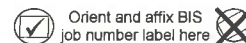




CCD1: Construction Code Determination Form



Must be typewritten.

1 Location Information Required for all requests on filed applications.

House No(s) 550

Street Name WEST 34TH STREET

Borough Manhattan

Block 705

Lot 1

BIN 1089412

CB No. 104

2 Applicant Information Required for all requests on filed applications.

Last Name O'CONNOR

First Name MICHELE

Middle Initial

Business Name LANGAN ENGINEERING & ENVIRONMENTAL SERVI

Business Telephone (212) 479-5400

Business Address 21 PENN PLAZA 360 WEST 31ST STREET, 8TH FLOOR

Business Fax (212) 479-5444

City NEW YORK

State NY

Zip 10001

Mobile Telephone () -

E-Mail MOCONNOR@LANGAN.COM

License Number 086302

License Type ☒ P.E. ☐ R.A. ☐ RLA

DOB PENS ID # (if available)

3 Attendee Information Required if different from Applicant in section 2 or no Applicant.

Relationship to the property: ☒ Filing Representative ☐ Attorney ☐ Other:

Last Name MATTY

First Name ADAM

Middle Initial J

Business Name KM ASSOCIATES OF NY, INC.

Business Telephone (212) 563-6760

Business Address 158 WEST 29TH STREET 7TH FLOOR

Business Fax (212) 563-6753

City NEW YORK

State NY

Zip 10001

Mobile Telephone (646) 423-7655

E-Mail amatty@kmaofny.com

License/Registration # (if P.E./R.A./Attorney) 001820

DOB PENS ID # (if available) 4702

4 Nature of Request Required for all requests. Only one request may be submitted per form.

Note: Do not use this form for Zoning Resolution determination requests - use ZRD1 form

Appointment is requested with:

☐ Borough Commissioner's Office

☒ Technical Affairs

Job associated with this request?

☒ Yes (provide job#/doc#/examiner name below)

☐ No

121184841 Job Number: ~~140254784~~

Document Number: 01

Examiner: ~~UNSPECIFIED~~ Damian Titus

Has this request been previously denied? ☒ Yes (attach all denied request form(s) and attachment(s))

☐ No

Indicate total number of pages submitted with this request, including attachments:

(attachment may not be larger than 11" x 17")

Construction Code (if applicable):

☐ 2014 Code

☒ 2008 Code

☐ 1968 Code

☐ Prior to 1968 Code

Indicate relevant code section(s), rule(s), etc: 2008 Building Code section 406.7.6.1

(This request is filed in conjunction with NB application #121184841)

Indicate all Buildings Department officials that you have previously reviewed this issue with (if any):

☒ Borough Commissioner

☐ Code & Zoning Specialist

☐ General Counsel's Office

☐ Deputy Borough Commissioner

☐ Chief Plan Examiner

☐ Other:

ADMINISTRATIVE USE ONLY

Reference #: 41776

Appointment date:

Appointment time:

Appointment Scheduled With: M.Kaminer, K.Steinhouse, W.Lai

Comments:

REVIEWED BY

Marshall A. Kaminer, PE

Executive Engineer

Technical Affairs

Reviewed By:

Date

Time:

[Signature]

APPROVED
WITH CONDITIONS

Date 11/12/2015

Page 1 of 10

Control No. (41776)

5	Description of Request (additional space is available on page 3)
<p>This is a request for:</p> <p><input type="checkbox"/> Interpretation or clarification</p> <p><input checked="" type="checkbox"/> Variation of Building Code or Rules per § 28-103.3 (please state in detail the practical difficulty that is specific to this project, and provide the analysis as to equally safe alternative, as per NYC Charter Section 645(b)(2))</p> <p><input type="checkbox"/> Variation of Multiple Dwelling Law (MDL) § 277.16 for Article 7B Buildings (please state in detail the practical difficulty that is specific to this project and provide the analysis as to equally safe alternative, as per NYC Charter Section 645(b)(2))</p> <p><i>Note: Variations of any other MDL provisions must be filed with the Board of Standards and Appeals (BSA) per MDL § 310.</i></p>	

Please itemize all attachments, including plans/sketches, submitted with this form. If this is based on a plan examiner objection, type in the applicable objection text exactly as it appears on the objection sheet.

Re: 550 West 34th Street aka 55 Hudson Yards, Manhattan

The project is a new commercial building located at 550 West 34th Street. It is within Subarea A2 of the Special Hudson Yards District on the west side of the new Hudson Boulevard & on the north side of West 33rd Street. The Project Site is an approximately 40,000 sf parcel bounded by Eleventh Avenue on the west, West 33rd Street on the south, West 34th Street on the north, and Hudson Park on the east.

Per Zoning Article 3, Chapter 6, Section 36-62: Required Accessory Off-Street Loading Berths, four (4) loading berths are required for the proposed development at 550 West 34th Street. This four berth requirement is calculated for the C6 zoning district based on an office use with less than 25,000 sf of Ground Floor retail and a total ZFA of 1,117,789 sf.

We are requesting relief from 2008 Building Code section 406.7.6.1 as it relates to the maximum length and required spacing of curb cuts. The proposed development consists of a commercial tower built atop and adjacent to an existing NYCT station and vent facility. The existing NYCT subway structure, which fronts on West 33rd Street (60-ft wide; one-way, westbound) was constructed with four loading berths for the mutual benefit of NYCT and the property owner. As-of-right curb cuts will not provide adequate access to the berths and would require trucks to mount full-height curbs in order to service the building.

The proposed layout includes two curb cuts, measuring 17.4-ft and 41.5-ft long, with a 3-ft long full-height curb separating the two. The sidewalk is approximately 18-ft wide in this area (5-ft building setback and 13-ft public sidewalk). Refer to attached CSK-22 for proposed layout.

It is in consideration of the above that we request a favorable determination from your department and allow us to construct the curb cuts as depicted herein.

Note: Buildings Department Determination will be issued on the CCD1 Response Form

ADMINISTRATIVE USE ONLY	<p style="text-align: center;">REVIEWED BY</p> <p style="text-align: center;">Marshall A. Kaminer, PE</p> <p style="text-align: center;">Executive Engineer Date: Time:</p> <p style="text-align: center;">Technical Affairs</p>
Reviewed By:	


APPROVED
WITH CONDITIONS
 Date **11/12/2015**
 Page **2 of 10**
 Control No. **(41776)**

12/14

**See comments on
pages 4 to 5**

6	Description of Request (use this section if additional space is required for description)
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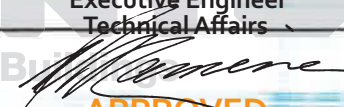
Note: Buildings Department Determination will be issued on the CCD1 Response Form

7	Statements and Signature Required for all requests
----------	-----------------------------------------------------------

I hereby state that all of the above information is correct and complete to the best of my knowledge. Falsification of any statement is a misdemeanor and is punishable by a fine or imprisonment, or both. It is unlawful to give to a City employee, or for a City employee to accept, any benefit, monetary or otherwise, either as a gratuity for properly performing the job or in exchange for special consideration. Violation is punishable by imprisonment or fine, or both.

Name (please print) MICHELE O'CONNOR	
Signature 	Date 8/4/15
	
P.E. / R.A. Seal (apply seal then sign and date over seal - not required for Attorneys on unfilled applications)	

ADMINISTRATIVE USE ONLY	REVIEWED BY Marshall A. Kaminer, PE Executive Engineer Technical Affairs	Date: _____ Time: _____
Reviewed By: _____		


APPROVED WITH CONDITIONS
 Date **11/12/2015**
 Page **3 of 10**
 Control No. **(41776)**

12/14

See comments on pages 4 to 5

ZRD1/CCD1 Response Form

Location Information (To be completed by a Buildings Department official if applicable)

House No(s) 550

Street Name West 34 Street

Borough Manhattan

Block 705

Lot 1

BIN 1089412

Job No. 121184841

DETERMINATION (To be completed by a Buildings Department official)

Request has been: ☐ Approved ☐ Denied ☒ Approved with conditions

Follow-up appointment required? ☐ Yes ☒ No

Primary Zoning Resolution or Code Section(s): BC 406.7.6 (2008 Building Code)

Other secondary Zoning Resolution or Code Section(s):

Control Number: 41776

Comments:

The request that two curb cuts, measuring 17.4 ft. and 41.5 ft. in width, including splays, which accesses accessory off-street loading berths located within a building are not subject to the Building Code provisions for curb cuts accessing open parking lots is hereby approved with conditions.

Located within the new 51-story office building on the ground level will be four required accessory off-street loading berths, accessed by two curb cuts fronting on West 33rd Street, which, including the curb cut splays, will be 17.4 ft. and 41.5 ft. in width. (In the approved set of plans filed with the HUB under New Building application No. 121184841, four accessory off-street loading berths are shown on the ground level on Dwg. No. Z-005.00. However, in the same set of approved plans on Dwg. No. Z-102.00, eight accessory off-street loading berths are shown. The eight loading berths, occupying a total floor space area of 3168 sq. ft., were deducted from the gross floor area of the building. In addition, the Schedule A form filed with the New Building application did not indicate the proposed number of "accessory off-street loading berths.") The building is located within the C6-4 District in Subdistrict A in Subarea A2 in the Special Hudson Yards District, pursuant to Map No. 1 in Appendix A in Article IX, Chapter 3 in the Zoning Resolution.

In the CCD1, the applicant cites to the curb cut provisions in BC 406.7.6 in the 2008 Building Code. However, BC 406.7.6 is a subsection of BC 406.7, which pertains to "open parking lots," defined in BC 406.7.2 as "[a]n exterior space with surfacing at grade used for the storage or sale or more than four motor vehicles, including but not limited to parking lots, motor vehicles sales lots, and accessory open parking spaces." Per the approved Site Plan on Dwg. No. Z-001.00 from New Building application No. 121184841, two curb cuts provide access to accessory off-street loading berths located within the interior of the building and not located in an exterior space. As such, the two proposed curb cuts are not subject to the provisions pertaining to curb cuts which access "open parking lots."

Provisions for open and enclosed parking garages, pursuant to BC 406.3 and BC 406.4, respectively, do not include regulations for curb cuts accessing loading berths located within such buildings.

In addition, ZR 92-052 in the Special Hudson Yards District states that "[t]he following provisions of Article I, Chapter 3, governing ... off-street loading berths shall apply to Subdistricts ... B ..., as applicable: ... (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." The proposed accessory off-street loading berths shall be subject to the Continued on page 5.

Name of Authorized Reviewer (please print): Marshall A. Kaminer, P.E.

Title (please print): Chair, Code and Zoning Task Force

Authorized Signature:

REVIEWED BY
Marshall A. Kaminer, PE

Date:

Time:

Issuers: write signature, date, and time on each page of this form and attach this form.

Note: Determination will expire if construction document approval is not obtained within 12 months of issuance.

APPROVED
WITH CONDITIONS

Date 11/12/2015

Page 4 of 10

Control No. (41776)

See comments on
pages 4 to 5

ZRD1/CCD1 Response Form

Location Information (To be completed by a Buildings Department official if applicable)

House No(s) 550

Street Name West 34 Street

Borough Manhattan

Block 705

Lot 1

BIN 1089412

Job No. 121184841

DETERMINATION (To be completed by a Buildings Department official)

Request has been: ☐ Approved ☐ Denied ☒ Approved with conditions

Follow-up appointment required? ☐ Yes ☒ No

Primary Zoning Resolution or Code Section(s): BC 406.7.6 (2008 Building Code)

Other secondary Zoning Resolution or Code Section(s):

Control Number: 41776

Comments:

Continued from page 4.

provisions in ZR 13-30, including ZR 13-31 (Modifications of Minimum Size of Loading Berth). The dimensions of the proposed loading berths are not shown in the submitted plans; as such, the allowable floor area deductions for the loading berths cannot be ascertained.

Therefore, the above stated request is hereby approved provided the borough plan examiner verifies the following conditions:

- (1) Plans demonstrate that all accessory off-street loading berths accessed by the two curb cuts, measuring 17.4 ft. and 41.5 ft. in width, including splays, are enclosed within a building;
- (2) Plans filed with New Building application No. 121184841 (e.g., Dwg. Nos. Z-005.00 and Z-102.00, etc.) are amended to show four proposed accessory enclosed off-street loading berths and the Schedule A form is amended to indicate a total of four proposed accessory off-street loading berths located in the first story;
- (3) Plans filed with New Building application No. 121184841, pursuant to ZR 92-052(d), demonstrate compliance with ZR 13-30, including ZR 13-31 pertaining to the minimum size of loading berths;
- (4) The zoning analysis filed with New Building application No. 121184841 is amended to show the correct amount of floor space occupied by the four accessory off-street loading berths and the amount of such floor space that may be deducted from the building's "floor area" complies with the ZR 12-10(7) definition, which only excludes up to 200 percent of floor space used for required off-street loading berths, not permitted ones. Plans must also demonstrate that the proposed floor area ratios for all proposed uses within the zoning lot complies with the maximum allowed floor area ratio, as set forth in the applicable district regulations in the Zoning Resolution;
- (5) The Builders Pavement Plan ("BPP"), filed under the permitted Alteration Type III application No. 140254784, is amended to match the size and layout of the two proposed curb cuts shown in New Building application No. 121184841 and as described above; and
- (6) Plans demonstrate that a visual and audible alarm system will be installed to alert sidewalk pedestrians of vehicular movement in the loading berth areas and driveways.

Name of Authorized Reviewer (please print): Marshall A. Kaminer, P.E.

Title (please print): Chair, Code and Zoning Task Force

Authorized Signature:

REVIEWED BY
Marshall A. Kaminer, PE

Date:

Time:

Issuers: write signature, date, and time on each page of this form and attach this form.

Note: Determination will expire if construction document approval is not obtained within 12 months of issuance.

APPROVED
WITH CONDITIONS
Date 11/12/2015
Page 5 of 10
Control No. (41776)

See comments on
pages 4 to 5

WEST 34TH STREET
100'-0" WIDE - WIDE STREET

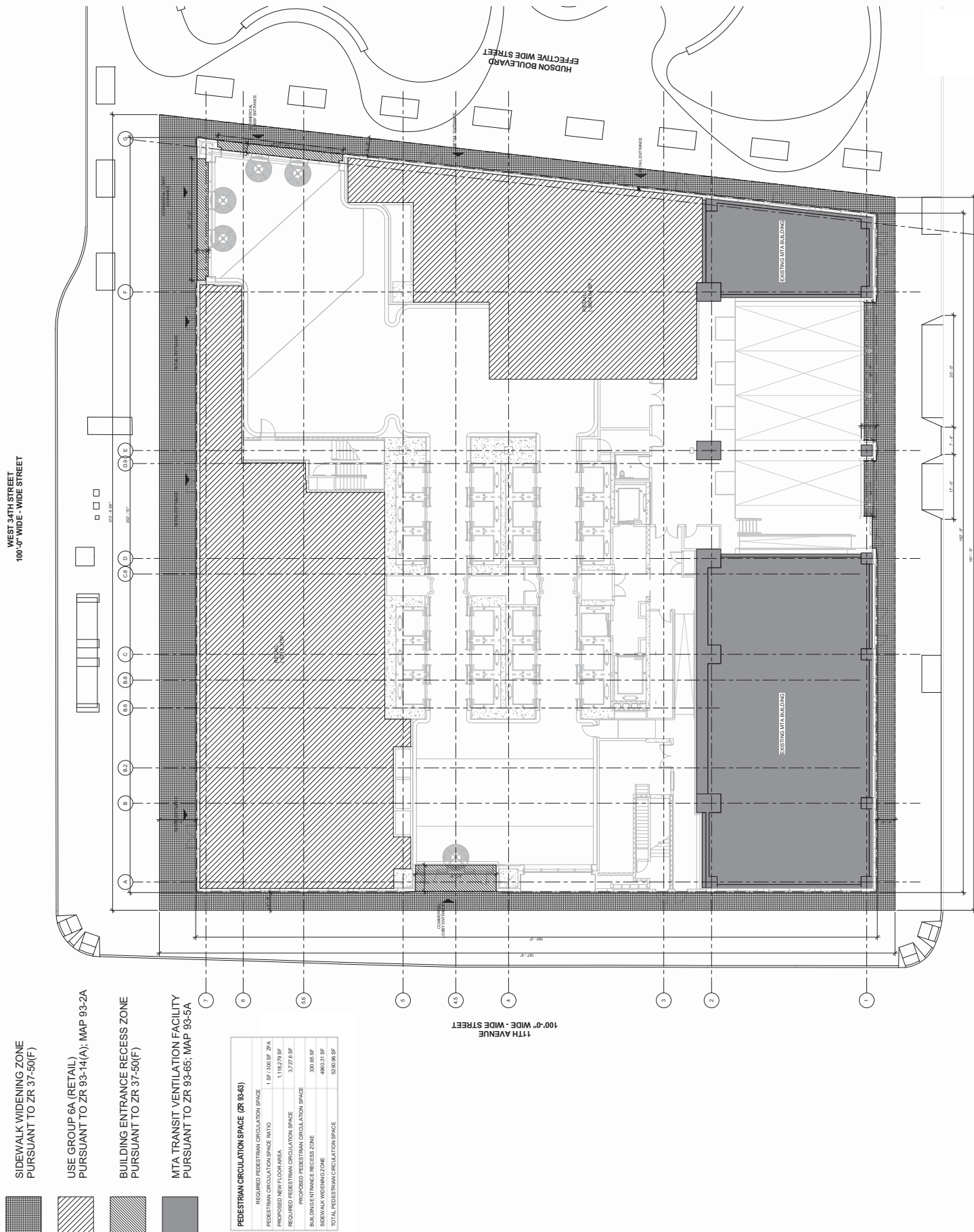


REVIEWED BY
Marshall A. Kammer, PE
Executive Engineer
Technical Affairs - 600
M. A. Kammer
APPROVED
WITH CONDITIONS
Date **11/12/2015**
Page **8 of 10**
Control No. **(41776)**

**See comments on
pages 4 to 5**

[illegible][illegible]

ZONING REQUIREMENTS, GROUND LEVEL

Z-005.00
0.5 mg / 500 mg

GROUND LEVEL REQUIREMENTS

WEST 33RD STREET
 60'-0" WIDE - NARROW STREET
 MARSHALL

REVIEWED BY: **WES**
Marshall 50 **50** **50**
 Based on the **50** **50** **50**
 Technical **50** **50** **50**
APPROVED
WITH CONDITIONS
 11/12/2015
 Page 9 of 10



Chair	Robert C. Thompson The Clorox Company 220 California Circle Folsom, CA 95632 Tel.: 212.381.1000 Fax: 212.381.1048
Vice-Chair	Richard A. Hirsch Oxford Properties Group 320 Park Avenue, 18th Floor New York, NY 10022 Tel.: 212.360.7514 Fax: 212.360.7510
Secretary	John W. Paddock America, Inc. 1555 New York Ave. 10020 New York, NY 10020 Tel.: 212.341.5600 Fax: 212.413.5637
Member-at-Large	Michael J. Heston Heston & Stent 11 West 42nd Street New York, NY 10016 Tel.: 212.377.7600 Fax: 212.376.2526
Member-at-Large	William B. Swager SWB 320 Park Avenue, 18th Floor New York, NY 10022 Tel.: 212.673.9883 Fax: 644.481.5500
Member-at-Large	Michael J. Heston Heston & Stent 11 West 42nd Street New York, NY 10016

ELECTRICAL

ZIFA AREA, FLOOR 01	
Name	Area
GR	74.39
GR	46.75
GR	107.57
EG	31.39
LO	3976.54
LO	3976.54
LO	3976.54
LO	3976.54
LO	3976.54
LO	3976.54
LO	3976.54
LO	3976.54
ME	28.39
ME	14.39
ME	14.39
ME	67.39
ME	67.39
MRR	41.39
MZ	44.39
MZ	34.39
PL	17.39
PL	13.39

Level	GROSS FLOOR AREA	TOTAL DEDUCTIONS	ZONING FLOOR AREA
GROUND FLOOR (15,424.60 S.F.)	2,092.77	3,709.51	201,803.51



① GROUND FLOOR (PLAZA LEVEL)