Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

93-731 - Design and maintenance requirements for public access areas on the Ninth Avenue Rail Yard

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8/9/2017

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.