE: Brownfield Cleanup Program Application Repository Request
Applicant: GO Covenant LLC
Address: 550 10th Avenue a/k/a 554 10th Avenue
Manhattan, NY 10018
(Tax Block 1050 Lot 61)

Hello:

We represent GO Covenant LLC in its Brownfield Cleanup Program application for the above-referenced site at 550 10th Avenue, Manhattan, New York (Tax Block 1050 Lot 61). It is a requirement of the New York State Department of Environmental Conservation that we supply it with a letter certifying that the local community board is willing and able to serve as one of two public repositories for all documents pertaining to the cleanup of this Site. To avoid significant use of your shelf space, all documents will be sent in CD format.

Please sign below and return the letter as an attachment to an email as soon as possible if you are able to certify that the Manhattan Community Board No. 4 would be willing and able to act as a temporary public repository for this Brownfield Cleanup Program project.

Thank you.

Sincerely,

KNAUF SHAW LLP

LINDA R. SHAW

Yes, the Manhattan Community Board No. 4 is willing and able to act as a public repository for documents related to the cleanup of Covenant House at 550 10th Avenue, Manhattan, New York 10018 (Tax Block 1050 Lot 61) under the NYS Brownfield Cleanup Program.

Jesse Bodine
Jesse Bodine, District Manager

5/12/21
Date

Knauf Shaw LLP
ATTORNEYS AT LAW

May 20, 2021

VIA ELECTRONIC MAIL
leianaspooner@nypl.org

Leiana Spooner, Library Manager
The Columbus Branch
New York Public Library
742 10th Avenue
New York, NY, 10019

RE: Brownfield Cleanup Program Application
Applicant: GO Covenant LLC
Site Address: 550 10th Avenue a/k/a 554 10th Avenue
Manhattan, NY 10018
(Tax Block 1050 Lot 61)

Dear Ms. Spooner:

We represent GO Covenant LLC in its anticipated Brownfield Cleanup Program application for the above-referenced site at 550 10th Avenue, Manhattan, New York (Tax Block 1050 Lot 61). Your branch is currently the repository for this project in the Brownfield Cleanup Program. It is a requirement of the NYS Department of Environmental Conservation that we supply them with a letter certifying that the local library is willing and able to serve as a public repository for all documents pertaining to the cleanup of this property. To avoid significant use of your shelf space, all documents will be sent via a digital link, which the library will make available to the public via a digital download link until the project's completion with the BCP or July 31, 2023, which ever comes first.

Please sign below and return the letter as an attachment to an email if you are able to certify that your library would be willing and able to act as the temporary public repository for this Brownfield Cleanup Program project.

Thank you.

Sincerely,

KNAUF SHAW LLP

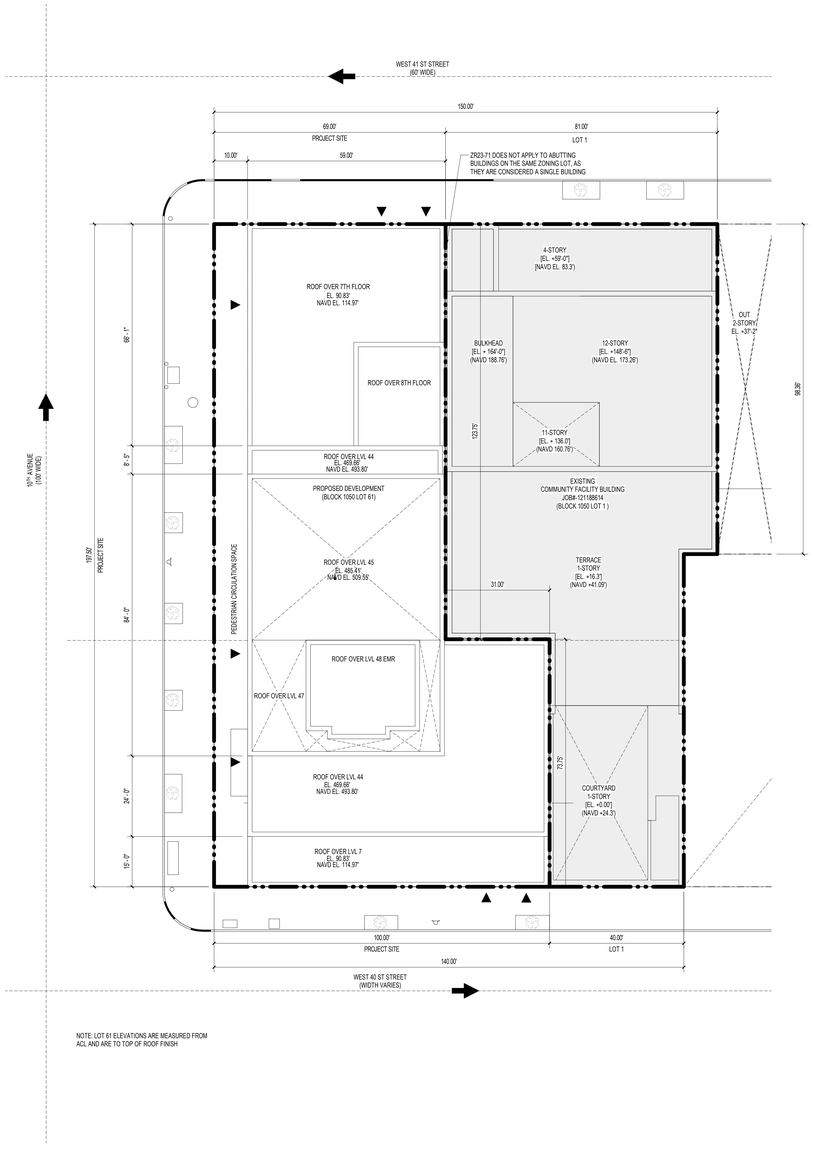
LINDA R. SHAW

Yes, the Columbus Branch of The New York Public Library is willing and able to act as a public repository for documents related to the cleanup of 550 10th Avenue, Manhattan, New York 10018 (Tax Block 1050 Lots 61) under the NYS Brownfield Cleanup Program as described above.

Leiana Spooner
Leiana Spooner, Library Manager

5/21/21
Date

Exhibit M

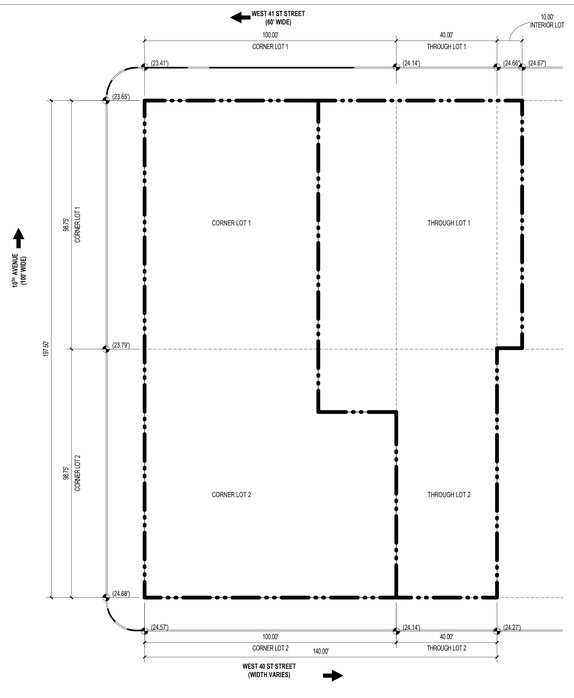


NOTE: LOT 61 ELEVATIONS ARE MEASURED FROM ACL AND ARE TO TOP OF ROOF FINISH

4 ZONING SITE PLAN
1/16" = 1'-0"

DWELLING UNIT SCHEDULE	
FLOOR	DWELLING UNITS
CELLAR	0
LEVEL 01	0
LEVEL 02	0
LEVEL 03	0
LEVEL 04	22
LEVEL 05	22
LEVEL 06	18
LEVEL 07	18
LEVEL 08	0
LEVEL 09	11
LEVEL 10	11
LEVEL 11	11
LEVEL 12	11
LEVEL 13	11
LEVEL 14	11
LEVEL 15	11
LEVEL 16	11
LEVEL 17	11
LEVEL 18	11
LEVEL 19	11
LEVEL 20	11
LEVEL 21	11
LEVEL 22	11
LEVEL 23	11
LEVEL 24	11
LEVEL 25	11
LEVEL 26	11
LEVEL 27	11
LEVEL 28	11
LEVEL 29	11
LEVEL 30	11
LEVEL 31	11
LEVEL 32	11
LEVEL 33	11
LEVEL 34	9
LEVEL 35	9
LEVEL 36	9
LEVEL 37	9
LEVEL 38	9
LEVEL 39	9
LEVEL 40	9
LEVEL 41	9
LEVEL 42	9
LEVEL 43	9
LEVEL 44	8
LEVEL 45	0
LEVEL 46	0
LEVEL 47	0
LEVEL 48 EMR	0
T.O. BULKHEAD	0
T.O. BUILDING	0
TOTAL	453

FLOOR AREA SCHEDULE				
FLOOR	USE	GROSS FLOOR AREA (SF) PER FLOOR	TOTAL DEDUCTIONS (SF)	ZONING FLOOR AREA (SF)
CELLAR	RESIDENTIAL	5,038	5,038	0
	COMMERCIAL	2,864	2,864	0
	MECH	5,971	5,971	0
LEVEL 01	RESIDENTIAL	7,212	1,262	5,950
	COMMERCIAL	6,545	315	6,230
LEVEL 02	RESIDENTIAL	604	19	585
	COMMERCIAL	10,203	554	9,649
	COMMUNITY FACILITY	2,861	0	2,861
LEVEL 03	RESIDENTIAL	531	19	512
	COMMERCIAL	13,192	300	12,892
LEVEL 04	RESIDENTIAL	13,863	2,106	11,757
LEVEL 05	RESIDENTIAL	12,433	1,332	11,101
LEVEL 06	RESIDENTIAL	13,863	2,253	11,610
LEVEL 07	RESIDENTIAL	13,060	1,364	11,696
LEVEL 08	RESIDENTIAL	8,762	1,066	7,696
LEVEL 09	RESIDENTIAL	8,630	863	7,767
LEVEL 10	RESIDENTIAL	8,633	863	7,770
LEVEL 11	RESIDENTIAL	8,633	863	7,770
LEVEL 12	RESIDENTIAL	8,633	863	7,770
LEVEL 13	RESIDENTIAL	8,633	863	7,770
LEVEL 14	RESIDENTIAL	8,633	863	7,770
LEVEL 15	RESIDENTIAL	8,633	863	7,770
LEVEL 16	RESIDENTIAL	8,633	863	7,770
LEVEL 17	RESIDENTIAL	8,633	863	7,770
LEVEL 18	RESIDENTIAL	8,633	863	7,770
LEVEL 19	RESIDENTIAL	8,633	863	7,770
LEVEL 20	RESIDENTIAL	8,633	863	7,770
LEVEL 21	RESIDENTIAL	8,633	863	7,770
LEVEL 22	RESIDENTIAL	8,633	863	7,770
LEVEL 23	RESIDENTIAL	8,633	863	7,770
LEVEL 24	RESIDENTIAL	8,633	863	7,770
LEVEL 25	RESIDENTIAL	8,633	863	7,770
LEVEL 26	RESIDENTIAL	8,633	863	7,770
LEVEL 27	RESIDENTIAL	8,633	863	7,770
LEVEL 28	RESIDENTIAL	8,633	863	7,770
LEVEL 29	RESIDENTIAL	8,633	863	7,770
LEVEL 30	RESIDENTIAL	8,633	863	7,770
LEVEL 31	RESIDENTIAL	8,633	863	7,770
LEVEL 32	RESIDENTIAL	8,633	863	7,770
LEVEL 33	RESIDENTIAL	8,633	863	7,770
LEVEL 34	RESIDENTIAL	8,611	809	7,802
LEVEL 35	RESIDENTIAL	8,633	809	7,824
LEVEL 36	RESIDENTIAL	8,633	809	7,824
LEVEL 37	RESIDENTIAL	8,633	809	7,824
LEVEL 38	RESIDENTIAL	8,633	809	7,824
LEVEL 39	RESIDENTIAL	8,633	809	7,824
LEVEL 40	RESIDENTIAL	8,633	809	7,824
LEVEL 41	RESIDENTIAL	8,633	809	7,824
LEVEL 42	RESIDENTIAL	8,633	809	7,824
LEVEL 43	RESIDENTIAL	8,633	809	7,824
LEVEL 44	RESIDENTIAL	8,633	816	7,817
LEVEL 45	RESIDENTIAL	4,764	2,502	2,262
LEVEL 46	MECH	1,383	1,383	0
LEVEL 47	MECH	1,439	1,439	0
LEVEL 48 EMR	MECH	1,018	1,018	0
TOTAL GROSS FLOOR AREA (SF)		436,369		
PROPOSED DEVELOPMENT ZONING FLOOR AREA (SF)				375,083
EXISTING BUILDING ZONING FLOOR AREA	COMMUNITY FACILITY			54,441
TOTAL ZFA (SF)				**429,524**

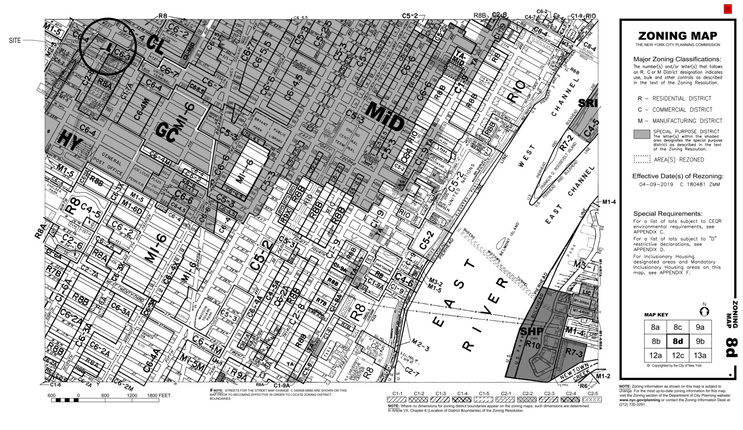


AVERAGE CURB LEVEL CALCULATIONS

			AVG. CURB LEVEL	LOT COVERAGE		WEIGHTED AVG. CURB LEVEL
CORNER LOT 1	23.79' + 23.65' + 23.41' +24.14' / 4	=	23.75	6,773	33%	7.83
CORNER LOT 2	23.79' + 24.68' + 24.57' +24.14' / 4	=	24.30	6,787	33%	8.03
THROUGH LOT 1	24.14' + 24.66' / 2	=	24.40	3,950	19%	4.69
THROUGH LOT 2	24.14' + 24.27' / 2	=	24.21	2,097	10%	2.47
CORNER LOT	24.66' + 24.67' / 2	=	24.67	931	5%	1.12
TOTAL				20,538	100%	**24.14**

NOTE: ACL CALCULATIONS FOR LOT 1 AND 61 WERE ESTABLISHED BY COVENANT HOUSE PHASE 1 CD SET DATED 12/03/2018, PREPARED BY FX COLLABORATIVE

1 AVERAGE CURB LEVEL
3/64" = 1'-0"


SITE
R8
C5-2
R8B
C6-2
C4-5
C4-3
C4-2
C6-4
C1-8/R10
M1-5
C6-2
CL
C6-2A
C6-4A
C6-4M
M1-6
C5-2
C5-3
C5-2.5
C6-3
C6-3A
C6-3D
C6-3X
C5-5
C5-1
C5-2.5
C5-3
C5-5
C5-2
C5-1
C6-3
C6-3A
C6-3D
C6-3X
C5-5

550 Tenth Avenue, Manhattan

Zoning Lot Site Plan

Legend

- Development Site
- Zoning Lot Boundary
- Tax Block Lines
- Tax Lot Lines
- Building Footprints
- Proposed Building Footprint
- 30' — Proposed Dimensions
- 250' — Proposed Heights
- 100 — Lot Dimensions
- 60' — Right of Way Widths
- → — Traffic Direction
- 34' — Sidewalk and Roadbed Widths
- (12) — Lot Numbers

Blocks and Lots	Zoning Lot Areas
Block 1050, Lot 61	15,914 sf
Block 1050, Lot 1	12,713 sf

Firm:
Urban Cartographics
421 Seventh Avenue, Suite 1008
New York, NY 10001
Tel. 718.427.5299
admin@urbancartographics.com

Zoning Map: 8d
Zoning Districts: C2-8 / HY
Community District: M-04

Drawing Name:
Zoning Lot Site Plan
Sheet Number:
Z-01
Date Created:
March 16, 2021
Last Revised:
March 16, 2021

Applicant's stamp and seal corresponds to the information regarding the development site, zoning lot, and related curb cuts. Information regarding the surrounding properties is for illustrative purposes only.

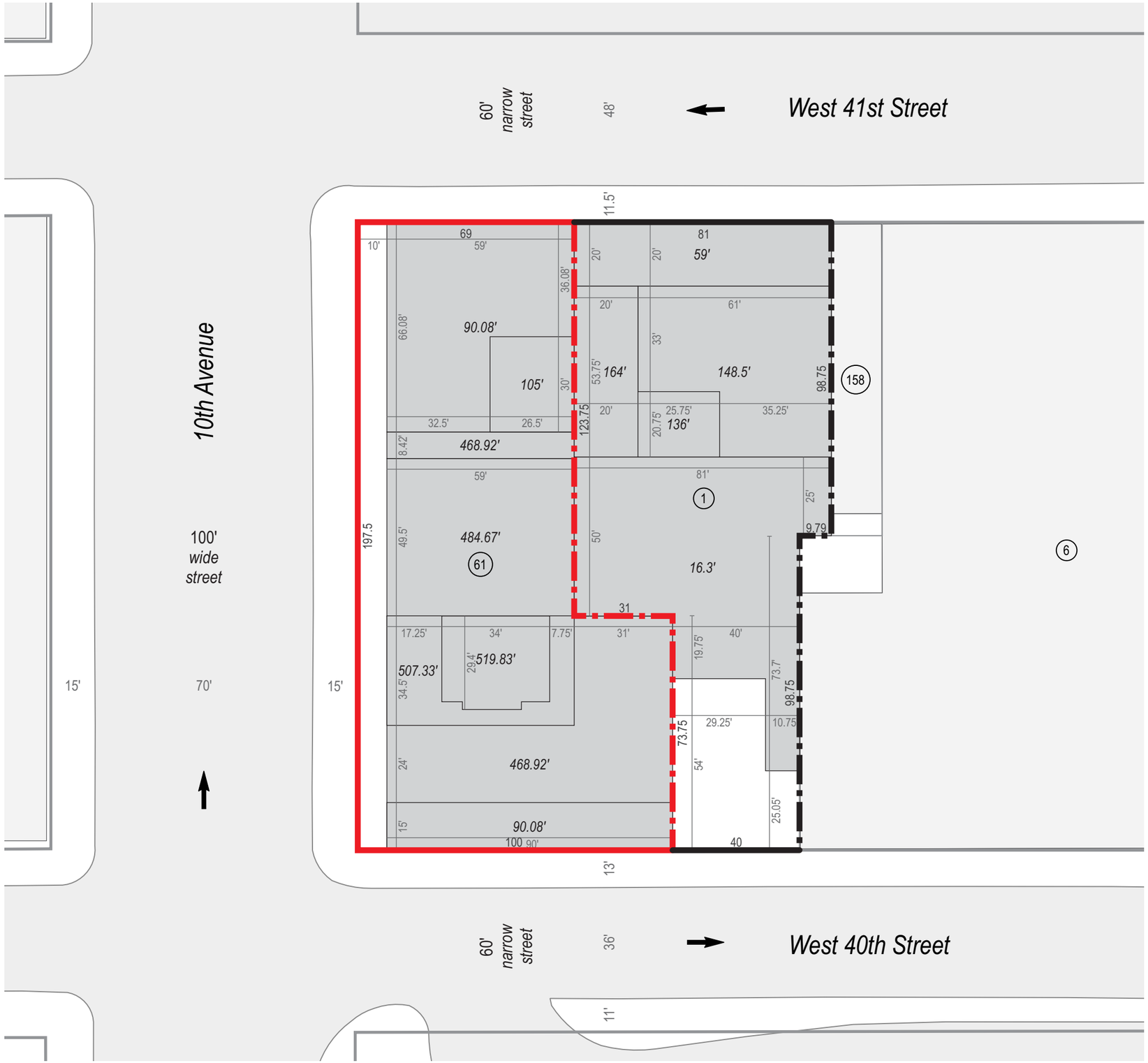
N

Scale: 1"=33.3'

0 12.5 25 50 75 100 Feet

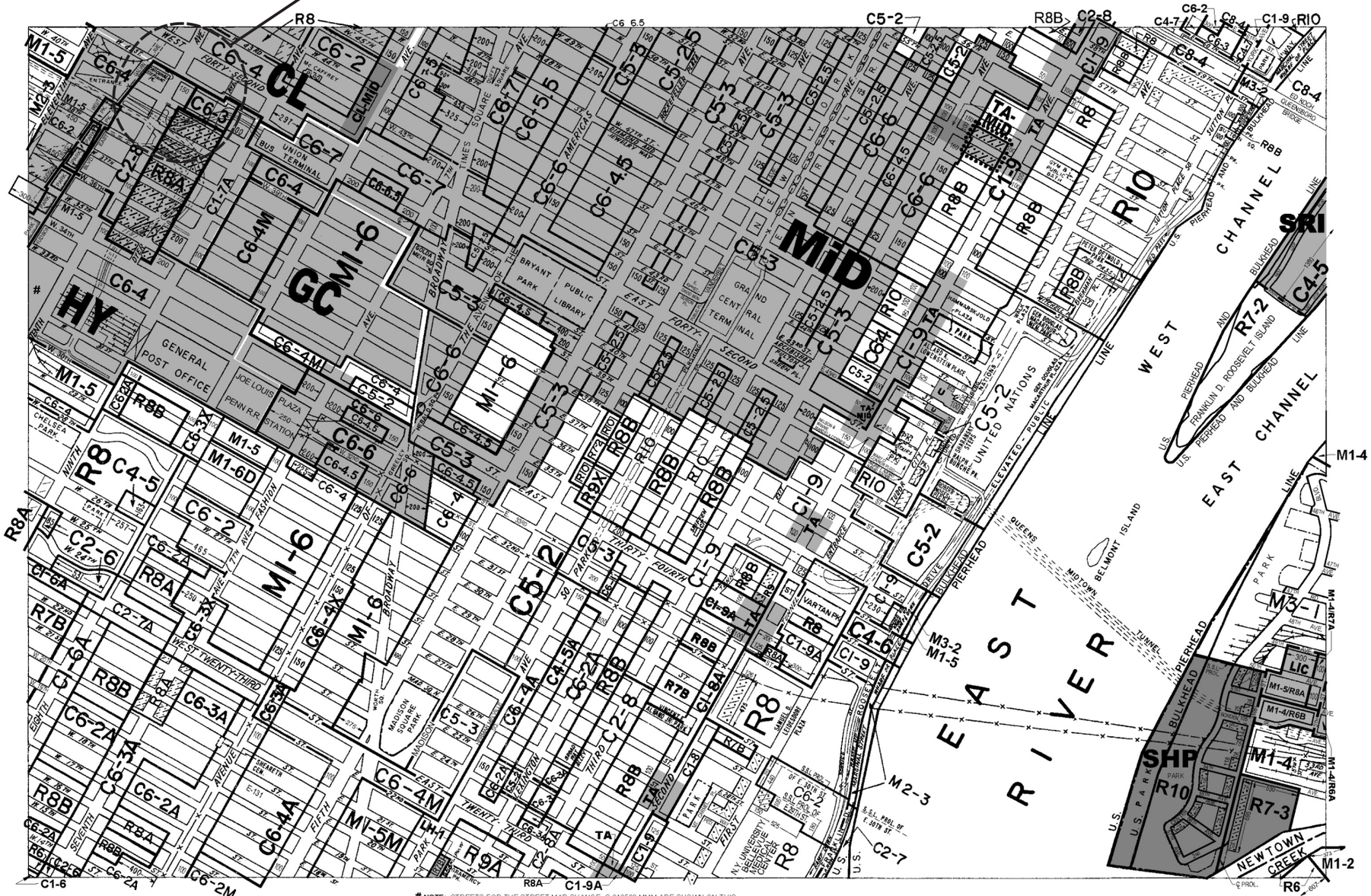
Graphic scale applicable to all non-dimensioned elements.

Urban Cartographics



550 Tenth Avenue, Manhattan

Proposed Project Area


R8
C6-4
CL
C6-2
C6-5.5
C5-3
C5-2.5
C5-2
R8B
C2-8
C6-2
C4-7
C8-4
C1-9
R10
C6-7
C6-5
C6-6
C6-4.5
MiD
TA-MID
R10
SRI
C4-5
CHANNEL
C6-4M
MI-6
GC
HY
C6-4
C6-5.5
C6-3
C1-7A
C2-8
R8A
R8B
C1-9
C6-6
C5-3
C5-2.5
C6-4.5
C5-2
C6-4.5M
C6-4.5
C6-6
C6-5
C6-3X
M1-5
M1-6D
R8
C4-5
C6-2
C6-2A
C2-6
R8A
C1-6A
R7B
C2-7A
C6-4X
MI-6
C6-3A
C6-3D
C6-2A
R8B
C1-6
C6-4A
C6-4.5A
C6-2M
C6-4M
MI-5M
LH-1
R9A
C1-9A
R8A
C1-6
C2-6
R6
C6-2G
C6-2A
C6-2M
R9X
R10A
C1-9A
R7B
C6-2
C6-4.5A
C6-2A
C6-3A
C6-3D
C6-4A

(2/2/11)

93-22
Floor Area Regulations in Subdistricts B, C, D, E and F

(a) Subdistricts B, C, D and E

In Subdistricts B, C, D and E, the basic maximum #floor area ratio# is determined by the subdistrict and, where applicable, subarea, as specified in the table in this Section. The basic maximum #floor area ratios# for #non-residential buildings# are set forth in Row A, and the basic maximum #floor area ratios# for #buildings# containing #residences# are set forth in Row B. Such basic maximum #floor area ratios# may be increased to the amount specified in Row C only pursuant to Section 93-31 (District Improvement Fund Bonus) or as otherwise specified in Sections 93-221 through 93-224.

For a #zoning lot# with more than one #building#, the basic maximum #floor area ratios# set forth in Row A shall apply, provided that any #building# that is #developed# or #enlarged# after January 19, 2005, is wholly #non-residential#. If a #building# containing #residences# is #developed# or #enlarged# on such a #zoning lot# after January 19, 2005, the basic maximum #floor area ratios# set forth in Row B shall apply.

Notwithstanding the provisions of this Section, the basic maximum permitted #floor area ratio# may be increased on an "adjacent lot" pursuant to Section 74-79 (Transfer of Development Rights From Landmark Sites), provided that the maximum #floor area# transferred from the landmark lot does not exceed the basic maximum permitted #floor area ratio# less the total #floor area# of all #buildings# on the landmark lot.

Maximum Permitted Floor Area Ratio within Subdistricts B through E

	Farley Corridor Subdistrict B				34th St Corridor Sub district C	Hell's Kitchen Subdistrict D			South of Port Auth. Sub district E
Subarea	Western Blocks	Central Blocks	Farley Post Office	Penn. Stn.		Subarea D1	Subarea D2	Subarea D3	
ROW A Basic maximum FAR for #non-residential buildings#	10.0 total 10.0 C 2.0 CF	12.0 total 12.0 C 2.0 CF	10.0 total 10.0 C 2.0 CF	10.0 total 10.0 C 2.0 CF	10.0 total 10.0 C 10.0 CF	7.5 total 2.0 C 7.5 CF	7.5 total 2.0 C 7.5 CF	7.5 total 6.0 C 7.5 CF	10.0 total 10.0 C 2.0 CF
ROW B Basic maximum FAR for #buildings# containing #residences#	NA	NA	10.0 total 10.0 C 6.0 R 2.0 CF	NA	6.5 total 6.5 C 6.5 R 6.5 CF	6.5 total 2.0 C 6.5 R 6.5 CF	6.5 total 2.0 C 6.5 R 6.5 CF	7.5 total 6.0 C 7.5 R 7.5 CF	NA
ROW C Maximum FAR through special #floor area# increases pursuant to Section 93-30, inclusive, Inclusionary Housing Section 93-23, inclusive, or Section 74-79, inclusive, as applicable.	21.6 total 21.6 C 6.0 R 2.0 CF	19.0 total 19.0 C 4.0 R 2.0 CF	NA	19.5 total 19.5 C 2.0 CF	13.0 total 13.0 C 12.0 R 12.0 CF	15.0 total 3.0 C 12.0 R 12.0CF	13.0 total 3.0 C 12.0 R 12.0CF	12.0 total 7.5 R 7.2 C 12.0CF	18.0 total 18.0 C 3.0 R 2.0 CF

C = Commercial FAR
CF = Community Facility FAR
R = Residential FAR

(3/22/16)

93-223
Maximum floor area ratio in Hell's Kitchen Subdistrict D

(a) Subareas D1 and D2

In Subareas D1 and D2 of Hell's Kitchen Subdistrict D, the basic maximum #floor area ratios# of #non-residential buildings# are set forth in Row A in the table in Section 93-22 and may be increased to the amount specified in Row C pursuant to Section 93-31 (District Improvement Fund Bonus) or through the transfer of #floor area# from the #Phase 2 Hudson Boulevard and Park# as set forth in Section 93-32. The basic maximum #floor area ratios# of any #building# containing #residences# are set forth in Row B.

The #floor area ratio# of any #building# containing #residences# may be increased from 6.5 pursuant to Section 93-31 (District Improvement Fund Bonus) or through the transfer of #floor area#

from the #Phase 2 Hudson Boulevard and Park# as set forth in Section 93-32, and pursuant to Section 23-154 (Inclusionary Housing), as modified by Section 93-23, as follows:

(1) The #residential floor area ratio# may be increased from 6.5 to a maximum of 12.0 only if for every five square feet of #floor area# increase pursuant to Sections 93-31 or 93-32 there is a #floor area# increase of six square feet, pursuant to Section 23-154, as modified by Section 93-23.

(2) Any #floor area# increase above a #floor area ratio# of 12.0 shall be only pursuant to Sections 93-31 or 93-32.

Furthermore, in Subarea D1, the #floor area ratio# on a #zoning lot# may exceed 13.0 only where the #community facility floor area ratio# is not less than the excess of such #floor area ratio# above 13.0.

(3/22/16)

93-23
Modifications of Inclusionary Housing Program

Subdistrict C (34th Street Corridor) and Subareas D1 and D2 of Subdistrict D (Hell's Kitchen) of the #Special Hudson Yards District# and Area P-2 of the #Special Garment Center District#, shall be #Inclusionary Housing designated areas#, pursuant to Section 12-10 (DEFINITIONS) for the purpose of making the Inclusionary Housing Program regulations of Sections 23-154 (Inclusionary Housing) and 23-90 (INCLUSIONARY HOUSING), inclusive, applicable as modified within the Special Districts. The underlying provisions of Sections 23-154 and 23-90 shall only be applicable in Subdistrict F as modified by Section 93-233 (Floor area increase for affordable housing in Subdistrict F).

(7/29/09)

93-231
Definitions

For the purposes of this Chapter, matter in italics is defined in Section 12-10 or 23-911 (General definitions), inclusive.

(3/22/16)

93-232
Floor area increase in Subdistricts B, C, D and E, and Preservation Area P-2

Within Subdistricts B, C, D and E, and Preservation Area P-2, the provisions of Section 23-154 (Inclusionary Housing) shall not apply. In lieu thereof, the #floor area# compensation provisions of this Section shall apply. In accordance with the provisions set forth in Section 93-22 (Floor Area Regulations in Subdistricts B, C, D, E and F) or 121-31 (Maximum Permitted Floor Area), the maximum permitted #residential floor area ratio# on a #zoning lot# with #developments# or #enlargements# that provide #affordable housing# pursuant to the Inclusionary Housing Program may be increased, as follows:

(a) The permitted #floor area ratio# may be increased from 6.5, or as otherwise specified in Section 93-22, to a maximum of 9.0, provided that:

(1) the amount of #low income floor area# is equal to at least 10 percent of the total #residential floor area# on the #zoning lot#; or

(2) the amount of #low income floor area# is equal to at least five percent of the total #residential floor area# on the #zoning lot#, and the amount of #moderate income floor area# is equal to at least 7.5 percent of the total #residential floor area# on the #zoning lot#; or

(3) the amount of #low income floor area# is equal to at least five percent of the total #residential floor area# on the #zoning lot# and the amount of #middle income floor area# is equal to at least 10 percent of the total #residential floor area# on the #zoning lot#.

(b) The permitted #floor area ratio# may be increased from 9.0 to a maximum of 12.0, provided that:

(1) the amount of #low income floor area# is equal to at least 20 percent of the total #residential floor area# on the #zoning lot#; or

(2) the amount of #low income floor area# is equal to at least 10 percent of the total #residential floor area# on the #zoning lot#, and the amount of #moderate income floor area# is equal to at least 15 percent of the total #residential floor area# on the #zoning lot#; or

(3) the amount of #low income floor area# is equal to at least 10 percent of the total #residential floor area# on the #zoning lot# and the amount of #middle income floor area# is equal to at least 20 percent of the total #residential floor area# on the #zoning lot#.

For the purposes of this Section, #low income floor area# may be considered #moderate income floor area# or #middle income floor area#, and #moderate income floor area# may be considered #middle income floor area#.

ZONING RESOLUTION Web Version

THE CITY OF NEW YORK

THE CITY OF NEW YORK
Bill de Blasio, Mayor

CITY PLANNING COMMISSION
Marisa Lago, Chair

Article IX: Special Purpose Districts

Chapter 3: Special Hudson Yards District

Effective date of most recently amended section of Article IX Chapter 3: 8/9/17

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(1/19/05)

Article IX - Special Purpose Districts

Chapter 3
Special Hudson Yards District

(4/14/10)

93-00
GENERAL PURPOSES

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

(a) to facilitate and guide the development of an environmentally beneficial, transit-oriented business and residence district by coordinating high density development with expanded mass transit facilities, extended and improved subway lines, improved pedestrian access to mass transit facilities, improved pedestrian circulation and avoidance of conflicts with vehicular traffic;

(b) to control the impact of buildings on the access of light and air to the streets and avenues of the Hudson Yards area and the surrounding neighborhoods;

(c) to provide an open space network comprised of public parks, public open space and public access areas through the establishment of a large-scale plan and other controls and incentives;

(d) to preserve the pedestrian orientation of ground floor uses, and thus safeguard a traditional quality of the City;

(e) to preserve the low- and medium-scale residential character of the Hell's Kitchen area;

(f) to provide a transition between the Hudson Yards District and the Clinton community to the north;

(g) to provide a transition between the Hudson Yards District and the Garment Center to the east;

(h) to provide a transition between the Hudson Yards District and the West Chelsea area to the south;

(i) to promote the use of the Jacob K. Javits Convention Center to the west by creating an active and attractive business district that facilitates pedestrian access to the Center;

(j) to provide flexibility of architectural design within limits established to assure adequate access of light and air to the street, and thus to encourage more attractive and economic building forms;

(k) to provide a transition between the Hudson Yards District and the Hudson River to the west;

(l) to facilitate the restoration and reuse of the High Line elevated rail line as an accessible, public open space through special height and setback regulations;

(m) to promote the most desirable use of land and building development in accordance with the District Plan for the Hudson Yards and thus conserve the value of land and buildings and thereby protect the City's tax revenues; and

(n) to limit the amount of off-street parking based on regulations that address the anticipated needs of residents, workers and visitors to the Hudson Yards Area, consistent with the objective of creating an area with a transit- and pedestrian-oriented neighborhood character.

(7/24/13)

93-01
Definitions

ERY Culture, Festival and Exhibit Facility

An "ERY Culture, Festival and Exhibit Facility" is a #use#, operated by a not-for-profit entity, that comprises changing, non-permanent exhibits, events, expositions, presentations, festivals and fairs related to any or all of the following: visual arts, performing arts, culinary arts, literature, journalism, crafts, fashion and design, or any similar artistic activity. No trade shows shall be permitted unless they are related to one of such activities. Any #building# in

which an #ERY Culture, Festival and Exhibit Facility# is located may include a moveable portion that may be extended and retracted to cover all or a portion of the Culture Facility Plaza described in Section 93-71, paragraph (j).

ERY High Line

For the purpose of this Chapter, the #ERY High Line# shall refer to the portion of the #High Line# between the western #street line# of Tenth Avenue and the western #street line# of Eleventh Avenue north of West 30th Street.

High Line

For the purpose of this Chapter, the "High Line" shall refer to the elevated rail line structure located between Gansevoort Street and West 34th Street in the north-south direction, and between Washington Street and Twelfth Avenue in the east-west direction.

High Line bed

The "High Line bed" is the highest level of the horizontal surface (platform) of the elevated rail line structure of the #High Line#.

High Line Landscape Improvement Deposit

For the purpose of this Chapter, the #High Line Landscape Improvement Deposit# shall be in the amount of $18,214,507 for the #ERY High Line# and, if the #Tenth Avenue Spur# is provided as a public access area pursuant to Section 93-71, in the amount of $23,200,228, as adjusted by changes in the construction cost index published by the Engineering News-Record (ENR) for New York City, commencing as of January 2012. Payment of the #High Line Landscape Improvement Deposit# shall be in the form of cash or other form of immediately available funds. The #High Line Landscape Improvement Deposit# shall be held by the City, or an instrumentality of the City, as the Chairperson of the City Planning Commission shall designate, and shall be applied exclusively to the improvement for public use of the #ERY High Line# and, if applicable, the #Tenth Avenue Spur#.

High Line Maintenance Funding

For the purpose of this Chapter, #High Line Maintenance Funding# shall mean funding sufficient for the maintenance and ordinary repair of the #ERY High Line# and, if applicable, the #Tenth Avenue Spur#, in an amount acceptable to the City, as adjusted on an annual basis.

High Line Rehabilitation Deposit

For the purpose of this Chapter, the #High Line Rehabilitation Deposit# shall be in the amount of $9,580,763 for the #ERY High Line# and, if the #Tenth Avenue Spur# is provided as a public access area pursuant to Section 93-71, in the amount of $12,203,234, as adjusted by changes in the construction cost index published by the ENR for New York City commencing as of January, 2012. Payment of the #High Line Rehabilitation Deposit# shall be in the form of cash or other form of immediately available funds if plans and specifications for rehabilitation of the #ERY High Line# and, if applicable, the #Tenth Avenue Spur#, have been substantially completed as of the time the #High Line Rehabilitation Deposit# is required, and if such plans and specifications have not been substantially completed at the time the #High Line Rehabilitation Deposit# is required, in the form of cash or a cash equivalent, such as a letter of credit, in a form acceptable to the City. The #High Line Rehabilitation Deposit# shall be held by the City, or an instrumentality of the City, as the Chairperson of the City Planning Commission shall designate, and shall be applied exclusively to the rehabilitation of the #ERY High Line# and, if applicable, the #Tenth Avenue Spur#.

Hudson Yards District Improvement Fund

The "Hudson Yards District Improvement Fund" (the "Fund") shall be an account of the Hudson Yards Infrastructure Corporation (the "Corporation"). The Fund shall be owned for all purposes by the Corporation and may be used for any corporate purpose of the Corporation, including its pledge, assignment or sale in furtherance of any financing by the Corporation in support of district improvements in the #Hudson Yards Redevelopment Area#. The Corporation, as owner for all purposes of the Fund, will manage the Fund in furtherance of the purposes of the Corporation.

Hudson Yards Redevelopment Area

The "Hudson Yards Redevelopment Area" shall be the areas within the #Special Hudson Yards District#, Area P-2 of the #Special Garment Center District#, the 42nd Street Perimeter Area of the #Special

Clinton District#, and the area bounded by the center line of Eleventh Avenue, the northern #street line# of West 43rd Street, the westerly prolongation of the northern #street line# of West 43rd Street to the U.S. Pierhead Line, the U.S. Pierhead Line, the westerly prolongation of the southern #street line# of West 29th Street to the U.S. Pierhead Line, and the southern #street line# of West 29th Street. However, the area bounded by the westerly side of Eleventh Avenue, the southerly side of West 43rd Street, the westerly side of Twelfth Avenue and the northerly side of West 33rd Street shall not be included in the #Hudson Yards Redevelopment Area#, except for any portion of such #blocks# containing a transit easement for subway-related use. Furthermore, the #Hudson Yards Redevelopment Area# shall not include any underground connections from a subway station to any #use# located on such excluded #blocks# or between any such #uses#.

Phase 2 Hudson Boulevard and Park

The "Phase 2 Hudson Boulevard and Park" is the area within the #Special Hudson Yards District# bounded on the north by the center line of West 39th Street, on the east by the eastern boundary of the park located between West 38th and West 39th Streets and the eastern #street line# of Hudson Boulevard East, on the south by the center line of West 36th Street, and on the west by the western #street line# of Hudson Boulevard West and the western boundary of the park located between West 38th and West 39th Streets, as shown on Map 1 (Special Hudson Yards District, Subdistricts and Subareas) in Appendix A of this Chapter.

Tenth Avenue Spur

For the purpose of this Chapter, the #Tenth Avenue Spur# shall refer to the portion of the #High Line# above the intersection of Tenth Avenue and West 30th Street.

(10/9/13)

93-02
General Provisions

The provisions of this Chapter shall apply within the #Special Hudson Yards District#. The regulations of all other chapters of this Resolution are applicable, except as superseded, supplemented or

modified by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control. However, in #flood zones#, in the event of a conflict between the provisions of this Chapter and the provisions of Article VI, Chapter 4 (Special Regulations Applying in Flood Hazard Areas), the provisions of Article VI, Chapter 4, shall control.

(4/29/14)

93-03
District Plan and Maps

The regulations of this Chapter are designed to implement the #Special Hudson Yards District# Plan.

The District Plan includes the following six maps in Appendix A of this Chapter:

Map 1 - Special Hudson Yards District, Subdistricts and Subareas

Map 2 - Mandatory Ground Floor Retail

Map 3 - Mandatory Street Wall Requirements

Map 4 - Mandatory Sidewalk Widenings

Map 5 - Transit Facilities

Map 6 - Sites Where Special Parking Regulations Apply

Subdistrict Plans include the following five maps in Appendix B of this Chapter:

Map 1 - Subdistrict B: 450 West 33rd Street and Ninth Avenue Rail Yard Public Access Area Plan

Map 2 - Subdistrict F: Site Plan

Map 3 - Subdistrict F: Public Access Area Plan

Map 4 - Subdistrict F: Mandatory Ground Floor Requirements

Map 5 - Subdistrict F: Mandatory Street Wall Requirements

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

(4/29/14)

93-04
Subdistricts and Subareas

In order to carry out the provisions of this Chapter, six subdistricts are established, as follows:

Large-Scale Plan Subdistrict A

Farley Corridor Subdistrict B

34th Street Corridor Subdistrict C

Hell's Kitchen Subdistrict D

South of Port Authority Subdistrict E

Western Rail Yard Subdistrict F

In each of these subdistricts, certain special regulations apply which do not apply within the remainder of the #Special Hudson Yards District#. Within certain subdistricts, subareas are established, as follows:

Within the Large-Scale Plan Subdistrict A:

Eastern Rail Yard Subarea A1

Four Corners Subarea A2

Subarea A3

Subarea A4

Subarea A5

Within Farley Corridor Subdistrict B:

Western Blocks Subarea B1

Central Blocks Subarea B2

Farley Post Office Subarea B3

Pennsylvania Station Subarea B4

Within Hell's Kitchen Subdistrict D:

Subarea D1

Subarea D2

Subarea D3

Subarea D4

Subarea D5

Within these subareas, certain special regulations apply which do not apply within the remainder of the subdistrict.

The subdistricts and subareas are outlined on Map 1 (Special Hudson Yards District, Subdistricts and Subareas) in Appendix A of this Chapter. Additional requirements for specific subdistricts, or portions thereof, are outlined in Appendix B of this Chapter.

(1/19/05)

93-05
Applicability of District Regulations

(3/28/12)

93-051
Applicability of Article I, Chapter 1

Within the #Hudson Yards Redevelopment Area#, Section 11-332 (Extension of period to complete construction) shall apply, except that notwithstanding the provisions of paragraph (a) of such Section, in the event that other construction for which a building permit has been lawfully issued and for which construction has been commenced

but not completed on January 19, 2005, such other construction may be continued provided that the construction is completed and a temporary or permanent certificate of occupancy is obtained not later than January 19, 2006.

(5/8/13)

93-052
Applicability of Article I, Chapter 3

#Public parking lots# authorized prior to January 19, 2005, and #accessory# off-street parking facilities for which a special permit has been granted prior to January 19, 2005, may be renewed subject to the terms of such authorization or special permit.

The provisions of Article I, Chapter 3, in their entirety shall be applied to Subdistrict F. The following provisions of Article I, Chapter 3, governing #automated parking facilities#, as defined in Section 13-02, automobile rental establishments, commercial vehicle parking, and off-street loading berths shall apply to Subdistricts A, B, C, D and E, as applicable:

(a) for #automated parking facilities#, the provisions of Section 13-101 (Calculating parking spaces in automated parking facilities), paragraph (b) of Section 13-25 (Reservoir Spaces), and paragraph (b) of Section 13-27 (Minimum and Maximum Size of Parking Facilities);

(b) for automobile rental establishments, the provisions of Section 13-15 (Permitted Parking for Automobile Rental Establishments), paragraph (b) of Section 13-221 (Enclosure and screening requirements), Section 13-241 (Location of curb cuts), paragraph (b) of Section 13-242 (Maximum width of curb cuts), paragraph (c) of Section 13-25, and paragraph (c) of Section 13-27;

(c) for commercial vehicle parking, the provisions of Section 13-16 (Permitted Parking for Car Sharing Vehicles and Commercial Vehicles); and

(d) for off-street loading berths, the provisions of Section 13-30, inclusive.

Additional provisions of Article I, Chapter 3, shall be applicable as specified in Section 93-80, inclusive.

(3/22/16)

93-053
Applicability of Article VII, Chapter 3

The following special permits by the Board of Standards and Appeals shall not be applicable:

Section 73-16 (Public Transit, Railroad or Electric Utility Substations) shall not apply to electrical utility substations. In lieu thereof, such #uses# shall be allowed within the #Special Hudson Yards District# upon authorization of the City Planning Commission pursuant to Section 93-18 (Authorization for Electrical Utility Substations)

Section 73-62 (Modification of Bulk Regulations for Buildings Containing Residences)

Section 73-63 (Enlargement of Non-residential Buildings)

Section 73-64 (Modifications for Community Facility Uses).

(4/14/10)

93-054
Applicability of Article VII, Chapter 4

(a) The following special permits by the City Planning Commission shall not be applicable:

Section 74-61 (Public Transit, Railroad or Electric Utility Substations) shall not apply to electrical utility substations. In lieu thereof, such #uses# shall be allowed within the #Special Hudson Yards District# upon authorization of the City Planning Commission pursuant to Section 93-18 (Authorization for Electrical Utility Substations

Section 74-68 (Development Within or Over a Right-of-way or Yards)

Section 74-72 (Bulk Modification)

Section 74-74 (Large-scale General Development) shall be inapplicable in the Large-scale Plan Subdistrict A

Section 74-83 (Court Houses)

Section 74-841 (Development in certain Commercial Districts)

Section 74-852 (Height and setback regulations for zoning lots divided by district boundaries)

Section 74-87 (Covered Pedestrian Space)

Section 74-91 (Modification of Public Plazas)

Section 74-95 (Modifications of Housing Quality Special Permits).

(b) The following provisions regarding special permits by the City Planning Commission shall be applicable as modified:

Section 74-52 (Parking Garages or Public Parking Lots in High Density Central Areas) shall be applicable to the renewal of City Planning Commission special permits for #public parking lots# and #public parking garages# granted prior to April 14, 2010.

Section 74-79 (Transfer of Development Rights From Landmark Sites) shall apply, except that within the Pennsylvania Station Subarea B4 of the Farley Corridor Subdistrict B, such section shall be applicable only for a #development# or #enlargement# that has increased its permitted #floor area ratio# to 15.0 pursuant to Section 93-35 (Special Permit for Transit Bonus in Pennsylvania Station Subarea B4). Furthermore, the maximum amount of #floor area# that may be transferred from the #zoning lot# occupied by a landmark #building# may increase the maximum allowable #floor area ratio# within the Pennsylvania Station Subarea B4 to 19.5.

Section 74-82 (Through Block Arcades) shall apply to any #development# or #enlargement# for which a #through block arcade# would not otherwise be permitted pursuant to this Chapter, except that

no #floor area# bonus shall be permitted.

(9/4/08)

93-055
Modification of use and bulk regulations for zoning lots bounding Hudson Boulevard Park

Where the #lot line# of a #zoning lot# coincides with the boundary of the #public parks# located between West 35th Street, Hudson Boulevard East, West 33rd Street and Eleventh Avenue, such #lot line# shall be considered to be the #street line# of Hudson Boulevard West for the purposes of applying all #use# and #bulk# regulations of this Resolution.

Where the #lot line# of a #zoning lot# coincides with the boundary of the #public park# located between West 39th Street, Tenth Avenue, West 38th Street and Eleventh Avenue, such #lot line# shall be considered to be the #street line# of Hudson Boulevard East and West, as applicable, for the purposes of applying all #use# and #bulk# regulations of this Resolution.

(12/21/09)

93-06
Declaration of Restrictions in Subdistrict F

No building permit shall be issued for any #development# or #enlargement# within Subdistrict F unless a declaration of restrictions, in substantially the form reviewed by the City Planning Commission pursuant to CEQR No. 09DCP007M and referenced in and made an exhibit to the findings of the Commission pursuant to 6 NYCRR Section 617.11 in connection with its adoption of the regulations of this Chapter and as modified by the City Council, applicable to Subdistrict F (as such declaration may be revised prior to filing and recordation in accordance with the provisions thereof applicable to amendments made subsequent to filing and recordation), shall have been filed and duly recorded in the Borough Office of the City Register of the City of New York and indexed against all property interests in Subdistrict F proposed for #development# or #enlargement# pursuant to this Chapter.

(5/31/12)

93-10
USE REGULATIONS

The #use# regulations of the underlying districts are modified as set forth in this Section, inclusive.

The only permitted change of #use# for the #High Line# shall be to provide publicly accessible open space in accordance with the provisions of Sections 93-71 (Public Access Areas in the Eastern Rail Yard Subarea A1) and 93-75 (Publicly Accessible Open Spaces in Subdistrict F).

(7/24/13)

93-101
ERY Culture, Festival and Exhibit Facility

For purposes of this Chapter, all references to #community facility#, #community facility use# or #uses# in Use Groups 3 or 4 in connection with Eastern Rail Yard Subarea A1 shall be deemed to include an #ERY Culture, Festival and Exhibit Facility#.

(1/19/05)

93-11
Air Space Over a Railroad or Transit Right-of-way or Yard

The provisions for the use of air space over railroad or transit right-of-ways or yards set forth in Sections 22-41, 32-44 and 42-462 shall not apply. In lieu thereof, all #developments# or #enlargements# within such air space shall comply with the provisions of this Chapter.

(1/19/05)

93-12
Special Residential Use Regulations

(1/19/05)

93-121
Restrictions on residential use

No #residential use# shall be permitted within the Pennsylvania Station Subarea B4 of the Farley Corridor Subdistrict B.

(7/20/17)

93-122
Certification for residential use in Subdistricts A, B and E

Within the Large-Scale Plan Subdistrict A, Subareas B1 and B2 of the Farley Corridor Subdistrict B, and the South of Port Authority Subdistrict E, #residential use# shall be permitted only upon certification of the Chairperson of the City Planning Commission that the #zoning lot# on which such #residential use# is located contains the minimum amount of #commercial floor area# required before #residential use# is allowed, as specified in Section 93-21 (Floor Area Regulations in the Large-Scale Plan Subdistrict A) or 93-22 (Floor Area Regulations in Subdistricts B, C, D, E and F), as applicable, and that for #zoning lots# in Subareas A2 through A5 of the Large-Scale Plan Subdistrict A, a certification pursuant to Section 93-34 (Distribution of Floor Area in the Large-Scale Plan Subdistrict A) has been made.

However, special regulations shall apply to #zoning lots# with phased development, as follows:

(a) except as provided in paragraph (c) of this Section, for #zoning lots# with less than 69,000 square feet of #lot area#, the Chairperson shall allow for phased development, upon certification that a plan has been submitted whereby the ratio of #commercial floor area# to #residential floor area#, in #buildings# in each phase, is no smaller than the ratio of the minimum amount of #commercial floor area# required on the #zoning lot# before #residential use# is allowed, to the maximum #residential floor area# permitted on the #zoning lot# as specified in Section 93-21 or 93-22, as applicable;

(b) for #zoning lots# with at least 69,000 square feet of #lot area#, the Chairperson shall allow for one or more #buildings#

containing #residences# to be #developed# or #enlarged# without the minimum amount of #commercial floor area# required before #residential use# is allowed, as specified in Section 93-21 or 93-22, as applicable, upon certification that a plan has been submitted whereby one or more regularly shaped portions of the #zoning lot# with a minimum area of 50,000 square feet are reserved for future development of not more than two million square feet of #commercial floor area# on each such portion, and that, upon full development of such #zoning lot#, the ratio of #commercial floor area# to #residential floor area# shall be no smaller than the ratio of the minimum amount of #commercial floor area# required on the #zoning lot# before #residential use# is allowed, to the maximum #residential floor area# permitted on the #zoning lot#, as specified in Section 93-21 or 93-22, as applicable; and

(c) for #zoning lots# with at least 55,000 square feet but less than 69,000 square feet of #lot area# within Subarea A3 of the Large-Scale Plan Subdistrict A, the Chairperson shall allow for one or more #buildings# containing #residences# to be #developed# or #enlarged# without the minimum amount of #commercial floor area# required before #residential use# is allowed, as specified in paragraph (a) of Section 93-21, upon certification that a plan has been submitted whereby one or more regularly shaped portions of the #zoning lot# with a minimum area of 35,000 square feet are reserved for future development, and that, upon full development of such #zoning lot#, the ratio of #commercial floor area# to #residential floor area# shall be no smaller than the ratio of the minimum amount of #commercial floor area# required on the #zoning lot# before #residential use# is allowed, to the maximum #residential floor area# permitted on the #zoning lot#, as specified in Section 93-21.

All #developments# or #enlargements# so certified shall be permitted only in accordance with the provisions of this Chapter.

(3/22/16)

93-123
Location of residential use within buildings

The provisions of Section 32-422 (Location of floors occupied by commercial uses) are modified to permit #residential uses# on the same #story# as a #commercial use# provided no access exists between such #uses# at any level containing #dwelling units# and provided any

#commercial uses# are not located directly over any #story# occupied in whole or in part by #dwelling units#. However, such #commercial uses# may be located over such a #story# occupied by #dwelling units# by authorization of the City Planning Commission upon a finding that sufficient separation of #residential uses# from #commercial uses# exists within the #building#.

(2/2/11)

93-124
Restrictions on conversions of residential use

In #Commercial Districts# mapped within R8A Districts, a #residential use# existing on December 21, 2005, within a #story# that has a floor level within five feet of #curb level#, may not be #converted# to a #commercial use#.

(1/19/05)

93-13
Special Office Use Regulations

(3/22/16)

93-131
Certification for office use

The provisions of this Section shall apply to all #developments# or #enlargements# in the #Hudson Yards Redevelopment Area#, with the exception of Subdistrict F.

(a) No temporary certificate of occupancy from the Department of Buildings may be issued for any portion of a #development# or #enlargement# in the #Hudson Yards Redevelopment Area# that includes Use Group 6B offices #developed# or #enlarged# after January 19, 2005, until the Chairperson of the Department of City Planning certifies to the Commissioner of Buildings that:

(1) such #development# or #enlargement# does not utilize any #floor area# increases pursuant to Sections 23-154

(Inclusionary Housing) or 96-25 (Floor Area Bonus for New Theater Use); or

(2) such #development# or #enlargement# utilizes #floor area# increases pursuant to Sections 23-154, 93-30 (SPECIAL FLOOR AREA REGULATIONS), inclusive, or 96-25, and will not result in a total amount of Use Group 6B office #floor area developed# or #enlarged# after January 19, 2005, within the #Hudson Yards Redevelopment Area# of over 20 million square feet.

All #developments# or #enlargements# so certified shall be permitted in accordance with the provisions of this Chapter, or the provisions of the #Special Clinton District# or the #Special Garment Center District#, as applicable.

(b) Where the Chairperson of the Department of City Planning determines that the amount of office #floor area# in any #development# or #enlargement# will result in a total amount of Use Group 6B office #floor area developed# or #enlarged# after January 19, 2005, within the #Hudson Yards Redevelopment Area# of over 20 million square feet, no building permit from the Department of Buildings shall be issued for any #development# or #enlargement# that includes Use Group 6B offices constructed after January 19, 2005, until the Chairperson certifies to the Commissioner of Buildings that:

(1) such #development# or #enlargement# does not utilize any #floor area# increases pursuant to Sections 23-154, 93-30, inclusive, or 96-25; or

(2) such #development# or #enlargement# utilizes #floor area# increases pursuant to Sections 23-154, 93-30, inclusive, or 96-25, and will not result in a total amount of Use Group 6B office #floor area developed# or #enlarged# after January 19, 2005, within the #Hudson Yards Redevelopment Area# of over 25 million square feet.

All #developments# or #enlargements# so certified shall be permitted in accordance with the provisions of this Chapter, or the provisions of the #Special Clinton District# or the #Special Garment Center District#, as applicable.

However, if such #developments# or #enlargements# fail to comply with the provisions of Section 11-331 with respect to completion of foundations within one year of the date of certification pursuant to this Section, such building permit shall lapse, and

any new building permit will require a new Chairperson's certification pursuant to this Section.

(c) Where the Chairperson of the Department of City Planning determines that the amount of office #floor area# in any #development# or #enlargement# will result in a total amount of Use Group 6B office #floor area developed# or #enlarged# after January 19, 2005, within the #Hudson Yards Redevelopment Area# of over 25 million square feet, and where such #development# or #enlargement# utilizes #floor area# increases pursuant to Sections 23-154, 93-30, inclusive, or 96-25, such #development# or #enlargement# shall be permitted only upon authorization of the City Planning Commission pursuant to Section 93-132.

However, no such authorization shall be required for #developments# or #enlargements# utilizing the Inclusionary Housing Program within the area bounded by West 35th Street, Eighth Avenue, West 33rd Street, and a line 100 feet east of and parallel to Ninth Avenue, or in the 42nd Street Perimeter Area of the #Special Clinton District#, where the total #floor area ratio# for such #developments# or #enlargements# does not exceed 12.0.

(3/22/16)

93-132
Authorization for office use

The provisions of this Section shall apply to all #developments# or #enlargements# in the #Hudson Yards Redevelopment Area#, with the exception of Subdistrict F.

Where the amount of Use Group 6B office #floor area# in a #development# or #enlargement# will result in over 25 million square feet of such #use developed# or #enlarged# after January 19, 2005, within the #Hudson Yards Redevelopment Area#, and such #development# or #enlargement# utilizes increased #floor area# pursuant to Sections 23-154 (Inclusionary Housing), 93-30 (SPECIAL FLOOR AREA REGULATIONS), inclusive, or 96-25 (Floor Area Bonus for New Theater Use), such #development# or #enlargement# shall be permitted only upon authorization of the City Planning Commission that:

(a) such #development# or #enlargement# will not require any significant additions to the supporting services of the

neighborhood or that provisions for adequate supporting services have been made;

(b) the #streets# providing access to the #development# or #enlargement# are adequate to handle the traffic generated thereby or provisions have been made to handle such traffic; and

(c) such #development# or #enlargement# is consistent with the goals of the applicable special district.

(3/22/16)

93-14
Ground Floor Level Requirements

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

(a) Retail continuity along designated streets in Subdistricts A, B, C, D and E

Map 2 in Appendix A of this Chapter specifies locations where the special ground floor #use# and transparency requirements of this Section apply. Such regulations shall apply along either 100 percent or 50 percent of the #building's street# frontage, as indicated on Map 2.

#Uses# within #stories# that have a floor level within five feet of #curb level# shall be limited to #commercial uses# permitted by the underlying district, not including #uses# listed in Use Groups 6B, 6E, 7C, 7D, 8C, 8D, 9B, 10B, 11 or 12D. Such #uses# shall comply with the minimum depth provisions of Section 37-32 (Ground Floor Depth Requirements for Certain Uses).

A #building's street# frontage shall be allocated exclusively to such #uses#, except for lobby space, entryways, entrances to

subway stations, other subway-related #uses# as described in Section 93-65 (Transit Facilities), or within the Eastern Rail Yard Subarea A1 where such retail continuity requirements are applicable to #building# walls facing certain public access areas, pursuant to Section 93-71, as follows:

(1) for #building# walls facing the outdoor plaza described in Section 93-71, paragraph (b): the through block connection described in Section 93-71, paragraph (d), and the connection to the public plaza described in Section 93-71, paragraph (e);

(2) for #building# walls facing the through block connection described in Section 93-71, paragraph (d): the outdoor plaza described in Section 93-71, paragraph (b);

(3) for #building# walls facing the connection to the #public plaza# described in Section 93-71, paragraph (e): the outdoor plaza described in Section 93-71, paragraph (b) and the public plaza described in Section 93-71, paragraph (c); or

(4) a combination of retail #uses# and public access areas so as to satisfy such depth requirement for retail continuity.

The length of #street# frontage (exclusive of any portion of such #street# frontage allocated to entrances to subway stations and other subway-related #uses#) occupied by lobby space or entryways shall comply with the applicable provisions for Type 2 lobbies in Section 37-33 (Maximum Width of Certain Uses), except that within the Eastern Rail Yard Subarea A1, the width of a lobby located on a #building# wall facing the eastern boundary of the outdoor plaza may occupy 120 feet or 25 percent of such #building# wall, whichever is less.

(b) Retail continuity along designated streets in Subdistrict F

Map 4 (Subdistrict F: Mandatory Ground Floor Requirements) in Appendix B specifies locations where the special ground floor #use# and transparency requirements of this Section apply. Such regulations shall apply along either 100 percent or 70 percent of the #building's street# frontage, as indicated for each location on Map 4.

(1) Along Eleventh Avenue

The ground floor retail provisions established in paragraph (a) of this Section shall apply to the ground floor #street# frontage of #buildings# along Eleventh Avenue. In addition, if a #street# frontage is occupied by a bank, as listed in Use Group 6, such a #street# frontage shall not exceed a #street wall# width, in total, of 25 feet.

(2) Along designated streets other than Eleventh Avenue

In addition to the #uses# listed in paragraph (a) of this Section, the following #community facility uses# from Use Groups 3 and 4 as well as the following #commercial use# from Use Group 6B shall be permitted within a #story# that has a floor level within five feet of #curb level# for frontages along designated #streets#, as shown on Map 4, other than Eleventh Avenue.

From Use Group 3:

Art galleries, non-commercial

Libraries

Museums

Nursery, kindergarten, elementary or secondary #schools# (with no living or sleeping accommodations)

From Use Group 4:

Ambulatory diagnostic and treatment health care facilities

Community centers

Houses of worship

Recreation centers, non-commercial

From Use Group 6B:

Veterinary medicine, limited to small animals.

A minimum of 70 percent of the #aggregate width of street wall# shall be occupied by #uses# permitted in this Section. A minimum of 50 percent of the #street# frontage of a #building# shall be allocated exclusively to #uses# listed in paragraph (a) and Use

Group 3 #uses# listed in this paragraph, (b)(2). In addition, a maximum of 20 percent of the #street# frontage of a #building# shall be permitted to provide the Use Group 4 and 6B #uses# listed in this paragraph, (b)(2). However, if a #street# frontage is occupied by a bank, as listed in Use Group 6, such #street# frontage shall not exceed a #street wall# width, in total, of 25 feet.

The remaining portion of the #street wall# may be occupied by #uses# listed in this Section, or by lobby space, mechanical space or entrances to #accessory# parking garages, provided that:

(i) the maximum width of a single lobby frontage shall comply with the provisions for Type 2 lobbies set forth in Section 37-33. A maximum of two such lobbies shall be permitted along a single #street wall# frontage, provided that the minimum distance between such lobbies shall not be less than 120 feet; and

(ii) the maximum width of a #street wall# occupied by an entrance to #accessory# parking spaces shall not exceed 35 feet.

(c) Transparency requirements along designated streets in Subdistricts A, B, C, D, E and F

For any #development# or ground floor #enlargement# fronting on #streets# designated on Map 2 in Appendix A of this Chapter, glazing shall be provided in accordance with the provisions set forth in paragraph (c) of this Section.

Each ground floor level #street wall# of a #commercial# or #community facility use#, as set forth in this Section, shall be glazed in accordance with Section 37-34 (Minimum Transparency Requirements).

For #developments# or #enlargements# fronting upon Hudson Boulevard that are adjacent to existing #buildings# located within the Hudson Boulevard #street# bed or #public park#, the Hudson Boulevard #street wall# of such #development# or #enlargement# shall be designed in a manner that will enable the glazing requirements of this Section to be met upon demolition of the #buildings# within such #street# bed or #public park# and, within six months of such demolition, such glazing requirements shall be complied with.

(d) Non-transparent walls within Subdistrict F

Within Subdistrict F, any non-transparent area of a new or existing wall with a width in excess of 40 feet and a height in excess of five feet fronting upon a public sidewalk or publicly accessible open space shall be treated with a decorative element or material or shall be screened with planting so as to provide visual relief. Such screening or decorative treatment shall be required to a height of 15 feet above the level of the public sidewalk or publicly accessible open space, or the height of the wall, whichever is less.

(12/21/09)

93-141
Certification to modify ground floor level requirements in Subdistrict F

Within Subdistrict F, the Chairperson of the City Planning Commission may modify the ground floor level requirements of paragraphs (b), (c) and (d) of Section 93-14 (Ground Floor Level Requirements), provided that the Chairperson certifies to the Commissioner of Buildings that such a change is the minimum necessary to accommodate the ventilation requirements of the below-grade rail operations. Any application for such change shall include a mechanical plan that conveys the extent of the needs and required modifications, as well as a letter from the Metropolitan Transportation Authority describing the needs for such modifications.

(3/22/16)

93-15
Public Parking Facilities

In C2-5, C2-8 and C6 Districts, the provisions of Sections 32-17 (Use Group 8) and 32-21 (Use Group 12) with respect to #public parking garages# and #public parking lots# are inapplicable and are superseded by the provisions of Section 93-80 (OFF-STREET PARKING REGULATIONS).

(3/22/16)

93-16
Modification of Sign Regulations

(a) Subdistricts A, B, C, D and E

Within Subdistricts A, B, C, D and E, the underlying #sign# regulations shall apply, except that #flashing signs# shall not be allowed within 100 feet of Hudson Boulevard, its northerly prolongation to West 39th Street and its southerly prolongation to West 33rd Street. Within the Pennsylvania Station Subarea B4, the provisions of Section 93-161 (Special permit for signs within the Pennsylvania Station Subarea) shall apply. The following modifications to the underlying #sign# regulations shall apply in the Eastern Rail Yard Subarea A1:

(1) #Flashing signs# shall not be allowed on any portion of a #building# fronting upon the outdoor plaza required pursuant to Section 93-71.

(2) For #signs# facing Tenth Avenue, or on a portion of a #building# within 100 feet of Tenth Avenue, in addition to #signs# permitted under the underlying #sign# regulations:

(i) up to four #signs# may exceed the maximum height limitations of the underlying #sign# regulations, provided that no such #sign# exceeds 95 feet in height; and

(ii) up to five #signs# may be located without regard to the maximum #surface area# limitations of the underlying #sign# regulations, provided that:

(a) the aggregate #surface area# of such #signs# does not exceed 4,400 square feet; and

(b) each such #sign# shall have a maximum #surface area# of 650 square feet, except for one #sign# that may have a maximum #surface area# of 1,800 square feet.

Any #sign# which exceeds the maximum height permitted by the underlying sign regulations shall direct attention to no more than one business conducted on the #zoning lot# and no such #signs# shall be #flashing signs#. Additionally, no more than two of the additional #signs# permitted under this paragraph (a)(2), if located below the maximum height

permitted by the underlying #sign# regulations, shall be #flashing signs#.

Erection of one or both of the additional #flashing signs# permitted under this paragraph (a)(2) shall be conditioned upon and subject to additional limitations upon flashing effects for all #flashing signs# located on a #building# wall facing Tenth Avenue or on a #building# wall within 100 feet of Tenth Avenue, as prescribed by the City Planning Commission pursuant to a restrictive declaration. Recordation of such restrictive declaration in the Office of the Register and compliance with the terms thereof with respect to any previously erected #flashing signs# permitted under the underlying #sign# regulations shall be a precondition to the issuance of permits by the Commissioner of Buildings for an additional #flashing sign# permitted under this paragraph.

(3) Along the #ERY High Line#, the #sign# regulations as set forth in Section 93-16, paragraph (b)(1), shall apply. In addition, no #flashing signs# above the level of the #High Line bed# shall be located within 150 feet of and facing the #ERY High Line#.

(4) For an #ERY Culture, Festival and Exhibit Facility#, the total #surface area# of all permitted #signs# and banners shall be as set forth in this paragraph, (a)(4). The maximum aggregate #surface area# of all #signs# shall not exceed 2,700 square feet. #Signs#, other than banners, facing the outdoor plaza, as described in Section 93-71, paragraph (b), shall not exceed a maximum aggregate #surface area# of 200 square feet; #signs# facing the connection to the High Line, as described in Section 93-71, paragraph (f), shall not exceed a maximum aggregate #surface area# of 200 square feet; and #signs# facing West 30th Street shall not exceed a maximum aggregate #surface area# of 1,700 square feet. A maximum of 600 square feet of #signs# in the form of banners are permitted facing or within the outdoor plaza. No #sign# shall exceed a height of 30 feet above the level of the Culture Facility Plaza, as described in Section 93-71, paragraph (j) and no #signs# facing West 30th Street shall be located at a height above the #High Line#. Banners located within the outdoor plaza may be installed on one or two poles located not less than 13 feet from an #ERY Culture, Festival and Exhibit Facility#. The bottom of any such banner shall be located at least 10 feet above the bottom of the pole. Any #sign#

that exceeds 300 square feet of #surface area# shall be non-#illuminated# or a #sign with indirect illumination#.

(b) Subdistrict F

For the purposes of calculating the permitted #surface area# of a #sign#, each site set forth on Map 2 (Subdistrict F: Site Plan) in Appendix B shall be considered a separate #zoning lot#.

(1) Along the #High Line#

The #sign# regulations of the underlying districts shall not apply to #signs# located within 50 feet of the #High Line#, except for #signs# located entirely below the level of the #High Line bed#. In lieu thereof, the #sign# regulations of a C1 District shall apply, except that #accessory signs# located within the #High Line# frontage may have a maximum height of 20 feet above the level of the #High Line bed#.

No #signs# affixed to or resting upon the #High Line# shall be permitted, except as pursuant to a signage plan for the #High Line#, as authorized by the City Planning Commission, provided the Commission finds that such signage plan will:

(i) enhance the use of the #High Line# by providing signage that is consistent with the use of the #High Line# as a public open space;

(ii) provide, at a minimum, directional, informational and interpretive signage consistent with the use of the #High Line# as a public open space;

(iii) be integrated with the design of the #High Line# open space; and

(iv) not adversely affect development adjacent to the #High Line# and in the surrounding neighborhood.

(2) Other locations

Within Subdistrict F, the underlying #sign# regulations shall apply for #signs# located beyond 50 feet of the #High Line#, and for portions of #signs# located entirely below the level of the #High Line bed# along West 30th Street. However, #flashing signs# shall not be permitted in Subdistrict F, except along frontages within 200 feet of

the intersection of the West 33rd Street and Eleventh Avenue #street lines#.

(3/22/16)

93-161
Special permit for signs within the Pennsylvania Station Subarea

For an arena permitted pursuant to Section 74-41 within Pennsylvania Station Subarea B4, the City Planning Commission may, by special permit, modify the applicable provisions of Sections 32-63 (Permitted Advertising Signs) to allow advertising #signs#, 32-64 (Surface Area and Illumination Provisions) to allow increased #surface area# along specified #streets# and 32-65 (Permitted Projection or Height of Signs), provided such #signs# comply with the conditions of paragraph (a) and the findings of paragraph (b) of this Section, as follows:

(a) Conditions

(1) no #sign# shall extend to a height greater than 85 feet above #curb level#;

(2) all #signs# located below a height of 12 feet above #curb level# shall be limited in location and aggregate #surface area# to 550 square feet on the West 31st Street frontage of Subarea B4, 250 square feet on the West 33rd Street frontage of Subarea B4 and 850 square feet on the Eighth Avenue frontage of Subarea B4; and

(3) all #signs# located above a height of 12 feet above #curb level# shall be limited in location and aggregate #surface area# to 5,500 square feet within the #through lot# fronting on Eighth Avenue, 3,000 square feet within each #corner lot# fronting on Eighth Avenue, 3,000 square feet within the #through lot# portion of the West 31st Street frontage of Subarea B4 and 3,000 square feet within the #through lot# portion of the West 33rd Street frontage of Subarea B4.

(b) The Commission shall find that the location and placement of such #signs# is appropriate in the relationship to #buildings# and #uses# on the #zoning lot# and to adjacent open areas, and would be compatible with the character of the arena site, including its use as an entryway to Pennsylvania Station, and of the surrounding area.

For purposes of calculating the height of any #sign# permitted pursuant to this Section, #curb level# shall be defined as 30.755 feet above Manhattan datum.

The Commission may prescribe additional conditions and safeguards to minimize adverse effects on the character of the surrounding area, including limitations on the number, size and location of arena #signs# permitted pursuant to the district regulations.

(3/22/16)

93-17
Non-conforming Uses in Large-Scale Plan Subdistrict A

In the Large-Scale Plan Subdistrict A, for a period of not more than 10 years after January 19, 2005, existing automobile repair establishments listed in Use Group 16 of Section 32-25 that were conforming prior to January 19, 2005, may be #enlarged#, provided that the #floor area ratio# of any such establishment, including any #enlargement# pursuant to this Section, does not exceed 5.0.

(3/22/16)

93-18
Authorization for Electrical Utility Substations

Electrical utility substations shall be allowed in the #Special Hudson Yards District# in order to serve the needs of the Special District, and the regulations thereof shall be modified as necessary to accommodate the operational needs of the substation, upon authorization of the City Planning Commission which shall be issued upon finding, with respect to a proposed site, that:

(a) to the extent reasonably permitted by the operational needs of the substation, the architectural and landscaping treatment of such #use# will blend harmoniously with the abutting area; and

(b) if the site proposed for such #use# is Subareas D4 or D5 of the Hell's Kitchen Subdistrict D of the #Special Hudson Yards District#, that there are difficulties in locating such #use# in other Subdistricts of the #Special Hudson Yards District#.

The Commission may, consistent with cost-effective operations and capital planning, and the operational needs of the substation, prescribe appropriate conditions and safeguards on matters necessary to effectuate the provisions of paragraph (a) of this Section which are not regulated by other applicable codes, laws, rules or regulations. The applicant shall provide the Department of City Planning with a general description of such codes, laws, rules or regulations and a certification that the proposed substations shall comply therewith.

(2/2/11)

93-20
FLOOR AREA REGULATIONS

The #floor area# regulations of this Section, inclusive, shall apply to #zoning lots#.

(7/24/13)

93-21
Floor Area Regulations in the Large-Scale Plan Subdistrict A

In the Large-Scale Plan Subdistrict A, the #floor area# provisions of this Section shall apply.

(a) Subareas A2 through A5

In Subareas A2 through A5, the basic maximum permitted #floor area ratio# shall be as specified in Row A in the table in this Section. Such #floor area ratio# may be increased to the maximum amount specified in Row B in the table, pursuant to Section 93-31 (District Improvement Fund Bonus) or the transfer of #floor area# or increase in the amount of #floor area# from the #Phase 2 Hudson Boulevard and Park# pursuant to Sections 93-32 or 93-33. For #zoning lots# that have maximized their permitted #floor area# through such #floor area# bonus or transfer provisions, the permitted #floor area# may be further increased to the maximum amount specified in Row C in the table through the distribution of #floor area# from the Eastern Rail Yard Subarea A1, pursuant to Section 93-34. #Residential use# shall only be permitted on a #zoning lot# with a non-#residential floor area ratio#, as follows, or as provided for phased developments

pursuant to Section 93-122 (Certification for residential use in Subdistricts A, B and E):

(1) 18.0 or more in Subareas A2 and A3

(2) 15.6 or more in Subarea A4

(3) 14.0 or more in Subarea A5.

Maximum Permitted Floor Area Ratio
within Subareas A2 through A5

	Subarea A2	Subarea A3	Subarea A4	Subarea A5
ROW A Basic maximum #floor area ratio# (FAR)	10.0 total 10.0 C 2.0 CF	10.0 total 10.0 C 2.0 CF	10.0 total 10.0 C 2.0 CF	10.0 total 10.0 C 2.0 CF
ROW B Maximum FAR through bonus pursuant to Section 93-31 or transfer or increase pursuant to Sections 93-32 or 93-33	18.0 total 18.0 C 2.0 CF	18.0 total 18.0 C 2.0 CF	18.0 total 18.0 C 2.4 R 2.0 CF	18.0 total 18.0 C 4.0 R 2.0 CF
ROW C Maximum FAR through distribution pursuant to Section 93-34	33.0 total 33.0 C 6.0 R 2.0 CF	24.0 total 24.0 C 6.0 R 2.0 CF	21.6 total 21.6 C 6.0 R 2.0 CF	20.0 total 20.0 C 6.0 R 2.0 CF

C = Commercial FAR
CF = Community Facility FAR
R = Residential FAR

(b) Eastern Rail Yard Subarea A1

The Eastern Rail Yard Subarea A1 shall generate a maximum #floor area ratio# of 19.0. The maximum #floor area ratio# for #commercial use# shall be 19.0, the maximum #floor area ratio# for #residential use# shall be 3.0, and the maximum #floor area ratio# for #community facility use# shall be 2.0. In order to promote a superior site plan, the amount of #floor area# permitted in the subarea shall be limited, and unused #floor area# may be distributed as follows:

(1) The maximum #floor area ratio# for any #zoning lot# in the subarea shall be 11.0. The maximum #floor area ratio# for #commercial use# shall be 9.0, the maximum #floor area ratio# for #community facility use# shall be 2.0, and the maximum #floor area ratio# for #residential use# shall be 3.0. #Residential use# shall only be permitted on a #zoning lot# with a non-#residential floor area ratio# of 8.0 or more, or as provided for phased developments pursuant to Section 93-122 (Certification for residential use in Subdistricts A, B and E).

Any floor space occupied by an #ERY Culture, Festival and Exhibit Facility#, including any floor space #accessory# thereto, that is located below the elevation of the Culture Shed Plaza described in Section 93-71, paragraph (j), within the moveable portion that may be extended and retracted to cover and enclose all or any portion of the Culture Facility Plaza, or within a portion of a #building# that contains #residential use# and is not designed to house such moveable portion, shall be exempt from the definition of #floor area# for the purposes of calculating the permitted #floor area ratio# for #community facility uses# and the total maximum #floor area ratio# of the #zoning lot#. In addition, in a #building# containing both #residential use# and an #ERY Culture, Festival and Exhibit Facility#, any floor space occupied by elevator shafts, structural systems or stairwells serving the #residential use# that is either located on any #story# occupied entirely by the #ERY Culture, Festival and Exhibit Facility#, except for such elevator shafts, structural systems, and stairwells, or is located on a #story# occupied in part by the #ERY Culture, Festival and Exhibit Facility# where such elevator shaft or stairwell is not accessible for #residential use# on such #story# except for emergency egress, shall be exempt from the definition of #floor area# for the purposes of calculating the permitted #floor area ratio# for #residential uses# and the total maximum #floor area ratio# of the #zoning lot#.

For a #building#, or portion of a #building#, containing #residential use# that is located adjacent to the #ERY High Line#, any floor space used for storage, restrooms, maintenance facilities or other support space for the #ERY High Line# shall be exempt from the definition of #floor area# for the purposes of calculating the permitted #floor area ratio# for #residential# or #community facility uses#

and the total maximum #floor area ratio# of the #zoning lot#.

(2) Unused #floor area# may be distributed to #zoning lots# in Subareas A2 through A5 pursuant to Section 93-34, provided the total amount of distributed #floor area# does not exceed an amount equal to the #lot area# of the Eastern Rail Yard Subarea A1 multiplied by 10.0. Furthermore, the total #floor area# distributed to Subarea A2 shall not exceed 3,238,000 square feet.

(c) #Phase 2 Hudson Boulevard and Park#

For #zoning lots# or portions of #zoning lots# in the #Phase 2 Hudson Boulevard and Park#, the provisions of Section 93-32 (Floor Area Regulations in the Phase 2 Hudson Boulevard and Park) and 93-33 (Special Regulations for Residual Portions of Zoning Lots Partially Within the Phase 2 Hudson Boulevard and Park) shall apply.

Notwithstanding the provisions of this Section, the basic maximum permitted #floor area ratio# may be increased on an "adjacent lot" pursuant to Section 74-79 (Transfer of Development Rights From Landmark Sites), provided that the maximum #floor area# transferred from the landmark lot does not exceed the basic maximum permitted #floor area ratio# less the total #floor area# of all #buildings# on the landmark lot.

(2/2/11)

93-22
Floor Area Regulations in Subdistricts B, C, D, E and F

(a) Subdistricts B, C, D and E

In Subdistricts B, C, D and E, the basic maximum #floor area ratio# is determined by the subdistrict and, where applicable, subarea, as specified in the table in this Section. The basic maximum #floor area ratios# for #non-residential buildings# are set forth in Row A, and the basic maximum #floor area ratios# for #buildings# containing #residences# are set forth in Row B. Such basic maximum #floor area ratios# may be increased to the amount specified in Row C only pursuant to Section 93-31 (District Improvement Fund Bonus) or as otherwise specified in Sections 93-221 through 93-224.

For a #zoning lot# with more than one #building#, the basic maximum #floor area ratios# set forth in Row A shall apply, provided that any #building# that is #developed# or #enlarged# after January 19, 2005, is wholly #non-residential#. If a #building# containing #residences# is #developed# or #enlarged# on such a #zoning lot# after January 19, 2005, the basic maximum #floor area ratios# set forth in Row B shall apply.

Notwithstanding the provisions of this Section, the basic maximum permitted #floor area ratio# may be increased on an "adjacent lot" pursuant to Section 74-79 (Transfer of Development Rights From Landmark Sites), provided that the maximum #floor area# transferred from the landmark lot does not exceed the basic maximum permitted #floor area ratio# less the total #floor area# of all #buildings# on the landmark lot.

Maximum Permitted Floor Area Ratio within Subdistricts B through E

	Farley Corridor Subdistrict B				34th St Corridor Sub district C	Hell's Kitchen Subdistrict D			South of Port Auth. Sub district E
Subarea	Western Blocks	Central Blocks	Farley Post Office	Penn. Stn.		Subarea D1	Subarea D2	Subarea D3	
ROW A Basic maximum FAR for #non-residential buildings#	10.0 total 10.0 C 2.0 CF	12.0 total 12.0 C 2.0 CF	10.0 total 10.0 C 2.0 CF	10.0 total 10.0 C 2.0 CF	10.0 total 10.0 C 10.0 CF	7.5 total 2.0 C 7.5 CF	7.5 total 2.0 C 7.5 CF	7.5 total 6.0 C 7.5 CF	10.0 total 10.0 C 2.0 CF
ROW B Basic maximum FAR for #buildings# containing #residences#	NA	NA	10.0 total 10.0 C 6.0 R 2.0 CF	NA	6.5 total 6.5 C 6.5 R 6.5 CF	6.5 total 2.0 C 6.5 R 6.5 CF	6.5 total 2.0 C 6.5 R 6.5 CF	7.5 total 6.0 C 7.5 R 7.5 CF	NA
ROW C Maximum FAR through special #floor area# increases pursuant to Section 93-30, inclusive, Inclusionary Housing Section 93-23, inclusive, or Section 74-79, inclusive, as applicable.	21.6 total 21.6 C 6.0 R 2.0 CF	19.0 total 19.0 C 4.0 R 2.0 CF	NA	19.5 total 19.5 C 2.0 CF	13.0 total 13.0 C 12.0 R 12.0 CF	15.0 total 3.0 C 12.0 R 12.0CF	13.0 total 3.0 C 12.0 R 12.0CF	12.0 total 7.5 R 7.2 C 12.0CF	18.0 total 18.0 C 3.0 R 2.0 CF

C = Commercial FAR
CF = Community Facility FAR
R = Residential FAR

(b) Subdistrict F

In Subdistrict F, the #floor area ratio# provisions of Section 93-225 (Floor area regulations in Subdistrict F) shall apply.

93-221
Maximum floor area ratio in the Farley Corridor Subdistrict B

(a) Western Blocks Subarea B1

In the Western Blocks Subarea B1 of Farley Corridor Subdistrict B, #residential use# shall only be permitted on a #zoning lot# with a #commercial floor area ratio# of 12.0 or more, or as provided for phased developments in Section 93-122 (Certification for residential use in Subdistricts A, B and E).

(b) Central Blocks Subarea B2

In the Central Blocks Subarea B2 of Farley Corridor Subdistrict B, #residential use# shall only be permitted on a #zoning lot# with a #commercial floor area ratio# of 15.0 or more, or as provided for phased developments in Section 93-122.

(c) Farley Post Office Subarea B3

In the Farley Post Office Subarea B3 of Farley Corridor Subdistrict B, no #floor area# increases shall be permitted.

(d) Pennsylvania Station Subarea B4

In the Pennsylvania Station Subarea B4 of Farley Corridor Subdistrict B, any increase in the #floor area ratio# specified in Row A in the table in Section 93-22 shall be permitted only pursuant to Section 93-35 (Special Permit for Transit Bonus in Pennsylvania Station Subarea B4) and Section 74-79 (Transfer of Development Rights From Landmark Sites), as modified by paragraph (b) of Section 93-054 (Applicability of Article VII, Chapter 4).

(e) Transfer of #floor area#

Notwithstanding any other provision of this Resolution, #floor area# may not be transferred between a #zoning lot# located north of West 31st Street in the Western Blocks Subarea B1 and a #zoning lot# located north of West 31st Street in the Central Blocks Subarea B2.

93-222
Maximum floor area ratio in the 34th Street Corridor Subdistrict C

In the 34th Street Corridor Subdistrict C, the basic maximum #floor area ratios# of #non-residential buildings# are set forth in Row A in the table in Section 93-22 and may be increased to the amount specified in Row C pursuant to Section 93-31 (District Improvement Fund Bonus). The basic maximum #floor area ratios# of any #building# containing #residences# are set forth in Row B.

The #floor area ratio# of any #building# containing #residences# may be increased from 6.5, pursuant to Sections 93-31 (District Improvement Fund Bonus) and 23-154 (Inclusionary Housing), as modified by Section 93-23 (Modifications of Inclusionary Housing Program), as follows:

(a) the #residential floor area ratio# may be increased from 6.5 to a maximum of 12.0 only if for every five square feet of #floor area# increase, pursuant to Section 93-31, there is a #floor area# increase of six square feet, pursuant to Section 23-154, as modified by Section 93-23; and

(b) any #floor area# increase above a #floor area ratio# of 12.0 shall be only pursuant to Section 93-31.

(3/22/16)

93-223
Maximum floor area ratio in Hell's Kitchen Subdistrict D

(a) Subareas D1 and D2

In Subareas D1 and D2 of Hell's Kitchen Subdistrict D, the basic maximum #floor area ratios# of #non-residential buildings# are set forth in Row A in the table in Section 93-22 and may be increased to the amount specified in Row C pursuant to Section 93-31 (District Improvement Fund Bonus) or through the transfer of #floor area# from the #Phase 2 Hudson Boulevard and Park# as set forth in Section 93-32. The basic maximum #floor area ratios# of any #building# containing #residences# are set forth in Row B.

The #floor area ratio# of any #building# containing #residences# may be increased from 6.5 pursuant to Section 93-31 (District Improvement Fund Bonus) or through the transfer of #floor area#

from the #Phase 2 Hudson Boulevard and Park# as set forth in Section 93-32, and pursuant to Section 23-154 (Inclusionary Housing), as modified by Section 93-23, as follows:

(1) The #residential floor area ratio# may be increased from 6.5 to a maximum of 12.0 only if for every five square feet of #floor area# increase pursuant to Sections 93-31 or 93-32 there is a #floor area# increase of six square feet, pursuant to Section 23-154, as modified by Section 93-23.

(2) Any #floor area# increase above a #floor area ratio# of 12.0 shall be only pursuant to Sections 93-31 or 93-32.

Furthermore, in Subarea D1, the #floor area ratio# on a #zoning lot# may exceed 13.0 only where the #community facility floor area ratio# is not less than the excess of such #floor area ratio# above 13.0.

(b) Subarea D3

In Subarea D3, the basic maximum #floor area ratio# may be increased only pursuant to Section 93-31.

(c) Subareas D4 and D5

In Subareas D4 and D5, the underlying #floor area ratio# regulations shall apply.

(d) Authorization for transfer of #floor area# for public facilities

For any #zoning lot# located partially in Subarea D2 and partially in Subarea D4, where such #zoning lot# is occupied by a #development# or #enlargement# that includes a public facility, the City Planning Commission may authorize modifications to the #street wall# requirements of Subarea D4 and authorize modifications to the provisions of Section 77-22 (Floor Area Ratio) in order to allow the transfer of #floor area# from that portion of the #zoning lot# located in Subarea D4 to that portion located in Subarea D2, provided the #floor area ratio# for the #zoning lot# does not exceed the adjusted maximum #floor area ratio# for the #zoning lot# as specified in Section 77-22. In order to authorize such modifications, the Commission shall find that:

(1) such public facility provides a necessary service to the surrounding area;

(2) such transfer of #floor area# is necessary in order for the #development# or #enlargement# to achieve an adequate separation of #uses# on the #zoning lot#; and

(3) such transfer of #floor area# will not unduly increase the #bulk# of any #development# or #enlargement#, density of population or intensity of #use# to the detriment of occupants of #buildings# on the #block# or surrounding #blocks#, and that any disadvantages to the surrounding area caused by reduced access of light and air will be more than offset by the advantages of the public facility to the local community and the City as a whole.

(e) Authorization for transfer of floor area for public open areas

For #developments# or #enlargements# on #zoning lots# divided by district boundaries that are wholly or partially within Hell's Kitchen Subdistrict D and provide publicly accessible open areas contiguous to or over the Lincoln Tunnel Approaches or Dyer Avenue, the Commission may authorize the distribution of #floor area# across such district boundaries pursuant to Section 93-543 (Authorization for the provision of public open areas).

(2/2/11)

93-224
Maximum floor area ratio in the South of Port Authority Subdistrict E

In the South of Port Authority Subdistrict E, #residential use# shall only be permitted as part of a #development# or #enlargement# on a #zoning lot# with a #commercial floor area ratio# of 15.0 or more, or as provided for phased developments in Section 93-122 (Certification for residential use in Subdistricts A, B and E).

(2/2/11)

93-225
Floor area regulations in Subdistrict F

In Subdistrict F, the maximum #floor area ratio# for #residential#, #community facility# and #commercial uses# on a #zoning lot# shall be as follows:

(a) the maximum #floor area ratio# for #residential uses# shall be 8.0;

(b) the maximum #floor area ratio# for #community facility uses# shall be 2.0. However, any floor space occupied by a public #school#, constructed in whole or in part pursuant to agreement with the New York City School Construction Authority and subject to the jurisdiction of the New York City Department of Education, shall be exempted from the definition of #floor area# for the purposes of calculating the permitted #floor area ratio# for #community facility uses# and the total maximum #floor area ratio# of the #zoning lot#;

(c) the maximum #floor area ratio# for #commercial uses# shall be 8.0; and

(d) the total maximum #floor area ratio# in the subdistrict shall be 10.0, except as modified pursuant to Section 93-23 (Modifications of Inclusionary Housing Program).

(3/22/16)

93-23
Modifications of Inclusionary Housing Program

Subdistrict C (34th Street Corridor) and Subareas D1 and D2 of Subdistrict D (Hell's Kitchen) of the #Special Hudson Yards District# and Area P-2 of the #Special Garment Center District#, shall be #Inclusionary Housing designated areas#, pursuant to Section 12-10 (DEFINITIONS) for the purpose of making the Inclusionary Housing Program regulations of Sections 23-154 (Inclusionary Housing) and 23-90 (INCLUSIONARY HOUSING), inclusive, applicable as modified within the Special Districts. The underlying provisions of Sections 23-154 and 23-90 shall only be applicable in Subdistrict F as modified by Section 93-233 (Floor area increase for affordable housing in Subdistrict F).

(7/29/09)

93-231
Definitions

For the purposes of this Chapter, matter in italics is defined in Section 12-10 or 23-911 (General definitions), inclusive.

(3/22/16)

93-232
Floor area increase in Subdistricts B, C, D and E, and Preservation Area P-2

Within Subdistricts B, C, D and E, and Preservation Area P-2, the provisions of Section 23-154 (Inclusionary Housing) shall not apply. In lieu thereof, the #floor area# compensation provisions of this Section shall apply. In accordance with the provisions set forth in Section 93-22 (Floor Area Regulations in Subdistricts B, C, D, E and F) or 121-31 (Maximum Permitted Floor Area), the maximum permitted #residential floor area ratio# on a #zoning lot# with #developments# or #enlargements# that provide #affordable housing# pursuant to the Inclusionary Housing Program may be increased, as follows:

(a) The permitted #floor area ratio# may be increased from 6.5, or as otherwise specified in Section 93-22, to a maximum of 9.0, provided that:

(1) the amount of #low income floor area# is equal to at least 10 percent of the total #residential floor area# on the #zoning lot#; or

(2) the amount of #low income floor area# is equal to at least five percent of the total #residential floor area# on the #zoning lot#, and the amount of #moderate income floor area# is equal to at least 7.5 percent of the total #residential floor area# on the #zoning lot#; or

(3) the amount of #low income floor area# is equal to at least five percent of the total #residential floor area# on the #zoning lot# and the amount of #middle income floor area# is equal to at least 10 percent of the total #residential floor area# on the #zoning lot#.

(b) The permitted #floor area ratio# may be increased from 9.0 to a maximum of 12.0, provided that:

(1) the amount of #low income floor area# is equal to at least 20 percent of the total #residential floor area# on the #zoning lot#; or

(2) the amount of #low income floor area# is equal to at least 10 percent of the total #residential floor area# on the #zoning lot#, and the amount of #moderate income floor area# is equal to at least 15 percent of the total #residential floor area# on the #zoning lot#; or

(3) the amount of #low income floor area# is equal to at least 10 percent of the total #residential floor area# on the #zoning lot# and the amount of #middle income floor area# is equal to at least 20 percent of the total #residential floor area# on the #zoning lot#.

For the purposes of this Section, #low income floor area# may be considered #moderate income floor area# or #middle income floor area#, and #moderate income floor area# may be considered #middle income floor area#.

(3/22/16)

93-233
Floor area increase for affordable housing in Subdistrict F

The #floor area# of any #building# containing #residences# in Subdistrict F may be increased by up to five percent, and such increase may be in excess of the maximum #floor area ratio# of 8.0 for #residential use#, and the total maximum #floor area ratio# of 10.0, provided that:

(a) at least 20 percent of the #residential# units in such #building#, inclusive of any #floor area# increase permitted by this Section, shall be occupied by #lower income households#, as defined in Section 23-911 (General definitions);

(b) such #building# shall comply with the provisions of:

(1) Section 23-953 (Additional requirements for compensated developments and MIH developments);

(2) Section 23-96 (Requirements for Generating Sites or MIH Sites), paragraphs (b) through (i); and;

(3) Section 23-961 (Additional requirements for rental affordable housing), paragraphs (a) through (d); and

(c) the sum of all #floor area# increases permitted pursuant to this Section does not exceed 0.4 times the total #lot area# of Subdistrict F.

(1/19/05)

93-30
SPECIAL FLOOR AREA REGULATIONS

(3/22/16)

93-31
District Improvement Fund Bonus

In Area P-2 of the #Special Garment Center District# and in the #Special Hudson Yards District#, except in Subdistrict F, the Chairperson of the City Planning Commission shall allow, by certification, the applicable basic maximum #floor area ratio# to be increased up to the maximum amount specified in Sections 93-21, 93-22 or 121-31, as applicable, provided that instruments in a form acceptable to the City are executed and recorded and that, thereafter, a contribution has been deposited in the #Hudson Yards District Improvement Fund#. The execution and recording of such instruments and the payment of such non-refundable contribution shall be a precondition to the filing for or issuing of any building permit allowing more than the basic maximum #floor area# for such #development# or #enlargement#.

The Commissioner of Buildings shall not authorize the construction of any #development# or #enlargement# utilizing #floor area# bonused pursuant to this Section, including foundations with respect thereto, nor shall the construction of any bonused portion thereof be authorized, until the Chairperson has certified that the requirements of this Section have been met. Nothing herein shall limit the ability of the Commissioner of Buildings to issue a permit for the construction of a #development# or #enlargement# which does not utilize such bonused #floor area#, provided that, prior to issuance of such permit, the Chairperson has notified the Commissioner of Buildings in writing of the receipt by the Department of City Planning of either:

(a) a letter from the applicant for such permit dated no earlier than 30 days prior to issuance thereof, stating whether as of

such date the applicant anticipates filing an application to increase the applicable basic maximum #floor area ratio# pursuant to the provisions of this Section and/or Section 23-154 (Inclusionary Housing), as modified by Section 93-23 (Modifications of Inclusionary Housing Program); or

(b) an application for a bonus from such applicant to increase the applicable basic maximum #floor area ratio# pursuant to the provisions of this Section and/or Section 23-154, as modified by Section 93-23.

Copies of letters received from applicants pursuant to paragraph (a) of this Section shall be forwarded by the Department of City Planning to the Community Board and local City Council member, and maintained on file and be available for public inspection at such Department.

The contribution amount shall be $100 per square foot of #floor area# as of January 19, 2005, and shall be adjusted by the Chairperson annually. Such adjustment shall occur on August 1 of each calendar year, based on the percentage change in the Consumer Price Index for all urban consumers as defined by the U.S. Bureau of Labor Statistics for the twelve months ended on June 30 of that year. The contribution amount shall be determined based upon the rate which is in effect at the time the contribution is received, and contributions may be made only on days when the Hudson Yards Infrastructure Corporation (the "Corporation") is open for business and during business hours as specified by the Corporation.

The Commission may promulgate rules regarding the administration of this Section, and the Commission may also, by rule, adjust the contribution amount specified in the preceding paragraph to reflect changes in market conditions within the #Hudson Yards Redevelopment Area# if, in its judgment, the adjusted amount will facilitate the district-wide improvements that are consistent with the purposes of this Chapter and the purposes of the #Special Garment Center District#. The Commission may make such an adjustment by rule, not more than once a year.

For any such adjustment by rule decreasing the contribution amount, or increasing the contribution amount by more than the percentage change in the Consumer Price Index for all urban consumers, the following shall apply:

(1) Such rule shall be effective for not more than two years; and

(2) The Commission shall not publish the proposed rule pursuant to the City Administrative Procedure Act unless the City Council

Land Use Committee and the Department of City Planning have jointly filed an application for a zoning text amendment under Section 201 of the New York City Charter, which would make such adjustment of the contribution amount permanently effective. The contribution amount established under such rule as finally adopted shall continue in effect with further adjustments based upon the Consumer Price Index for all urban consumers, until the next adjustment of the contribution amount pursuant to this Section.

For the #conversion# to #dwelling units# of non-#residential floor area#, where the total #floor area# on the #zoning lot# to be #converted# to #residential use# exceeds a #floor area ratio# of 12.0, such excess #floor area# shall be permitted only pursuant to the provisions of this Section.

(3/22/16)

93-32
Floor Area Regulations in the Phase 2 Hudson Boulevard and Park

In the #Phase 2 Hudson Boulevard and Park#, no #development# shall be permitted and, except as provided in Section 93-051 (Applicability of Article I, Chapter 1), no #building# shall be #enlarged#. However, #floor area# from a granting site within the #Phase 2 Hudson Boulevard and Park# may be transferred to a receiving site in accordance with the provisions of paragraph (a) of this Section.

For the purposes of this Section, a "granting site" shall mean a #zoning lot#, or portion thereof, within the #Phase 2 Hudson Boulevard and Park# and the #lot area# of such granting site shall include any area on such site designated on the City Map as Hudson Boulevard or #public park#, and a "receiving site" shall mean a #zoning lot#, or portion thereof, within Subareas A2 through A5 of the Large-Scale Plan Subdistrict A or Subareas D1 or D2 of Hell's Kitchen Subdistrict D, to which #floor area# from a granting site has been transferred.

Special regulations for certain #zoning lots# partially within the #Phase 2 Hudson Boulevard and Park# are set forth in Section 93-33.

(a) Transfer of floor area by certification

The Chairperson of the City Planning Commission shall allow, by certification, the applicable basic maximum #floor area ratio#

of a receiving site to be increased up to the maximum amount specified in Section 93-21 or 93-22, as applicable, through the transfer of #floor area# from a granting site, provided that:

(1) the maximum amount of #floor area# transferred from a granting site shall not exceed the #floor area ratio# permitted on the granting site, as listed below, less any existing #floor area# to remain on the granting site:

District	Maximum #floor area ratio#
C2-8	7.5
C6-2	6.02
C6-4	10.0
M1-5	5.0

(2) each transfer, once completed, irrevocably reduces the amount of #floor area# that may be transferred from the granting site by the amount of #floor area# transferred;

(3) the maximum amount of #floor area# transferred to a receiving site shall be based on an amount not to exceed the #floor area ratio# permitted on a #zoning lot# through such transfer pursuant to Section 93-21 or 93-22, as applicable. In the event a granting site generates more #floor area# than is permitted on a receiving site, the Chairperson shall certify that such excess #floor area# be credited towards future #floor area# transfers pursuant to this Section; and

(4) where all #floor area# shall be transferred from a granting site pursuant to one or more such certifications, all certificates of occupancy have been surrendered for such granting site, all structures on such granting site have been demolished, and such granting site has been conveyed to the City for improvement, where applicable, as a #public park# or #street#, as provided for on the City Map.

Where, as a result of the transfer of #floor area# pursuant to this paragraph (a), the amount of #floor area# on a receiving site is less than the maximum allowable as specified for the applicable subarea in Row B in the table in Section 93-21 and Row C in the table in Section 93-22, any additional #floor area#, up to the maximum #floor area ratio# permitted on the receiving site as specified in such rows, may be achieved only through contributions to the #Hudson Yards District Improvement Fund# pursuant to Section 93-31 (District Improvement Fund

Bonus), an increase in #floor area# pursuant to paragraph (b) of this Section or Section 93-33 (Special Regulations for Residual Portions of Zoning Lots Partially Within the Phase 2 Hudson Boulevard and Park), or the Inclusionary Housing Program pursuant to Section 23-154, as modified by Section 93-23.

(b) Authorization for contribution-in-kind

The City Planning Commission may authorize a contribution-in-kind to the #Hudson Yards District Improvement Fund# for a receiving site, provided that:

(1) the conditions for transferring #floor area# set forth in paragraph (a) of this Section have been met;

(2) the granting site will be improved, at the applicant's expense, as a #public park# or #street#, as provided for on the City Map, prior to conveyance to the City; and

(3) the applicant has entered into an agreement or provided instruments in a form satisfactory to the City, providing for the improvement of the granting site as a #public park# or #street# pursuant to an agreed-upon construction schedule.

In order to grant such authorization, the Commission shall find that the #public park# or #street# has been designed in accordance with the approved plan for the Hudson Boulevard and Park, or as an appropriate interim design, in consultation with the Department of Parks and Recreation or Department of Transportation.

The amount of increased #floor area# generated by the contribution-in-kind shall be as determined by the Commission, which shall determine the reasonable cost of such improvement, including any acquisition and site preparation costs, and shall permit a #floor area# bonus in relation thereto. In making such determination, the Commission may consult with an engineer at the applicant's expense. In the event the contribution-in-kind results in an amount of #floor area# in excess of what is permitted on the receiving site, the Commission shall authorize that such excess #floor area# be credited towards future #floor area# increases pursuant to Section 93-31.

The owner shall not apply for or accept a temporary certificate of occupancy for that portion of the #development# or #enlargement# identified as utilizing the increased #floor area# permitted pursuant to this paragraph (b), and the Department of Buildings shall not

issue a temporary certificate of occupancy for such portion until the Chairperson has certified that the improvements are substantially complete and usable by the public. The owner shall not apply for or accept a permanent certificate of occupancy for such portion of the #development# or #enlargement# nor shall the Department of Buildings issue a permanent certificate of occupancy for such portion until the improvements have been finally completed in accordance with the approved plans and such final completion has been certified by the Chairperson.

An application filed with the Chairperson of the Commission for the transfer of #floor area# pursuant to this Section shall be made jointly by the owners of the granting site and receiving site and shall include a site plan and #floor area# zoning calculations for the granting site and the receiving site, and a copy of the transfer instrument legally sufficient in both form and content to effect such a transfer, together with notice of the restrictions upon further development of the granting site and the receiving site.

Notice of restrictions shall be filed by the owners of the respective sites in the Borough Office of the Register of the City of New York, indexed against the granting site and the receiving site, a certified copy of which shall be submitted to the Chairperson of the Commission. Receipt of certified copies thereof shall be a pre-condition to issuance of any building permit, including any foundation or alteration permit, for any #development# or #enlargement# on the receiving site.

(2/2/11)

93-33
Special Regulations for Residual Portions of Zoning Lots Partially Within the Phase 2 Hudson Boulevard and Park

Where all of the #lot area# within the following parcels, as they existed on January 19, 2005, that is also within the #Phase 2 Hudson Boulevard and Park#, has been conveyed to the City pursuant to the provisions of Section 93-32, the owner of the residual portion of one of these parcels may convey to the City such residual portion, with all development rights appurtenant thereto, provided that all certificates of occupancy have been surrendered and all structures on such parcel have been demolished:

Block 708, Lots 20 and 46

Block 709, Lot 17

Block 710, Lot 20.

When such conveyance is made, the Chairperson of the City Planning Commission may certify that such owner is entitled to an increase in #floor area# on any receiving site as specified in Section 93-32, in lieu of a permitted #floor area# increase in exchange for contributions to the #Hudson Yards District Improvement Fund#. The amount of increase certified shall not exceed the #lot area# of the residual portion times the #floor area ratio# of the applicable zoning district, as specified in Section 93-32, paragraph (a)(1).

The maximum amount of #floor area# increase on a receiving site shall be based on an amount not to exceed the #floor area ratio# increase permitted on a #zoning lot# through such contribution pursuant to Sections 93-21 or 93-22, as applicable. In the event the certified permissible #floor area# increase is greater than that permitted on a receiving site, the Chairperson shall certify that such excess #floor area# be credited towards future #floor area# increases on receiving sites pursuant to this Section.

Once certified by the Chairperson, the entitlement to an increase in #floor area# pursuant to this Section shall be the property of the former owner of the residual property conveyed to the City, and such owner may assign, sell or otherwise transfer such entitlement without restriction.

Where certification is made pursuant to this Section, the site plan and #floor area# calculations for the receiving site, together with the notice of restrictions upon further development of the receiving site, included in the application submitted pursuant to Section 93-32, shall set forth the increase in #floor area# for such receiving site certified hereunder.

(2/2/11)

93-34
Distribution of Floor Area in the Large-Scale Plan Subdistrict A

In order to promote a superior site plan in the Eastern Rail Yard Subarea A1 of the Large-Scale Plan Subdistrict A, the Chairperson of the City Planning Commission shall allow, by certification, the distribution of #floor area# from the Eastern Rail Yard Subarea A1 to #zoning lots# in Subareas A2 through A5 of the Large-Scale Plan

Subdistrict A. Such distribution shall only be permitted for receiving sites that have maximized their permitted #floor area# through contributions to the #Hudson Yards District Improvement Fund#, pursuant to Section 93-31, or the transfer of #floor area# or increase in the amount of #floor area# from the #Phase 2 Hudson Boulevard and Park#, pursuant to Sections 93-32 or 93-33. For the purposes of this Section, a "receiving site" shall mean a #zoning lot# within Subareas A2 through A5 to which #floor area# from the Eastern Rail Yard Subarea A1 has been distributed.

(a) Distribution of #floor area# by certification

The Chairperson of the Commission shall allow, by certification, a distribution of #floor area# from the Eastern Rail Yard Subarea A1 to a receiving site provided that:

(1) The amount of #floor area# distributed does not result in distributions in excess of the maximum amount specified for the applicable #use# that may be distributed from the Eastern Rail Yard Subarea A1, as set forth in paragraph (b)(2) of Section 93-21;

(2) Each distribution, once completed, irrevocably reduces the amount of #floor area# that may be distributed from the Eastern Rail Yard Subarea A1 by the amount of #floor area# distributed; and

(3) The amount of #floor area# on the receiving site which results from such distribution does not exceed the maximum #floor area ratio# permitted on a #zoning lot# through distribution of #floor area# from the Eastern Rail Yard Subarea A1, as specified in Row C of the table in Section 93-21.

(b) Requirements for application

An application filed with the Chairperson of the Commission for the distribution of #floor area# by certification pursuant to paragraph (a) of this Section shall be made jointly by the owner of the development rights of the Eastern Rail Yard Subarea A1 and the receiving site and shall include:

(1) a site plan and #floor area# zoning calculations for the receiving site; and

(2) a copy of the distribution instrument legally sufficient in both form and content to effect such a distribution,

together with a notice of the restrictions limiting further development of the Eastern Rail Yard Subarea A1.

Such notice of restrictions shall be filed by the owners of the respective sites in the Borough Office of the Register of the City of New York, indexed against the Eastern Rail Yard Subarea A1 and the receiving site, a certified copy of which shall be submitted to the Chairperson of the Commission. Receipt of certified copies thereof shall be a pre-condition to issuance of any building permit for any #development# or #enlargement# utilizing #floor area# distributed pursuant to this Section, including foundations with respect thereto, on the receiving site. Nothing herein shall limit the ability of the Commissioner of Buildings to issue a permit for the construction of a #development# or #enlargement# which does not utilize such distributed #floor area#.

(1/19/05)

93-35
Special Permit for Transit Bonus in Pennsylvania Station Subarea B4

In the Pennsylvania Station Subarea B4, for #developments# or #enlargements# that significantly enhance the pedestrian environment and provide improvements to access to public transit facilities, the City Planning Commission may permit a commensurate #floor area# increase for #commercial use# above a #floor area ratio# of 10.0 to a maximum #floor area ratio# of 19.5.

(a) The following conditions shall apply:

(1) the applicant shall submit a plan acceptable to the Commission identifying that portion of the #development# or #enlargement# utilizing such increased #floor area#;

(2) all transit facility improvements shall comply with applicable design standards or the current guidelines of the Metropolitan Transit Authority, New Jersey Transit, or Amtrak, as applicable;

(3) the applicant shall submit schematic or concept plans for all proposed improvements to the applicable transportation agency and the Commission, and any further documentation deemed necessary by the reviewing agencies;

(4) the Commission shall receive a letter from the applicable transportation agency stating the drawings and other documents submitted by the applicant have been determined to be of sufficient scope and detail to fix and describe the size and character of the transit improvement as to architectural, structural, mechanical and electrical systems; materials; relationship to existing site conditions; and other such elements as may be appropriate; and

(5) the owner shall sign a legally enforceable instrument in a form acceptable to the reviewing agencies containing complete drawings of the improvement and setting forth the obligations of owner and developer, their successors and assigns, to construct and maintain all parts of the improvement, whether on-site or off, pursuant to an agreed-upon construction schedule. Such instrument shall be recorded against the #zoning lot# in the Office of the Register of the City of New York for New York County and a certified copy of the instrument shall be submitted to the Chairperson of the Commission and the applicable transportation agencies.

The owner shall not apply for or accept a temporary certificate of occupancy for that portion of the #development# or #enlargement# identified as utilizing the increased #floor area# permitted pursuant to this Section, and the Department of Buildings shall not issue a temporary certificate of occupancy for such portion, until the applicable transportation agencies have certified that the transit facility improvement is substantially complete and usable by the public. The owner shall not apply for or accept a permanent certificate of occupancy for such portion of the #development# or #enlargement#, nor shall the Department of Buildings issue a permanent certificate of occupancy for such portion until the transit improvement has been finally completed in accordance with the approved plans and such final completion has been certified by the applicable transportation agencies.

(b) In order to grant such special permit, the Commission shall find that:

(1) the transit improvements significantly enhance the surface and subsurface pedestrian circulation network into and around the #development# or #enlargement# and to and from public transit facilities;

(2) the streetscape, the site design and the location of #building# entrances for the #development# or #enlargement# contribute to the overall improvement of pedestrian circulation within the #Special Hudson Yards District# and minimize congestion on surrounding streets; and

(3) the increased #floor area# will not unduly increase the #bulk# of the #development# or #enlargement#, density of population or intensity of #use# to the detriment of the occupants of #buildings# in the surrounding area.

In determining the amount of #floor area# bonus, the Commission shall consider the extent to which the transit improvements address each of the above findings.

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

(1/19/05)

93-40
HEIGHT AND SETBACK REGULATIONS

In the #Special Hudson Yards District#, height and setback regulations shall be as set forth in this Section, inclusive.

(4/30/12)

93-41
Rooftop Regulations

(a) Subdistricts A, B, C, D and E

The provisions of Section 33-42 (Permitted Obstructions) shall apply to all #buildings# within Subdistricts A through E, except that dormers may penetrate a maximum base height in accordance with the provisions of paragraph (c)(1) of Section 23-621 (Permitted obstructions in certain districts).

(b) Subdistrict F

In Subdistrict F, the provisions of paragraph (f) of Section 33-42 shall apply, except that for towers above a height of 350 feet, rooftop mechanical structures shall comply with the tower top articulation provisions set forth in Section 93-569.

(2/2/11)

93-42
Height and Setback in Subdistricts A, B, C, D, E and F

In Subareas D4 and D5 of the Hell's Kitchen Subdistrict D, the underlying height and setback regulations shall apply as set forth in Section 93-542, as modified by Section 93-41 (Rooftop Regulations).

In Subdistricts A, B and C, Subareas D1, D2 and D3 of the Hell's Kitchen Subdistrict D, and Subdistrict E, the underlying height and setback regulations shall not apply. In lieu thereof, the provisions of Section 93-41 and paragraphs (a) through (d) of this Section shall apply. These regulations are further modified in certain locations as set forth in Section 93-50 (SPECIAL HEIGHT AND SETBACK REGULATIONS). The height of all #buildings or other structures# shall be measured from #curb level#.

In Subdistrict F, the underlying height and setback regulations shall not apply. In lieu thereof, the provisions of Section 93-41 and Section 93-56 (Special Height and Setback Regulations in Subdistrict F) shall apply.

(a) Maximum base heights

The maximum height of a #building or other structure# before setback shall be 150 feet along a #wide street# and along a #narrow# street within 100 feet of its intersection with a #wide street#, and 90 feet along a #narrow street# beyond 100 feet of its intersection with a #wide street#. For #corner lots# with #wide street# frontage and more than 100 feet of #narrow street# frontage, the maximum #building# height before setback along the #narrow street# may, as an alternative, be the weighted average of 150 feet for the first 100 feet from the corner, and 90 feet for the remainder of the #narrow street# frontage. Such allowable maximum heights before required setbacks are hereinafter referred to as "maximum base heights."

(b) Required setbacks

For #buildings# that contain only #residential use# above the applicable maximum base height, the required minimum setback for portions of such #buildings# that exceed such maximum base height shall be 10 feet from a #wide street# and 15 feet from a #narrow street#.

For #buildings or other structures# that contain #commercial# or #community facility use# above the applicable maximum base height, the required minimum setback for portions of #buildings or other structures# that exceed such maximum base height shall be 15 feet from a #wide street# and 20 feet from a #narrow street#.

(c) Tower #lot coverage#

The portion of any #building# or #buildings# located above a height of 150 feet are hereinafter referred to as "towers."

(1) Towers containing #residences# shall occupy, in the aggregate, a minimum of 30 percent of the #lot area# of the #zoning lot#, except that this requirement shall not apply to the highest 40 feet of such tower or towers. Furthermore, towers containing #residences# shall occupy not more than 40 percent of the #lot area# of the #zoning lot# or, for #zoning lots# less than 20,000 square feet, the percentage set forth in the following table:

LOT COVERAGE OF TOWERS
ON SMALL ZONING LOTS

Area of #Zoning Lot# (in square feet)	Maximum Percentage of #Lot Coverage#
10,500 or less	50
10,501 to 11,500	49
11,501 to 12,500	48
12,501 to 13,500	47
13,501 to 14,500	46
14,501 to 15,500	45
15,501 to 16,500	44
16,501 to 17,500	43
17,501 to 18,500	42
18,501 to 19,999	41

(2) Towers that contain only #commercial# or #community facility use#, or a combination thereof, shall occupy not more than 60 percent of the #lot area# of the #zoning lot#

or, for #zoning lots# less than 30,000 square feet, the percentage set forth in the following table:

LOT COVERAGE OF TOWERS
ON SMALL ZONING LOTS

Area of #Zoning Lot# (in square feet)	Maximum Percentage of #Lot Coverage#
20,500 or less	70
20,501 to 21,500	69
21,501 to 22,500	68
22,501 to 23,500	67
23,501 to 24,500	66
24,501 to 25,500	65
25,501 to 26,500	64
26,501 to 27,500	63
27,501 to 28,500	62
28,501 to 29,999	61

(d) Length of #building# wall

The maximum length of any #story# located above a height of 500 feet shall not exceed 250 feet. Such length shall be measured by inscribing within a rectangle the outermost walls at the level of each #story# entirely above a height of 500 feet. No side of such rectangle shall exceed a width of 250 feet.

(6/29/10)

93-50
SPECIAL HEIGHT AND SETBACK REGULATIONS

In Subdistricts A, B and C, and Subareas D1, D2 and D3 of the Hell's Kitchen Subdistrict D, and Subdistrict E, the height and setback regulations set forth in paragraphs (a) through (d) of Section 93-42 (Height and Setback in Subdistricts A, B, C, D, E and F) shall apply, except that such regulations are modified in certain locations as set forth in this Section. Such modifications include the establishment of #street wall# location regulations, and minimum and maximum base heights, as shown on Map 3 (Mandatory Street Wall Requirements) of Appendix A of this Chapter. Such modifications also include depths of required setbacks, maximum length of #building# walls for towers, and tower #lot coverage#. Special provisions for recesses and sidewalk widenings are as follows:

(a) Recesses

Where #street walls# are required to be located on #street lines# or sidewalk widening lines, ground floor recesses up to three feet deep shall be permitted for access to #building# entrances, and deeper recesses shall be permitted only where necessary to comply with the pedestrian circulation space provisions of Section 93-63. Above a height of 60 feet for #buildings# fronting upon 34th Street in Subdistrict C or above a height of 50 feet for #buildings# fronting upon Tenth Avenue in Subdistricts C and D, and up to any specified minimum base height, recesses are permitted provided that the aggregate length of such recesses does not exceed 30 percent of the length of the required #street wall# at any level, and the depth of such recesses does not exceed five feet. No limitations on recesses shall apply above any specified minimum base height or to any portion of a #zoning lot# where #street walls# are not required.

Where #street walls# are required to extend along the entire #street# frontage of a #zoning lot#, no recesses shall be permitted within 20 feet of an adjacent #building#, or within 30 feet of the intersection of two #street lines#, except where corner articulation rules apply.

(b) Sidewalk Widenings

Where a #street wall# is required to extend along the entire #street# frontage of a #zoning lot#, and such #street# is intersected by a #street# with a mandatory sidewalk widening, no #street wall# shall be required within such sidewalk widening. Where corner articulation rules apply, the inner boundary of any required sidewalk widening may be considered to be the #street line#. The mandatory #street wall# requirements are illustrated on Map 3 in Appendix A of this Chapter. Where sidewalk widening lines are specified, such lines shall be parallel to and five or 10 feet from the #street line#, as required pursuant to Section 93-61 and illustrated on Map 4 (Mandatory Sidewalk Widenings) in Appendix A.

In Subdistrict F, the provisions of Section 93-41 (Rooftop Regulations) and Section 93-56 (Special Height and Setback Regulations in Subdistrict F) shall apply.

(1/19/05)

93-51
Special Height and Setback Regulations in the Large-Scale Plan Subdistrict A

(2/2/11)

93-511
Tower lot coverage

The tower #lot coverage# requirements of paragraph (c) of Section 93-42 shall not apply within the Large-Scale Plan Subdistrict A.

(2/2/11)

93-512
Subareas A3, A4 and A5 of the Large-Scale Plan Subdistrict A

(a) Hudson Boulevard

For the purposes of this paragraph (a), Hudson Boulevard shall be considered to be a #wide street#. The #street wall# of #buildings# shall be located on the Hudson Boulevard sidewalk widening line and extend along at least 70 percent of the length of the Hudson Boulevard frontage of the #zoning lot#, and shall rise without setback to a minimum base height of 90 feet and a maximum base height of 120 feet. On #corner lots#, the maximum base height may apply along intersecting #narrow street lines# for a distance of 100 feet from its intersection with Hudson Boulevard. Above a height of 120 feet, a setback at least 25 feet in depth is required from the Hudson Boulevard #street line#, and setbacks from intersecting #narrow streets# shall comply with the provisions of paragraph (b) of Section 93-42 (Height and Setback in Subdistricts A, B, C, D, E and F).

Alternatively, for #zoning lots# that occupy the entire Hudson Boulevard #block# front, the Hudson Boulevard #street wall# may rise above a height of 120 feet without setback at the Hudson Boulevard sidewalk widening line, provided that:

(1) the aggregate width of such #street wall# facing Hudson Boulevard does not exceed 100 feet;

(2) all other portions of the #building# that exceed a height of 120 feet are set back at least 25 feet from the Hudson Boulevard #street line# at a height not lower than 90 feet; and

(3) all portions of the #building# that exceed a height of 120 feet are set back from a #narrow street# in compliance with the provisions of paragraph (b) of Section 93-42.

(b) Tenth Avenue

The #street wall# of #buildings# shall be located within 10 feet of the Tenth Avenue #street line# and extend along at least 70 percent of the Tenth Avenue frontage of the #zoning lot#, and shall rise without setback to a minimum base height of 90 feet and a maximum base height of 150 feet. On #corner lots#, the maximum base height may apply along intersecting #narrow street lines# for a distance of 100 feet from its intersection with Tenth Avenue. Above a height of 150 feet, the setback provisions of paragraph (b) of Section 93-42 shall apply.

Alternatively, for #zoning lots# that occupy the entire Tenth Avenue #block# front and where no portion of the #building# is within 10 feet of the Tenth Avenue #street line#, the Tenth Avenue #street wall# may rise above a height of 150 feet without setback, provided:

(1) the aggregate width of such #street wall# does not exceed 100 feet;

(2) all other portions of the #building# that exceed a height of 150 feet are set back at least 10 feet from the Tenth Avenue #street wall# of the #building# at a height not lower than 90 feet; and

(3) all portions of the #building# that exceed a height of 150 feet are set back from a #narrow street# in compliance with the provisions of paragraph (b) of Section 93-42.

(c) Midblocks

For all #zoning lots# with frontage along the northerly #street lines# of West 35th through West 40th Streets, the #street wall# of any #building# shall be located on and extend along at least 50 percent of the length of the sidewalk widening line of the #zoning lot# and shall rise without setback to a minimum base

height of 60 feet and a maximum base height of 120 feet. Above a height of 120 feet, the setback provisions of paragraph (b) of Section 93-42 shall apply. Alternatively, the #street wall# of a #building# may rise without setback at the sidewalk widening line provided the aggregate width of such #street wall# does not exceed 100 feet or 50 percent of the width of such northerly #street line# frontage of the #zoning lot#, whichever is less, and provided all other portions of the #building# that exceed a height of 120 feet comply with the setback provisions of Section 93-42. The provisions of this paragraph shall not apply within 100 feet of Eleventh Avenue. However, any #zoning lot# partially within 100 feet of Eleventh Avenue may, as an alternative, apply the provisions of this paragraph (c) to the entire West 35th, West 36th, West 37th, West 38th, West 39th or West 40th Street #street# frontage of the #zoning lot#.

For all #zoning lots# with frontage along the southerly #street lines# of West 36th through West 41st Streets, the #street wall# of any #building# shall not exceed a maximum base height of 120 feet. Above a height of 120 feet, the setback provisions of paragraph (b) of Section 93-42 shall apply.

(d) Rear setback

No #yard# requirements shall apply to any #commercial building# or commercial portion of a #building#. However, above a height of 120 feet, no portion of such #building# shall be nearer to a #rear lot line# than 20 feet.

(2/2/11)

93-513
Four Corners Subarea A2

(a) Hudson Boulevard

The provisions of paragraph (a) of Section 93-512 (Subareas A3, A4 and A5 of the Large-Scale Plan Subdistrict A) shall apply, except that the maximum base height shall be 150 feet.

(b) West 34th Street

The #street wall# of any #building# shall be located on the West 34th Street sidewalk widening line and extend along at least 70 percent of the West 34th Street frontage of the #zoning lot#,

and shall rise without setback to a minimum base height of 90 feet and a maximum base height of 150 feet. For portions of #buildings# exceeding a height of 150 feet, a setback of 20 feet from the #street line# of West 34th Street shall be required. However, a #street wall# may rise without setback along the sidewalk widening line provided the aggregate width of such #street wall# does not exceed 50 percent of the width of the West 34th Street frontage of the #zoning lot# and provided all other portions of the #building# that exceed a height of 150 feet are set back at least 20 feet from the #street line# of West 34th Street.

(c) Tenth Avenue

The regulations set forth in paragraph (b) of Section 93-512 shall apply.

(d) Rear setback

The provisions of paragraph (d) of Section 93-512 shall apply.

(7/24/13)

93-514
Eastern Rail Yard Subarea A1

(a) Location of #buildings#

#Buildings# shall be located only in the following areas:

(1) east of the southerly prolongation of the eastern sidewalk widening line of Hudson Boulevard East;

(2) west of the southerly prolongation of the western sidewalk widening line of Hudson Boulevard West and within 220 feet of West 33rd Street;

(3) west of the southerly prolongation of the eastern sidewalk widening line of Hudson Boulevard East and within 220 feet of West 30th Street, provided that either:

(i) such area contains only #uses# in Use Groups 3 and 4; or

(ii) where such area includes #residential use#, such #residential use# shall be located only in a #building#, or portion of a #building#, located west of the southerly prolongation of the western sidewalk widening line of Hudson Boulevard West, and such #building# may also include #uses# in Use Groups 3, 4, 6A and 6C. In addition, #uses# in Use Group 3 or 4 may be located in a #building# separate from any #building# containing #residential use#, provided that any such separate #building# may not be located closer than 50 feet east of the southerly prolongation of the western sidewalk widening line of Hudson Boulevard West.

(4) for any #building# located at or above the elevation of the #High Line bed# which faces the #ERY High Line#, the #street wall# shall not be located closer than five feet to the edge of the #ERY High Line# and such five foot separation shall remain unobstructed, from the level of the #High Line bed# adjacent to such #building# to the sky. Notwithstanding the foregoing, for any #building# located partly within 335 feet of the Tenth Avenue #street line#, any portion thereof of up to 280 feet in width, as measured parallel to West 30th Street, may be located above the #High Line bed# at a height of 60 feet or more measured from the #High Line bed#, provided such portion has a maximum width of 200 feet along the West 30th Street #street line# and a maximum average width of 240 feet. Structural columns and related architectural features placed within the maximum width of 200 feet along the West 30th Street #street line# supporting such portion of the #building# may be located within five feet of the southern edge of the #ERY High Line#, and such columns and related architectural features shall, when viewed in elevation along West 30th Street, occupy no more than 50 percent of the measured area of such elevation located within the maximum width of 200 feet along the West 30th Street #street line#, from the mean level of the adjoining public sidewalk to a height of 60 feet above the level of the #High Line bed#. A maximum of 30 percent of such measured area may be constructed of opaque materials. Additionally, such columns and related architectural features shall, when viewed in elevation along West 30th Street, occupy no more than 45 percent of the measured area of such elevation located within the maximum width of 200 feet along the West 30th Street #street line#, from the level of the #High Line

bed# to a height of 25 feet above the level of the #High Line bed#.

(b) Height and setback

No setbacks shall be required for any #building# wall facing Eleventh Avenue, West 30th Street or West 33rd Street. Along Tenth Avenue, a #street wall# with a minimum height of 60 feet is required to extend along at least 70 percent of the Tenth Avenue frontage of the #zoning lot# not occupied by the public plaza required pursuant to Section 93-71. Such #street wall# shall align with any existing #street wall# facing Tenth Avenue. Existing #street walls# shall be treated in a manner that provides for visual articulation.

(c) Length of #building# walls

The provisions of paragraph (d) of Section 93-42 limiting the length of #building# walls above a height of 500 feet shall not apply.

(2/2/11)

93-52
Special Height and Setback Regulations in the Farley Corridor Subdistrict B

The tower #lot coverage# requirements of paragraph (c) of Section 93-42 shall not apply within the Farley Corridor Subdistrict B.

(2/2/11)

93-521
450 West 33rd Street

The provisions of this Section shall apply within an area bounded by Tenth Ave, West 31st Street, the Lincoln Tunnel Approach and West 33rd Street.

No #building# shall exceed a height of 150 feet within 10 feet of West 33rd Street, 15 feet of Tenth Avenue and 20 feet of West 31st Street, except as provided below:

(a) along West 31st Street, a #building# may rise without setback provided no part of such #building# is within 15 feet of West 31st Street; and

(b) along West 33rd Street, a #building# may rise without setback, provided that the #aggregate width of street walls# above a height of 150 feet and within 10 feet of the West 33rd Street #street line# does not exceed 50 percent of the length of the West 33rd Street frontage of the #zoning lot#.

However, if more than 75 percent of the total #floor area# existing on the #zoning lot# on January 19, 2005, is demolished, the reconstructed #buildings# shall not exceed a height of 150 feet within 15 feet of a #wide street line# and 20 feet of a #narrow street line#.

(4/29/14)

93-522
Ninth Avenue Rail Yard

The provisions of this Section shall apply within the area bounded by Ninth Ave, West 31st Street, the Lincoln Tunnel Approach and West 33rd Street.

No #building or other structure# shall exceed a height of 150 feet within 15 feet of a #wide street line# and 20 feet of a #narrow street line#. However, on a #narrow street#, a #building# may rise without setback provided no part of such #building# is within 15 feet of the #narrow street line#.

No #rear yard# or #rear yard equivalent# regulations shall apply to any #building developed# or #enlarged# pursuant to this Section. Furthermore, the provisions of this Section may be waived or modified in conjunction with the granting of a special permit pursuant to Section 74-41 (Arenas, Auditoriums, Stadiums or Trade Expositions) for the #development# of an arena in the area bounded by Ninth Avenue, West 31st Street, Dyer Avenue and West 33rd Street.

(2/2/11)

93-523
Pennsylvania Station Subarea B4

Along Eighth Avenue, #street walls# shall be provided as follows:

(a) A #street wall# shall be provided for the mandatory public space required pursuant to paragraph (a) of Section 93-74. Such #street wall# shall extend for at least 100 feet along the Eighth Avenue sidewalk widening line and rise without setback to a minimum height of 60 feet. No portion of such #street wall# shall exceed a height of 150 feet within 15 feet of the Eighth Avenue #street line#. However, such #street wall# may encroach upon the mandatory sidewalk widening provided the height of such #street wall# within the sidewalk widening does not exceed 90 feet.

(b) In addition to the #street wall# required pursuant to paragraph (a) of this Section, #street walls# shall be provided along at least 35 percent of the Eighth Avenue frontage of the #zoning lot#. Such #street walls# shall be located within 10 feet of the Eighth Avenue #street line# and rise without setback to a minimum height of 90 feet and a maximum height of 150 feet, except that no setbacks shall be required where such #street walls# are located 10 feet from the Eighth Avenue #street line#.

(c) No #street walls# shall be located further than 10 feet from the Eighth Avenue #street line# unless they front upon a public plaza provided pursuant to paragraph (c) of Section 93-74. Along West 31st and West 33rd Streets, any portion of a #street wall# that exceeds a height of 150 feet shall be set back at least 15 feet from the West 31st and West 33rd Street #street lines#, as applicable. As an alternative, if the entire #building# is set back at least 10 feet from the West 31st or West 33rd Street #street line#, such #building# may rise without setback along such #street#.

(2/2/11)

93-53
Special Height and Setback Regulations in the 34th Street Corridor Subdistrict C

(a) 34th Street

For #zoning lots# with frontage on 34th Street, the #street wall# of a #building# shall be located on and extend along the entire West 34th Street #street line#, except that to allow for

corner articulation, the #street wall# may be located anywhere within an area bounded by intersecting #street lines# and lines 15 feet from and parallel to such #street lines#. Such #street walls# shall rise without setback to a minimum base height of 120 feet and a maximum base height of 150 feet. For #corner lots#, these provisions shall also apply along any intersecting #street line# for a minimum distance of 50 feet and a maximum distance of 100 feet from its intersection with West 34th Street. Above a height of 150 feet, the setback provisions of paragraph (b) of Section 93-42 shall apply.

(b) Tenth Avenue

For #zoning lots# with frontage on Tenth Avenue, the provisions of paragraph (a) of Section 93-541 shall apply.

(c) Midblocks between Eighth Avenue and Ninth Avenue

For #zoning lots# with frontage on West 33rd Street or West 35th Street beyond 100 feet of Eighth Avenue and Ninth Avenue, the #street wall# of any #building# shall be located on and extend along the entire West 33rd Street or West 35th Street frontage of the #zoning lot# not occupied by existing #buildings# to remain. Such #street wall# shall rise without setback to a minimum base height of 80 feet and a maximum base height of 90 feet. However, if the height of an adjacent #street wall# fronting on the same #street line# is higher than 90 feet before setback, the #street wall# of the new or #enlarged building# may rise without setback to the height of such adjacent #street wall#, up to a maximum height of 120 feet. Above a height of 90 feet or the height of the adjacent #street wall# if higher than 90 feet, the setback provisions of paragraph (b) of Section 93-42 shall apply. The #street wall# of any #building# may rise to a height less than 80 feet, except where such #building# is located on a #zoning lot# with multiple #buildings#, one or more of which is #developed, enlarged# or altered after February 2, 2011, to a height exceeding 80 feet.

(1/19/05)

93-54
Special Height and Setback Regulations in Hell's Kitchen Subdistrict D

(2/2/11)

93-541
Height and setback in Subareas D1 and D2

(a) Tenth Avenue

(1) For #zoning lots# that do not occupy the entire Tenth Avenue #block# front, and for #zoning lots# that occupy the entire Tenth Avenue #block# front where existing #buildings# containing #residences# will remain, the #street wall# of any #development# or #enlargement# shall be located on and extend along the entire Tenth Avenue #street line#, except that to allow for corner articulation, the #street wall# may be located anywhere within an area bounded by intersecting #street lines# and lines 15 feet from and parallel to such lines. Such #street wall# shall rise without setback to a minimum base height of 90 feet and a maximum base height of 150 feet, except that such minimum base height requirement shall not apply to any existing #buildings# containing #residences# to remain. Where such #zoning lots# also front upon a #narrow street#, these provisions shall apply along such #narrow street# frontage for a minimum distance of 50 feet and a maximum distance of 100 feet from the intersection of Tenth Avenue. Above a height of 150 feet, the setback provisions of paragraph (b) of Section 93-42 shall apply.

(2) For #zoning lots# that occupy the entire Tenth Avenue #block# front, and where no existing #buildings# fronting upon Tenth Avenue will remain, the #street wall# shall be located within 10 feet of the Tenth Avenue #street line# and extend along the entire Tenth Avenue frontage of the #zoning lot# and shall rise without setback to a minimum base height of 90 feet and a maximum base height of 150 feet. These provisions shall apply for a minimum distance of 50 feet and a maximum distance of 100 feet from the intersection of Tenth Avenue.

Above a height of 150 feet, the setback provisions of paragraph (b) of Section 93-42 shall apply. Alternatively, the Tenth Avenue #street wall# may rise above 150 feet without setback, provided that:

(i) the aggregate width of such #street wall# does not exceed 100 feet;

(ii) all other portions of the #building# that exceed a height of 150 feet are set back at least 10 feet from the Tenth Avenue #street wall# of the #building# at a height not lower than 90 feet;

(iii) all portions of the #building# that exceed a height of 150 feet are set back from a #narrow street# in compliance with the provisions of paragraph (b) of Section 93-42; and

(iv) all portions of the Tenth Avenue #street wall# that do not exceed a height of 90 feet are located 10 feet from the Tenth Avenue #street line#, except that recesses may be provided in accordance with the recess provisions of paragraph (a) of Section 93-50. Above a height of 90 feet, up to a height of 150 feet, any #street wall# facing Tenth Avenue shall be located no closer to Tenth Avenue than 10 feet.

(b) Hudson Boulevard

The regulations set forth in paragraph (a) of Section 93-512 (Subareas A3, A4 and A5 of the Large-Scale Plan Subdistrict A) shall apply, except that wherever a setback from the Hudson Boulevard #street line# is required to be at least 25 feet deep, such setback depth may be reduced to 15 feet.

(c) Midblocks between Tenth Avenue and Hudson Boulevard

The regulations set forth in paragraph (c) of Section 93-512 shall apply.

(d) Length of #building# wall

The maximum length of any #story# located above a height of 150 feet that faces north or south shall not exceed 100 feet. Such length shall be measured by inscribing within a rectangle the outermost walls at the level of each #story# entirely above a height of 150 feet. Any side of such rectangle from which perpendicular lines may be drawn to the nearest #narrow street line# shall not exceed 100 feet.

(e) Tower #lot coverage#

Where more than one tower on a #zoning lot# contains #residences#, the minimum #lot area# requirement of paragraph

(c)(1) of Section 93-42 shall not apply to the highest 80 feet of at least half of the number of such towers.

(2/26/15)

93-542
Height and setback in Subareas D4 and D5

In Subareas D4 and D5 of Hell's Kitchen Subdistrict D, the underlying height and setback regulations shall apply, except that:

(a) the rooftop regulations set forth in Section 93-41 shall apply;

(b) within the C2-5 District of Subarea D4, #commercial uses# shall be limited to two #stories# or a height of 30 feet, whichever is less;

(c) within the C1-7A District of Subarea D5, recesses in the #street wall# of any #building# facing Ninth Avenue shall not be permitted within 20 feet of an adjacent #building# or within 30 feet of the intersection of two #street lines#, except as provided for permitted corner articulation; and

(d) the regulations set forth in paragraph (d) of Section 23-692 (Height limitations for narrow buildings or enlargements) shall be modified to allow portions of #buildings# with #street walls# less than 45 feet in width to reach the height of the tallest #abutting building# without regard to the width of the #street# onto which such #building# fronts.

(2/2/11)

93-543
Authorization for the provision of public open areas

For #zoning lots# that are wholly or partially within Hell's Kitchen Subdistrict D and provide publicly accessible open areas adjacent to or over the Lincoln Tunnel Approaches or Dyer Avenue, the City Planning Commission may authorize height and setback modifications within C2-5 Districts mapped within R8A Districts and the distribution of #floor area# without regard to district boundaries, provided the Commission finds that:

(a) such publicly accessible open area provides an appropriate amenity to the surrounding area;

(b) such publicly accessible open area has appropriate access, circulation, landscaping, seating, paving and lighting;

(c) modifications to the height and setback regulations of C2-5 Districts mapped within R8A Districts result in a #building# that does not exceed a height of 180 feet and is compatible with the scale and character of the surrounding area; and

(d) all necessary approvals have been granted by the Port Authority, or adequate provision has been made for the receipt of such approvals prior to the issuance of any building permit.

In granting such authorization, the Commission may prescribe additional conditions and safeguards to minimize adverse effects on the character of the surrounding area.

Publicly accessible open areas authorized by this Section shall be accessible to the public at all times, except where the Commission has authorized a nighttime closing pursuant to Section 37-727 (Hours of access). Furthermore, such open areas shall comply with the requirements for #public plazas# set forth in Sections 37-744 (Litter receptacles), 37-75 (Signs), 37-77 (Maintenance) and paragraph (a) of Section 37-78 (Compliance).

All plans for publicly accessible open areas, once authorized, shall be filed and duly recorded in the Borough Office of the City Register of the City of New York, indexed against the property in the form of a legal instrument providing notice of the certification of the publicly accessible open areas and setting further such provisions as necessary to ensure compliance with the requirements of this Section. Such filing and recording of the instrument, together with the grant of all necessary approvals by the Port Authority, shall be a precondition for the filing for or issuance of any building permit for any #development# or #enlargement# on the #zoning lot#. The recording information shall be included on the certificate of occupancy for any #building#, or portion thereof, on the #zoning lot# issued after the recording date.

No temporary certificate of occupancy from the Department of Buildings may be issued for any portion of any #development# or #enlargement# subject to the provisions of this Section until the Chairperson of the Commission certifies to the Department of Buildings that the public access area is substantially complete and that the public access area is open to and useable by the public. No

permanent certificate of occupancy from the Department of Buildings may be issued for any portion of such #development# or #enlargement# until the Chairperson of the Commission certifies to the Department of Buildings that the public access area is complete and that all public access requirements of this Section have been met in accordance with the plans for such public access area.

(3/22/16)

93-55
Special Height and Setback Regulations in the South of Port Authority Subdistrict E

(a) #Zoning lots# with Eighth Avenue frontage

For #zoning lots# with frontage on Eighth Avenue, the #street wall# of a #building# shall be located on the Eighth Avenue sidewalk widening line and, where applicable, on the West 39th Street and West 40th Street #street lines#, and extend along the entire #street# frontage of the #zoning lot#. Such #street walls# shall rise without setback to a minimum height of 90 feet and a maximum height of 120 feet. The #street wall# of any #building# may rise to a height less than 90 feet, provided that no #building# on the #zoning lot# exceeds such height except where such #building# is located on a #zoning lot# with multiple #buildings#, one or more of which is #developed#, #enlarged# or altered after February 2, 2011, to a height exceeding 90 feet.

Above a height of 120 feet, no portion of a #building or other structure# shall penetrate a #sky exposure plane# that begins at a height of 120 feet above the Eighth Avenue sidewalk widening line and #street lines# of West 39th Street and West 40th Street, as applicable, and rises over the #zoning lot# at a slope of four feet of vertical distance for each foot of horizontal distance, except as provided below:

(1) any portion of the #building or other structure developed# or #enlarged# pursuant to the tower regulations of Sections 33-45 or 35-64, as applicable, may penetrate the #sky exposure plane#;

(2) permitted obstructions, as listed in paragraph (a) of Section 93-41, may penetrate the #sky exposure plane#. In addition, a dormer, as listed in paragraph (c)(1) of Section 23-621, may penetrate the #sky exposure plane#.

(b) #Zoning lots# without Eighth Avenue frontage

For #zoning lots# without frontage on Eighth Avenue, the #street wall# of a #building# shall be located on the #street line# and extend along the entire #street# frontage of the #zoning lot# not occupied by existing #buildings# to remain. Such #street walls# shall rise without setback to a minimum base height of 80 feet and a maximum base height of 90 feet. However, if the height of an adjacent #street wall# fronting on the same #street line# is higher than 90 feet before setback, the #street wall# of the new or #enlarged building# may rise without setback to the height of such adjacent #street wall#, up to a maximum height of 120 feet. Above a height of 90 feet or the height of the adjacent #street wall# if higher than 90 feet, the setback provisions of paragraph (b) of Section 93-42 shall apply. The #street wall# of any #building# may rise to a height less than 80 feet, provided that no #building# on the #zoning lot# exceeds such height except where such #building# is located on a #zoning lot# with multiple #buildings#, one or more of which is #developed, enlarged# or altered after February 2, 2011, to a height exceeding 80 feet.

(4/29/14)

93-56
Special Height and Setback Regulations in Subdistrict F

The height and setback regulations set forth in this Section, inclusive, shall apply to specific development sites identified as Sites 1 through 6 on Map 2 (Subdistrict F: Site Plan) in Appendix B. All #buildings or other structures developed# or #enlarged# within Subdistrict F, with the exception of those approved as part of a public access area pursuant to Section 93-78 (Site and Landscape Plans for Public Access Areas in Subdistrict F), shall occur within these designated site locations. However, portions of a #building# located entirely below grade, and exempt from the definition of #floor area#, shall be permitted to extend beyond such designated site locations. Furthermore, the boundary of Site 6 may be extended in a westerly direction, by up to 40 feet, to accommodate a public #school# in accordance with the provisions of paragraph (b) of Section 93-568 (Site 6).

Map 4 (Mandatory Sidewalk Widenings) in Appendix A identifies the location of a sidewalk widening required along Eleventh Avenue that

is referenced in this Section, inclusive. Regulations governing the design of this sidewalk widening are set forth in Section 93-61.

Public access areas in Subdistrict F shall be comprised of publicly accessible open spaces, private streets and pedestrian ways. Map 3 (Subdistrict F: Public Access Area Plan) in Appendix B identifies the location of publicly accessible open spaces, private streets and pedestrian ways that are referenced in this Section.

Publicly accessible open spaces are comprised of the Western Open Space, the Central Open Space, the Southwest Open Space, the Northeast Plaza, the Midblock Connection and the #High Line#. General rules governing such publicly accessible open spaces are set forth in Section 93-75 (Publicly Accessible Open Spaces in Subdistrict F).

Publicly accessible private streets are comprised of the West 32nd Street Extension (including the Allee, as defined in paragraph (c)(2) of Section 93-761 and shown on Map 3 in Appendix B) and the West 31st Street Extension. Publicly accessible pedestrian ways are comprised of the West 30th Street Corridor, and the Connector. General rules governing such private streets and pedestrian ways are set forth in Section 93-76 (Publicly Accessible Private Streets and Pedestrian Ways in Subdistrict F).

For the purposes of applying height and setback regulations, the term "#buildings#" shall include #buildings or other structures#.

(4/29/14)

93-561
General rules for Subdistrict F

The following regulations shall apply to all #buildings# within Sites 1 through 6:

(a) #Street wall# location

For the purposes of applying the height and setback regulations of this Section, inclusive, wherever a #building# fronts upon any publicly accessible open space, private street or pedestrian way, as shown on Map 3 (Subdistrict F: Public Access Area Plan) in Appendix B, the boundary of such publicly accessible open spaces, private streets or pedestrian ways shall be considered to be a #street line#. Furthermore, for the purposes of applying such height and setback regulations, the sidewalk widening line

required along Eleventh Avenue shall be considered the Eleventh Avenue #street line#.

Wherever a #building# on Sites 1, 5 or 6 faces the #High Line#, the #street wall# shall not be located closer than five feet to the edge of the #High Line#, as shown on Map 3. Such five foot separation shall remain unobstructed, from the level of finished grade adjacent to a #building#, to the sky, except as permitted:

(1) for that portion of a #building# on Site 5 located above a height of 50 feet as measured from the #High Line bed#, pursuant to Section 93-567 (Site 5);

(2) for that portion of a #building# on Site 6 located below the #High Line#, pursuant to Section 93-568 (Site 6); and

(3) pursuant to paragraph (d) of Section 93-756 (General requirements for the High Line).

(b) Measurement of #building# heights

(1) Measurement of #building# base and transition heights

For portions of a #building# that front upon a publicly accessible sidewalk, the maximum #building# base height and, where applicable, the maximum transition height of a #street wall#, shall be measured from the mean level of the public sidewalk that such #street wall# fronts upon. For portions of a #building# that front upon publicly accessible open spaces in which no sidewalks are provided adjacent to a #street wall#, the maximum #building# base height or, where applicable, the maximum transition height of a #street wall#, shall be measured from the mean level of the final grade of the open space that such #street wall# fronts upon. However, the following #street wall# heights shall be measured from the #High Line bed#:

(i) on Site 6, the portion of a #street wall# above the #High Line bed# facing the #High Line# beyond 60 feet of Eleventh Avenue; and

(ii) on Site 6, along the Southwest Open Space within 60 feet of the #High Line#.

(2) Measurement of tower heights

The height of a tower shall be measured from the highest level of the public sidewalk or finished grade located nearest such tower, to the ceiling of the highest #story# of the tower where #floor area# occupies more than 75 percent of the gross area of such #story#. However, on Site 5, the height of the tower shall be measured from the #High Line bed#.

Where minimum height differences are required between towers, such heights, for each tower, shall be measured from the Manhattan Datum, which is 2.75 feet above sea level.

(c) Towers

Criteria for towers on Sites 1 through 6 are set forth in this Section, inclusive. The minimum distance between all such towers shall be 60 feet.

(4/29/14)

93-562
Street wall regulations for certain streets

The locations of all #street walls# identified in this Section are shown on Map 5 (Subdistrict F: Mandatory Street Wall Requirements) in Appendix B.

(a) Applicability

The provisions of this Section shall apply to:

(1) All #street walls# of #buildings# on Site 1 that front along:

(i) the West 32nd Street Extension;

(ii) the Western Open Space within 60 feet of the West 32nd Street Extension; and

(iii) the Midblock Connection within 60 feet of the West 32nd Street Extension.

(2) All #street walls# of #buildings# on Site 2 that front along:

(i) Eleventh Avenue south of the Northeast Plaza;

(ii) the West 32nd Street Extension; and

(iii) the Midblock Connection within 60 feet of the West 32nd Street Extension.

(3) All #street walls# of a #building# on Site 4 that front along:

(i) Eleventh Avenue;

(ii) the West 32nd Street Extension within 50 feet of Eleventh Avenue; and

(iii) the West 31st Street Extension within 50 feet of Eleventh Avenue.

(4) All #street walls# of a #building# on Site 6 that front along:

(i) Eleventh Avenue five feet north of the #High Line#;

(ii) the West 31st Street Extension;

(iii) the #High Line#, completely above the #High Line bed#;

(iv) the Southwest Open Space within 60 feet of the #High Line#; and

(v) the Southwest Open Space within 60 feet of the West 31st Street Extension.

(b) #Street wall# location

All #street walls# identified in paragraph (a) of this Section shall be located on the #street line#.

All such #street walls# shall extend along the entire #street# frontage of the site or the required portion identified in paragraph (a). However, such #street wall# location rules may be modified in accordance with the recess provisions of paragraph (c) of this Section.

(c) Recesses

(1) Ground floor recesses up to three feet deep shall be permitted for access to #building# entrances;

(2) To allow for corner articulation, the required #street wall# may be located anywhere within an area bounded by intersecting #street lines# and lines 15 feet from and parallel to such lines;

(3) To ensure variation in the required #street wall#, a #building# shall provide recesses or ground floor level setbacks in accordance with the following provisions:

(i) A minimum of 20 percent of the #aggregate width of street walls# shall provide a minimum recess of three feet from the #street wall# above the level of the second #story#. However, for the portion of Site 6 that fronts along the #High Line#, such recess shall be provided above the level of the first #story#. However, no portion of such recess shall be located within 30 feet of the intersection of two #street lines#, except where corner articulation is provided in accordance with paragraph (c)(2) of this Section.

(ii) A maximum of 30 percent, or 50 percent for Site 4, of the #aggregate width of street walls# may provide a recess of up to 15 feet at any level, which may extend to the height of the #building# base and may allow for portions of towers to rise without setback from the ground floor level. However, no such setbacks shall be permitted within 30 feet of the intersection of two #street lines#, except where corner articulation is provided in accordance with paragraph (c)(2) of this Section.

(2/2/11)

93-563
Site 1

In addition to the applicable requirements set forth in Section 93-562 (Street wall regulations for certain streets), the provisions of this Section shall apply to #buildings# on Site 1.

(a) #Building# base

(1) Facing West 33rd Street

The #street wall# of the #building# facing West 33rd Street may rise without setback to a maximum base height of 120 feet before a setback is required. However, no setbacks shall be required within 150 feet of Twelfth Avenue.

(2) Facing the West 32nd Street Extension

The provisions of this paragraph, (a)(2), shall apply to #street walls# facing the West 32nd Street Extension, the Western Open Space and the Midblock Connection within 60 feet of the West 32nd Street Extension. Such #street walls# shall rise without setback to a minimum base height of 60 feet and a maximum base height of 90 feet.

(3) Facing the Western Open Space

The provisions of this paragraph, (a)(3), shall apply to #street walls# facing the Western Open Space beyond 60 feet of its intersection with the West 32nd Street Extension. The #street wall# of the #building# may rise without setback to a maximum base height of 90 feet before a setback is required. However, no setbacks shall be required within 150 feet of Twelfth Avenue.

(b) Transition height

All portions of a #building# that exceed the applicable maximum base height specified in paragraph (a) of this Section shall be set back in accordance with the provisions of this paragraph (b), except that where towers are provided directly above a portion of the transition height, such a portion of transition height located directly below a tower shall provide setbacks in accordance with the tower provisions of paragraph (c) of this Section.

Portions of a transition height facing West 33rd Street shall be set back from the West 33rd Street #street line# a minimum of 20 feet. Portions of a transition height facing the Western Open Space that exceed the maximum base height shall be set back from the #street wall# of a #building# facing the Western Open Space a minimum of 30 feet. However, in both cases, no such setback shall be required within 150 feet of Twelfth Avenue.

Above the maximum base height, a #street wall# may rise to a maximum transition height equal to one-half the height of the

#street wall# of the #building# base facing the Western Open Space. Such a transition height shall not exceed a maximum height of 135 feet.

All portions of a #building# that exceed the maximum transition height shall comply with the tower provisions of paragraph (c) of this Section.

(c) Towers

All #stories# of a #building# located partially or wholly above the maximum transition height shall be considered a "tower" and shall comply with the provisions of this paragraph (c).

(1) Required setbacks

All towers, or portions of a transition height located beneath a tower, shall be set back at least 15 feet from the #street line# of West 33rd Street and from the #street walls# of the #building# facing the West 32nd Street Extension, except that the depth of such setback distance may include the depth of any permitted recesses. However, no setbacks shall be required within 150 feet of Twelfth Avenue, along the Western Open Space or along the Midblock Connection to allow portions of towers that comply with the provisions of paragraphs (c)(2) and (c)(3) of this Section to rise without setback.

(2) Maximum floor plate

If more than one tower is provided on Site 1, the aggregate gross area of any such tower #stories#, measured at any height, shall not exceed 25,000 square feet.

(3) Maximum length and height

The outermost walls of all #stories# of a tower, when viewed from above, shall be inscribed within a rectangle where the east-west dimension shall not exceed a length of 110 feet and the north-south dimension shall not exceed a length of 160 feet. Where more than one tower is located on Site 1, each tower shall comply independently with such maximum dimensions.

If more than one tower is located on Site 1, the height of the easternmost tower shall be a minimum of 100 feet greater than the height of the westernmost tower.

All towers that exceed a height of 350 feet shall provide articulation in accordance with Section 93-569 (Tower top articulation).

(2/2/11)

93-564
Site 2

In addition to the applicable requirements set forth in Section 93-562 (Street wall regulations for certain streets), the provisions of this Section shall apply to #buildings# on Site 2.

(a) #Building# base

(1) Facing Eleventh Avenue

The provisions of this paragraph (a)(1) shall apply to #street walls# facing Eleventh Avenue (exclusive of #street walls# facing the Northeast Plaza, which need not set back), and the West 32nd Street Extension within 60 feet of Eleventh Avenue. Such #street walls# shall rise without setback to a minimum height of 120 feet and a maximum height of 150 feet. Above a height of 150 feet, all portions of such #building# shall be set back from the #street wall# of the #building# at least 15 feet, except such setback distance may include the depth of any permitted recesses. These #building# base provisions may apply along the West 32nd Street Extension #street line# beyond 60 feet of Eleventh Avenue, up to a maximum distance of 100 feet from Eleventh Avenue.

(2) Facing the West 32nd Street Extension

The provisions of this paragraph (a)(2) shall apply to #street walls# facing the West 32nd Street Extension beyond 60 feet of Eleventh Avenue (or beyond 100 feet if the optional #building# base provisions of paragraph (a)(1) of this Section are applied along the West 32nd Street Extension), and the Midblock Connection within 60 feet of the West 32nd Street Extension. Such #street walls# shall rise without setback to a minimum height of 90 feet and a maximum height of 120 feet. Above a height of 120 feet, all portions of such #buildings# facing the West 32nd Street

Extension shall be set back from the #street wall# of the #building# at least 15 feet, except such setback distance may include the depth of any permitted recesses. Portions of #street walls# along the Midblock Connection within 60 feet of the West 32nd Street Extension need not set back above the maximum base height to allow tower portions that comply with the provisions of paragraph (b) of this Section to rise without setback.

(3) Facing West 33rd Street

#Street walls# facing West 33rd Street (exclusive of the Northeast Plaza) may rise without setback to a maximum base height of 150 feet. Above a height of 150 feet, setbacks shall be required as follows:

(i) portions of a #building# facing West 33rd Street within 150 feet of the Eleventh Avenue #street line# shall provide a 15 foot setback from the #street line# of West 33rd Street;

(ii) portions of a #building# beyond 150 feet of Eleventh Avenue that do not exceed an #aggregate width of street wall# of 150 feet, as measured along the West 33rd Street #street line#, shall be permitted to rise without setback; and

(iii) portions of a #building# located beyond 150 feet of Eleventh Avenue that exceed the #aggregate width of street wall# of 150 feet, as measured along the West 33rd Street #street line#, shall be set back a minimum of 15 feet from the #street line# of West 33rd Street.

All portions of a #building# that exceed a height of 150 feet shall comply with the tower provisions of paragraph (b) of this Section.

(b) Towers

All #stories# of a #building# located partially or wholly above a height of 150 feet shall be considered a tower and shall comply with the provisions of this paragraph, (b). Not more than one tower shall be allowed on Site 2.

(1) Maximum floor plate

The gross area of any tower #story# shall not exceed 40,000 square feet.

(2) Maximum length and height

The outermost walls of all #stories# of a tower, when viewed from above, shall be inscribed within a rectangle where the east-west dimension shall not exceed a length of 250 feet.

All towers that exceed a height of 350 feet shall provide articulation in accordance with Section 93-569 (Tower top articulation).

(4/29/14)

93-565
Site 3

The regulations of this Section shall apply to all #buildings# within Site 3.

All #stories# of a #building# located wholly or partially above the highest level of the adjoining public sidewalk or finished grade on Site 3 shall be considered a tower and shall comply with the provisions of this Section. Not more than one tower shall be permitted on Site 3.

(a) Ground floor

A maximum of 6,000 square feet of the ground floor shall be permitted to provide #residential uses#. The remaining portion of the ground floor shall provide an area that is accessible to the surrounding publicly accessible open spaces listed in Section 93-75 (Publicly Accessible Open Spaces in Subdistrict F). Such space may provide ground floor #uses# pursuant to Section 93-14 (Ground Floor Level Requirements), or may be considered part of the Central Open Space and comply with the regulations set forth in Section 93-75.

If such remaining ground floor level space provides ground floor #uses# pursuant to the requirements of paragraph (b)(2) of Section 93-14, such #uses# shall adjoin a minimum of 70 percent of the perimeter of the outermost walls of the ground floor of the #building# to a minimum depth of 30 feet. In addition, such

outermost wall shall be at least 70 percent glazed with transparent material to a height of 40 feet.

If such remaining ground floor level space is considered part of the Central Open Space, such space may be open or enclosed. An open space provided pursuant to this paragraph (a) shall have a clear height of at least 40 feet measured from the level of an adjoining finished grade or sidewalk. An enclosed publicly accessible space provided pursuant to this paragraph (a) shall adjoin a minimum of 70 percent of the perimeter of the outermost walls of the ground floor of the #building# to a minimum depth of 30 feet. In addition, such outermost wall shall be at least 70 percent glazed with transparent material to a height of 40 feet.

(b) Maximum floor plate

The gross area of any #story# of a tower on Site 3 shall not exceed 12,000 square feet.

(c) Maximum length and height

The maximum horizontal dimension of a tower, measured in any direction, shall not exceed 145 feet. However, if the angle of the tower's maximum horizontal dimension is aligned within 15 degrees of a 45 degree line constructed from either the southwest or northeast corner of the Site 3 rectangle in plan, as shown on Map 2 (Subdistrict F: Site Plan) in Appendix B, then such maximum horizontal dimension measured in this direction may be increased to 160 feet, provided that the maximum dimension measured perpendicular to such increased dimension does not exceed a length of 120 feet.

The maximum height of a tower within Site 3 shall be a minimum of 100 feet taller than the tower height of Site 5.

All towers that exceed a height of 350 feet shall provide articulation in accordance with Section 93-569 (Tower top articulation).

In addition to the applicable requirements set forth in Section 93-562 (Street wall regulations for certain streets), the provisions of this Section shall apply to #buildings# on Site 4.

(a) Street wall location along West 31st and West 32nd Street Extensions

Any portion of a #street wall# facing the West 32nd Street Extension within 100 feet of Eleventh Avenue shall be set back at least 15 feet from the West 32nd Street Extension #street line#, which shall coincide with the northern edge of the Site 4 boundary. Any portion of a #street wall# facing the West 32nd Street Extension that extends beyond 100 feet of Eleventh Avenue, as measured along the West 32nd Street Extension #street line#, shall be set back at least 30 feet from the West 32nd Street Extension #street line#. Any portion of a #street wall# facing the West 31st Street Extension that extends beyond 100 feet of Eleventh Avenue, as measured along the West 31st Street Extension #street line#, shall be set back at least 15 feet from the West 31st Street Extension #street line#.

(b) #Building# base facing Eleventh Avenue

The provisions of this paragraph (b) shall apply to #street walls# below a height of 120 feet facing Eleventh Avenue and the West 31st and West 32nd Street Extensions within 50 feet of Eleventh Avenue. Such #street walls# shall rise without setback to a minimum height of 90 feet and a maximum height of 120 feet. Above a height of 120 feet, all portions of a #building# facing Eleventh Avenue shall be set back from the #street wall# of the #building# at least 15 feet, except such setback distance may include the depth of any permitted recesses. Portions of #street walls# along the West 31st and West 32nd Street Extensions within 50 feet of Eleventh Avenue need not set back above the maximum base height to allow tower portions that comply with the provisions of paragraph (c) of this Section to rise without setback.

All portions of a #building# that exceed the maximum base height of 120 feet shall comply with the tower provisions of paragraph (c) of this Section.

(c) Towers

All #stories# of a #building# located partially or wholly above the maximum base height of 120 feet shall be considered a tower

and shall comply with the provisions of this paragraph (c). Not more than one tower shall be permitted on Site 4.

(1) Maximum floor plate

The gross area of any such #story# shall not exceed 12,000 square feet.

(2) Maximum length and height

For any portion of a tower above 120 feet, the maximum horizontal dimension, measured in any direction, shall not exceed 145 feet. However, if the angle of the tower's maximum horizontal dimension is aligned within 15 degrees of a 45 degree line constructed from either the southwest or northeast corner of the Site 4 rectangle, in plan, as shown on Map 2 (Subdistrict F: Site Plan) in Appendix B, then such maximum horizontal dimension measured in this direction may be increased to 160 feet, provided that the maximum dimension measured perpendicular to such increased dimension does not exceed a length of 120 feet.

The maximum height of a tower on Site 4 shall be a minimum of 100 feet taller than any tower located on Site 3.

All towers that exceed a height of 350 feet shall provide articulation in accordance with Section 93-569 (Tower top articulation).

(4/29/14)

93-567
Site 5

All #stories# of a #building# located wholly or partially above finished grade on Site 5 shall be considered a tower and shall comply with the provisions of this Section.

On Site 5, a #building# may be located adjacent to and above the #High Line#, provided no portion of such #building# or an associated structural column is located within five feet of the edge of the #High Line# from the level of finished grade to a level of 50 feet above the level of the #High Line bed#, as shown on Map 3 (Subdistrict F: Public Access Area Plan) in Appendix B.

(a) Maximum floor plate

The gross area of any #story# within that portion of a #building or other structure# located east of the #High Line# and wholly or partially above the finished grade to a height of 50 feet above the #High Line bed# shall not exceed 5,000 square feet.

The aggregate gross area of any portion of a #building or other structure# located west of the #High Line# and wholly or partially above the finished grade to a height of 50 feet above the #High Line bed# shall not exceed 700 square feet, and the maximum aggregate horizontal dimension of such portions, individually measured in their longest dimension, shall not exceed 30 feet.

The gross area of any #story# within that portion of a tower located above a height of 50 feet above the #High Line bed# shall not exceed 12,000 square feet.

(b) Maximum length and height

At or below a height of 50 feet above the #High Line bed#, if a #building# is located so that it has portions on both sides of the #High Line#, the minimum horizontal dimension, measured in any direction between such portions shall be 60 feet.

For that portion of a tower located above a height of 50 feet above the #High Line bed#, the maximum horizontal dimension, measured in any direction, shall not exceed 145 feet. However, if the angle of the tower's maximum horizontal dimension is aligned within 15 degrees of a 45 degree line constructed from either the southwest or northeast corner of the Site 5 rectangle, in plan, as shown on Map 2 (Subdistrict F: Site Plan) in Appendix B, then such maximum horizontal dimension measured in this direction may be increased to 160 feet, provided that the maximum dimension measured perpendicular to such increased dimension does not exceed a length of 120 feet. Furthermore, the maximum horizontal dimension for that portion of a tower that spans the #High Line#, measured in any direction, shall not exceed 120 feet.

The maximum height of a tower on Site 5 shall be 350 feet.

93-568
Site 6

In addition to the applicable requirements set forth in Section 93-562 (Street wall regulations for certain streets), the provisions of this Section shall apply to #buildings# on Site 6.

(a) Height and setback regulations

(1) #Street wall# beneath the #High Line#

The provisions of this paragraph (a) shall apply to #street walls# on Site 6 beneath the #High Line# that face West 30th Street, Eleventh Avenue and the Southwest Open Space.

All such #street walls# shall extend along the entire #street# frontage of the site, except that along West 30th Street, the #street wall# shall be no closer to the northerly #street line# of West 30th Street than the northerly edge of the southern row of structural columns of the #High Line#, and along the Southwest Open Space and Eleventh Avenue, the #street wall# shall extend to a point five feet north of the #High Line#. Ground floor recesses up to three feet deep shall be permitted for access to #building# entrances.

All such #street walls# shall rise without setback to a maximum height of the underside of the #High Line bed#.

(2) #Building# base

(i) Facing Eleventh Avenue and the West 31st Street Extension, north of the #High Line#

The provisions of this paragraph (a)(2)(i) shall apply north of the #High Line# to #street walls# facing Eleventh Avenue, the West 31st Street Extension, portions of #street walls# facing the #High Line# within 60 feet of Eleventh Avenue, and portions of #street walls# facing the Southwest Open Space within 60 feet of the West 31st Street Extension. Such #street walls# shall rise without setback to a minimum height of 60 feet and a maximum height of 90 feet. Above a height of 90 feet, all portions of a tower, or portions of a transition height located beneath a

tower facing Eleventh Avenue, the #High Line# and the West 31st Street Extension, shall be set back from the #street wall# of the #building# at least 15 feet, except such setback distance may include the depth of any permitted recesses. Portions of #street walls# along the Southwest Open Space within 60 feet of the West 31st Street Extension need not set back above the maximum base height to allow portions of towers, or portions of a transition height located beneath a tower that comply with the provisions of paragraphs (a)(3) and (a)(4) of this Section, respectively, to rise without setback. These #building# base provisions may apply along the #High Line# beyond 60 feet of Eleventh Avenue, up to a maximum distance of 100 feet from Eleventh Avenue.

(ii) Facing West 30th Street, north of the #High Line#

The provisions of this paragraph (a)(2)(ii) shall apply to #street walls# above the #High Line bed#, facing the #High Line# beyond 60 feet of Eleventh Avenue, and to those portions of #street walls# facing the Southwest Open Space that are within 60 feet of the #High Line#. Such #street walls# shall rise without setback to a minimum height of 50 feet as measured above the level of the #High Line bed#, and a maximum height of 60 feet as measured above the level of the #High Line bed#. Above a height of 60 feet, all portions of a tower, or portions of a transition height located beneath a tower facing the #High Line#, shall be set back from the #street wall# of the #building# at least 15 feet, except such setback distance may include the depth of any permitted recesses. Portions of #street walls# along the Southwest Open Space within 60 feet of the #High Line# need not set back above the maximum base height to allow portions of a tower, or portions of a transition height located beneath a tower that comply with the provisions of paragraphs (a)(3) and (a)(4), respectively, to rise without setback.

All portions of a #building# that exceed the maximum base height of 90 feet shall comply with the tower provisions of paragraph (a)(4), with the exception of a #building# which provides a transition height in accordance with the provisions of paragraph (a)(3).

(3) Transition height

If the outermost walls of all #stories# of any tower provided in accordance with the tower provisions of paragraph (a)(4) are individually inscribed within a rectangle where the east-west dimension does not exceed a length of 110 feet, a transition height may be provided above the #building# base in accordance with the provisions of this paragraph (a)(3).

Above the maximum base height, a #street wall# may rise to a maximum transition height equal to two-thirds of the height of the #street wall# of the #building# base facing the West 31st Street Extension. Such a transition height shall not exceed a maximum height of 150 feet, as measured above the West 31st Street Extension #street line#.

All portions of a transition height shall be set back 30 feet from the #street wall# of the #building# base along the West 31st Street Extension and the #High Line#, except that where towers are provided directly above a portion of the transition height, such a portion of transition height located directly below a tower shall provide setbacks in accordance with the #building# base provisions of paragraph (a)(2) of this Section.

All portions of a #building# that exceed the maximum transition height shall comply with the tower provisions of paragraph (a)(4).

(4) Towers

All #stories# of a #building# located partially or wholly above a height of 90 feet, or 150 feet if a transition height is provided in accordance with the provisions of paragraph (a)(3), shall be considered a tower and shall comply with the provisions of this paragraph (a)(4).

(i) Maximum floorplate

If more than one tower is provided on Site 6, the aggregate gross area of any such tower #stories#, measured at any height, shall not exceed 25,000 square feet.

(ii) Maximum length and height

The outermost walls of all #stories# of a tower, when viewed from above, shall be inscribed within a rectangle where the east-west dimension shall not exceed a length of 160 feet and the north-south dimension shall not exceed a length of 110 feet. Where more than one tower is located on Site 6, each tower shall comply independently with such maximum dimensions.

The #aggregate width of street walls# of all #stories# of a tower facing the West 31st Street Extension or the #High Line# shall not exceed 220 feet within 40 feet of the #street wall# of the #building# base.

If more than one tower is provided on Site 6, such towers shall either be equal in height, or the easternmost tower shall have a height greater than the height of the westernmost tower.

All towers that exceed a height of 350 feet shall provide articulation in accordance with Section 93-569 (Tower top articulation).

(b) Certification to expand Site 6

The area of Site 6, as shown on Map 2 (Subdistrict F: Site Plan) in Appendix B, may be extended westward by up to 40 feet in order to accommodate a public #school# upon certification of the Chairperson of the City Planning Commission, that:

(1) the Chairperson is in receipt of a letter from the School Construction Authority that describes the need for the additional area;

(2) the site and landscape plans for the Southwest Open Space have been approved by the Chairperson, pursuant to Section 93-78 (Site and Landscape Plans for Public Access Areas in Subdistrict F);

(3) no portion of a tower located on Site 6 extends beyond 395 feet west of the Eleventh Avenue #street line#; and

(4) any portion of a #building# located beyond 395 feet from the Eleventh Avenue #street line# shall affect southwesterly view corridors from the Central Open Space towards the Hudson River to the minimum extent necessary to

accommodate a public #school#.

(12/21/09)

93-569
Tower top articulation

All towers that exceed a height of 350 feet shall provide articulation in accordance with this Section.

For the purposes of this Section, a minimum of the uppermost 15 percent of the height of a #building or other structure#, including all rooftop mechanical structures and their required enclosures pursuant to the regulations of paragraph (b) of Section 93-41 (Rooftop Regulations), shall henceforth be referred to as the "Tower Top Zone". However, chimneys, antennae or decorative spires shall not be considered part of the Tower Top Zone, provided no such structures contain #floor area#.

The height of such #building or other structure# shall be measured from the highest level of the public sidewalk or finished grade located nearest such #building or other structure#.

The Tower Top Zone shall contain an "Upper Zone" and a "Lower Zone." The Lower Zone shall be a minimum of 50 percent of the height of the Tower Top Zone and shall contain tower #stories#. The Upper Zone shall contain the highest tower #story# where #floor area# occupies more than 75 percent of the gross area of such #story#, and any enclosed rooftop mechanical equipment.

For the purposes of this Section, each tower of a #building or other structure# shall be comprised of four separate tower top elevation views that shall be used to measure compliance with the regulations of this Section. Each elevation view shall have an angle of 90 degrees from another such view.

Each tower top shall provide the following forms of articulation:

(a) Change in the #building or other structure# profile

(1) Constructing the profile change boundary

To comply with the provisions of this paragraph (a)(1), a rectilinear boundary within the Tower Top Zone shall be created in each elevation view to determine the required

amount of profile change. In order to construct such boundary, two datum lines shall first be drawn in each elevation view. Such datum lines shall begin at the average outermost edges of those portions of tower floor plates above a height of 350 feet containing #floor area# below the Tower Top Zone, and shall extend upward for the entirety of the height of the #building or other structure#. The rectilinear profile change boundary shall include the portion of these two datum lines within the Tower Top Zone, as well as their intersection with two datum lines indicating the uppermost elevation and the lowermost elevation of the Tower Top Zone. In addition, a datum line shall indicate the boundary between the Upper and Lower Zone, creating a boundary for both the Upper Zone and Lower Zone.

(2) Required profile change

A minimum of 10 percent of the area of the profile change boundary within the Lower Zone shall remain open to the sky in each required elevation view. Such profile change shall begin upward at the lowermost datum line of the Tower Top Zone. In addition, a minimum of 20 percent of the area of the profile change boundary within the Upper Zone shall remain open to the sky in each required elevation view.

However, for portions of a #building or other structure# providing enclosed rooftop mechanical equipment within the Upper Zone, the width (as viewed in elevation) of the lowermost portion of enclosed rooftop mechanical space at that point in elevation which coincides with the uppermost portion of the highest tower #story# shall in no event be reduced beyond 50 percent of the width of such highest tower #story#. Upwards of such a point in elevation, no restriction on maximum width reduction for enclosed rooftop mechanical spaces shall apply.

(b) Change in the #building or other structure lot coverage#

For portions of a #building or other structure# within the Lower Zone, the average #lot coverage # for all tower #stories# within such zone shall not exceed 80 percent of the #lot coverage# of the tower #story# with the largest #lot coverage# below the Tower Top Zone and above a height of 350 feet.

(c) Material continuity

A minimum of 10 percent of the surface area of the exterior portion of the facade of the #building or other structure# within the Tower Top Zone, as viewed in elevation, shall be composed of a single material. Such material shall be continuously visible (in each elevation view) from the lowermost datum line of the Tower Top Zone to the uppermost datum line of the Tower Top Zone. However, within each #story# of the Lower Zone, a break in the vertical continuity of the material shall be permitted, provided that the vertical break does not exceed 12 inches.

(2/2/11)

93-57
Special Permit for Modification of Height and Setback Regulations

Within the #Special Hudson Yards District#, except within C1-7A Districts, or C2-5 Districts mapped within R8A Districts, for #developments# or #enlargements# on #zoning lots# with at least 20,000 square feet of #lot area# or #developments# or #enlargements# on any size #zoning lot# that occupy the entire #block# front along a #wide street#, the City Planning Commission may modify the regulations set forth in Sections 93-40 (HEIGHT AND SETBACK REGULATIONS), inclusive, and 93-50 (SPECIAL HEIGHT AND SETBACK REGULATIONS), inclusive, provided the Commission finds that:

(a) such modifications will result in a better distribution of #bulk# on the #zoning lot# and will not adversely affect access to light and air for surrounding public access areas, #streets# and properties;

(b) where the #development# or #enlargement# is subject to the requirements of Sections 93-60 (MANDATORY IMPROVEMENTS), inclusive, or 93-70 (PUBLIC ACCESS REQUIREMENTS FOR SPECIAL SITES), inclusive, such modifications will not impair the quality of such public access areas on the #zoning lot#;

(c) such modifications are consistent with the goal of the special district to provide flexibility of architectural design and encourage more attractive building forms; and

(d) such modifications will result in a #development# or #enlargement# that enhances the streetscape and will be compatible with development in the surrounding area.

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

(1/19/05)

93-60
MANDATORY IMPROVEMENTS

(1/19/05)

93-61
Sidewalk Widenings

Map 4 (Mandatory Sidewalk Widenings) in Appendix A of this Chapter specifies locations of mandatory sidewalk widenings. The depth of such sidewalk widenings shall be as indicated on Map 4 in Appendix A and shall be measured perpendicular to the #street line#. All sidewalk widenings shall be improved as sidewalks to Department of Transportation standards, at the same level as the adjoining public sidewalks, and shall be accessible to the public at all times.

(1/19/05)

93-62
Street Tree Planting

In addition to the applicable underlying #street# tree planting requirements, in the Four Corners Subarea A2 of the Large-Scale Plan Subdistrict A, trees shall also be provided along the #street# edge of the mandatory sidewalk widening. All such trees shall be provided for the entire length of the #street# frontage of the #zoning lot#, at maximum intervals of 25 feet. Trees shall be planted in gratings flush to grade in at least 200 cubic feet of soil per tree with a depth of soil at least three feet, six inches. Species shall be selected and installed in accordance with specifications established by the Department of Parks and Recreation. The provisions of this Section shall not apply where the Department of Parks and Recreation determines that such tree planting would be infeasible.

(2/2/11)

93-63
Pedestrian Circulation Space

In C2-8 and C6-4 Districts, all #developments# or #enlargements# on #zoning lots# of 5,000 square feet or larger with more than 70,000 square feet of new #floor area# shall provide pedestrian circulation space in accordance with the provisions of Section 37-50. In addition, for #developments# or #enlargements# that provide subway entranceways constructed after December 21, 2005, one and one-half times the area of such entranceway accessible to the public at #street# level may qualify as pedestrian circulation space, up to a maximum amount of 3,000 square feet.

Pedestrian circulation space shall not be required if any of the following conditions exist:

(a) The #zoning lot# is entirely occupied by a #building# of no more than one #story# in height.

(b) The #zoning lot# is an #interior lot# fronting on a #wide street# with less than 80 feet of #street# frontage.

(c) The #zoning lot# is a #through lot# and both #street# frontages are less than 25 feet in length.

(d) The #zoning lot# is required to provide public access pursuant to Section 93-70 (PUBLIC ACCESS REQUIREMENTS FOR SPECIAL SITES).

(2/2/11)

93-64
Major Building Entrances

Any #development# or #enlargement# with a #commercial floor area ratio# of 5.0 or greater and located on a #zoning lot# with frontage upon Hudson Boulevard shall provide a major entranceway to the #commercial# portion of the #building# on Hudson Boulevard.

Any #development# or #enlargement# containing #residences# located on #zoning lots# with frontage upon Tenth Avenue north of West 33rd Street shall provide a major entrance to the #residential# portion of the #building# on or within 100 feet of Tenth Avenue.

The #street wall# of any #building# facing east towards Ninth Avenue south of West 33rd Street shall contain either a major #building# entrance or have at least 70 percent of its ground floor frontage occupied by retail #uses#.

(10/27/10)

93-65
Transit Facilities

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

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

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

Floor space within any required transit easement shall be excluded from the definition of #floor area#, and may be

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

(b) For the locations listed in this paragraph, (b), floor space devoted to subway-related #uses# consisting of ventilation facilities and other facilities or services used or required in connection with the operation of a subway line or station, which are established pursuant to an easement or other agreement, shall be excluded from the definition of #floor area# in Section 12-10:

(1) The volume bounded by Eleventh Avenue, a line 52 feet north of and parallel to West 33rd Street, the western boundary of the #public park#, and West 33rd Street, up to a height of 82 feet, as illustrated on Map 5.

(2) The volume bounded by Eleventh Avenue, West 36th Street, a line 95 feet east of and parallel to Eleventh Avenue, and a line 95 feet south of and parallel to West 36th Street, up to a height of 129 feet, as illustrated on Map 5.

(3) The tax lot located at Block 1051, Lot 2, existing on October 27, 2010, up to a height of 73 feet, as illustrated on the District Map in Appendix A of the #Special Clinton District#.

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

Any transit easement or other agreement for such subway-related #use# shall be filed and duly recorded in the Borough Office of the City Register of the City of New York, and indexed against the property.

93-66
Open Area Requirements in the Large-Scale Plan Subdistrict A

In Subareas A2 through A5 of the Large-Scale Plan Subdistrict A, the provisions of this Section shall apply to all open areas between the #street wall# of any #development# or #enlargement# and the #street line#.

(a) Where such open areas are sidewalk widenings required pursuant to Section 93-61, or where a sidewalk widening is not required but an open area extends along the entire #street line# of the #zoning lot#, no obstructions shall be permitted within such open areas within five feet of the #street line#. Beyond five feet of the #street line#, up to a distance of 10 feet from the #street line#, obstructions shall be limited to seating, tables, and trees planted flush to grade. Any open area provided beyond 10 feet of the #street line# shall comply with the provisions of paragraphs (b) through (d) of this Section, as applicable.

(b) All open areas less than 1,200 square feet in area, or open areas of any size but with a width or depth of less than 30 feet, shall be paved or contain landscaping. Paved areas shall be at the same elevation as the adjoining sidewalk or any adjoining public access area required pursuant to this Chapter.

(c) All open areas at least 1,200 square feet in area, and with a width and depth of at least 30 feet, shall be paved and contain landscaping. Paved areas shall not be more than 2 feet, 6 inches above or below the level of the adjoining sidewalk or any adjoining public access area required pursuant to this Chapter.

(d) Open areas described in paragraphs (b) and (c) of this Section may be occupied by features, equipment and appurtenances normally found in #public parks# and playgrounds, as listed in Section 37-726 (Permitted obstructions). In addition, gates or fences shall be permitted for open areas described in paragraph (c) of this Section, provided such gates are fully open during business hours, such gates or fences are not higher than five feet, and are a minimum of 65 percent open to permit visibility of the open area. No parking areas shall be permitted in any open area. Driveways in any open area shall lead directly to an enclosed parking or loading facility, except that portes-cocheres are allowed in any open area on #zoning lots# with at least 80,000 square feet of #lot area#. #Building# trash storage

facilities and mechanical equipment shall be screened by a wall or planted area sufficient to visually conceal these facilities from the #street# or any public access area. All paved areas shall be accessible to the public during business hours and have lighting with a minimum level of two foot candles. Edges of planters in all landscaped areas shall not be higher than 2 feet, 6 inches above the level of any adjacent paved area.

(4/29/14)

93-70
PUBLIC ACCESS REQUIREMENTS FOR SPECIAL SITES

Public access shall be provided for special sites as specified in this Section, inclusive. In the event of a conflict between the provisions of this Section, inclusive, and any underlying regulation, the provisions of this Section shall govern.

No building permit shall be issued for any #development# or #enlargement# on such sites other than for an #ERY Culture, Festival and Exhibit Facility# until the Chairperson of the City Planning Commission certifies to the Department of Buildings that the provisions of this Section have been met.

An application for such certification shall be filed with the Chairperson showing the plan of the #zoning lot#; a site plan indicating the area and dimensions of all required public access areas and the location of all proposed #buildings#, and a detailed plan or plans demonstrating compliance with the provisions of this Section. For certifications relating to the #ERY High Line# and, if applicable, the #Tenth Avenue Spur#, the requirements set forth in paragraph (h) of Section 93-71, shall apply. For certifications relating to 450 West 33rd Street, the requirements set forth in Section 93-722 shall apply. For certifications relating to the Ninth Avenue Rail Yard, the requirements set forth in Section 93-732 shall apply.

Plans for public access areas shall be set forth in an instrument in a form acceptable to the City, and setting forth such provisions as necessary to ensure compliance with the provisions of this Section. Such instrument shall be filed and duly recorded in the Borough Office of the City Register of the City of New York and indexed against the property. Such filing and recording of the instrument shall be a precondition for the Chairperson's certification under this Section. The recording information shall be included on the

certificate of occupancy for any #building#, or portion thereof, on the #zoning lot# issued after the recording date.

The Chairperson shall allow for the phased development of public access areas upon certification to the Commissioner of Buildings that a plan has been submitted that provides for the completion of any public access area that is integral to the #development# of a #building# or #buildings# within each phase. The completion of the Cultural Facility Plaza shall be deemed integral only to an #ERY Culture, Festival and Exhibit Facility# and to no other #use# or #development# in the Eastern Rail Yard Subarea A1. Where the public use and enjoyment of a public access area is contingent upon #development# on an adjacent #zoning lot# that has not yet occurred, the Chairperson may allow for the future development of such public access area at the time that the adjacent #zoning lot# is #developed#. For the Eastern Rail Yard Subarea A1, such phased development plan may provide for the outdoor plaza described in paragraph (b) of Section 93-71 to be constructed in phases. For 450 West 33rd Street and the Ninth Avenue Rail Yard, such phased development plan shall comply with additional provisions set forth in Sections 93-722 and 93-732, respectively.

For any portion of any #development# or #enlargement# other than an #ERY Culture, Festival and Exhibit Facility#, no temporary certificate of occupancy from the Department of Buildings may be issued for any portion of any #development# or #enlargement# with a #floor area ratio# of 10.0 or more until the Chairperson certifies to the Department of Buildings that the public access area is substantially complete, and the public access area is open to and useable by the public. No permanent certificate of occupancy from the Department of Buildings may be issued for any portion of such #development# or #enlargement# with a #floor area ratio# of 10.0 or more until the Chairperson certifies to the Department of Buildings that the public access area is complete and that all public access requirements of this Section have been met in accordance with the plans for such public access areas. Notwithstanding the foregoing, for #zoning lots# with multiple #buildings# for which the Chairperson has certified that a plan has been submitted that provides for the phased development of public access areas through completion of any public access area that is integral to the #development# of a #building# or #buildings# within each phase, such certifications shall be made with respect to substantial completion or completion of the public access areas integral to each such phase, except as provided in paragraph (h) of Section 93-71, and Section 93-732. Issuance of a temporary or permanent certificate of occupancy for any #building#, or portion of a #building#, not occupied by an #ERY Culture, Festival and Exhibit Facility# shall not be conditioned upon

the completion, substantial completion or improvement of the Culture Facility Plaza.

For an #ERY Culture, Festival and Exhibit Facility#, no temporary certificate of occupancy from the Department of Buildings may be issued for such #ERY Culture, Festival and Exhibit Facility# until the Chairperson certifies to the Department of Buildings that the Culture Facility Plaza described in paragraph (j) of Section 93-71 is substantially complete and open to and useable by the public and no permanent certificate of occupancy from the Department of Buildings may be issued for the #ERY Culture, Festival and Exhibit Facility# until the Chairperson certifies to the Department of Buildings that the Culture Facility Plaza is complete. If a moveable portion of the #ERY Culture, Festival and Exhibit Facility# is not initially constructed as part of the #ERY Culture, Festival and Exhibit Facility# but is constructed at a later date, any closure of the Culture Facility Plaza necessary for such construction shall not affect the validity of any certificate of occupancy previously issued for the #ERY Culture, Festival and Exhibit Facility#. No temporary certificate of occupancy for the moveable portion that is thereafter constructed, or an amended temporary certificate of occupancy for the #ERY Culture, Festival and Exhibit Facility# that includes the moveable portion, may be issued by the Department of Buildings until the Chairperson certifies to the Department of Buildings that the reconstructed Culture Facility Plaza is substantially complete and open to and useable by the public and no permanent certificate of occupancy for the moveable portion that is thereafter constructed, or an amended permanent certificate of occupancy for the #ERY Culture, Festival and Exhibit Facility# that includes the moveable portion, may be issued by the Department of Buildings until the Chairperson certifies to the Department of Buildings that the reconstructed Culture Facility Plaza is complete.

(7/24/13)

93-71
Public Access Areas in the Eastern Rail Yard Subarea A1

Any #development# in the Eastern Rail Yard Subarea A1 shall provide public access areas in accordance with the following requirements:

(a) Amount of public access areas

Public access areas shall be provided in an amount not less than 55 percent of the #lot area# of the #zoning lot#. At least 40

percent of the #lot area# of the #zoning lot# shall be publicly accessible and open to the sky. At least an additional 15 percent of the #lot area# of the #zoning lot# shall be publicly accessible and may be either open or enclosed. Such open or enclosed areas shall be comprised of the types of public access areas listed in paragraphs (b) through (f), and paragraphs (h) and (j), of this Section. For purposes of determining compliance with such 55 percent and 40 percent requirements, the Culture Facility Plaza, any portion of the connection to the High Line allowed to be covered by the moveable portion of an #ERY Culture, Festival and Exhibit Facility# pursuant to paragraph (f), and any portion of the connection to the High Line that is not required to have a clear height of 60 feet pursuant to paragraph (f) shall be deemed publicly accessible and open to the sky at all times, including any time when a moveable portion of an #ERY Culture, Festival and Exhibit Facility# extends over the Culture Facility Plaza or the connection to the High Line. Open areas may also include the area of the sidewalk widening along Eleventh Avenue required pursuant to Section 93-61 and, at the option of the owner, the #Tenth Avenue Spur#. If the Cultural Facility Plaza is closed during the construction of the moveable portion of the #ERY Culture, Festival and Exhibit Facility#, the amount of publicly accessible open space shall not be considered reduced during such period.

All public access areas listed in this Section, other than the #ERY High Line# and the #Tenth Avenue Spur#, shall be accessible to the public, as follows:

(1) unenclosed public access areas shall be accessible between the hours of 6:00 a.m. and 1:00 a.m., except that any portions of the outdoor plaza, as described in paragraph (b) of this Section, designed and constructed for purposes of vehicular use, shall be accessible at all times, except as necessary to perform maintenance and repairs or address hazardous or emergency conditions;

(2) enclosed portions of the through block connection and connection to the public plaza, described in paragraphs (d) and (e) of this Section, shall be accessible to the public between the hours of 8:00 a.m. and 10:00 p.m.; and

(3) upon completion of the Tenth Avenue bridge, described in paragraph (g) of this Section, access between the bridge and the outdoor plaza shall be provided by means of the through block connection between the hours of 6:00 a.m. and 1:00 a.m.

All public access areas, other than the #ERY High Line# and the #Tenth Avenue Spur#, shall include public space signage erected at conspicuous locations. Such signs shall include the statement "Open to the Public," followed by the hours of operation specified in this paragraph (a). The public space signage for the Culture Facility Plaza may include additional information, consistent with the provisions of paragraph (j) of this Section.

(b) Outdoor plaza

A publicly accessible space, open to the sky (hereinafter referred to as the "outdoor plaza"), shall be located within the area bounded by West 33rd Street, the southerly prolongation of the eastern sidewalk widening line of Hudson Boulevard East, a line 250 feet north of and parallel to West 30th Street, Eleventh Avenue, a line 220 feet south of and parallel to West 33rd Street, and the southerly prolongation of the western sidewalk widening line of Hudson Boulevard West. Such open area may extend beyond such boundaries and have necessary grade changes, and up to 10 percent of the area of such outdoor plaza may be covered by a #building or other structure#.

In addition, a #building# containing eating or drinking places and #uses# listed in Use Groups 6A and 6C may be located within the outdoor plaza (but shall not be included as public access area pursuant to paragraph (a) of Section 93-71), provided that any such #building#:

(1) is located within the area west of the southerly prolongation of the western sidewalk widening line of Hudson Boulevard West and within 400 feet of West 30th Street;

(2) covers no more than 3,600 square feet of the #zoning lot# at the level of the outdoor plaza and above;

(3) contains no more than 7,200 square feet of #floor area# at the level of the outdoor plaza and above, and no more than 3,600 square feet of #floor area# below the level of the outdoor plaza;

(4) has a maximum north-south dimension of 85 feet at the level of the outdoor plaza and above;

(5) is located such that the maximum east-west dimension measured along a line 355 feet from West 30th Street is 40

feet at the level of the outdoor plaza and above. For portions of the #building# located north or south of such line, the maximum east-west dimension shall increase at a rate of one foot in the east-west dimension for every four feet in the north-south dimension from such line, up to a maximum east-west dimension of 60 feet; and

(6) has a maximum perimeter wall height of 24 feet, and a maximum #building# height of 30 feet. Above a height of 24 feet, no portion of a #building# may penetrate a #sky exposure plane# that begins at a height of 24 feet above the perimeter walls and rises over the #building# at a slope of 2.5 feet of horizontal distance for each foot of vertical distance. Such heights shall be measured from the highest level of the adjoining portions of the outdoor plaza.

No #building# location or setback requirements shall apply to any #building# walls facing the northern, eastern or southern boundaries of the outdoor plaza.

#Building# walls fronting upon the western boundary of the outdoor plaza shall extend along at least 70 percent of the length of the southerly prolongation of the western sidewalk widening line of Hudson Boulevard West and shall rise to a minimum height of 90 feet and a maximum height of 120 feet. Above a height of 120 feet, a setback at least 20 feet in depth is required from such prolongation line. However, such #building# wall may rise without setback at such prolongation line, provided the aggregate width of such #building# wall does not exceed 50 percent of the width of such line and provided all other portions of the #building# that exceed a height of 120 feet are set back at least 20 feet from such prolongation line at a height not lower than 90 feet.

The retail and glazing requirements of Section 93-14 (Ground Floor Level Requirements) shall apply to at least 70 percent of the length of all #building# walls facing each side of the outdoor plaza, except that such retail requirements shall not apply to any #building#, or portion of a #building#, located west of the southerly prolongation of the eastern sidewalk widening line of Hudson Boulevard East and within 220 feet of West 30th Street containing #uses# in Use Group 3 or 4 or an #ERY Culture, Festival and Exhibit Facility#.

(c) Public plaza

A publicly accessible space, (hereinafter referred to as a "public plaza"), shall be provided at the intersection of Tenth Avenue and West 30th Street. Such public plaza shall have a minimum area of 12,000 square feet with a minimum frontage of 180 feet along Tenth Avenue and a minimum frontage of 60 feet along West 30th Street. Such public plaza shall be open to the sky except that such space may be covered by the #ERY High Line# structure, including any connections to the #ERY High Line# or other design features, as well as a #building# or portion of a #building# as allowed pursuant to Section 93-514, paragraph (a)(4), except that no #building# or portion of a #building# may encroach within the area that is within 60 feet of Tenth Avenue and 180 feet of West 30th Street. In addition, no more than 50 percent of the public plaza shall be covered by the permitted obstructions described in Section 37-726, paragraph (a), as well as any vents or shafts that are placed by the Department of Environmental Protection within the portion of the public plaza that is subject to an access easement.

Such public plaza shall contain the following amenities:

(1) no less than 120 linear feet of fixed seating;

(2) no less than 12 moveable tables and 48 moveable chairs; and

(3) no less than four trees or multi-stemmed equivalents measuring at least four inches in caliper at the time of planting, which trees or multi-stemmed equivalents may be planted in a planting bed. In addition, such public plaza shall contain at least two of the following additional amenities:

(i) artwork;

(ii) water features; or

(iii) food service located in a retail space directly accessible from the public plaza.

The glazing requirements of Section 93-14, paragraph (c), shall apply to at least 70 percent of the length of all #building# walls, other than the #building# walls of any facility operated by the Long Island Rail Road, or its successor, facing each side of the public plaza. In addition, at least 25 percent of the frontage of all #building# walls facing the portion of the public plaza that is within 60 feet of Tenth Avenue and 180 feet of West 30th Street shall be occupied by #uses# listed in Use

Groups 6A and 6C or the connection to the public plaza described in paragraph (e) of this Section.

(d) Through block connection

A publicly accessible through block connection shall be provided connecting the outdoor plaza with the Tenth Avenue sidewalk within 50 feet or anywhere north of the center line of West 32nd Street. Public access shall also be provided between such through block connection and the Tenth Avenue bridge at the time such bridge is constructed pursuant to paragraph (g) of this Section, and may connect to other public access areas or sidewalks. Such through block connection may be open to the sky or enclosed, need not be linear and may have necessary grade changes.

Such through block connection shall have a minimum width of 30 feet and any enclosed portion shall have a minimum height of 30 feet. As an alternative, if an enclosed atrium space adjacent to the outdoor plaza is provided as part of the through block connection that meets all the following dimensional requirements: (1) comprises no less than 4,000 square feet with a minimum height of 60 feet and a minimum depth of 50 feet as measured by a line parallel from the #building# wall facing the outdoor plaza; (2) is free of #building# structural obstructions other than vertical circulation and other elements occupying no more than 500 square feet in the aggregate; and (3) contains interior walls facing such area that comply with the ground floor retail #use# requirements of Section 93-14, paragraph (a), then such through block connection may: (i) have a minimum width of 24 feet; and (ii) have a minimum height of 34 feet for at least 70 percent of the aggregate enclosed area of the through block connection (including the atrium), provided that no portion of the through block connection shall have a minimum height less than 17 feet.

The retail and glazing requirements of Section 93-14 shall apply to at least 50 percent of the length of all #building# walls facing each side of the through block connection (or, if enclosed, the interior walls facing the through block connection). The through block connection may be occupied by the following permitted obstructions: vertical circulation elements including escalators, stairs and elevators, columns and lighting elements, provided that such permitted obstructions shall not occupy more than 20 percent of the through block connection, and a single path of travel no less than 24 feet in width is maintained. Vertical circulation elements traversing the grade

changes of the through block connection shall be considered a part of the through block connection and not an obstruction.

(e) Connection to public plaza

A public way, open or enclosed, shall be provided connecting the outdoor plaza or the through block connection with the public plaza. Such connection need not be linear and may have necessary grade changes. The retail and glazing requirements of Section 93-14 shall apply to at least 50 percent of the length of all #building# walls facing each side of such connection (or, if enclosed, the interior walls facing the connection). The minimum clear width of such public way shall be 20 feet. For any portions that are enclosed, the minimum clear height shall be 34 feet within at least 50 percent of the enclosed area of the connection to the public plaza, provided that no portion of the connection to the public plaza shall have a minimum height less than 17 feet. The connection to the public plaza may be occupied by the following permitted obstructions: vertical circulation elements including escalators, stairs and elevators, columns and lighting elements, provided that such permitted obstructions shall not occupy more than 20 percent of the connection to the public plaza and a single path of travel no less than 20 feet in width is maintained. Vertical circulation elements traversing the grade changes of the connection to the public plaza shall be considered a part of the connection to the public plaza and not an obstruction.

(f) Connection to High Line

A publicly accessible connection between the High Line and the outdoor plaza (hereinafter referred to as the "connection") shall be provided that has a minimum width, measured parallel to the High Line, of 60 feet and is located east of the Culture Facility Plaza. For a width of 60 feet measured parallel to the High Line, the clear height of the connection shall be at least 60 feet. Above such height, overhangs of the 60 foot width dimension of the connection shall be permitted by the movable portion of the #ERY Culture, Festival and Exhibit Facility#, provided that the angle of such overhang is a maximum of 14 degrees east of the vertical extension of the western edge of such 60 foot width, as measured from the intersection of such vertical extension with the 60 foot clear height of the connection. Additionally, such overhang shall project over no more than 16 feet of the 60 foot width dimension. Any portion of the connection east of the minimum 60 foot width shall, if covered, have a minimum clear height of 60 feet. The movable

portion of the #ERY Culture, Festival and Exhibit Facility# shall be permitted to overhang any portion of the connection west of such minimum 60 foot width, provided that the angle of such overhanging portion is a maximum of 14 degrees measured at the western edge of the connection at its ground level. The glazing requirements of Section 93-14, paragraph (c), shall apply to at least 50 percent of the length of all #building# walls facing the connection.

(g) Tenth Avenue bridge

A publicly accessible pedestrian bridge shall be provided over Tenth Avenue linking the through block connections required pursuant to paragraph (d) of this Section and paragraph (a) of Section 93-72 (Public Access Areas at 450 West 33rd Street). Such bridge need not be constructed until the 450 West 33rd Street through block connection has been completed. Such bridge may be open or enclosed, have a minimum clear width of 30 feet and, if enclosed, have a minimum clear height of 15 feet. Such bridge shall be located within 10 feet of the center line of West 32nd Street and be at the same elevation as the through block connection required pursuant to paragraph (a) of Section 93-72.

(h) #ERY High Line# and #Tenth Avenue Spur#

The #ERY High Line# shall be provided as a publicly accessible open area. The #Tenth Avenue Spur# may, at the option of the owner, also be provided as a publicly accessible open area.

(1) In order to meet the public access area requirements of Section 93-71, paragraph (a), and this paragraph (h), the following shall be provided for the #ERY High Line#, and shall, if the owner has elected to include the #Tenth Avenue Spur# as a public access area, be further provided for the #Tenth Avenue Spur#:

(i) Payment of the #High Line Rehabilitation Deposit#; or subject to entry into construction-related agreements with the City or its designee, completion of the rehabilitation of the #ERY High Line# and, if applicable, the #Tenth Avenue Spur#, not later than March 31, 2013, subject to a determination of force majeure by the City in accordance with the terms thereof. If the owner has elected to perform the rehabilitation work, then all such work shall be

completed in accordance with plans and specifications prepared by or on behalf of the City;

(ii) Payment of the #High Line Landscape Improvement Deposit#;

(iii) Provision of #High Line Maintenance Funding#;

(iv) An easement agreement allowing use of the #ERY High Line# for public space in accordance with the requirements of this paragraph (h), as well as for use and access for rehabilitation, improvement, maintenance and repair purposes, acceptable to the City.

Such requirements shall be set forth in agreements or instruments in a form acceptable to the City, including such provisions as are necessary to ensure compliance with the provisions of this Section. The execution of such agreements by the owner, and mortgagees and parties in interest of the owner, and, where appropriate, the filing and recordation of such instruments in the Borough Office of the City Register of the City of New York, indexed against the property, shall be a precondition to the Chairperson's certification to the Department of Buildings for a building permit under Section 93-70. The recording information shall be included on the certificate of occupancy for any #building#, or portion thereof, on the #zoning lot# issued after the recording date.

(2) No certification for the phased development of public access areas on the Eastern Rail Yard Subarea A1 under Section 93-70 shall be permitted unless the #ERY High Line# is included as a public access area for the initial phase in accordance with the provisions of this paragraph (h).

(3) No crane permit shall be granted for construction of a #development# or #enlargement# in such initial phase until the Chairperson certifies to the Department of Buildings that: (i) either the #High Line Rehabilitation Deposit# has been made or all construction documents and instruments necessary for accomplishment of the rehabilitation of the #ERY High Line# and, if applicable, the #Tenth Avenue Spur#, in accordance with paragraph (h)(1)(i) of this Section, have been executed and delivered; and (ii) the #High Line Landscape Improvement Deposit# has been made.

(4) No temporary or permanent certificate of occupancy for a #development# or #enlargement# in such initial phase shall be granted unless the Chairperson certifies to the Department of Buildings that (i) either the #High Line Rehabilitation Deposit# has been previously furnished or the rehabilitation of the #ERY High Line# and, if applicable, the #Tenth Avenue Spur#, have been completed in accordance with the construction documents and instruments; (ii) the initial installment of #High Line Maintenance Funding# has been delivered, provided and to the extent that the #ERY High Line# and, if applicable, the #Tenth Avenue Spur#, have been substantially completed and are open for use by the public; and (iii) the easement agreement described in paragraph (h)(1)(iv) of this Section, is in effect for the #ERY High Line#. The requirement for a certification of substantial completion of public access areas before the granting of a temporary certificate of occupancy for the #development# or #enlargement# within such phase pursuant to Section 93-70 shall not apply with respect to the #ERY High Line# and, if applicable, the #Tenth Avenue Spur#.

(5) Nothing herein shall be construed to affect any obligation of the owner to make the #High Line Rehabilitation Deposit# at an earlier date, in accordance with the terms of agreements or instruments entered into by the parties, or to complete rehabilitation work for the #ERY High Line# and, if applicable, the #Tenth Avenue Spur#, by March 31, 2013, subject to a determination of force majeure by the City in accordance with the terms of such agreements.

(6) Use by the City of the #High Line Landscape Improvement Deposit# for improvement of the #ERY High Line# and, if applicable, the #Tenth Avenue Spur#, shall be subject to approval by the Chairperson, based upon a determination that the design and location of access points to the #ERY High Line# and, if applicable, the #Tenth Avenue Spur#, have been arranged such that public use thereof will not result in any significant adverse impacts with respect to transit or pedestrians.

(i) Certifications for phased development pursuant to Section 93-70 granted before May 31, 2012

If a certification for the phased development of public access areas on the Eastern Rail Yard Subarea A1 under Section 93-70 was granted before May 31, 2012, such certification shall expire

45 days following such date and shall thereupon no longer be in force and effect. Within said 45-day period, a new application for certification pursuant to Section 93-70 and Section 93-71, paragraph (h), shall be filed by the owner which shall include the #ERY High Line# and, if applicable, the #Tenth Avenue Spur#, as public access areas associated with the initial phase, in addition to any other public access areas previously so certified. The expiration of any certification under Section 93-70 granted before May 31, 2012, shall not affect the validity of any permit issued by the Department of Buildings prior to the expiration of such 45-day period, provided the new application under Section 93-70 and Section 93-71, paragraph (h), is made within such 45-day period.

In the event that a certification for the phased development of public access areas on the Eastern Rail Yard Subarea A1 under Section 93-70 was granted before May 31, 2012, and a crane permit for the construction of a #development# or #enlargement# within such initial phase was granted prior to 45 days after May 31, 2012, the preconditions to issuance of a crane permit set forth in Section 93-71, paragraph (h), shall be prerequisites for the grant of any new certification for phased development made under this paragraph (i).

(j) Culture Facility Plaza

A publicly accessible space located east of and #abutting# the non-moveable portion of an #ERY Culture, Festival and Exhibit Facility#, and bounded to the north by the outdoor plaza and to the south by the #ERY High Line# shall be provided. During times when the Culture Facility Plaza is not covered by the moveable portion of an #ERY Culture, Festival and Exhibit Facility#, the Culture Facility Plaza may be used for purposes of outdoor events related to an #ERY Culture, Festival and Exhibit Facility#. Outdoor installations for such events, including seating, shall be restricted to the Culture Facility Plaza. All such events shall be open and accessible to the general public free of admission charge, provided that ticketed events with tickets available on a first come, first served, or timed basis, shall be permitted. During all times when the Culture Facility Plaza is not used for an #ERY Culture, Festival and Exhibit Facility# event or covered by the moveable portion of an #ERY Culture, Festival and Exhibit Facility#, the Culture Facility Plaza shall be open and accessible to the public between the hours of 6:00 a.m. and 1:00 a.m. Notwithstanding any other provision, the Culture Facility Plaza may be closed to the public not more than 12 days each calendar year for an event

related to the #ERY Culture, Festival and Exhibit Facility#, provided that not less than five days prior to any such closing, notice is given to the applicable community board and is posted at conspicuous locations at such plaza. No #building# or portion of a #building# that is not used for an #ERY Culture, Festival and Exhibit Facility# shall have any obligation to comply with the requirements of paragraph (a), or this paragraph (j), of this Section related to the Culture Facility Plaza.

(4/29/14)

93-72
Public Access Areas at 450 West 33rd Street

For the purposes of this Section 93-72, inclusive, 450 West 33rd Street shall be considered the area bounded by the eastern #street line# of Tenth Avenue, the northern #street line# of West 31st Street, a line 302 feet east of the eastern #street line# of Tenth Avenue and the southern #street line# of West 33rd Street. Such area shall include the tax lots located at Block 729, Lots 1 and 15, existing on April 29, 2014. Any #development# or #enlargement# in such area shall provide public access areas in accordance with the provisions of this Section. However, if a special permit has been granted for the #development# of an arena pursuant to Section 74-41 in the area bounded by the western #street line# of Ninth Avenue, the northern #street line# of West 31st Street, a line 498 feet west of the western #street line# of Ninth Avenue and the southern #street line# of West 33rd Street, the provisions of this Section may be waived or modified in conjunction with such special permit. All public access areas listed in this Section shall be accessible to the public between the hours of 6:00 a.m. and 1:00 a.m.

(a) Through block connection

A publicly accessible through block connection shall be provided within 10 feet of the prolonged center line of West 32nd Street, at an elevation that connects the Tenth Avenue pedestrian bridge required pursuant to paragraph (g) in Section 93-71 with the Dyer Avenue Platform required pursuant to paragraph (b) of this Section and paragraph (e) of Section 93-73 (Public Access Areas on the Ninth Avenue Rail Yard). Public access shall also be provided between such through block connection and the Tenth Avenue sidewalk.

For #developments# or #enlargements# where 75 percent or less of the total #floor area# existing on the #zoning lot# on January 19, 2005, has been demolished, such through block connection shall be open or enclosed and have a minimum clear width of 30 feet. If enclosed, at least 75 percent of such through block connection shall have a minimum clear height of 30 feet, and the remainder shall have a minimum clear height of 20 feet.

For #developments# or #enlargements# where more than 75 percent of the total #floor area# existing on the #zoning lot# on January 19, 2005, is demolished, such through block connection shall have a minimum width of 60 feet and a minimum clear path of 20 feet, and have retail uses fronting upon at least 50 percent of its northern and southern boundaries. At least 60 percent of such through block connection shall be enclosed, with an average clear height of 60 feet and a roof of transparent material that allows for natural daylight to enter. Direct access shall be provided to any #building# adjacent to such through block connection. The maximum height of a #building# wall along the southern boundary of the through block connection shall not exceed the average height of the enclosed portion, or the height at which an arched or angled ceiling of the enclosed through block connection begins, whichever is less. Any portion of a #building# that exceeds such height shall be set back at least 20 feet in depth from the southern boundary of the through block connection. Any portion of such through block connection that is open to the sky shall comply with the provisions for #public plazas# set forth in Sections 37-718, 37-726, 37-728, 37-741, 37-742, 37-743, 37-744, 37-75, 37-76 and 36-77.

An #enlargement# that does not increase the total #floor area# on the #zoning lot# to more than 1,373,700 square feet, shall not be considered an #enlargement# for purposes of this paragraph (a).

(b) Dyer Avenue Platform

A permanent easement shall be provided along the eastern edge of 450 West 33rd Street, as shown on Map 1 (Subdistrict B: 450 West 33rd Street and Ninth Avenue Rail Yard Public Access Area Plan) in Appendix B of this Chapter, for the purposes of constructing the Dyer Avenue Platform required pursuant to paragraph (d) of Section 93-73. Such easement shall have a minimum width of 33 feet. Any amenities required by paragraph (d) of Section 93-73 may be located within such easement.

(c) West 31st Street Passageway

A publicly accessible passageway space, (hereinafter referred to as the "West 31st Street passageway") shall be provided connecting the Tenth Avenue podium required pursuant to paragraph (d) of this Section to the Dyer Avenue Platform required pursuant to paragraph (d) of Section 93-73, as shown on Map 1 in Appendix B. The West 31st Street passageway shall be located at the same elevation as the Dyer Avenue Platform. Such space shall be located within 35 feet of West 31st Street, have a minimum clear path of 10 feet and be visually open to West 31st Street except for structural elements of the #building# at 450 West 33rd Street.

(d) Tenth Avenue podium

(1) Location and minimum dimensions

A publicly accessible area (hereinafter referred to as the "Tenth Avenue podium") shall be provided at the corner of Tenth Avenue and West 31st Street, as shown on Map 1 in Appendix B. The Tenth Avenue podium shall have a minimum area of 1,800 square feet, be located at the same elevation as the Dyer Avenue Platform required pursuant to paragraph (d) of Section 93-73, and shall connect to the West 31st Street passageway required pursuant to paragraph (c) of this Section.

(2) Required amenities

The Tenth Avenue podium shall contain a minimum of four trees and be directly accessible from West 31st Street by a staircase and elevator. The stair and the adjoining area shall be open to West 31st Street except for columns and structural elements of the 450 West 33rd Street #building#.

(8/9/17)

93-721
Design and maintenance requirements for public access areas at 450 West 33rd Street

Public access areas at 450 West 33rd Street provided pursuant to the requirements of Section 93-72 shall comply with the applicable design

reference standards set forth in paragraph (a), and the maintenance provisions of paragraph (b) of this Section.

(a) Design reference standards

The public access areas required by paragraphs (c) and (d) of Section 93-72 shall comply with the following applicable design standards:

(1) at least two litter receptacles in such public access areas shall be provided;

(2) the public access areas at 450 West 33rd Street shall provide the following public signage system:

(i) One entry plaque shall be provided in each of the following locations:

(a) the Dyer Avenue access point to the West 31st Street Passageway;

(b) the Tenth Avenue Podium access point to the West 31st Street Passageway; and

(c) the #street# level entrance to the Tenth Avenue Podium.

(ii) Each entry plaque is subject to the signage standards as set forth in paragraphs (a)(1) through (a)(4) of Section 37-751 (Public space signage systems).

(iii) Each entry plaque shall be mounted on a wall, a permanent free-standing post, or on a post located within a planter, with its center five feet above the elevation of the nearest walkable pavement. The maximum height of such free-standing post shall be six feet, with a maximum width and depth of 16 inches. Each entry plaque shall be in a position that clearly identifies the entry into the portion of the public access areas at 450 West 33rd Street that such plaque is provided in connection with, and placed so that the entire entry plaque is obvious and directly visible, without any obstruction, along every line of sight from all paths of pedestrian access to that portion of the public access areas at 450 West 33rd Street.

(iv) A minimum of two information plaques, constructed from the same permanent materials as the entry plaque, or combined with one or more of the required entry plaques, shall be provided within the public access areas. Information plaques shall be mounted on a wall, a permanent free-standing post, or on a post located within a planter, with its center five feet above the elevation of the nearest walkable pavement. The maximum height of such free-standing post shall be six feet, with a maximum width and depth of 16 inches.

(v) The information plaque is subject to the signage standards as set forth in paragraphs (b)(1) through (b)(6) of Section 37-751, except that paragraph (b)(3) shall be modified to read, "in lettering three-eighths of an inch in height, the words: 'This public access area contains:'" followed by the total linear feet of seating, the type and quantity of trees and the number of additional required amenities, such as moveable seating, that are provided in the portion of the public access area in which the entry plaque or information plaque is provided.

(3) the minimum level of illumination shall be 1.5 horizontal foot candles (lumens per foot);

(4) no gates, fences or other barriers shall be permitted within such public access areas; and

(5) for the purposes of applying the #sign# regulations to #building# walls facing public access areas, such public access areas shall be considered #streets#.

(b) Maintenance

The owner(s) shall be responsible for the maintenance of all public access areas, including, but not limited to, litter control, management of pigeons and rodents, maintenance of required lighting levels, and the care and replacement of furnishings and vegetation.

(4/29/14)

93-722
Certification for public access areas at 450 West 33rd Street

For #enlargements# that do not increase the total #floor area# on the #zoning lot# to more than 1,373,700 square feet, in accordance with the provisions of Section 93-732 (Certification for public access areas on the Ninth Avenue Rail Yard), no temporary or permanent certificate of occupancy shall be issued by the Department of Buildings for more than 3,204,000 square feet of #floor area developed# or #enlarged# on the Ninth Avenue Rail Yard until the Chairperson of the City Planning Commission certifies to the Commissioner of Buildings that a phasing plan has been submitted requiring the West 31st Street Passageway and the Tenth Avenue Podium, required pursuant to paragraphs (c) and (d) of Section 93-72 (Public Access Areas at 450 West 33rd Street), respectively, to be substantially complete and open to and useable by the public.

(8/9/17)

93-73
Public Access Areas on the Ninth Avenue Rail Yard

For the purposes of this Section 93-73, inclusive, the Ninth Avenue Rail Yard shall be considered the area bounded by the western #street line# of Ninth Avenue, the northern #street line# of West 31st Street, a line located 498 feet west of the western #street line# of Ninth Avenue and the southern #street line# of West 33rd Street. Such area shall include the tax lots located at Block 729, Lots 50 and 60, existing on April 29, 2014. Any #development# in such area shall provide public access areas in accordance with the provisions of Section 93-73, inclusive.

Public access areas on the Ninth Avenue Rail Yard shall be comprised of the types of public access areas listed in this Section. Public access areas shall also include the area of the sidewalk widenings along Ninth Avenue and West 33rd Street required pursuant to Section 93-61. The entry plaza and the art plaza, as set forth in paragraphs (a) and (c) of this Section, respectively, shall be subject to the hours of access provisions set forth in Section 37-727. All other public access areas listed in this Section shall be accessible to the public between the hours of 6:00 a.m. and 1:00 a.m.

(a) Entry Plaza

(1) Location and minimum dimensions

A publicly accessible space, open to the sky (hereinafter referred to as the "entry plaza"), shall be located within the area bounded by the western #street line# of Ninth Avenue, the southern #street line# of West 33rd Street, a line 168 feet south of and parallel to the southern #street line# of West 33rd Street and a line 60 feet west of and parallel to the western #street line# of Ninth Avenue, as shown on Map 1 (Subdistrict B: 450 West 33rd Street and Ninth Avenue Rail Yard Public Access Area Plan) in Appendix B of this Chapter. The entry plaza shall have a minimum area of 10,080 square feet, shall have a minimum frontage along Ninth Avenue of 168 feet and shall provide a direct connection to the central plaza required pursuant to paragraph (b) of this Section. No more than 50 percent of the entry plaza area shall be covered by the permitted obstructions described in paragraph (a) of Section 37-726.

(2) Required amenities

The entry plaza shall have the following amenities:

(i) a minimum of eight trees (or other amounts equivalent to a minimum of 32 caliper inches);

(ii) at least 336 linear feet of seating including a minimum of 48 moveable chairs and 12 moveable tables. At least 50 percent of the seating, including movable seats, shall have backs and no more than 50 percent of the seating with backs shall be movable seating;

(iii) two or more planting beds which, in the aggregate, occupy an area of at least 800 square feet. No more than 35 percent of the linear feet of the planting beds shall have bounding walls exceeding 18 inches in height above an adjacent walking surface;

(iv) ground floor transparency, in accordance with the provisions of paragraph (c) of Section 93-14 (Ground Floor Level Requirements), shall apply to at least 70 percent of the length of all #building# walls facing the entry plaza; and

(v) one clear pedestrian circulation path with a minimum width of 12 feet shall be provided adjacent to the #building# facing the entry plaza and shall extend for the full length of the #building# frontage.

(b) Central Plaza

(1) Location and minimum dimensions

A publicly accessible space (hereinafter referred to as the "central plaza"), shall be located within an area bounded by the western #street line# of Ninth Avenue, a line 168 feet south of and parallel to the southern #street line# of West 33rd Street, a line 478 feet west of and parallel to the western #street line# of Ninth Avenue, a line 167 feet north of and parallel to the northern #street line# of West 31st Street beyond 40 feet of the western street line of Ninth Avenue, a line 40 west of and parallel to the western #street line# of Ninth Avenue and a line 187 feet north of and parallel to the northern #street line# of West 31st Street within 40 feet of the western street line of Ninth Avenue, as shown on Map 1 in Appendix B of this Chapter. Except as provided in paragraph (b)(3) of this Section, the central plaza shall have a minimum area of 47,800 square feet, and shall have a minimum north-south dimension of 100 feet as measured from the #building# walls of the #buildings# facing onto the central plaza of. The central plaza shall be open to the sky, except:

(i) for the area occupied by the pavilion permitted by paragraph (b)(2)(vii) of this Section; and

(ii) within a line 115 feet west of and parallel to the western #street line# of Ninth Avenue, a #building# may cantilever over the central plaza and required circulation paths located therein, provided such cantilever extends no greater than 10 feet over such central plaza.

(2) Required amenities

The central plaza shall contain the following features and amenities:

(i) Landscaped area

A landscaped area shall be provided and shall contain a minimum of 44 trees (or other amounts equivalent to a minimum of 176 caliper inches), and planting beds which, in the aggregate, occupy an area of at least 7,500 square feet.

Within the area bounded by the western #street line# of Ninth Avenue and a line drawn 45 feet west of the western #street line# of Ninth Avenue, a minimum of 1,000 square feet of such total requirement shall be occupied by planting beds.

(ii) Seating

A minimum of 725 linear feet of seating shall be provided, with 120 moveable chairs and 30 moveable tables. At least 50 percent of the required seating shall have backs.

Within the area bounded by the western #street line# of Ninth Avenue and a line drawn 45 feet west of the western #street line# of Ninth Avenue, a minimum of 50 linear feet of seating of such total requirement shall be provided, of which 50 percent shall have backs.

(iii) Event space

The portion of the central plaza located beyond a line drawn 295 feet west of and parallel to the western #street line# of Ninth Avenue may be used for events (hereinafter referred to as the "event space"). Such event space may be used for events not exceeding a maximum area of 4,500 square feet, except as set forth below for summer public events and winter public events. When the event space is not being used for an event (general public events, summer public events, winter public events and private events), it shall contain a minimum of 192 linear feet of seating, with 96 moveable chairs and 24 moveable tables and, between April 1 and November 15, a minimum of two moveable food carts within the event space or on the periphery thereof. Such tables and chairs shall be in addition to the amount required for the landscaped area in paragraph (b)(2)(ii) of this Section. When the event space is being used for an event (general public events, summer public events, winter public events and private events), the additional tables, chairs and moveable food carts may be removed.

(a) General Public Events

At all times of the year, the event space may be used to host general public events which are open

and accessible to the general public and free of admission. During such public events, the event space may contain associated temporary structures and seating.

(b) Summer Public Events

For not more than 75 days between April 1 and November 15, the event space may be used for summer public events which are open and accessible to the general public and free of admission charge, where the temporary structures and seating associated with such summer public events may extend beyond 4,500 square feet, provided that the total area used for such summer public events does not exceed an additional 2,000 square feet and is located beyond a line drawn 295 feet west of and parallel to the western #street line# of Ninth Avenue.

(c) Winter Public Events

Between November 15 and April 1, an ice skating rink, together with associated temporary structures, may extend beyond 4,500 square feet, provided that the total area used for the ice skating rink together with associated temporary structures does not exceed an additional 2,000 square feet and is located beyond a line drawn 295 feet west of and parallel to the western #street line# of Ninth Avenue. The ice skating rink shall be open and accessible to the general public, but a fee for use of the ice skating rink may be charged, provided the combined total admission and equipment rental fees do not exceed the highest of such combined fees charged at any one rink operating in a #public park#.

(d) Private Events

The City Planning Commission may allow the closing of the event space for up to 12 private events per year pursuant to a restrictive declaration acceptable to the City and recorded in the Office of the City Register for New York County and indexed against the property.

For all events specified in this Section, temporary structures or seating associated with such an event (general public events, summer public events, winter public events and private events) permitted by this paragraph may be installed in the event space, provided the circulation paths required in paragraph (b)(2)(iv) of this Section remain unobstructed at all times.

(iv) Circulation paths

Circulation paths in the central plaza shall meet the following minimum requirements:

(a) pedestrian circulation paths with an aggregate width of not less than 30 feet shall be provided;

(b) at least two of the required circulation paths with a minimum clear width of 12 feet shall be located within 20 feet of the facade of each #building# facing the central plaza;

(c) in addition to the circulation paths required by paragraph (b)(2)(iv)(a) of this Section, at least two circulation paths shall be provided through the landscaped area required by paragraph (b)(2)(i) of this Section, which connect with the circulation paths required by paragraph (b)(2)(iv)(b) of this Section;

(d) all circulation paths shall be unobstructed during events held in the event space permitted by paragraph (b)(2)(iii) of this Section; and

(e) clear paths, with a total minimum aggregate width of 20 feet, shall be located at the boundary between the entry plaza, required pursuant to paragraph (a) of this Section, and the central plaza, required by paragraph (b) of this Section, and at the boundary between the art plaza, required pursuant to paragraph (c) of this Section, and the central plaza, required by paragraph (a) of this Section, provided that up to eight feet of such required clear path may be located within the entry plaza and within the art plaza, respectively, and that all clear paths counted toward the aggregate minimum width

required by this paragraph shall be a minimum of 7 feet, 6 inches in clear width, and be located no further than 12 feet apart from one another.

(v) Transparency

The transparency requirements of paragraph (c) of Section 93-14 (Ground Floor Level Requirements) shall apply to the ground floor level of at least 70 percent of the length of all #building# walls facing each side of the central plaza.

(vi) Retail continuity

At least 40 percent of the frontage of any #building# fronting on the central plaza shall comply with the retail continuity requirements of paragraph (a) of Section 93-14 and at least 50 percent of the aggregate frontage of all #buildings# fronting on the central plaza shall comply with the retail continuity requirements of paragraph (a) of Section 93-14. Such retail space shall have a minimum depth of 30 feet measured perpendicular to the wall adjoining the central plaza.

(vii) Pavilion

A #building# (hereinafter referred to as a "pavilion") containing #uses# listed in Use Groups 6A and 6C may be located within the central plaza, provided that such pavilion, and any seating associated with a #use# in the pavilion, shall be located at least ten feet west of the prolongation of the east face of the #building# fronting on the north side of the central plaza. The pavilion shall have a minimum #lot coverage# of 1,000 square feet and a maximum #lot coverage# of 3,000 square feet, with a maximum width of 40 feet parallel to Ninth Avenue. Such pavilion shall be no more than one #story# in height, except such one #story# limitation may be exceeded by portions of the pavilion allocated to mechanical equipment as well as restrooms and a food preparation kitchen occupying, in the aggregate, no more than 200 square feet area. Such pavilion shall not exceed a height limit of 25 feet, except that the permitted obstructions set forth in Section 33-42, as well as restrooms and a food preparation kitchen located above

the level of the first #story# may be permitted to exceed such height limit provided that the height of such restroom and food preparation kitchen do not exceed ten feet. Seating may be provided for the #uses# in the pavilion provided that the total area occupied by the pavilion and such associated seating does not exceed a maximum #lot coverage# of 3,600 square feet and that such seating shall not count towards meeting the seating requirements set forth in paragraphs (b)(2)(ii) and (iii) of this Section. Floor space within the pavilion shall not be considered #floor area#. At least 60 percent of the exterior walls of the pavilion shall be transparent except for structural supports, provided that 100 percent of the east facing wall of the pavilion shall be transparent except for structural supports.

(3) Alternative design option

Notwithstanding the provisions of paragraph (b)(1) of this Section, the minimum north-south width of the central plaza may be reduced to no less than 80 feet for at least 50 percent of the aggregate frontage of the #buildings# fronting on the central plaza, provided that such narrowed portion begins no further than 150 feet from the western #street line# of Ninth Avenue, and further provided that the minimum size of the central plaza is not less than 41,382 square feet. The minimum height of a #building# wall fronting upon such narrowed portion shall be 45 feet, and the maximum height of such #building# wall shall not exceed 85 feet. Above a height of 85 feet, the minimum setback distance shall be 10 feet and the minimum distance between #buildings# fronting on the central plaza shall be 100 feet.

(c) Art Plaza

(1) Location and minimum dimensions

A publicly accessible space open to the sky (hereinafter referred to as the "art plaza") shall be located in the area bounded by the western #street line# of Ninth Avenue, the northern #street line# of West 31st Street, a line 40 feet west of and parallel to the western #street line# of Ninth Avenue and a line 187 feet north of and parallel to the northern #street line# of West 31st Street, as shown on Map 1 in Appendix B. The art plaza shall have a minimum

area of 7,480 square feet, a minimum east-west dimension of 40 feet and shall provide a direct connection to the central plaza required pursuant to paragraph (b) of this Section.

(2) Required amenities

The art plaza shall contain the following features and amenities:

(i) a minimum of four trees (or other amounts equivalent to a minimum of 16 caliper inches);

(ii) planting beds which, in the aggregate, occupy an area of at least 410 square feet;

(iii) a minimum of 45 linear feet of seating;

(iv) one or more pieces of artwork. Such artwork may not incorporate addresses, text or logos related to the adjacent #building# or tenants of such #building#; and

(v) the transparency requirements of paragraph (c) of Section 93-14 shall apply to the ground floor level of at least 70 percent of the length of all #building# walls facing the art plaza.

(d) Dyer Avenue Platform

(1) Location and minimum dimensions

A publicly accessible platform shall be constructed over Dyer Avenue connecting West 33rd Street and West 31st Street (hereinafter referred to as the "Dyer Avenue Platform"), as shown on Map 1 in Appendix B. The Dyer Avenue Platform shall include the easement area described in paragraph (b) of Section 93-72 and shall directly connect with the central plaza and the West 31st Street connector required by paragraphs (b) and (e) of this Section, respectively. The Dyer Avenue Platform shall have a minimum east-west dimension of 53 feet and a minimum north-south dimension of 455 feet. However, such minimum east-west dimension may be reduced to accommodate an extension of such existing egress stair in order to adjoin the level of the platform, or to accommodate up to 15 inches of additional exterior wall thickness added to the eastern face of the existing #building# at 450 West 33rd

Street. Except for any portion of the Dyer Avenue Platform which on April 29, 2014, was covered by the #building# located at 450 West 33rd Street and the existing egress stairs on the eastern face on such #building#, or the permitted additions thereto, respectively, the Dyer Avenue Platform shall be open to the sky.

(2) Required amenities

The Dyer Avenue Platform shall contain the following features and amenities which may be located on the portion of the Dyer Avenue Platform located within the easement provided pursuant to paragraph (b) of Section 93-72 (Public Access Areas at 450 West 33rd Street):

(i) a minimum of 16 trees (or other amounts equivalent to a minimum of 64 caliper inches), of which a minimum of 12 trees (or other amounts equivalent to a minimum of 48 caliper inches) shall be located south of the center line of the prolongation of West 32nd Street;

(ii) planting beds, which in the aggregate, occupy an area of at least 1500 square feet, of which a minimum of 450 square feet of planting beds shall be located south of the center line of the prolongation of West 32nd Street and a minimum of 250 square feet of planting beds shall be located within 30 feet of the southern street line of 33rd Street. No more than 25 percent of the linear feet of the planting beds shall have bounding walls exceeding 18 inches in height above an adjacent walking surface;

(iii) a minimum of 350 linear feet of seating shall be provided, of which 50 percent shall consist of seats with backs and with at least 210 linear feet of seating located south of the center line of the prolongation of West 32nd Street and a minimum of 50 linear feet of seating located within 30 feet of the southern street line of West 33rd Street;

(iv) the glazing requirements of paragraph (c) of Section 93-14 shall apply to the ground floor level of at least 70 percent of the length of all #building# walls fronting on the eastern edge of the Dyer Avenue Platform; and

(v) at least two pedestrian circulation paths with a minimum clear path of eight feet or one circulation path with a minimum clear path of 12 feet shall be provided along the full length of the Dyer Avenue Platform, from West 31st Street to West 33rd Street.

Vertical circulation elements, including stairs and ramps traversing the grade changes of the Dyer Avenue Platform shall be considered a part of the Dyer Avenue Platform and not an obstruction.

(e) West 31st Street Connector

(1) Location and minimum dimensions

A publicly accessible connection (hereinafter referred to as the "West 31st Street connector") shall be provided between the Dyer Avenue Platform required pursuant to paragraph (e) of this Section and West 31st Street, as shown on Map 1 in Appendix B. The West 31st Street connector shall be located on West 31st Street adjoining the eastern boundary of the Dyer Avenue Platform and shall have a minimum area of 450 square feet.

(2) Required amenities

The West 31st Street connector shall be directly accessible from West 31st Street by a staircase with a minimum width of eight feet and by an elevator.

(f) Connection to below-grade passage

Where a pedestrian passage extending from the Eighth Avenue Subway beneath West 33rd Street to the west side of Ninth Avenue has been constructed, an entrance within the #development# shall be constructed that connects with such passage.

(8/9/17)

93-731
Design and maintenance requirements for public access areas on the Ninth Avenue Rail Yard

Public access areas on the Ninth Avenue Rail Yard provided pursuant to the requirements of Section 93-73, shall comply with the

applicable design reference standards set forth in paragraph (a) and the maintenance provisions of paragraph (b) of this Section.

(a) Design reference standards

(1) seating shall meet the minimum and maximum dimensional standards set forth in paragraphs (1) through (7) of Section 37-741 (Seating), inclusive;

(2) where planting areas are provided, they shall meet the soil depth, continuous area, permeable surface and irrigation requirements of Section 37-742 (Planting and trees). Where trees are provided, they shall meet the planting standards, soil requirements and irrigation standards set forth in Section 37-742;

(3) steps shall meet the minimum dimensional standards set forth in Section 37-725 (Steps);

(4) kiosks or open air cafes shall meet the operational and service requirements listed in paragraphs (a) and (b) of Section 37-73 (Kiosks and Open Air Cafes) and shall not occupy in the aggregate more than 20 percent of the public access areas required by Section 93-73. Seating provided as part of an open air cafe shall not count towards meeting the seating requirements of a public access area listed in Section 93-73;

(5) the public access areas on the Ninth Avenue Rail Yard shall provide the following public signage system:

(i) One entry plaque in each of the following locations:

(a) entry to the Entry Plaza from West 33rd Street;

(b) entry to the Central Plaza from Ninth Avenue;

(c) entry to the Art Plaza from West 31st Street;

(d) sidewalk level entry to the West 31st Street Connector; and

(e) entry to the Dyer Avenue Platform from West 33rd Street.

(ii) Each entry plaque is subject to the signage standards as set forth in paragraph (a)(1) through (a)(4) of Section 37-751 (Public space signage systems).

(iii) Each entry plaque shall be mounted on a wall, a permanent free-standing post, or on a post located within a planter, with its center five feet above the elevation of the nearest walkable pavement. The maximum height of such free-standing post shall be six feet, with a maximum width and depth of 16 inches. Each entry plaque shall be in a position that clearly identifies the entry into the portion of the public access areas on the Ninth Avenue Rail Yard that such plaque is provided in connection with, and placed so that the entire entry plaque is obvious and directly visible, without any obstruction, along every line of sight from all paths of pedestrian access to that portion of the public access areas on the Ninth Avenue Rail Yard.

(iv) A minimum of one information plaque, constructed from the same permanent materials as the entry plaques, or combined with one or more of the required entry plaques, shall be provided within the Art Plaza, the Entry Plaza, the Central Plaza and Dyer Avenue. The information plaque shall be mounted on a wall, a permanent free-standing post, or on a post located within a planter, with its center five feet above the elevation of the nearest walkable pavement. The maximum height of such free-standing post shall be six feet, with a maximum width and depth of 16 inches.

(v) Each information plaque is subject to the signage requirements as set forth in paragraphs (b)(1) through (b)(6) of Section 37-751 except that paragraph (b)(3) shall be modified to read, "in lettering three-eighths of an inch in height, the words: 'This public access area contains:'" followed by the total linear feet of seating, the type and quantity of trees and the number of additional required amenities, such as moveable seating, that are provided in the portion of the public access area in which the entry plaque or information plaque is provided.

(6) where #buildings# front on to public access areas, canopies, awnings, marquees and sun control devices shall

be permitted pursuant to the standards set forth in paragraph (c) of Section 37-726 (Permitted obstructions);

(7) the aggregate number of litter receptacles in such public access areas shall be 21;

(8) no gates, fences or other barriers shall be permitted within such public access areas except that protective bollards provided in connection with the development of the Ninth Avenue Rail Yard may be located within the required public access areas; and

(9) for the purposes of applying the #sign# regulations to #building# walls facing public access areas, such public access areas shall be considered #streets#.

(b) Maintenance

The owner or owners shall be responsible for the maintenance of all public access areas, including, but not limited to, litter control, management of pigeons and rodents, maintenance of required lighting levels, and the care and replacement of furnishings and vegetation.

(4/29/14)

93-732
Certification for public access areas on the Ninth Avenue Rail Yard

No certification for the phased development of public access areas on the Ninth Avenue Rail Yard shall be permitted until a plan has been submitted that provides for the completion of public access areas in accordance with the provisions of this Section. Such plan shall provide, at a minimum, that the entry plaza, required pursuant to paragraph (a) of Section 93-73 (Public Access Areas on the Ninth Avenue Rail Yard) will be provided in connection with the construction of a #building# located on the northeast corner of the Ninth Avenue Rail Yard, that the art plaza, required pursuant to paragraph (c) of Section 93-73, will be provided in connection with the construction of a #building# located on the southeast corner of the Ninth Avenue Rail Yard and that in connection with the construction of a #building# on the southwest corner of the Ninth Avenue Rail Yard, the West 31st Street connector required by paragraph (e) of Section 93-73, and a 20-foot wide paved area along

the eastern edge of Dyer Avenue and extending for the north-south dimension of such #building# will be provided.

An application for certification under this Section shall be filed with the Chairperson of the City Planning Commission and such application shall include a site plan indicating the area and dimensions of the public access area, or portions thereof, and a detailed plan or plans demonstrating compliance with the requirements of Section 93-73.

Plans for the public access areas shall be set forth in an instrument in a form acceptable to the City, including such provisions as are necessary to ensure compliance with the provisions of this Section. Such instrument shall be filed and duly recorded in the Office of the City Register of the City of New York for New York County and indexed against the property. Such filing and recording of the instrument shall be a precondition for the Chairperson's certification to the Department of Buildings under this Section. The recording information shall be included on the certificate of occupancy for any #building#, or portion thereof, on the #zoning lot# issued after the recording date.

No temporary certificate of occupancy from the Department of Buildings may be issued for any portion of a #development# within a phase until the Chairperson of the City Planning Commission certifies to the Department of Buildings that the public access area, or portions thereof associated with such phase, is substantially complete and that such public access area, or portions thereof, are open to and useable by the public. No permanent certificate of occupancy from the Department of Buildings may be issued for any portion of such #development# until the Chairperson certifies to the Department of Buildings that the public access areas, or portions thereof, are fully complete, and that all requirements of this Section have been met in accordance with the plans for public access area, or portions thereof associated with such phase.

No temporary certificate of occupancy from the Department of Buildings may be issued for a #building#, or portion thereof, where the total amount of #floor area# that has been #developed# or #enlarged# on the Ninth Avenue Rail Yard exceeds 3,204,000 square feet until the Chairperson of the City Planning Commission certifies to the Commissioner of Buildings that the public access areas at 450 West 33rd Street required by paragraphs (c) and (d) of Section 93-72 and that all public access areas on the Ninth Avenue Rail Yard required by Section 93-73 have been substantially completed and are open and usable by the public. Notwithstanding the foregoing, the Chairperson may, with respect to the public access area required by

paragraph (c) and the elevator required by paragraph (d) of Section 93-72 at 450 West 33rd Street, certify to the Commissioner of Buildings that such temporary certificate of occupancy may be issued absent their substantial completion provided that:

(a) the owner of 450 West 33rd Street has submitted proof that all or portions of the area of the West 31st Street passageway required by paragraph (c) of Section 93-72 was at any time subject to a lease with an expiration date of December 31, 2019, and was not able to obtain control of the areas subject to such lease on or before December 31, 2017;

(b) a letter of credit has been posted in accordance with City requirements, and such letter of credit:

(1) is in an amount equal to 200 percent of the estimated cost to construct the public access area and the elevator at 450 West 33rd Street, required by paragraphs (c) and (d) of Section 93-72, respectively, as set forth in a cost estimate prepared by a professional engineer. Such cost estimate shall be based upon construction documents prepared by a registered architect and submitted with the application for certification pursuant to this Section, and shall be subject to review and acceptance by the City; and

(2) authorizes the City to draw upon the letter of credit if such public access area and elevator have not been substantially completed and are not open and usable by the public by December 31, 2022;

(c) that an easement agreement has been recorded granting the City access to 450 West 33rd Street and the Ninth Avenue Rail Yard, as may be necessary for purposes of constructing the public access area and elevator required by paragraphs (c) and (d) of Section 93-72, respectively, if they are not completed by the owner by December 31, 2022; and

(d) in addition to the foregoing, such letter of credit shall be maintained from the date of certification for temporary certificates of occupancy, pursuant to this Section, until the Chairperson of the City Planning Commission certifies to the Commissioner of Buildings that the public access area required by paragraph (c) and the elevator required by paragraph (d) of Section 93-72 have been substantially completed and are open and usable by the public, or until same have been substantially completed by the City. The Chairperson may, no more frequently than annually, require the submission of an updated or new

letter of credit in an amount that reflects changes in costs over time, and such updated or new letter of credit shall be subject to the requirements and procedures of paragraph (b) of this Section, until such letter of credit is released based upon substantial completion.

Notwithstanding the foregoing, in the event that a temporary public access area plan is approved pursuant to Section 93-734 (Certification to temporarily modify public access areas for construction staging), no temporary certificate of occupancy from the Department of Buildings may be issued for any portion of a #development# until the Chairperson certifies to the Department of Buildings that the public access area, or portions thereof associated with a phase of #development#, is substantially complete and in accordance with such temporary public access area plan, and the public access area, or portions thereof, are open and useable by the public. No permanent certificate of occupancy from the Department of Buildings may be issued for any portion of such #development# until the Chairperson certifies to the Department of Buildings that the public access area, or portions thereof associated with such phase, has been fully completed in accordance with the plan therefor, and that such public access area, or portions thereof, are open and useable by the public.

(4/29/14)

93-733
Certification to modify general requirements of public access areas for ventilation demands

The Chairperson of the City Planning Commission may modify the general requirements of the public access areas listed in Section 93-73 (Public Access Areas on the Ninth Avenue Rail Yard), provided that the Chairperson certifies to the Commissioner of Buildings that such a change is necessary to accommodate unforeseen ventilation demands within the Ninth Avenue Rail Yard. In addition to the site plan required pursuant to Section 93-732 (Certification for public access areas on the Ninth Avenue Rail Yard), a mechanical plan shall be provided demonstrating the need to modify such general requirements.

(4/29/14)

93-734

Certification to temporarily modify public access areas for construction staging

In the event that the applicant demonstrates to the satisfaction of the Chairperson of the City Planning Commission that the area designated for public access will be required for construction staging or similar activities in a future phase of #development#, the application for the site plan approval may be accompanied by a request for approval of a temporary public area which may include fewer amenities and other features required pursuant to Section 93-73 (Public Access Areas on the Ninth Avenue Rail Yard), as necessary to accommodate such future construction staging or similar activities.

Such temporary public access area plan shall be subject to review and approval in the same manner as site plan approval pursuant to Section 93-732 (Certification for public access areas on the Ninth Avenue Rail Yard) and, if approved pursuant thereto, shall be implemented and remain in effect only for the period necessary to accommodate the need for use of the public access area for construction staging or similar activities in a future phase of development. Following the expiration of such period, the site plan shall be implemented.

(2/2/11)

93-74
Public Access Areas in Pennsylvania Station Subarea B4

The provisions of this Section shall apply to any #development# in the Pennsylvania Station Subarea B4 of the Farley Corridor Subdistrict B.

(a) Public space

A publicly accessible enclosed space with a minimum area of 32,500 square feet shall be provided. Such space shall have at least 100 feet of frontage along the Eighth Avenue #street line#, and have a minimum clear height of 60 feet. The length of such space shall not exceed four times its narrowest width. Up to one-half of such space may be below- grade but shall be visually connected to the at-grade space. Furthermore, such below-grade space shall be connected to the at-grade space by escalators on at least two sides. The retail and glazing requirements of Section 93-14 (Ground Floor Level Requirements) shall apply to least 70 percent of the length of all #building# walls facing each side of such space. Such space shall provide

direct access to the through block connection required pursuant to paragraph (b) of this Section, adjacent #building# lobbies and transit facilities.

(b) Through block connection

A through block connection shall be provided linking West 31st Street and West 33rd Street, at least 300 feet from Eighth Avenue and with direct access to the public space required pursuant to paragraph (a) of this Section. Such through block connection shall have a minimum clear width of 20 feet and may be open or enclosed. If enclosed, such through block connection shall have a minimum clear height of 30 feet.

(c) Plaza

A publicly-accessible plaza, open to the sky, may be provided at the intersection of Eighth Avenue and West 31st Street. Such plaza shall have a minimum area of 12,000 square feet with a minimum frontage of 60 feet along West 31st Street, and be provided in accordance with the standards for #public plazas# set forth in Section 37-70, inclusive.

(d) Corner circulation space

Corner circulation spaces shall be provided at the corners of Eighth Avenue and West 31st Street and Eighth Avenue and West 33rd Street. Such spaces shall comply with the requirements for corner circulation spaces of paragraph (d) of Section 37-53. Such spaces shall count towards meeting the pedestrian circulation space requirements of Section 93-63. However, no corner circulation space shall be required at the corner of Eighth Avenue and West 31st Street if a plaza is provided at such corner in accordance with paragraph (c) of this Section.

(4/29/14)

93-75
Publicly Accessible Open Spaces in Subdistrict F

Public access areas in Subdistrict F shall be comprised of publicly accessible open spaces, private streets and pedestrian ways.

Publicly accessible open spaces are listed in this Section, inclusive. Such publicly accessible open spaces shall be comprised of

the Western Open Space, the Central Open Space, the Southwest Open Space, the Northeast Plaza, the Midblock Connection, and the #High Line# as described within this Section, inclusive. Map 3 (Subdistrict F: Public Access Area Plan) in Appendix B identifies the location of publicly accessible open spaces.

General requirements for each publicly accessible open space are set forth within this Section. Design requirements for each publicly accessible open space are set forth in Section 93-77 (Design Criteria for Public Access Areas in Subdistrict F). The phasing and approval process for each publicly accessible open space is set forth in Section 93-78 (Site and Landscape Plans for Public Access Areas in Subdistrict F).

All publicly accessible open spaces listed in this Section shall be accessible to the public from the hours of 6:00 a.m. to 1:00 a.m. with the exception of the #High Line# and the Northeast Plaza. The Northeast Plaza shall provide hours of access pursuant to Section 37-727.

(4/29/14)

93-751
General requirements for the Western Open Space

A publicly accessible open space, (henceforth referred to as the "Western Open Space"), shall be provided in Subdistrict F. Such a space shall be open to the sky, except that amenities that are provided in accordance with this Section and Section 93-77 (Design Criteria for Public Access Areas in Subdistrict F) shall be permitted to cover a portion of the Western Open Space.

(a) General purpose

The Western Open Space is intended to serve the following purposes:

(1) to provide a major open space that joins the northern portion of the #High Line# open space network on its west to the open space networks leading to the Hudson Park and Boulevard on its east;

(2) to provide a large open lawn area overlooking the Hudson River for public use and enjoyment; and

(3) to provide transition areas that offer shade, supplemental space between the open lawn and surrounding #building# and connections between surrounding publicly accessible open spaces.

(b) Location and minimum dimensions

The Western Open Space shall be located east of the #High Line#, and encompass the area between Sites 1 and 5 as shown on Map 3 (Subdistrict F: Public Access Area Plan) in Appendix B. The Western Open Space shall have a minimum easterly boundary of 225 feet, as measured from the easterly #street line# of Twelfth Avenue.

(c) Core elements

The Western Open Space shall provide the following core elements:

(1) Lawn area

An accessible lawn area shall be provided with a minimum area of one acre. Any lawn area located within 40 feet of a #building# wall on Sites 1 or 5 shall not contribute towards this one acre requirement. The required lawn area shall be comprised of the following amenities:

(i) a continuous lawn area shall be provided over a minimum of 75 percent of the required one acre. Such area shall have a maximum slope of three degrees and unobstructed visual access toward the Hudson River; and

(ii) a transitional lawn area may be provided for a maximum of 25 percent of the required one acre of lawn area. Such area need not be continuous, and shall have a maximum slope of 15 degrees. Trees and other plantings shall be permitted in such area.

(2) #High Line# connection

Access to the #High Line# shall be provided along a minimum of 75 feet and a maximum of 150 feet of #High Line# frontage length. Such frontage need not be continuous, however, in order to qualify as unobstructed access that contributes to the minimum 75 foot requirement set forth in this paragraph (c)(2), a minimum frontage width of five

feet is required. Such access need not be opened to the public until the #High Line# is reconstructed as public open space in accordance with the provisions of Section 93-756 (General requirements for the High Line).

(3) Supplemental area

Any space provided in the Western Open Space which does not meet the criteria for lawn area set forth in paragraph (c)(1) of this Section or the criteria for the #High Line# connection set forth in paragraph (c)(2) shall be designated as supplemental area and shall comply with the requirements set forth in this paragraph (c)(3).

A minimum of 50 percent of the supplemental area shall be landscaped with soft ground cover, and the remaining 50 percent may be paved. At least one tree shall be provided for every 2,000 square feet of supplemental area. Such trees may be distributed anywhere within the supplemental area.

A minimum of two unimpeded paved pedestrian accesses, each with a minimum width of 12 feet, shall be provided in the supplemental area. One such pedestrian access shall link the Allee of the West 32nd Street Extension, as defined in paragraph (c)(2) of Section 93-761 and shown on Map 3 in Appendix B, to the #High Line#, and the second such pedestrian access shall link the West 31st Street Extension to the #High Line#.

A minimum of one linear foot of seating shall be provided for every 75 square feet of supplemental area. At least 50 percent of such required seating shall provide seatbacks. Such seating may be distributed anywhere within the supplemental area.

Permanent structures such as food or information kiosks, pavilions or public restrooms may be placed within the supplemental area, provided the height of such structures does not exceed 20 feet. The maximum #lot coverage# that all such permanent structures may occupy shall be 400 square feet, and such structures shall be exempt from the definition of #floor area#.

(d) Transparency

For portions of #buildings# on Site 1 and Site 5 fronting upon the Western Open Space, a minimum of 50 percent of the surface area of the ground floor #street wall# fronting upon the open space shall be treated with clear, untinted transparent material.

(e) Permitted encroachments from private streets and pedestrian ways

The Connector and the terminus of the West 32nd Street Extension shall be permitted to encroach upon the supplemental area of the Western Open Space, provided that the site and landscape plans incorporating the private street or pedestrian way are approved in conjunction with the Western Open Space, pursuant to Section 93-78 (Site and Landscape Plans for Public Access Areas in Subdistrict F).

(4/29/14)

93-752
General requirements for the Central Open Space

A publicly accessible open space, (henceforth referred to as the "Central Open Space"), shall be provided in Subdistrict F. Such a space shall be open to the sky, except that portions of a #building# on Site 3 and amenities that are provided in accordance with Sections 93-75 and 93-77 (Design Criteria for Public Access Areas in Subdistrict F) shall be permitted to cover a portion of the Central Open Space.

(a) General purpose

The Central Open Space is intended to serve the following purposes:

(1) to serve as a neighborhood open space;

(2) to provide amenities for area residents, workers and the general public; and

(3) to provide areas that offer varied programs, supplemental spaces between amenities and surrounding #buildings# and connections between surrounding publicly accessible open spaces.

(b) Location and dimensions

The Central Open Space shall be located within the area bounded by the West 32nd Street Extension, the West 31st Street Extension, the Connector and Eleventh Avenue, and shall also be comprised of any portion of Sites 3 and 4 that are not covered by #buildings# at the ground level as shown on Map 3 (Subdistrict F: Public Access Area Plan) in Appendix B.

The Central Open Space shall have a minimum dimension in the north-south direction as measured from the southerly #street line# of the West 32nd Street Extension to the northerly #street line# of the West 31st Street Extension of 175 feet. In addition, the minimum dimension of the Central Open Space in the north-south direction between the northern boundary of Site 3 and the southerly #street line# of the West 32nd Street Extension shall be 55 feet.

The Central Open Space shall have a minimum dimension in the east-west direction as measured from the easterly #street line# of the Connector to the westerly #street line# of Eleventh Avenue of 545 feet. In addition, the minimum dimension of the open space in the east-west direction between the eastern boundary of Site 3 and the western boundary of Site 4 shall be 265 feet.

Within 350 feet of the Eleventh Avenue #street line#, the maximum height of the finished grade of the Central Open Space shall be 45 feet above the Manhattan Datum, which is 2.75 feet above sea level. Beyond 350 feet of Eleventh Avenue, the maximum height of the finished grade shall be 47 feet above the Manhattan Datum.

(c) Core elements

The Central Open Space shall provide the following core elements:

(1) Lawn area

An accessible lawn area shall be provided with a minimum aggregate area of 10,000 square feet and a maximum slope of three degrees. Such area need not be continuous. Any lawn area located within 12 feet of a #building# wall on Sites 3 or 4 shall not contribute towards such minimum gross area.

(2) Playground

A playground shall be provided with a minimum area of 10,000 square feet.

(3) Supplemental area

Any space in the Central Open Space other than the required lawn area set forth in paragraph (c)(1) of this Section or the required playground space set forth in paragraph (c)(2) of this Section, shall be designated as supplemental area and shall comply with the requirements set forth in this Section.

A minimum of 50 percent of the supplemental area shall be landscaped with soft ground cover, and the remaining 50 percent may be paved. At least one tree shall be provided for every 1,500 square feet of the supplemental area. Such trees may be distributed anywhere within the supplemental area.

A minimum of two unimpeded paved pedestrian accesses, each with a minimum width of 12 feet, shall be provided in the supplemental area. Such pedestrian access shall link the West 31st and West 32nd Street Extensions and be no closer than 150 feet to one another at any point.

A minimum of one linear foot of seating shall be provided for every 75 square feet of supplemental area. At least 50 percent of such required seating shall provide seatbacks. Such seating may be distributed anywhere within the supplemental area.

Within 15 feet of a required sidewalk or pedestrian access, the slope of the supplemental area shall not exceed 7.5 degrees, or a maximum height of two feet. Beyond 15 feet of a required sidewalk or pedestrian access, the slope of the supplemental area shall not exceed 15 degrees.

(d) Permanent structures

Permanent structures, such as food or information kiosks, pavilions or public restrooms may be placed within the Central Open Space, provided the height of such structures does not exceed 20 feet. The maximum #lot coverage# that all such permanent structures may occupy shall be 400 square feet and such structures shall be exempt from the definition of #floor area#.

(e) Transparency

For portions of #buildings# in Site 4 fronting upon the Central Open Space, a minimum of 50 percent of the surface area of the ground floor #street wall# fronting upon the open space shall be treated with clear, untinted, transparent material.

(f) Permitted encroachments from private streets and pedestrian ways

The Connector and the terminus of the West 31st Street Extension shall be permitted to encroach upon the supplemental area of the Central Open Space, provided that the site and landscape plans incorporating the private street or pedestrian way are approved in conjunction with the Central Open Space, pursuant to Section 93-78 (Site and Landscape Plans for Public Access Areas in Subdistrict F).

(4/29/14)

93-753
General requirements for the Southwest Open Space

A publicly accessible open space, (henceforth referred to as the "Southwest Open Space"), shall be provided in Subdistrict F. Such accessible open space shall be open to the sky, except that portions of a #building or other structure# on Site 5, the #High Line# and amenities that are provided in accordance with Sections 93-75 and 93-77 (Design Criteria for Public Access Areas in Subdistrict F) shall be permitted to cover a portion of the Southwest Open Space.

(a) General purpose

The Southwest Open Space is intended to serve the following purposes:

(1) to serve as an inviting pedestrian gateway to the Western Rail Yard from open space networks along the Hudson River;

(2) to provide pedestrian amenities and connections between surrounding public spaces both on and adjacent to the Western Rail Yard; and

(3) to offer a unique open space experience for pedestrians through the negotiation of the area's grade changes.

(b) Location and minimum dimensions

The Southwest Open Space shall be located within the area bounded by Twelfth Avenue, the Western Open Space, the West 31st Street Extension, Site 6 and West 30th Street, and shall also be comprised of any portion of Site 5 which is not covered by a #building or other structure# at the ground level as shown on Map 3 (Subdistrict F: Public Access Area Plan) in Appendix B.

The Southwest Open Space shall have a minimum dimension in the east-west direction as measured from the easterly #street line# of Twelfth Avenue to the western boundary of Site 6 of 400 feet. However, if the length of Site 6 is extended to accommodate a public #school# in accordance with the provisions of paragraph (b) of Section 93-568 (Site 6), the minimum dimension of the Southwest Open Space shall be 360 feet.

The Southwest Open Space shall have a minimum dimension in the north-south direction as measured from the northerly #street line# of West 30th Street to the southern boundary of the Western Open Space of 180 feet and a maximum dimension of 200 feet.

(c) Core elements

The Southwest Open Space shall have the following core elements. For the purpose of determining the amount of an amenity to provide in relation to the area of the Southwest Open Space, the area of the Southwest Open Space shall exclude the area occupied by a #building or other structure# on Site 5 and the #High Line#.

A minimum of 50 percent of the area of the Southwest Open Space shall be landscaped with soft ground cover, and the remaining 50 percent of the Southwest Open Space may be paved. At least one tree shall be provided for every 1,500 square feet of Southwest Open Space.

An unimpeded paved pedestrian access with a minimum width of 12 feet shall link either Twelfth Avenue or West 30th Street and the West 31st Street Extension. If such pedestrian access contains 'switchbacks,' comprised of a series of ascending pedestrian ways, the minimum distance between midpoints of each way, as measured, in plan, from the northerly edge of one way to the southerly edge of the next ascending way shall be 15 feet.

A second unimpeded paved pedestrian access with a minimum width of 12 feet shall link either Twelfth Avenue or West 30th Street and the #High Line bed# or with an elevator located adjacent to the #High Line# that provides public access to the #High Line bed#. Such access need not be opened to the public until the #High Line# is reconstructed as public open space in accordance with the provisions of Section 93-756.

A minimum of one linear foot of seating shall be provided for every 75 square feet of soft ground cover provided within the Southwest Open Space. At least 50 percent of such required seating shall provide seatbacks.

Permanent structures, such as food or information kiosks, pavilions or public restrooms shall be permitted within the Southwest Open Space, provided the height of such structures does not exceed 20 feet. The maximum area #lot coverage# that all such permanent structures may occupy shall be 1,000 square feet, provided that such structures are located entirely west of the #High Line#. Such permanent structures shall be exempt from the definition of #floor area#.

(d) Permitted encroachments from private streets

The terminus of the West 31st Street Extension shall be permitted to encroach upon the Southwest Open Space, provided that the site and landscape plans for the West 31st Street Extension are approved in conjunction with the Southwest Open Space, pursuant to Section 93-78 (Site and Landscape Plans for Public Access Areas in Subdistrict F).

(4/29/14)

93-754
General requirements for the Northeast Plaza

A publicly accessible open space, (henceforth referred to as the "Northeast Plaza"), shall be provided at the intersection of West 33rd Street and Eleventh Avenue, as shown on Map 3 (Subdistrict F: Public Access Area Plan) in Appendix B. The area of such space shall be at least 2,600 square feet, and shall have a minimum #street# frontage of 40 feet along each #street#. The Northeast Plaza shall be provided in accordance with the standards for #public plazas#, as set forth in Section 37-70 (PUBLIC PLAZAS), exclusive of the area dimensions set forth in Section 37-712.

(4/29/14)

93-755
General requirements for the Midblock Connection

A pedestrian way, (henceforth referred to as the "Midblock Connection"), shall be provided between West 33rd Street and the West 32nd Street Extension, as shown on Map 3 (Subdistrict F: Public Access Area Plan) in Appendix B.

(a) General purpose

The Midblock Connection is intended to serve the following purposes:

(1) to provide pedestrian access between West 33rd Street and the Western Rail Yard Subdistrict F; and

(2) to provide amenities similar to a through block public plaza.

(b) Location and dimensions

The entirety of the Midblock Connection shall be located between 335 feet and 455 feet west of the westerly Eleventh Avenue #street line#.

The minimum width of the Midblock Connection, measured in the east-west direction, shall be 60 feet.

(c) Core elements

The Midblock Connection shall provide the following core elements:

(1) A minimum of one unimpeded pedestrian access, with a minimum width of 12 feet, shall be provided to connect the West 32nd Street Extension with West 33rd Street;

(2) A minimum of one linear foot of seating shall be provided for every 75 square feet of the Midblock Connection. A minimum of 50 percent of the required seating shall provide seatbacks; and

(3) A minimum of 20 percent of the gross area of the Midblock Connection shall be landscaped with soft ground cover, and shall provide a minimum of one tree per every 1,500 square feet.

(2/2/11)

93-756
General requirements for the High Line

For the portion of the #High Line# that is located within the boundary of Subdistrict F, the following provisions shall apply.

(a) General purpose

The #High Line# is intended to serve the following purposes:

(1) to serve as a continuation of the #High Line# public open space to the east and to the south of West 30th Street;

(2) to offer a pedestrian and passive open space experience similar to the #High Line# open space south of West 30th Street, through planting, materials and amenities, while taking into account the nature and character of the Western Rail Yard Subdistrict F; and

(3) to allow for connections to other public areas on the Western Rail Yard Subdistrict F.

(b) Permitted #uses#

Any permitted change of #use# for the #High Line# shall be made pursuant to the provisions of Section 93-10 (USE REGULATIONS).

(c) Core elements

The #High Line# open space shall provide amenities including, but not limited to, planting, seating and lighting designed to complement and be integrated with portions of the #High Line# south of West 30th Street in a manner that provides both visual and pedestrian continuity along the #High Line# open space network. The #High Line# open space shall not be subject to the design criteria for public access areas in Subdistrict F set forth in Section 93-77.

The site and landscape plans for the #High Line# approved pursuant to Section 93-78 (Site and Landscape Plans for Public Access Areas in Subdistrict F) shall make provision for access points to and from the #High Line# open space, including the public access provided in the Southwest Open Space pursuant to Section 93-753 (General requirements for the Southwest Open Space) and, subject to agreement, shall include support facilities necessary for the operation, maintenance and public enjoyment of the #High Line# open space located in Subdistrict F, or at other locations north of West 30th Street.

(d) Certification to modify requirements adjacent to the #High Line#

The Chairperson of the City Planning Commission may modify certain regulations on adjacent development sites 1 through 6, provided that the Chairperson certifies to the Commissioner of Buildings that such a change is necessary in order to provide access to the #High Line# open space or to accommodate facilities for the #High Line# open space, and that such change is compatible with the character of developed portions of the #High Line# south of West 30th Street.

The following regulations may be modified:

(1) The ground floor level requirements set forth in Section 93-14 (Ground Floor Level Requirements), where applicable;

(2) The unobstructed five foot separation between the #High Line# and a #street wall# on Sites 1, 5 and 6 required pursuant to paragraph (a) of Section 93-561 (General rules for Subdistrict F) in order to accommodate a pedestrian access way, open to the sky, between the #High Line# and such development sites. However, the required five foot #street wall# separation from the edge of the #High Line# shall not be modified;

(3) The #street wall# requirements for Site 6 set forth in Section 93-562 (Street wall regulations for certain streets), only as necessary to accommodate pedestrian access onto the #High Line#;

(4) The general requirements for the Western Open Space and the Southwest Open Space set forth in Section 93-75 (Publicly Accessible Open Spaces in Subdistrict F); and

(5) The general requirements for the 30th Street Corridor set forth in Section 93-76 (Publicly Accessible Private Streets and Pedestrian Ways in Subdistrict F).

Any application for such change shall be included in the application for the site and landscape plans submitted pursuant to the provisions of Section 93-78 (Site and Landscape Plans for Public Access Areas in Subdistrict F) for the #High Line# open space.

(4/29/14)

93-76
Publicly Accessible Private Streets and Pedestrian Ways in Subdistrict F

Public access areas in Subdistrict F shall be comprised of publicly accessible open spaces, private streets and pedestrian ways.

Publicly accessible private streets and pedestrian ways shall be provided in Subdistrict F in addition to the publicly accessible open spaces required in Section 93-75. Such private streets and pedestrian ways shall be comprised of the West 31st and West 32nd Street Extensions, the West 30th Street Corridor and the Connector. Map 3 (Subdistrict F: Public Access Area Plan) in Appendix B of this Chapter identifies the location of these publicly accessible private streets and pedestrian ways.

General requirements for each publicly accessible private street and pedestrian way are set forth within this Section. Design requirements for each publicly accessible private street and pedestrian way are set forth in Section 93-77 (Design Criteria for Public Access Areas in Subdistrict F). The phasing and approval process for each publicly accessible private street and pedestrian way are set forth in Section 93-78 (Site and Landscape Plans for Public Access Areas in Subdistrict F).

Publicly accessible private streets and pedestrian ways listed in this Section shall be accessible to the public at all times.

(4/29/14)

General requirements for the West 32nd Street Extension

A private street, (henceforth referred to as the "West 32nd Street Extension"), shall be provided south of and parallel to West 33rd Street.

(a) General purpose

The West 32nd Street Extension is intended to serve the following purposes:

(1) to serve as the primary publicly accessible pedestrian and vehicular connection to the Western Rail Yard from Eleventh Avenue;

(2) to provide an experience substantially similar to active public #streets# in other high-density, mixed use districts;

(3) to provide a unique urban park-like experience for an active public #street# by connecting the Western Open Space and the Eastern Rail Yard plaza with a pedestrian Allee, as defined in paragraph (c)(2) of this Section and shown on Map 3 (Subdistrict F: Public Access Area Plan) in Appendix B; and

(4) to provide a private street with core elements that are substantially similar to the surrounding public #streets#.

(b) Location and dimensions

The West 32nd Street Extension shall have its northerly edge located a minimum of 180 feet and a maximum of 200 feet south of the West 33rd Street #street line#, as shown on Map 3 in Appendix B, except that a terminus to the West 32nd Street Extension, located west of the Connector shall be permitted to expand beyond the maximum dimensions, provided that such terminus extends to provide a #building# entrance drive along Site 1, and complies with the provisions set forth in paragraph (e) of Section 93-751 (General requirements for the Western Open Space).

(c) Core elements

The West 32nd Street Extension shall provide the following core elements:

(1) Streets and sidewalk requirements

The West 32nd Street Extension shall be a private street constructed to minimum Department of Transportation and Fire Department standards for public #streets#.

Such private street shall consist of:

(i) a road bed, paved with asphalt, with a minimum width pursuant to the requirements set forth by the Fire Department;

(ii) a 20 foot minimum sidewalk along its entire northern curb; and

(iii) a 25 foot minimum sidewalk along its entire southern curb.

(2) Planting and seating requirements for the southern sidewalk and the Allee

Two trees shall be planted for every 20 feet of southern curb length of the West 32nd Street Extension between Eleventh Avenue and the Connector. Fractions equal to or greater than one-half resulting from this calculation shall be considered to be one tree. Such trees shall be planted at approximately equal intervals along the entire curb length of the West 32nd Street Extension.

Along the southern sidewalk, trees shall be planted within five feet of the curb and the southern edge of the sidewalk. One row of trees shall be planted within five feet of the curb and a second row of trees shall be planted within five feet of the southern edge of the sidewalk. This double row of tree planting along the southern sidewalk of the West 32nd Street Extension between Eleventh Avenue and the Connector shall henceforth be referred to as the Allee, as shown on Map 3 in Appendix B. No #building or other structure# shall be permitted within 15 feet of the southern edge of the Allee.

The Allee shall provide a minimum of one linear foot of seating for every 75 square feet of the Allee. A minimum of 50 percent of the required seating shall provide seatbacks.

(3) Planting requirements for the northern sidewalk

One tree shall be planted for every 25 feet of curb length of the West 32nd Street Extension along its northern curb between Eleventh Avenue and the Connector. Fractions equal to or greater than one-half resulting from this calculation shall be considered to be one tree. Such trees shall be planted at approximately equal intervals along the entire curb length of the West 32nd Street Extension between Eleventh Avenue and the Connector. Along the northern sidewalk, trees shall be planted within five feet of the curb.

(4) Curb cuts

No curb cuts shall be permitted along the West 32nd Street Extension, except for access to the Connector if required by the Fire Department.

(4/29/14)

93-762
General requirements for the West 31st Street Extension

A private street, (henceforth referred to as the "West 31st Street Extension"), shall be provided north of and parallel to West 30th Street.

(a) General purpose

The West 31st Street Extension is intended to serve the following purposes:

(1) to serve as a publicly accessible pedestrian and vehicular connection to the Western Rail Yard from Eleventh Avenue;

(2) to provide an experience substantially similar to active public #streets# in other high-density, mixed use districts; and

(3) to provide a private street with core elements that are substantially similar to the surrounding public #streets#.

(b) Location and dimensions

The West 31st Street Extension shall have its southerly edge located a minimum of 180 feet and a maximum of 200 feet north of

the West 30th Street #street line#, as shown on Map 3 (Subdistrict F: Public Access Area Plan) in Appendix B, except that a terminus to the West 31st Street Extension, located west of the Connector, shall be permitted to expand beyond the maximum dimensions, provided that such terminus extends to provide a #building# entrance drive along Site 5, and complies with the provisions set forth in paragraph (d) of Section 93-753 (General requirements for the Southwest Open Space), and/or paragraph (f) of Section 93-752 (General requirements for the Central Open Space), as applicable.

(c) Core Elements

The West 31st Street Extension shall provide the following core elements:

(1) Street and sidewalk requirements

The West 31st Street Extension shall be a private street constructed to minimum Department of Transportation and Fire Department standards for public #streets#.

Such private street shall consist of:

(i) a road bed, paved with asphalt, with a minimum width pursuant to requirements set forth by the Fire Department;

(ii) a 15 foot minimum sidewalk along its entire northern curb; and

(iii) a 20 foot minimum sidewalk along its entire southern curb.

(2) Planting requirements for sidewalks

One tree shall be planted for every 25 feet of curb length of the West 31st Street Extension between Eleventh Avenue and the Connector. Fractions equal to or greater than one-half resulting from this calculation shall be considered to be one tree. Such trees shall be planted at approximately equal intervals along the entire length of the curb of the private street between Eleventh Avenue and the Connector.

(3) Curb cuts

One curb cut shall be permitted along each side of the West 31st Street Extension. The maximum width of such curb cut shall be 30 feet. A third curb cut accessing the Connector shall be permitted if required by the Fire Department.

(4/29/14)

93-763
General requirements for the West 30th Street Corridor

A pedestrian way (henceforth referred to as the "West 30th Street Corridor"), shall be provided along the northerly sidewalk of West 30th Street adjacent to the area below the #High Line#.

(a) General purpose

The West 30th Street Corridor is intended to serve the following purposes:

(1) to serve as a transition space between the #High Line# and the West 30th Street sidewalk;

(2) to allow for active frontages with publicly accessible spaces for establishments below the #High Line#; and

(3) to provide an overall streetscape design that complements and provides views of the #High Line# along West 30th Street.

(b) Location and dimensions

The West 30th Street Corridor shall be located in the area bounded by the #High Line#, Eleventh Avenue, West 30th Street and the eastern edge of the Southwest Open Space, as shown on Map 3 (Subdistrict F: Public Access Area Plan) in Appendix B.

In the north-south direction, the West 30th Street Corridor shall extend from the #street wall# of #buildings# beneath the #High Line# facing West 30th Street (which shall coincide with the northerly edge of the southern row of structural columns of the #High Line#) to the northerly #street line# of West 30th Street.

(c) Core elements

The West 30th Street Corridor shall have the following provisions for its core elements:

(1) a pedestrian access area at least 10 feet in width shall be provided along the entire length of the West 30th Street Corridor, linking Eleventh Avenue with the sidewalk adjacent to the Southwest Open Space. Such area shall be located a minimum of five feet beyond the northerly curb line of West 30th Street, and shall be free of obstructions;

(2) portions between the required pedestrian access area and the #High Line# may be paved or landscaped; and

(3) street trees shall be planted within five feet of the northern curb of West 30th Street. One tree shall be planted for every 25 feet of curb length. Fractions equal to or greater than one-half resulting from this calculation shall be considered to be one tree. Such trees shall be planted at approximately equal intervals along the entire curb length of West 30th Street.

(4/29/14)

93-764
General requirements for the Connector

A publicly accessible connection (henceforth referred to as the "Connector"), shall be provided between the West 32nd Street Extension and the West 31st Street Extension.

(a) General purpose

The Connector is intended to serve the following purposes:

(1) to serve as a connection between the West 32nd Street Extension and the West 31st Street Extension;

(2) to provide a space that complements the surrounding publicly accessible open spaces; and

(3) to provide an emergency egress connector pursuant to Fire Department standards.

(b) Location and dimensions

The western #street line# of the Connector shall be located a minimum of 225 feet east of the easterly #street line# of Twelfth Avenue, as shown on Map 3 (Subdistrict F: Public Access Area Plan) in Appendix B.

(c) Core elements

The Connector shall provide the following core elements:

(1) the Connector shall be constructed to minimum Fire Department standards for an emergency egress connection between the West 32nd Street Extension and the West 31st Street Extension, including, but not limited to, the width and materials of paved area, and permitted obstructions within such area; and

(2) the Connector shall not be located within 15 feet of a #building#.

(4/30/12)

93-77
Design Criteria for Public Access Areas in Subdistrict F

Public access areas in Subdistrict F shall be comprised of publicly accessible open spaces, private streets and pedestrian ways.

(a) Design criteria

Where private streets, pedestrian ways and publicly accessible open spaces, with the exception of the #High Line#, provide elements listed in this Section, such elements shall comply with the applicable minimum design standards, set forth in paragraph (a) of this Section, as a minimum design standard.

(1) Seating

Seating shall meet the minimum and maximum dimensional standards set forth in paragraphs (1) through (7) of Section 37-741, inclusive.

(2) Planting and trees

Where planting areas are provided, they shall meet the planting bed requirements and irrigation requirements of Section 37-742 (Planting and trees).

Where trees are provided, they shall meet the applicable minimum tree caliper standards, soil requirements and irrigation standards set forth in Section 37-742, except that within the Western Open Space, the Central Open Space and the Southwest Open Space, the soil requirements for tree planting shall not apply. In lieu thereof, all trees in the Central and Western Open Spaces shall be planted in areas with soil depth of at least five feet. In the Southwest Open Space, all trees shall be planted in continuous planted areas that have a minimum depth of five feet and a minimum area of 500 square feet of soil.

(3) Paving

Paving, exclusive of the required asphalt paving of the West 31st and West 32nd Street Extension roadbeds, shall meet the minimum standards set forth in Section 37-718.

(4) Steps

Steps shall meet the minimum dimensional standards set forth in Section 37-725.

(5) Kiosks and open air cafes

Kiosks or open air cafes shall meet the operational and service requirements listed in paragraphs (a) and (b) of Section 37-73 (Kiosks and Open Air Cafes). Seating provided as part of an open air cafe shall not count towards meeting the seating requirements of a public access area listed in Section 93-75 (Publicly Accessible Open Spaces in Subdistrict F).

(6) Standards of accessibility for persons with disabilities

All publicly accessible open spaces, private streets and pedestrian ways shall be designed pursuant to the standards of accessibility for persons with disabilities set forth in Section 37-728.

(7) Lighting and electrical power

All publicly accessible open spaces, private streets and pedestrian ways shall provide lighting and electrical power pursuant to the standards set forth in Section 37-743.

(8) Litter receptacles

All publicly accessible open spaces, private streets and pedestrian ways shall provide litter receptacles pursuant to the standards set forth in Section 37-744.

(9) Bicycle parking

Bicycle racks sufficient to accommodate at least 25 bicycle parking spaces shall be provided in the Southwest Open Space, bicycle racks sufficient to accommodate at least 30 bicycle parking spaces shall be provided in the Central Open Space and bicycle racks sufficient to accommodate at least 33 bicycle parking spaces shall be provided in the Western Open Space. Such racks shall be located adjacent to a paved circulation path within the open space or in public sidewalks adjacent to the open space.

(10) Playgrounds and additional amenities

Where playgrounds and additional amenities are provided in publicly accessible open spaces, such amenities shall be designed pursuant to the standards set forth in Section 37-748.

(11) Signs

All open spaces within the publicly accessible open spaces shall provide open space signage pursuant to the standards set forth in Section 37-751.

(12) Canopies, awnings, marquees and sun control devices

Where #buildings# front onto publicly accessible open spaces, private streets and pedestrian ways, canopies, awnings, marquees and sun control devices shall be permitted pursuant to the standards set forth in paragraph (c) of Section 37-726 (Permitted obstructions).

(13) Gates and fences

Gates, fences or other barriers shall be permitted at the perimeter of any playgrounds, tot lots or dog runs provided

as part of a publicly accessible open space or pedestrian way. Additional gates, fences or other barriers shall be permitted in the Midblock Connection, the Southwest Open Space and the #High Line# only as approved as part of the site and landscape plans submitted pursuant to Section 93-78 (Site and Landscape Plans for Public Access Areas in Subdistrict F).

Such gates, fences or other barriers shall have a maximum height of 48 inches, as measured from the adjoining grade level, and shall be at least 70 percent open. However, where gates, fences or other barriers are mounted on a solid curb, such minimum transparency shall not include the surface area of the curb, provided that the height of such curb does not exceed six inches.

Chain link fencing or barbed or razor wire shall not be permitted.

(14) Public restrooms

At least one public restroom shall be provided to serve either the Central Open Space or the Western Open Space, whichever is developed first pursuant to the provisions of Section 93-78. Such public restroom shall provide separate restroom spaces for each gender, and may be located in either the publicly accessible open space or within the ground floor of any adjacent #building#.

(b) Maintenance

The owner of each of Sites 1 through 6 in Subdistrict F shall be responsible for the maintenance of all publicly accessible open spaces, private streets and pedestrian ways, including, but not limited to, litter control, management of pigeons and rodents, maintenance of required lighting levels, and the care and replacement of furnishings and vegetation within the portion of the Subdistrict associated with such site in the phased development provided in the site and landscape plans required pursuant to Section 93-78. Notwithstanding the foregoing, maintenance of the #High Line# shall be governed by such agreements as are entered into with respect thereto.

(c) Interim #use#

Open #uses# listed in Use Group 4B, with the exception of cemeteries and golf courses, shall be permitted as interim

#uses# within the designated boundary of any public access area described in Sections 93-75 or 93-76 (Publicly Accessible Private Streets and Pedestrian Ways in Subdistrict F) with the exception of the #High Line# open space, or within the designated boundary of any development site described in Section 93-56 (Special Height and Setback Regulations in Subdistrict F). Such interim #uses# may be #developed# prior to the approval of the site and landscape plans for the public access area in which it is located, and may continue until such time as development commences on such public access area pursuant to the approved site and landscape plans. Any such interim #uses# shall be open to and usable by the public, and may include temporary structures, provided that all associated #floor area# is appurtenant to the interim #use#.

(4/29/14)

93-78
Site and Landscape Plans for Public Access Areas in Subdistrict F

Public access areas in Subdistrict F shall be comprised of publicly accessible open spaces, private streets and pedestrian ways.

All publicly accessible open spaces, or portions thereof, listed in Section 93-75 (Publicly Accessible Open Spaces in Subdistrict F), and private streets and pedestrian ways, or portions thereof, listed in Section 93-76 (Publicly Accessible Private Streets and Pedestrian Ways in Subdistrict F), shall comply with the following provisions:

(a) No building permit shall be issued for any #development# or #enlargement# within Subdistrict F unless the Chairperson of the City Planning Commission has certified to the Commissioner of Buildings that the site and landscape plans for the Subdistrict F public access area have been approved by the Chairperson pursuant to the provisions of this Section. Notwithstanding the foregoing, the Chairperson shall allow for the phased development of public access areas, or portions thereof, upon certification to the Commissioner of Buildings that site and landscape plans have been submitted that provide for the completion of public access areas in association with the #development# or #enlargement# of a #building# or #buildings# within each phase.

(b) An application under this Section shall be filed with the Chairperson of the City Planning Commission and such application shall include:

(1) a site plan indicating the area and dimensions of the public access area, or portions thereof, and the location of all proposed #buildings# in the phase subject to the application;

(2) a landscape plan, prepared by a registered landscape architect, for the public access area, or portions thereof, in the phase subject to the application; and

(3) a report to the Chairperson demonstrating:

(i) that the site and landscape plans have been presented by the applicant to the affected Community Board, City Council Member and Borough President and the Community Board, City Council Member and Borough President have had at least 60 days to review; and

(ii) that any comments and recommendations of the affected Community Board, City Council Member and Borough President have been considered by the applicant, as set forth in a written response to such comments or recommendations. Where design modifications have been made in response to such recommendations, the report shall identify how the design has been modified.

(c) The Chairperson of the City Planning Commission shall approve the site and landscape plans within 45 days following filing, provided that the following provisions are met:

(1) the site and landscape plans provide for the improvement of the public access area, or portions thereof, which, taking into account relevant considerations relating to platform construction and engineering, are:

(i) of sufficient size to provide a valuable public amenity and promote site access for the benefit of residents and workers in the #buildings# in the phase to which they relate, as well as for the general public; and

(ii) appropriately sited and located in suitable proximity to the #building# locations in the phase to which they relate.

(2) the site and landscape plans are consistent with the general purposes and contain the core elements listed in Sections 93-75 and 93-76, inclusive;

(3) all elements in the site and landscape plans comply with the design criteria as set forth in Section 93-77 (Design Criteria for Public Access Areas in Subdistrict F), or, in the case of the #High Line#, that the elements in the landscape plan comply with the criteria set forth in paragraph (c) of Section 93-756 (General requirements for the High Line);

(4) the site and landscape plans are consistent and appropriate in relation to any previously approved landscape plan for other phases and in relation to conceptual plans for future phases, as applicable;

(5) the level of public amenity provided in the landscape plan is equal to or better than the level of public amenity required in #public plazas# that are provided in accordance with the standards of Section 37-70 or, in the case of the #High Line#, than the level of public amenity provided on developed portions of the #High Line# south of West 30th Street. All public amenities that are provided in the landscape plan shall take into account the nature and character of the Subdistrict F public access areas; and

(6) a maintenance plan, including any necessary maintenance facilities for the public access area, or portions thereof, in the phase, has been established that will ensure compliance with the provisions of paragraph (b) of Section 93-77.

Approved site and landscape plans shall be set forth in an instrument in a form acceptable to the City, including such provisions as are necessary to ensure compliance with the provisions of this Section. Such instrument shall be filed and duly recorded in the Borough Office of the City Register of the City of New York and indexed against the property. Such filing and recording of the instrument shall be a precondition for the Chairperson's certification to the Department of Buildings under this Section. The recording information shall be included on the certificate of occupancy for any #building#, or portion thereof, on the #zoning lot# issued after the recording date.

(d) No temporary certificate of occupancy from the Department of Buildings may be issued for any portion of a #development# or #enlargement# within a phase until the Chairperson of the City Planning Commission certifies to the Department of Buildings that the public access area, or portions thereof associated with such phase, is substantially complete and in accordance with the site and landscape plans, and that such public access area, or portions thereof, are open to and useable by the public. No permanent certificate of occupancy from the Department of Buildings may be issued for any portion of such #development# or #enlargement# until the Chairperson certifies to the Department of Buildings that the public access areas, or portions thereof, are fully complete, and that all requirements of this Section have been met in accordance with the site and landscape plans for the public access area, or portions thereof associated with such phase. Notwithstanding the foregoing, in the event that a temporary public access area plan is approved pursuant to Section 93-782 (Certification to temporarily modify public access areas for construction staging), no temporary certificate of occupancy from the Department of Buildings may be issued for any portion of a #development# or #enlargement# within the phase until the Chairperson certifies to the Department of Buildings that the public access area, or portions thereof associated with such phase, is substantially complete and in accordance with such temporary public access area plan, and the public access area, or portions thereof, are open and useable by the public. No permanent certificate of occupancy from the Department of Buildings may be issued for any portion of such #development# or #enlargement# until the Chairperson certifies to the Department of Buildings that the public access area, or portions thereof associated with the phase previously improved pursuant to the temporary public access area plan, has been fully completed in accordance with the site and landscape plans therefor, and that the public access area, or portions thereof, are open to and useable by the public.

(e) Where a phase of development results in all development sites in Subdistrict F, as shown on Map 2 (Subdistrict F: Site Plan) in Appendix B, having been #developed# in whole or in part pursuant to the provisions of Section 93-56 (Special Height and Setback Regulations in Subdistrict F), the Department of Buildings shall not issue a certificate of occupancy for the last #building# of such phase unless and until the Chairperson certifies to the Commissioner of Buildings that all public access areas within Subdistrict F are substantially complete, and are open to and useable by the public. However, in the event that the site and landscape plans for the #High Line# open space have not been

approved, pursuant to paragraph (c) of this Section, at the time such last #building# is eligible for a certificate of occupancy, the Department of Buildings shall issue such certificate of occupancy upon certification of the Chairperson that all public access areas other than the #High Line# open space are substantially complete.

(12/21/09)

93-781
Certification to modify general requirements of public access areas for ventilation demands

The Chairperson of the City Planning Commission may modify the general requirements of the publicly accessible open spaces listed in Section 93-75 (Publicly Accessible Open Spaces in Subdistrict F), and private streets and pedestrian ways listed in Section 93-76 (Publicly Accessible Private Streets and Pedestrian Ways in Subdistrict F), provided that the Chairperson certifies to the Commissioner of Buildings that such a change is necessary to accommodate unforeseen ventilation demands within the Western Rail Yard. In addition to the site and landscape plans required pursuant to Section 93-78, a mechanical plan shall be provided demonstrating the need to modify such general requirements.

(2/2/11)

93-782
Certification to temporarily modify public access areas for construction staging

In the event that the applicant demonstrates to the satisfaction of the Chairperson of the City Planning Commission that a public access area will be required for construction staging or similar activities in a future phase of #development# or #enlargement#, the application for the site and landscape plans may be accompanied by a request for approval of a temporary public access area plan for the public access area which may include fewer than all core elements required as part of a phase of #development# or #enlargement# of such public access area pursuant to paragraph (c)(2) of Section 93-78 (Site and Landscape Plans for Public Access Areas in Subdistrict F), as necessary to accommodate such future construction staging or similar activities. Such temporary public access area plan shall be subject

to review and approval in the same manner as the site and landscape plans, pursuant to Section 93-78 and, if approved pursuant thereto, shall be implemented and remain in effect only for the period necessary to accommodate the need for use of the public access area for construction staging or similar activities in a future phase of development. Following the expiration of such period, the site and landscape plans, including all core elements for such public access area, shall be implemented.

(5/8/13)

93-80
OFF-STREET PARKING REGULATIONS

In Subdistricts A, B, C, D and E, the regulations governing permitted #accessory# off-street parking spaces of Article I, Chapter 3 (Comprehensive Off-street Parking and Loading Regulations in the Manhattan Core), and Article II, Chapter 5; Article III, Chapter 6; and Article IV, Chapter 4 (Accessory Off-street Parking and Loading Regulations) shall not apply, except as set forth in this Section. In lieu thereof, the provisions of this Section, inclusive, shall apply.

In Subdistrict F, the regulations of Article I, Chapter 3, shall apply.

(4/14/10)

93-81
Definitions

Hudson Yards parking regulations applicability area

The "Hudson Yards parking regulations applicability area" is comprised of Subdistricts A, B, C, D and E of the #Special Hudson Yards District#, the 42nd Street Perimeter Area of the #Special Clinton District# and Area P-2 of the #Special Garment Center District#.

Hudson Yards development parking supply

The "Hudson Yards development parking supply" shall be the aggregate number of off-street parking spaces in #accessory# individual or

#group parking facilities#, #public parking lots# and #public parking garages# in the #Hudson Yards parking regulations applicability area#:

(a) that have been constructed, pursuant to the as-of-right regulations in effect subsequent to January 19, 2005, and before April 14, 2010, to the extent that such spaces satisfy the ratios of Section 93-821;

(b) that have been constructed, pursuant to a City Planning Commission special permit approved subsequent to January 19, 2005, and before April 14, 2010;

(c) for which the Chairperson has issued a certification, pursuant to Section 93-821, paragraph (e); and

(d) that have been approved by Board of Standards and Appeals variance, pursuant to Section 72-21 , to the extent that such spaces satisfy the ratios of Section 93-821.

However, all off-street parking on Site 1, as shown on the map of the Special 42nd Street Perimeter Area in Appendix A of the #Special Clinton District# (Article IX, Chapter 6), shall be counted toward the #Hudson Yards development parking supply#.

For purposes of this definition, "constructed" shall include any off-street parking spaces in #accessory# or #group parking facilities#, #public parking garages# or #public parking lots#, where such #accessory# or #group parking facilities#, #public parking garages# or #public parking lots# were completed on April 14, 2010, under construction on such date with the right to continue construction pursuant to Section 11-331 or granted a City Planning Commission special permit after January 19, 2005, where such permit had not lapsed as of April 14, 2010.

Public parking

"Public parking" shall be off-street parking that is open to the public during the business day for hourly, daily or other time-defined rental of parking spaces, for which a fee is charged.

Reservoir deficit

The "reservoir deficit" shall be the amount by which the #reservoir surplus# is less than zero.

Reservoir parking supply

The "reservoir parking supply" shall be the sum of:

(a) all off-street parking spaces lawfully operating as of May 27, 2009, in the #Hudson Yards parking regulations applicability area# as #public parking#; and

(b) any off-street parking spaces for which a valid building permit had been issued, as of May 27, 2009, and which have been constructed before April 14, 2010.

However, any off-street parking space that satisfies the definition of the #Hudson Yards development parking supply# in this Section shall not be counted as part of the #reservoir parking supply#.

For purposes of this definition, "constructed" shall include any off-street parking spaces in #accessory# individual or #group parking facilities#, #public parking garages# or #public parking lots#, where such #accessory# or #group parking facilities#, #public parking garages# or #public parking lots# were either completed on April 14, 2010, or under construction on such date with the right to continue construction pursuant to Section 11-331.

Reservoir surplus

The initial #reservoir surplus# shall be 3,600 off-street parking spaces. The "reservoir surplus" shall be increased by:

(a) the aggregate number of off-street parking spaces in the #reservoir parking supply# for which a building permit has been issued, pursuant to the as-of-right regulations in effect subsequent to January 19, 2005, and before April 14, 2010;

(b) the number of off-street parking spaces in the #Hudson Yards parking regulations applicability area# above the ratios permitted in Section 93-821, either certified by the Chairperson pursuant to Section 93-822, paragraph (c), or by City Planning Commission special permit, pursuant to Section 93-823; and

(c) the number of off-street parking spaces lawfully added in the #Hudson Yards parking regulations applicability area#, other than those permitted pursuant to Section 93-80, inclusive, except for any increase by Board of Standards and Appeals

variance that is counted as part of the #Hudson Yards development parking supply#;

The #reservoir surplus# shall be decreased by:

(a) the aggregate number of parking spaces counted at any time in the #reservoir parking supply#, that subsequently are:

(1) reduced through modification or discontinuance of the applicable Department of Consumer Affairs license or certificate of occupancy or otherwise cease operation permanently; or

(2) not constructed in accordance with the applicable building permit, as reflected in a modification of such building permit or the issuance of a certificate of occupancy for a reduced number of spaces; or

(b) the issuance of a certificate of occupancy for a #development# or #enlargement# providing a smaller number of spaces than allowed, pursuant to Section 93-821, to the extent of the difference between the number of #accessory# off-street parking spaces allowed, and the number provided. However, this paragraph shall not apply to Sites 2, 3, 4 and 5, as shown on Map 6 of Appendix A, and shall apply to no more than 200 #accessory# off-street parking spaces on Site 6 as shown on Map 6.

Substantial construction

"Substantial construction" shall mean the substantial enclosing and glazing of a new #building# or of the #enlarged# portion of an existing #building#.

(4/14/10)

93-82
Permitted Parking

#Developments# or #enlargements# in the #Hudson Yards parking regulations applicability area# may provide #accessory# parking spaces in accordance with the provisions of this Section. The provisions of Sections 36-52 (Size, Location and Identification of Spaces) and 36-53 (Width of Curb Cuts and Location of Access to the

Street) shall apply to all permitted #accessory# off-street parking spaces.

(4/29/14)

93-821
Permitted parking when the reservoir surplus is greater than or equal to zero

When the #reservoir surplus# is greater than or equal to zero, off-street parking spaces may be provided only in accordance with the provisions of this Section.

(a) For #residences#, #accessory# off-street parking spaces may be provided for not more than 30 percent of the total number of #dwelling units#, except that where such #dwelling units# are comprised of #low income floor area#, #moderate income floor area# or #middle income floor area#, as defined in Section 23-911, #accessory# off-street parking spaces may be provided for not more than eight percent of the total number of such #dwelling units#.

(b) For Use Group 5 #transient hotels#, the applicable provisions of Section 13-12 (Permitted Parking for Non-residential Uses) shall apply with respect to the number of permitted #accessory# off-street parking spaces, provided that the number of such spaces does not exceed 0.16 for every 1,000 square feet of #floor area#.

(c) For Use Group 6B offices, not more than 0.16 #accessory# off-street parking spaces may be provided for every 1,000 square feet of #floor area#.

(d) In the Eastern Rail Yard Subarea A1, paragraphs (a) through (c) of this Section shall not apply, and any #accessory# off-street parking shall comply with the provisions of this paragraph (d):

(1) for #residences#, #accessory# off-street parking spaces may be provided for not more than 40 percent of the total number of #dwelling units#;

(2) for #commercial# and #community facility uses#, not more than 0.325 #accessory# off-street parking spaces may be provided for every 1,000 square feet of #floor area#, provided that in no event shall the number of off-street

parking spaces #accessory# to #commercial# or #community facility uses# exceed 350 spaces; and

(3) in no event shall the total number of #accessory #off-street parking spaces for all #uses# exceed 1,000.

(e) The Department of Buildings shall not issue a building permit for any #accessory# off-street parking pursuant to paragraphs (a) through (c) of this Section, unless the Chairperson has certified that:

(1) the sum of the permitted parking spaces set forth in the following paragraphs, (e)(1)(i), (e)(1)(ii) and (e)(1)(iii), is less than or equal to 5,084 spaces:

(i) the #reservoir surplus# or zero;

(ii) the #Hudson Yards development parking supply#; and

(iii) the number of spaces proposed to be added by the #development# or #enlargement# for which certification is sought; and

(2) the sum of the permitted parking spaces set forth in the following paragraphs, (e)(2)(i), (e)(2)(ii), (e)(2)(iii) and (e)(2)(iv), is less than or equal to 5,905 spaces:

(i) all off-street parking spaces in the #Hudson Yards parking applicability area# that have been categorized, in accordance with the definition in Section 93-81, as part of the #reservoir parking supply#, less any such off-street parking spaces that have been categorized as decreasing the #reservoir surplus# in accordance with paragraph (a) of the second part of the definition of #reservoir surplus# in Section 93-81;

(ii) all off-street parking spaces in the #Hudson Yards parking applicability area# that have been categorized as increasing the #reservoir surplus# in accordance with paragraphs (b) and (c) of the first part of the definition of #reservoir surplus# in Section 93-81;

(iii) the #Hudson Yards development parking supply#; and

(iv) the number of spaces proposed to be added by the #development# or #enlargement# for which certification is sought.

(3) Notwithstanding paragraphs (e)(1) and (2) of this Section, if the Chairperson determines that final certificates of occupancy have been issued by the Department of Buildings for all #buildings# shown in the site plan for the Eastern Rail Yard Subarea A1 as required by the provisions of Section 93-70, and that upon the completion of all such #buildings#, fewer than 1,000 #accessory# off-street parking spaces have been provided in such subarea, any difference between the number of #accessory# off-street parking spaces provided in the Eastern Rail Yard Subarea A1, and 1,000, may be added to the limits of 5,084 and 5,905 spaces set forth in paragraphs (e)(1) and (e)(2), respectively.

(4) Any certification granted by the Chairperson, pursuant to this Section, shall lapse after two years if #substantial construction# of the #development# or of the #enlarged# portion of an existing #building#, which includes the subject #accessory# off-street parking spaces, has not occurred. In making a certification pursuant to this Section, the Chairperson shall not consider any prior certification or any special permit that has lapsed in accordance with the provisions of this Resolution. However, for Site 6, as shown on Map 6 in Appendix A of this Chapter, any such certification shall lapse after six years if #substantial construction# of the new #building# that includes the subject #accessory# off-street parking spaces, has not occurred.

(4/29/14)

93-822
Permitted parking when a reservoir deficit exists

When a #reservoir deficit# exists, additional off-street parking spaces may be provided in accordance with the provisions of this Section. However, this Section shall not apply in the Eastern Rail Yard Subarea A1.

(a) The number of permitted #accessory# off-street parking spaces for Use Group 5 hotels may exceed 0.16 for every 1,000 square

feet of #floor area#, up to the number permitted by the applicable provisions of Section 13-12 (Permitted Parking for Non-residential Uses).

(b) The number of permitted #accessory# off-street parking spaces for Use Group 6B offices may be increased by up to 33 percent of the number permitted pursuant to Section 93-821, paragraph (b).

(c) The Department of Buildings shall not issue a building permit for any additional #accessory# off-street parking spaces permitted pursuant to this Section unless the Chairperson has certified that:

(1) a #reservoir deficit# exists;

(2) the number of #accessory# off-street parking spaces in excess of the number permitted by Section 93-821, proposed to be added by the #development# or #enlargement# for which certification is sought, does not exceed such #reservoir deficit#; and

(3) such additional #accessory# off-street parking spaces, when added to the sum of the parking spaces specified in paragraphs (e)(2)(i), (e)(2)(ii) and (e)(2)(iii) of Section 93-821 does not exceed 5,905 spaces, except insofar as the limit of 5,905 spaces set forth in paragraph (e)(2) has been adjusted pursuant to the provisions of paragraph (e)(3) of Section 93-821.

(d) Any certification granted by the Chairperson pursuant to this Section shall lapse after two years if #substantial construction# of the new #building# or of the #enlarged# portion of an existing #building#, which includes the subject #accessory# off-street parking spaces, has not occurred. In making a certification pursuant to this Section, the Chairperson shall not consider any prior certification or any special permit that has lapsed in accordance with the provisions of this Resolution. However, for Site 6, as shown on Map 6 in Appendix A of this Chapter, any such certification shall lapse after six years if #substantial construction# of the new #building# that includes the subject #accessory# off-street parking spaces, has not occurred.

Parking permitted by special permit

When a #reservoir deficit# exists, the City Planning Commission may allow, by special permit, Use Group 6B offices to exceed the number of #accessory# off-street parking spaces permitted by Section 93-822, provided that:

(a) within the vicinity of the site, there are insufficient parking spaces available;

(b) the facility will not create or contribute to serious traffic congestion nor unduly inhibit vehicular and pedestrian movement;

(c) the facility is so located as to draw a minimum of vehicular traffic to and through local #residential streets#; and

(d) adequate reservoir space is provided at the vehicular entrance to accommodate vehicles equivalent in number to 20 percent of the total number of parking spaces, up to 50 parking spaces, and five percent of any spaces in excess of 200 parking spaces, but in no event shall such reservoir spaces be required for more than 50 vehicles. However, in the case of a facility with a capacity of 10 vehicles or less, the Commission may waive this condition.

In addition, the Commission shall find that the number of #accessory# off-street parking spaces in excess of the number permitted by Section 93-821, proposed to be added by the #development# or #enlargement# that is the subject of the application under review, does not exceed the #reservoir deficit#; and that such additional #accessory# off-street parking spaces, when added to the sum of the parking spaces specified in paragraphs (e)(2)(i), (e)(2)(ii) and (e)(2)(iii) of Section 93-821 do not exceed 5,905 spaces, except insofar as the limit of 5,905 spaces set forth in paragraph (e)(2) has been adjusted pursuant to the provisions of paragraph (e)(3) of Section 93-821. In making such finding, the Commission shall not consider any prior certification or any special permit that has lapsed in accordance with the provisions of this Resolution.

(4/14/10)

93-824
Publication of data

The Department of City Planning shall make available, in a form easily accessed by the public, regularly updated calculations of the current #Hudson Yards development parking supply#, #reservoir parking supply#, spaces described in paragraphs (e)(2)(i) and (e)(2)(ii) of Section 93-821, and #reservoir surplus# or #reservoir deficit#, as applicable.

(5/8/13)

93-83
Use and Location of Parking Facilities

The provisions of this Section shall apply to all off-street parking spaces within the #Special Hudson Yards District#.

(a) All off-street parking spaces #accessory# to #residences# shall be used exclusively by the occupants of such #residences#. Except in the Eastern Rail Yard Subarea A1, all off-street parking spaces #accessory# to Use Group 5 #transient hotels# and Use Group 6B offices may be made available for public use. No #accessory# off-street parking spaces shall be located on a #zoning lot# other than the same #zoning lot# as the #use# to which they are #accessory#.

(b) All off-street parking spaces shall be located within facilities that, except for entrances and exits, are:

(1) entirely below the level of any #street# or publicly accessible open area upon which such facility, or portion thereof, fronts; or

(2) located, at every level above-grade, behind #commercial#, #community facility# or #residential floor area#, so that no portion of such parking facility is visible from adjoining #streets# or publicly accessible open areas.

(2/2/11)

93-831
Authorization for above-grade parking

The City Planning Commission may authorize parking facilities that do not comply with the provisions of paragraph (b) of Section 93-83 (Use

and Location of Parking Facilities) and may authorize floor space used for parking and located above a height of 23 feet to be exempt from the definition of #floor area#, provided that:

(a) below-grade parking has been provided to the fullest extent feasible, and such above-grade facility is necessary due to subsurface conditions such as the presence of bedrock, railroad rights-of-way or other conditions that impose practical difficulties for the construction of below-grade parking facilities;

(b) the scale of the parking facility is compatible with the scale of #buildings# in the surrounding area;

(c) the materials and articulation of the #street wall# of the parking facility are compatible with #buildings# in the surrounding area;

(d) the ground floor level of such parking facilities that front upon #streets# is occupied by #commercial#, #community facility# or #residential uses# that activate all such adjoining #streets#, except at the entrances and exits to the parking facility. Where site planning constraints make such #uses# infeasible, the parking facility shall be screened from adjoining #streets# or public access areas with a densely planted buffer strip at least 10 feet deep. Where such screening is not desirable, such ground floor wall of the parking facility shall be articulated in a manner that provides visual interest;

(e) any floor space above the ground floor level utilized for parking is located, to the greatest extent feasible, behind #commercial#, #community facility# or #residential floor area#, to minimize the visibility of the parking facility from adjoining #streets# or public access areas. Any exterior wall of the parking facility visible from an adjoining #street# or public access area shall be articulated in a manner that is compatible with #buildings# in the surrounding area;

(f) for portions of parking facilities that are visible from #streets#, publicly accessible open areas or nearby properties, interior lighting and vehicular headlights are shielded to minimize glare on such #streets#, public access areas or properties; and

(g) the location of vehicular entrances and exits will not unduly inhibit surface traffic and pedestrian flow.

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

(4/14/10)

93-84
Curb Cut Restrictions

Along all avenues in the #Special Hudson Yards District#, and along Hudson Boulevard and West 34th Street, and along the north side of West 35th, West 36th, West 37th and West 38th Streets between Tenth and Eleventh Avenues, no driveway curb cuts for parking facilities or loading berths shall be permitted, except:

(a) for entrances or exits to a public parking garage located beneath Hudson Boulevard and the adjacent #public parks#; or

(b) where the Commissioner of Buildings determines there is no alternative means of access to required off-street parking spaces or required loading berths from other #streets# bounding the #zoning lot#. However, in no event shall curb cuts be permitted on or within 40 feet of Hudson Boulevard.

(4/14/10)

93-841
Curb cut restrictions in the Large-Scale Plan Subdistrict A

In Subarea A2 of the Large-Scale Plan Subdistrict A, curb cuts for parking and loading facilities shall be prohibited on West 34th Street, Tenth Avenue, Hudson Boulevard and Eleventh Avenue except where the City Planning Commission certifies there is no frontage available on West 33rd Street or West 35th Street to access a required parking or loading facility.

(4/14/10)

93-842
Curb cut restrictions in the Farley Corridor Subdistrict B

No curb cuts shall be permitted on Eighth or Ninth Avenues between West 31st and West 33rd Streets. In the Pennsylvania Station Subarea B4, the maximum aggregate width of curb cuts on West 33rd Street shall be 90 feet. On the south side of West 33rd Street between the Lincoln Tunnel Approach and Ninth Avenue, the maximum aggregate width of curb cuts shall be 90 feet.

(4/14/10)

93-85
Authorization for Additional Curb Cuts

Along the north side of West 35th, West 36th, West 37th and West 38th Streets between Tenth and Eleventh Avenues, for #zoning lots# greater than 20,000 square feet, the City Planning Commission may authorize curb cuts, provided the Commission finds that such curb cuts are needed for required loading berths, do not unduly inhibit surface traffic or pedestrian flow and do not impair the essential character of the surrounding area. Loading berths shall be arranged so as to permit head-in and head-out truck movements to and from the #zoning lot# and thereby permit a more efficient loading operation.

(2/2/11)

93-90
HARASSMENT

(a) Definitions

(1) Anti-harassment area

"Anti-harassment area" shall mean the #Special Hudson Yards District# and Preservation Area P-2 of the #Special Garment Center District#.

(2) Application date

"Application date" shall mean the date that the Department of Housing Preservation and Development accepts a completed application for a #certification of no harassment# for processing.

(3) Certification of no harassment

"Certification of no harassment" shall mean a certification by the Department of Housing Preservation and Development pursuant to this Section that there has not been #harassment# of the lawful occupants of a #multiple dwelling# during the #inquiry period#.

(4) Cure compliance lot

"Cure compliance lot" shall mean a #zoning lot# on which #low income housing# is provided pursuant to a #restrictive declaration# in accordance with the cure provisions of paragraph (d) of this Section. A #cure compliance lot# may be a #cure requirement lot#.

(5) Cure requirement

Except as otherwise provided in paragraph (e) of this Section with respect to Subareas 4 and 5 of the Hell's Kitchen Subdistrict D of the #Special Hudson Yards District#, "cure requirement" shall mean #floor area# in an amount not less than the greater of:

(i) 28 percent of the total #residential# and #hotel floor area# of any #multiple dwelling# to be altered or demolished in which #harassment# has occurred; or

(ii) 20 percent of the total #floor area# of any new or altered #building# on the #cure requirement lot#.

(6) Cure requirement lot

"Cure requirement lot" shall mean:

(i) a #zoning lot# containing a #multiple dwelling# with respect to which the Department of Housing Preservation and Development has denied a #certification of no harassment#; or

(ii) a #zoning lot# with respect to which an applicant, in lieu of seeking a #certification of no harassment# which would otherwise be required for the full or partial demolition or #material alteration# of a #multiple dwelling# located in the #anti-harassment area#, elects to seek a certification of compliance with the cure provisions of paragraph (d) of this Section and enters into a #restrictive declaration#.

(7) Dwelling unit

"Dwelling unit" shall have the meaning set forth in the Multiple Dwelling Law.

(8) Exempt hotel

"Exempt hotel" shall mean any #multiple dwelling#:

(i) which is a #transient hotel# and was a #transient hotel# on the #referral date#;

(ii) in which no #residential# occupant is, or was on the #referral date#, entitled to a renewal lease or otherwise entitled to continued occupancy pursuant to the Local Housing Emergency Rent Control Act, as amended, the City Rent and Rehabilitation Law, as amended, the Rent Stabilization Law of 1969, as amended, or the Emergency Tenant Protection Act of 1974, as amended; and

(iii) which has been exempted from the provisions of this Section by written determination of the Department of Housing Preservation and Development.

(9) Exempt institutional residence

"Exempt institutional residence" shall mean any #multiple dwelling#:

(i) the occupancy of which is restricted to non-profit institutional use and was restricted to non-profit institutional use on the #referral date#, and

(ii) which has been exempted from the provisions of this Section by written determination of the Department of Housing Preservation and Development.

(10) Harassment

"Harassment" shall mean any conduct by or on behalf of an owner of a #multiple dwelling# that includes:

(i) the use or threatened use of force which causes or is intended to cause any person lawfully entitled to occupancy of a #dwelling unit# or #rooming unit# in

such #multiple dwelling# to vacate such unit or to surrender or waive any rights in relation to such occupancy;

(ii) the interruption or discontinuance of essential services which

(a) interferes with or disturbs or is intended to interfere with or disturb the comfort, repose, peace or quiet of any person lawfully entitled to occupancy of a #dwelling unit# or #rooming unit# in the use or occupancy of such #dwelling unit# or #rooming unit#, and

(b) causes or is intended to cause such person lawfully entitled to occupancy of such #dwelling unit# or #rooming unit# to vacate such #dwelling unit# or #rooming unit# or to surrender or waive any rights in relation to such occupancy;

(iii) a failure to comply with the provisions of subdivision (c) of section 27-2140 of article seven of subchapter five of the Housing Maintenance Code which causes or is intended to cause such person lawfully entitled to occupancy of such #dwelling unit# or #rooming unit# to vacate such unit or to waive any rights in relation to such occupancy; or

(iv) any other conduct which prevents or is intended to prevent any person from the lawful occupancy of such #dwelling unit# or #rooming unit# or causes or is intended to cause such person lawfully entitled to occupancy of such #dwelling unit# or #rooming unit# to vacate such #dwelling unit# or #rooming unit# or to surrender or waive any rights in relation to such occupancy, including but not limited to removing the possessions of any occupant from the #dwelling unit# or #rooming unit#; removing the door at the entrance to the #dwelling unit# or #rooming unit#; removing, plugging or otherwise rendering the lock on such entrance door inoperable; or changing the lock on such entrance door without supplying the occupant with a key.

(11) Inquiry period

"Inquiry period" shall mean a period which:

(i) commences upon the later of the #referral date# or a date which is 15 years prior to the #application date#, and

(ii) terminates upon the #application date#;

provided, however, that the Department of Housing Preservation and Development may:

(a) set such commencement date upon any date which is on or after the #referral date# and is more than 15 years prior to the #application date# where it determines that such extension of the duration of the inquiry period would further the purposes of this Section, and

(b) extend such termination date up to and including the date upon which the Department of Housing Preservation and Development determines to grant or deny a #certification of no harassment#.

(12) Low income housing

"Low income housing" shall mean #dwelling units# or #rooming units# occupied or to be occupied by persons or families having an annual household income at the time of initial occupancy equal to or less than 80 percent of the median income for the primary metropolitan statistical area, as determined by the United States Department of Housing and Urban Development or its successors from time to time for a family of four, as adjusted for family size.

(13) Material alteration

"Material alteration" shall mean any alteration to a #multiple dwelling# or other #building#, including, but not limited to, an alteration which reduces or increases the #floor area# of the #multiple dwelling# or other #building#, #converts floor area# from #residential# to non-#residential use#, changes the number or layout of #dwelling units# or #rooming units#, or adds or removes kitchens or bathrooms; provided, however, that #material alteration# shall not include:

(i) an #incidental alteration# which does not change the layout of #dwelling units# or #rooming units#, or

(ii) a repair or replacement of existing elements of such #multiple dwelling# or other #building# without materially modifying such elements.

(14) Multiple dwelling

"Multiple dwelling" shall have the meaning set forth in the Multiple Dwelling Law.

(15) Referral date

"Referral date" shall mean June 21, 2004.

(16) Restrictive declaration

"Restrictive declaration" shall mean a legal instrument which:

(i) provides that #low income housing# in an amount not less than the #cure requirement# shall be provided in a new or altered #multiple dwelling# located in the #anti-harassment area#,

(ii) provides that the #low income housing# must comply with the requirements of Section 23-90 for rental #affordable housing# provided without #public funding#, as amended by this Chapter, unless any such requirement is waived by the Department of Housing Preservation and Development,

(iii) contains such other terms as the Department of Housing Preservation and Development shall determine,

(iv) has been approved by the Department of Housing Preservation and Development,

(v) runs with the land and binds all parties in interest to the #cure requirement lot# and their successors,

(vi) runs with the land and binds all parties in interest to the #cure compliance lot# and their successors, and

(vii) is perpetual in duration.

(17) Rooming unit

"Rooming unit" shall have the meaning set forth in the Housing Maintenance Code.

(b) Permit Process

(1) Unless the Department of Housing Preservation and Development has issued a #certification of no harassment# pursuant to paragraph (c) of this Section or has certified compliance with the cure provisions of paragraph (d) of this Section, the Department of Buildings shall not issue a permit for:

(i) the full or partial demolition of a #multiple dwelling# located in the #anti-harassment area#; or

(ii) the #material alteration# of a #multiple dwelling# located in the #anti-harassment area#.

(2) Any permit for alterations may be exempted from the provisions of this Section by written determination of the Department of Housing Preservation and Development that such alterations are to be performed solely for the purpose of either:

(i) making the public areas of a #multiple dwelling# accessible to persons with disabilities without altering the configuration of any #dwelling unit# or #rooming unit#; or

(ii) making a #dwelling unit# or a #rooming unit# accessible to persons with disabilities.

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

(i) any city-owned #multiple dwelling#;

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

(iii) any #multiple dwelling# initially occupied for residential purposes after January 1, 1974, except for

#buildings# which are or have been interim #multiple dwellings# pursuant to Article 7C of the Multiple Dwelling Law;

(iv) any #exempt hotel#;

(v) any #multiple dwelling# in which occupancy is restricted to clubhouse or school dormitory use and occupancy was restricted to clubhouse or school dormitory use on the #referral date#; and

(vi) any #exempt institutional residence#.

(4) Where the Department of Housing Preservation and Development has denied a #certification of no harassment# with respect to a #multiple dwelling#, the Department of Buildings shall not issue any permit with respect to any #multiple dwelling# or other #building# located on, or to be located on, the #cure requirement lot# except in accordance with paragraph (d) of this Section.

(c) Certification of No Harassment

(1) The Department of Housing Preservation and Development shall determine and certify whether there has been #harassment# of the lawful occupants of a #multiple dwelling# during the #inquiry period#.

(2) There shall be a rebuttable presumption that any of the acts or omissions described in paragraph (a)(10) of this Section occurring within the #inquiry period# were committed by or on behalf of the owner of such #multiple dwelling# and that such acts or omissions:

(i) were committed with the intent to cause a person lawfully entitled to occupancy of a #dwelling unit# or #rooming unit# in such #multiple dwelling# to vacate such unit or to surrender or waive a right in relation to such occupancy, and

(ii) materially advanced the demolition or alteration in furtherance of which the permit and #certification of no harassment# are sought.

(3) The Department of Housing Preservation and Development may promulgate rules regarding the implementation of this

Section. Such rules may include, but shall not be limited to, provisions which:

(i) establish the information to be required in an application for #certification of no harassment#, the form of such application, and the manner of filing of such application,

(ii) establish reasonable fees and charges to be collected from applicants for the administrative expenses incurred by the Department of Housing Preservation and Development, including, but not limited to, costs for publication of any notices, and

(iii) establish the duration for which a #certification of no harassment# will remain effective, and

(iv) authorize the recission of a #certification of no harassment# if the Department of Housing Preservation and Development finds either that #harassment# has occurred after the #inquiry period# or that the application for such #certification of no harassment# contained a material misstatement of fact. Following such recission, the Department of Buildings may revoke any permit for which such #certification of no harassment# was required.

(4) The Department of Housing Preservation and Development may refuse to accept, or to act upon, an application for a #certification of no harassment# where the Department of Housing Preservation and Development finds that:

(i) taxes, water and sewer charges, emergency repair program charges, or other municipal charges remain unpaid with respect to such #multiple dwelling#,

(ii) such #multiple dwelling# has been altered either without proper permits from the Department of Buildings or in a way that conflicts with the certificate of occupancy for such #multiple dwelling# (or, where there is no certificate of occupancy, any record of the Department of Housing Preservation and Development indicating the lawful configuration of such #multiple dwelling#) and such unlawful alteration remains uncorrected; or

(iii) the Department of Housing Preservation and Development has previously denied an application for a #certification of no harassment# pursuant to this Section.

(5) If the Department of Housing Preservation and Development determines that an application for a #certification of no harassment# contains a material misstatement of fact, the Department of Housing Preservation and Development may reject such application and bar the submission of a new application with respect to such #multiple dwelling# for a period not to exceed three years.

(6) Before determining whether there is reasonable cause to believe that #harassment# has occurred with respect to any #multiple dwelling#, the Department of Housing Preservation and Development shall publish a notice in such form and manner as shall be specified in the rules promulgated pursuant to paragraph (c)(3) of this Section. Such notice shall seek public comment regarding whether there has been #harassment# of the lawful occupants of such #multiple dwelling# from the #referral date# to the date of submission of comments. If the Department of Housing Preservation and Development receives comments containing material evidence that #harassment# occurred on or after the #referral date# and more than 15 years prior to the #application date#, the Department of Housing Preservation and Development shall, in accordance with paragraph (a)(11) of this Section, set the commencement of the #inquiry period# on a date prior to the date of such alleged harassment.

(7) The Department of Housing Preservation and Development shall determine whether there is reasonable cause to believe that #harassment# has occurred during the #inquiry period#.

(i) If there is no reasonable cause to believe that #harassment# has occurred during the #inquiry period#, the Department of Housing Preservation and Development shall issue a #certification of no harassment#.

(ii) If there is reasonable cause to believe that #harassment# has occurred during the #inquiry period#, the Department of Housing Preservation and Development shall cause a hearing to be held in such manner and upon such notice as shall be determined by the

Department of Housing Preservation and Development, unless the applicant waives the right to a hearing. Following receipt of the report and recommendation of the hearing officer, or receipt of a waiver of the right to such a hearing from the applicant, the Department of Housing Preservation and Development shall either grant or deny a #certification of no harassment#.

(8) The Department of Housing Preservation and Development may deny a #certification of no harassment# without a prior hearing if there has been a finding by the Division of Housing and Community Renewal or any court having jurisdiction that there has been harassment, unlawful eviction or arson at the #multiple dwelling# during the #inquiry period#.

(d) Certification of Cure for Harassment

(1) The Department of Housing Preservation and Development shall not certify compliance with the cure provisions of this paragraph to the Department of Buildings unless all parties in interest to the #cure requirement lot# and all parties in interest to the #cure compliance lot# have entered into a #restrictive declaration#.

(2) Any permit or certificate of occupancy issued by the Department of Buildings with respect to any structure located on a #cure requirement lot# or a #cure compliance lot# shall be subject to the following conditions:

(i) The Department of Buildings shall not issue any permit, except a permit for an alteration which is not a #material alteration#, with respect to any structure located on the #cure requirement lot# unless the #restrictive declaration# has been recorded in the Office of the City Register and indexed against each tax lot within the #cure requirement lot# and each tax lot within the #cure compliance lot#.

(ii) The Department of Buildings shall not issue any temporary or permanent certificate of occupancy for any new or existing structure or portion thereof on the #cure requirement lot#, other than any #low income housing# located on the #cure requirement lot#, until:

(a) the Department of Housing Preservation and Development certifies that the #low income housing# required by the #restrictive declaration# has been completed in compliance with the #restrictive declaration#; and

(b) the Department of Buildings has issued a temporary or permanent certificate of occupancy for each unit of such #low income housing#.

(iii) The Department of Buildings shall include the occupancy restrictions of the #restrictive declaration# in any temporary or permanent certificate of occupancy for any new or existing structure or portion thereof on the #cure compliance lot#. Failure to comply with the terms and conditions set forth in the #restrictive declaration# shall constitute a violation, and a basis for revocation, of any certificate of occupancy containing such restriction.

(iv) The Department of Buildings shall include the occupancy restrictions of the #restrictive declaration# in any temporary or permanent certificate of occupancy for any new or existing structure or portion thereof on the #cure requirement lot#, except where:

(a) the #cure requirement lot# is not the #cure compliance lot#; and

(b) the management and operation of the #cure compliance lot# is wholly controlled by, and the #restrictive declaration# requires that management and operation of the #cure compliance lot# remain wholly controlled by, an independent not-for-profit administering agent that is not affiliated with the owner of the #cure requirement lot#.

Failure to comply with the terms and conditions set forth in the #restrictive declaration# shall constitute a violation, and a basis for revocation, of any certificate of occupancy containing such restriction.

(3) No portion of the #low income housing# required under this Section shall qualify to:

(i) increase the #floor area ratio# pursuant to the provisions of Section 23-90, as modified by the provisions of the #Special Hudson Yards District# and the #Special Garment Center District#; or

(ii) satisfy an eligibility requirement of any real property tax abatement or exemption program with respect to any #multiple dwelling# that does not contain such #low income housing#.

(e) Demolition in Subareas 4 and 5 of the Hell's Kitchen Subdistrict D

Notwithstanding any provision of paragraph (a)(5) of this Section or paragraph (d) of this Section to the contrary, with regard to any #multiple dwelling# to be demolished in Subareas 4 and 5 of the Hell's Kitchen Subdistrict D of the #Special Hudson Yards District#, #cure requirement# shall mean #floor area# in an amount not less than the greater of:

(i) 40 percent of the total #residential# or #hotel floor area# of any #multiple dwelling# to be demolished in which #harassment# has occurred; or

(ii) 30 percent of the total #floor area# of any new #building# on the same #zoning lot# as the #multiple dwelling# to be demolished.

(10/27/10)

93-91
Demolition

The Department of Buildings shall not issue a permit for the demolition of a #multiple dwelling#, as defined in Section 93-90 (HARASSMENT), paragraph (a)(14), located within Subareas D4 or D5 in the Hell's Kitchen Subdistrict D or within Preservation Area P-2 of the #Special Garment Center District#, or an alteration permit for the partial demolition of a #multiple dwelling# located within Subareas D4 and D5 or within Preservation Area P-2 of the #Special Garment Center District#, where such partial demolition would decrease the amount of #residential floor area# in such #multiple dwelling# by 20 percent or more, unless:

(a) such #multiple dwelling# is an unsafe #building# or an emergency exists such that demolition is required pursuant to the provisions of Title 28, Chapter 2, Articles 215 or 216 of the New York City Administrative Code; or

(b) the Commissioner of the Department of Housing Preservation and Development, after providing 60 days notice and opportunity to comment to the local Community Board, has certified:

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

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

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

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

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

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

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

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

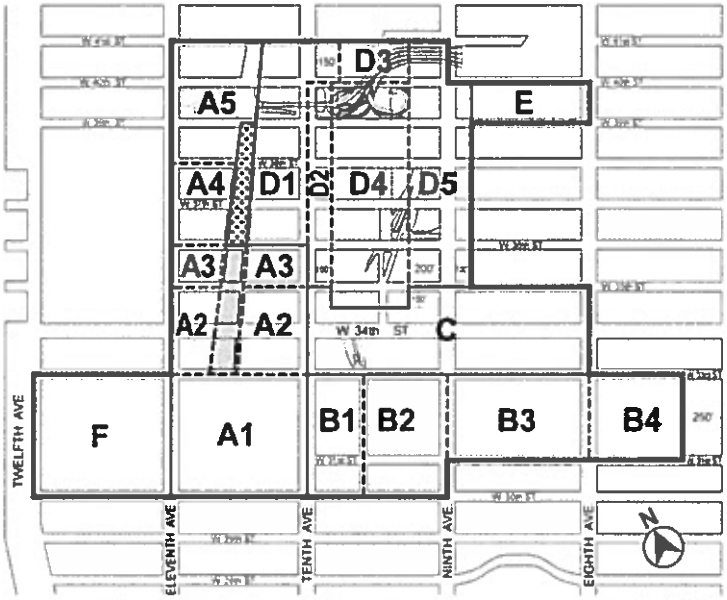
(5) any #multiple dwelling# in which occupancy is restricted to clubhouse or school dormitory #use# and occupancy was

restricted to clubhouse or school dormitory #use# on June 21, 2004; or

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

Appendix A
Special Hudson Yards District

(12/21/09)
Map 1 - Special Hudson Yards District, Subdistricts and Subareas (93-A1)



Special Hudson Yards District
Subdistricts
Subareas within subdistricts
Phase 1 Hudson Boulevard and Park
Phase 2 Hudson Boulevard and Park

Large-Scale Plan Subdistrict A
Eastern Rail Yards Subarea A1
Four Corners Subarea A2
Subareas A3 through A5

Farley Corridor Subdistrict B
Western Blocks Subarea B1
Central Blocks Subarea B2
Farley Post Office Subarea B3
Pennsylvania Station Subarea B4

34th Street Corridor Subdistrict C

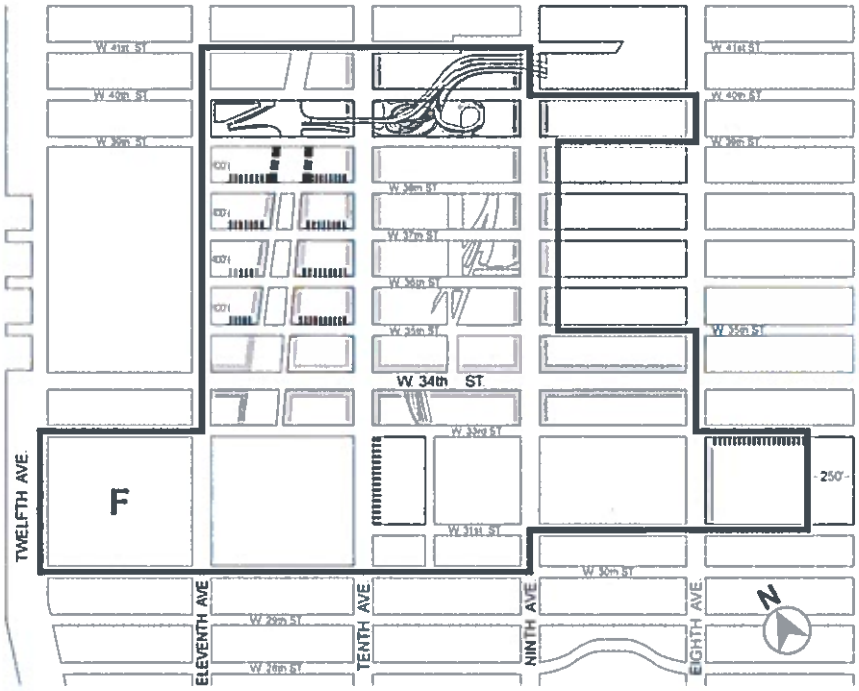
Hell's Kitchen Subdistrict D
Subareas D1 through D5

South of Port Authority Subdistrict E

Western Rail Yard Subdistrict F

(12/21/09)

Map 2 - Mandatory Ground Floor Retail (93-A2)



Special Hudson Yards District

100% Retail and Glazing Requirement

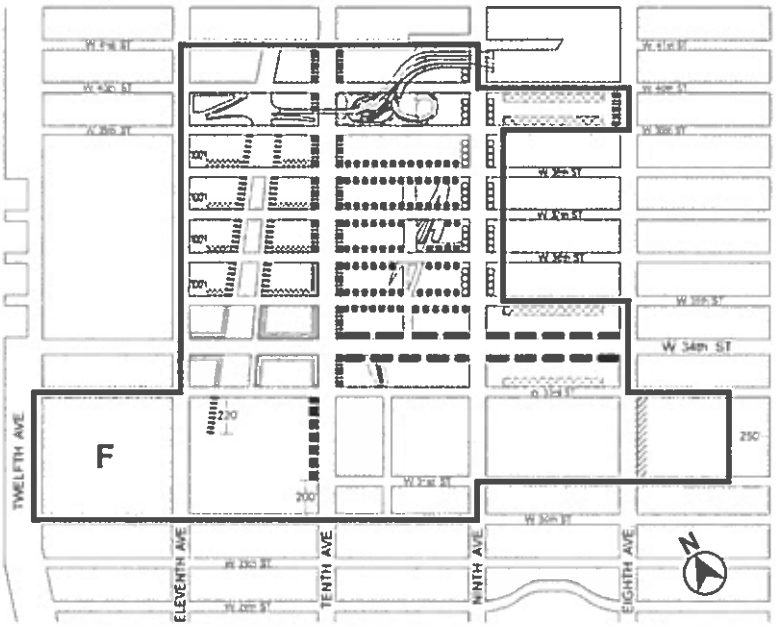
50% Retail and Glazing Requirement

Glazing Requirement Only

F Subdistrict F (See Map 9 for Mandatory Ground Floor requirements)

(6/29/10)

Map 3 - Mandatory Street Wall Requirements (93-A3)



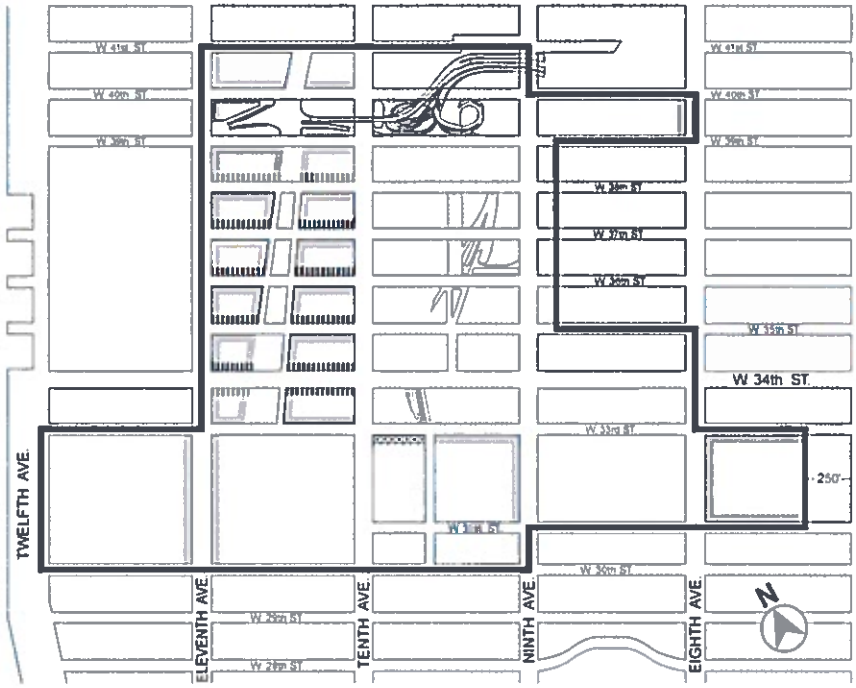
Special Hudson Yards District

	Minimum Base Height	Maximum Base Height	Percentage of zoning lot street frontage that must be occupied by a street wall
	60'	85'	100%
	60'	85'	None
	60'	120'	50%
	80'	90'	100%
	90'	120'	70%
	60'	150'	70%
	90'	120'	100%
	90'	150'	100%
	90'	150'	70%
	90'	150'	35%
	120'	150'	100%

F Subdistrict F (See Map 10 for Street Wall requirements)

(12/21/09)

Map 4 - Mandatory Sidewalk Widenings (93-A4)



Special Hudson Yards District

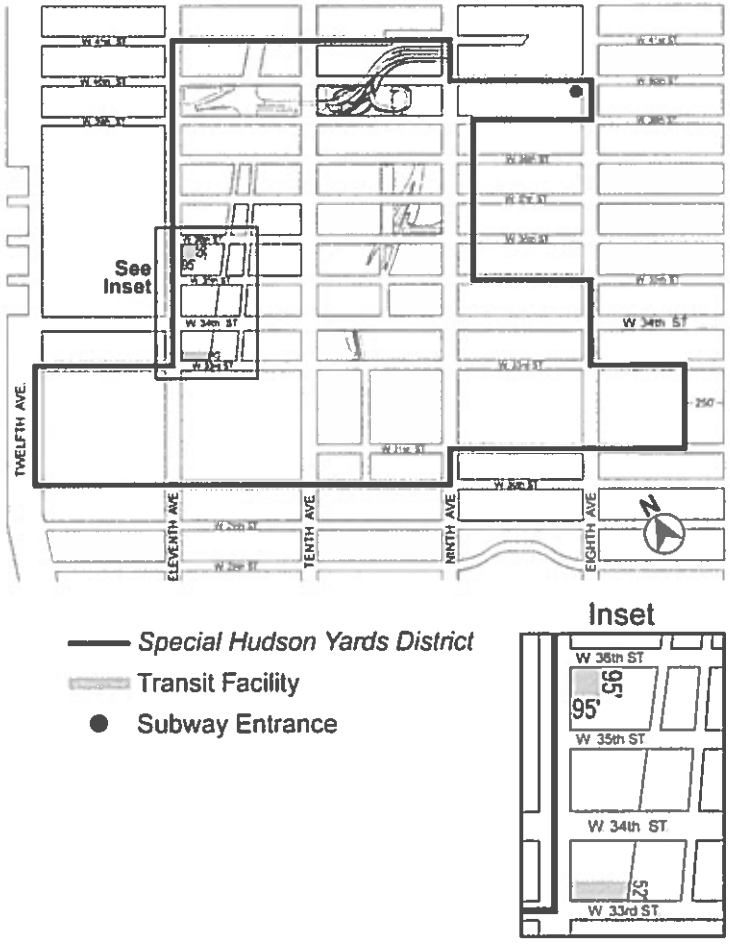
10' Sidewalk widening

5' Sidewalk widening

5' Sidewalk widening required if more than 75% of the total floor area existing on the zoning lot on January 19, 2005 is demolished

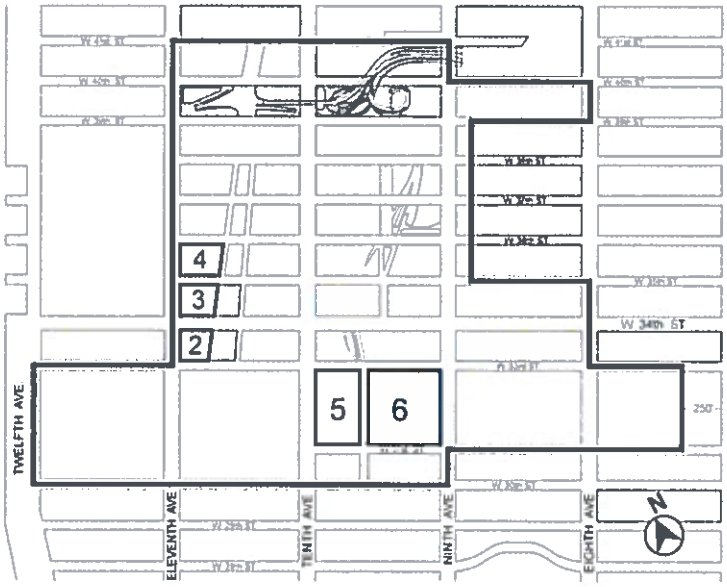
(10/27/10)

Map 5 - Transit Facilities (93-A5)



(4/14/10)

Map 6 - Sites Where Special Parking Regulations Apply (93-A6)



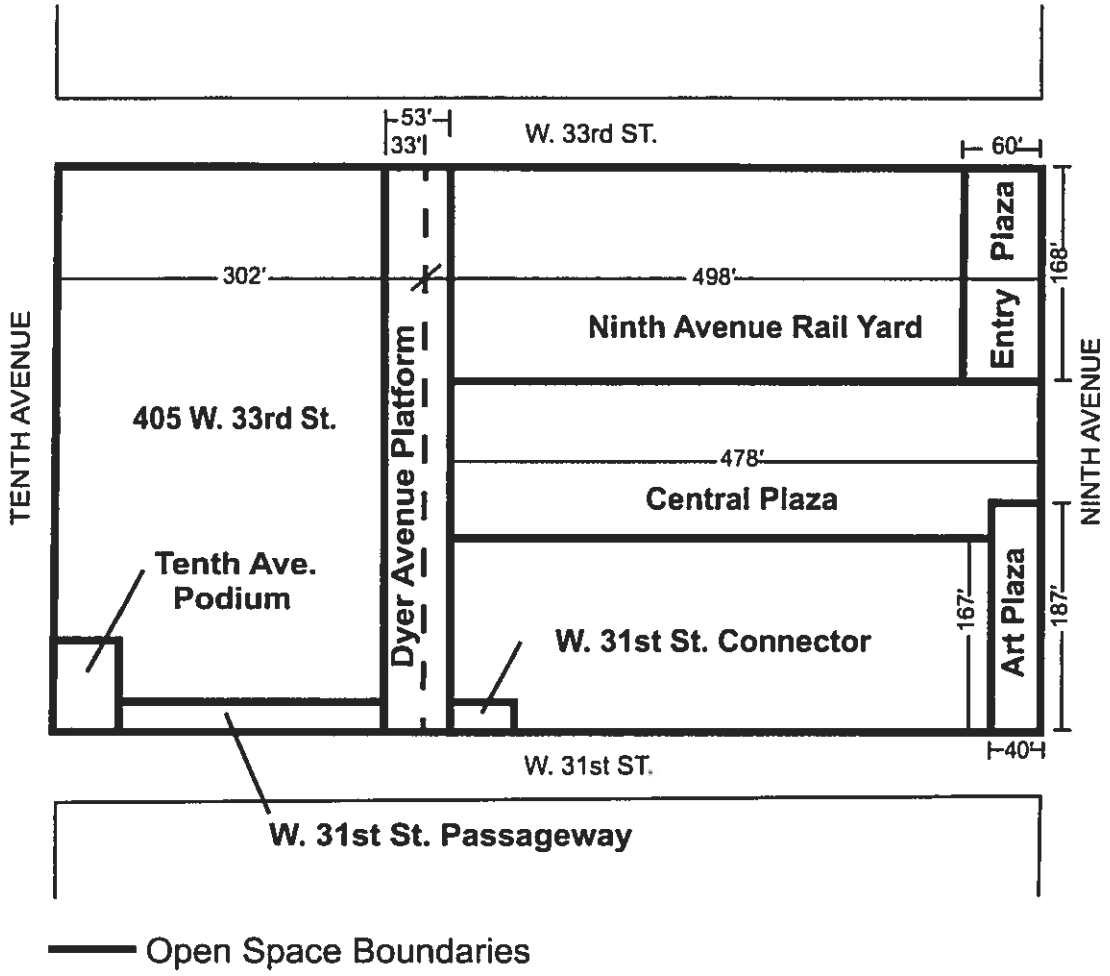
Special Hudson Yards District

Sites with Special Parking Regulations

Appendix B
Special Hudson Yards Subdistricts Maps

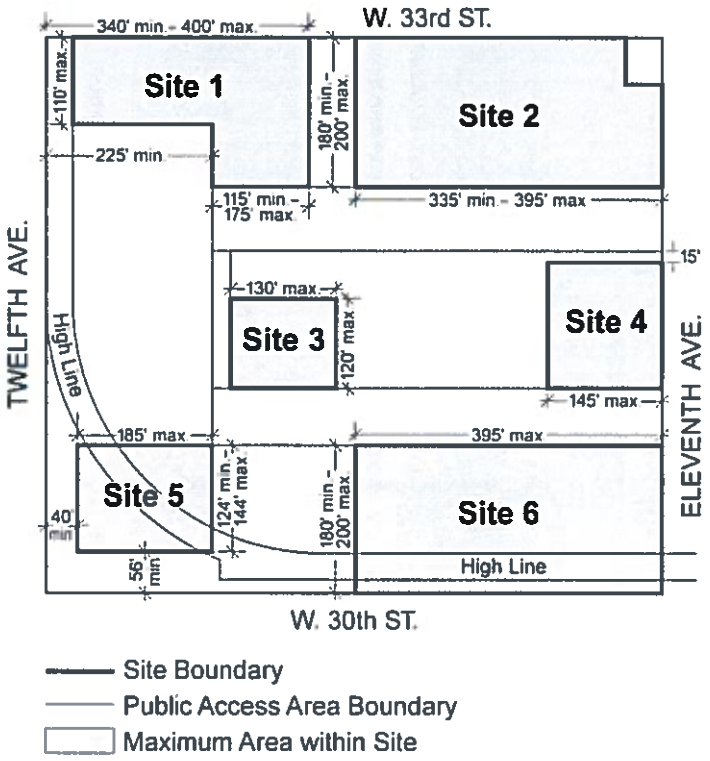
(8/9/17)

Map 1 - Subdistrict B: 450 West 33rd Street and Ninth Avenue Rail Yard Public Access Area Plan (93-B1)



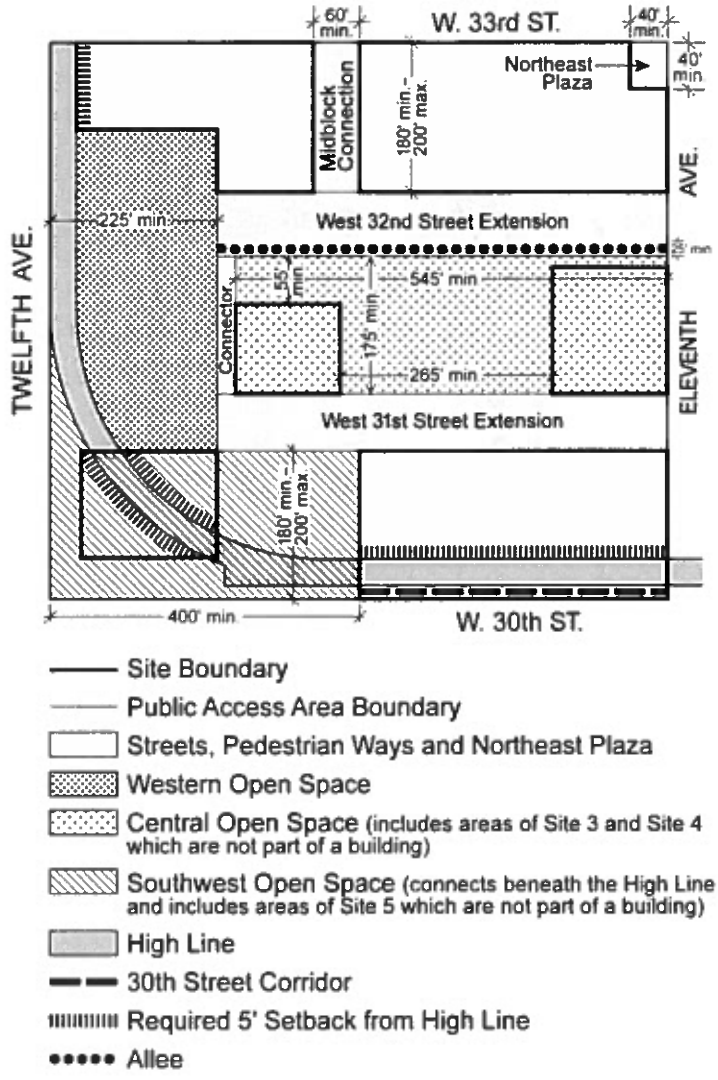
(4/29/14)

Map 2 - Subdistrict F: Site Plan (93-B2)



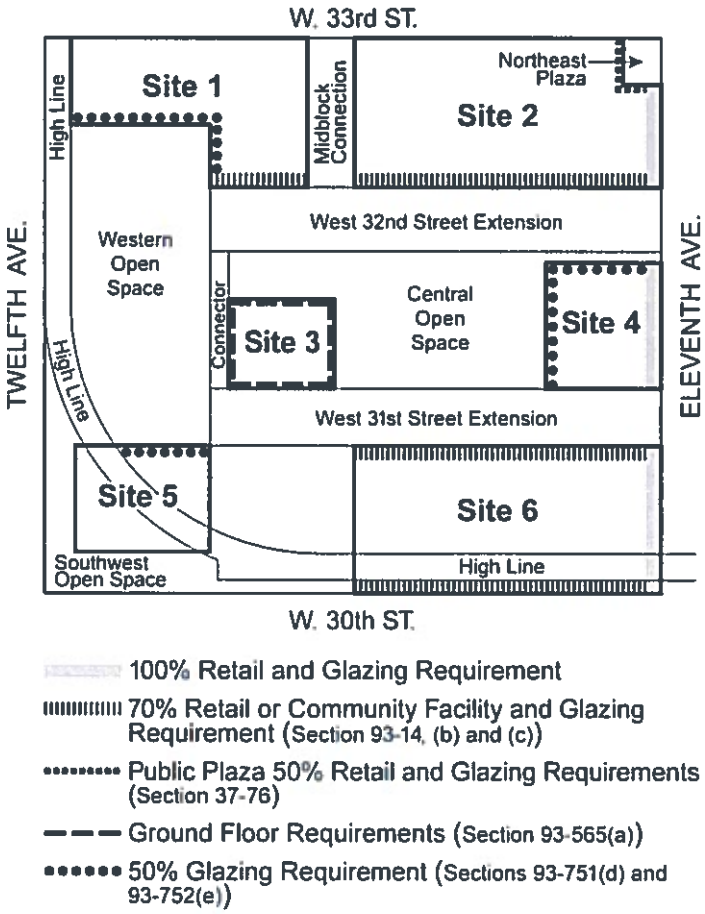
(4/29/14)

Map 3 - Subdistrict F: Public Access Area Plan (93-B3)



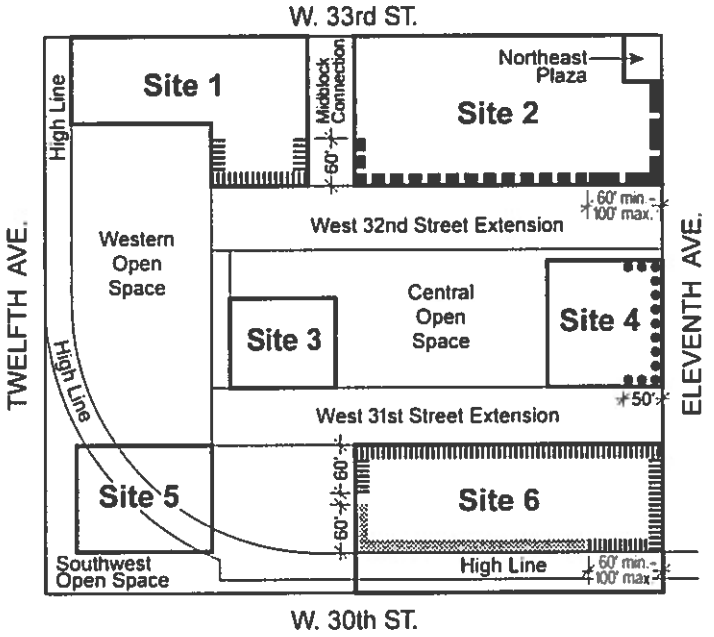
(4/29/14)

Map 4 - Subdistrict F: Mandatory Ground Floor Requirements (93-B4)



(4/29/14)

Map 5 - Subdistrict F: Mandatory Street Wall Requirements (93-B5)



	Minimum Base Height	Maximum Base Height	Percentage of frontage that must be occupied by a street wall	Percentage of street wall which must recess	Maximum percentage of street wall which may set back
	50'*	60'*	100%	20%	30%
	60'	90'	100%	20%	30%
	90'	120'	100%	20%	50%
	90'	120'	100%	20%	30%
	120'	150'	100%	20%	30%

*As measured above the High Line bed