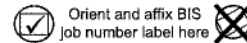




CCD1: Construction Code Determination Form

Must be typewritten.



1 Location Information Required for all requests on filed applications.

House No(s) 501 Street Name WEST 30TH STREET
Borough MANHATTAN Block 702 Lot 50 BIN 1012456 CB No. 104

2 Applicant Information Required for all requests on filed applications.

Last Name GREENE First Name MICHAEL Middle Initial
Business Name KOHN PEDERSON FOX ASSOCIATES Business Telephone 212 237 3503
Business Address 11 WEST 42ND STREET Business Fax (212) 956-2526
City NEW YORK State NY Zip 10036 Mobile Telephone
E-Mail MTownsend@kpf.com License Number 018052
License Type ☒ P.E. ☐ R.A. 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 BATISTA First Name ARELIS Middle Initial
Business Name THE RELATED COMPANIES Business Telephone (212) 801-3476
Business Address 60 COLUMBUS CIRCLE 19TH FLOOR Business Fax (212) 801-1048
City NEW YORK State NY Zip 10023 Mobile Telephone (646) 573-3391
E-Mail ARELIS.BATISTA@RELATED.COM License/Registration # (if P.E./R.A./Attorney)
DOB PENS ID # (if available) B04671

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

Determination request issued to: ☒ Borough Commissioner's Office ☒ Technical Affairs
Job associated with this request? ☐ Yes (provide job#/doc#/examiner name below) ☒ No
Job Number: Document Number: Examiner:
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): ☐ 2008 Code ☐ 1968 Code ☐ Prior to 1968 Code
Indicate relevant code section(s), rule(s), etc:

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 #:	Appointment date: Appointment time:
Appointment Scheduled With:	
Comments:	
Reviewed By:	Date Time:

REVIEWED BY
Edwin Tang, RA
Executive Director,
NYC Development Hub

APPROVED
WITH CONDITIONS
Control No. 22802
Date 9/7/12
Page 1 of 7

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.

The development of the Hudson Yards Eastern Rail Yard will consist of multiple buildings that will be constructed either on terra firma or above a structural platform, all to be located on a "super block" between 30th Street and 33rd Street bounded by 10th Avenue and 11th Avenue in Manhattan, New York ("Hudson Yards Eastern Rail Yard"). More than 6.1 million zoning square feet of office, residential, retail and cultural spaces will be constructed as part of the Hudson Yards Eastern Rail Yard project. One of the buildings to be constructed in connection with such project, Tower C, will be built on terra firma.

Tower C is a 48-story core and shell office building with retail spaces on the lower floors. In the future, a multi-story retail podium ("Podium") will be constructed to the north of Tower C and connections will be provided between the two buildings. These buildings are being developed the same entity, an affiliate of the The Related Companies, L.P.

Tower C and the Podium will have separate tax lots and will be constructed as separate buildings. Therefore, Tower C will be separated from the Podium by a 3-hour fire wall along the north wall of the building where the structures physically touch. The lot line delineates Tower C ownership and jurisdiction from existing LIRR / MTA facilities.

The code permits exterior wall openings to exceed the limits outlined in Table 704.8 when the openings are greater than 60 feet (in a direct line) from a separate neighboring building where approved by the commissioner. The openings in Tower C more than 60 feet from the Podium will be typical non-rated window openings per the approved CCD1 (21502) dated February 27, 2012.

Proposed Design of the North Facade

Typical unprotected window openings in the north facade of Tower C within 60 feet of the neighboring building are requested based on the following:

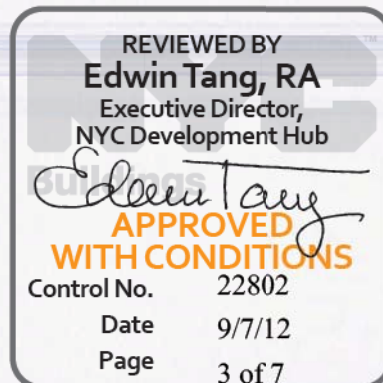


Note: Buildings Department Determination will be issued on the CCD1 Response Form

ADMINISTRATIVE USE ONLY			
Reviewed By:	Date:	Time:	

6 Description of Request (use this section if additional space is required for description)

1. Tower C and the Podium will be protected through by automatic sprinklers thereby limiting exposure hazards.
2. Tower C will be constructed of Type IA protected non-combustible construction. It is also anticipated that the Podium will be constructed of Type IA protected non-combustible construction which would permit the two buildings to be classified as a single building of unlimited height and area.
3. Offset property lines are typical in New York City to address multiple jurisdiction and multiple owner projects.
4. A restrictive declaration will be recorded against the Podium property and will provide (and obligate all owners, now and in the future) that the roof of the Podium adjacent to the north exterior wall of Tower C will be 3-hour fire resistance rated and that the exterior wall of the Podium will never be located less than 60 feet from the north facade of Tower C. The restrictive declaration is intended solely to comply with and to regulate the obligations of the owner of the Podium with respect to the installation of a 3-hour fire resistance rated roof between the Podium and Tower C such that windows may be installed on the north exterior wall of Tower C and the southern exterior wall of the Podium will be governed by the fire separation distance to the assumed property line (as indicated on the attached sketch) in accordance with Table 602 and Table 704.8 of the 2008 New York City Building Code.



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) MICHAEL GREENE, PE	
Signature 	Date 9/7/12
	
P.E. / R.A. Seal (apply seal, then sign and date over seal – not required for Attorneys or limited applications)	

ADMINISTRATIVE USE ONLY

Reviewed By:

Date:

Time:

ZRD1/CCD1 Response Form

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

House No(s) 501

Street Name W 30 St

Borough Manhattan

Block 702

Lot 50

BIN 1012456

Job No.

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): Table 704.8 footnote L

Other secondary Zoning Resolution or Code Section(s):

Comments:

Due to the separate jurisdiction and ownership of the existing LIRR facility on site, and the need to maintain the existing LIRR equipment building in its present location and configuration, the requests to:

a) locate the tax lot line separating the proposed Tower C lot from the LIRR facility and the Future Retail Podium building located directly above, as indicated;

b) to provide an 3-hour fire barrier on the roof of the Future Retail Podium building within 60 feet of the portion of Tower C above the abutting exterior walls;

c) to provide 2-hour fire rated exterior walls each for the Future Retail Podium building and for Tower C which will abut; and

d) to allow the portion of the lot line facade openings of Tower C within 60 feet in a direct line facing the portion of the Future Retail Podium above the abutting exterior walls to be unlimited and unrated as per Table 704.8 footnote L;

is hereby approved with conditions:

1. Tower C and the Future Podium will be protected throughout by automatic sprinklers in accordance with BC Chapter 9;

2. Both Tower C and the Podium will be constructed of Type IA protected non-combustible construction; and

3. A restrictive declaration shall be recorded on the certificates of occupancy for both Tower C and the Podium that requires the roof and any exterior walls facing Tower C that are within 60 feet of Tower C to be 3-hour fire rated; that all abutting exterior walls shall each be 2-hour fire rated; and that no portion of the future retail podium building above the abutting fire walls or party walls shall ever come within 60 feet of the corresponding portion of Tower C along said tax lot line.

Name of Authorized Reviewer (please print):

Title (please print):

Authorized Signature:

Date:

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

REVIEWED BY
Edwin Tang, RA
Executive Director,
NYC Development Hub

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

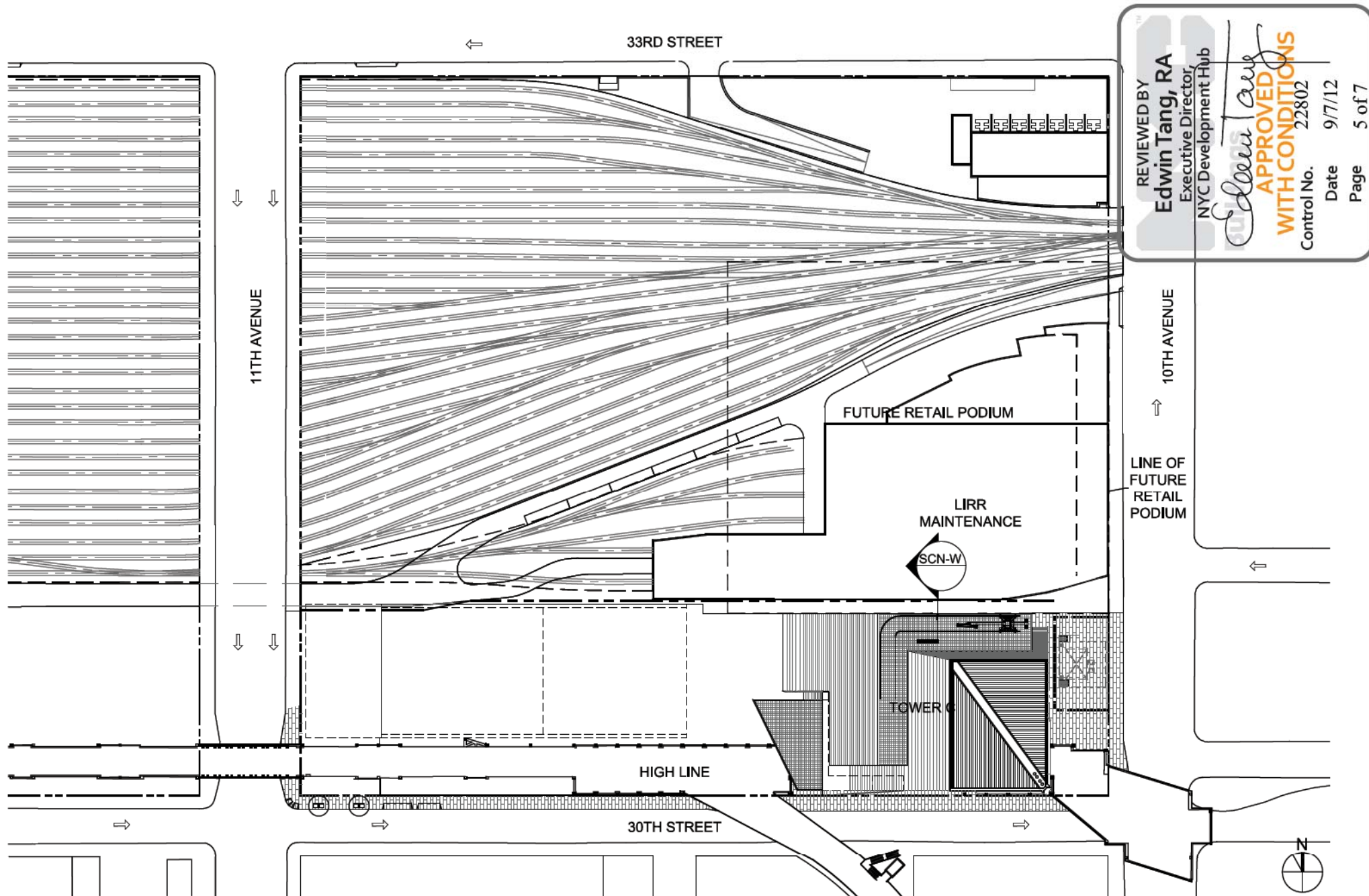
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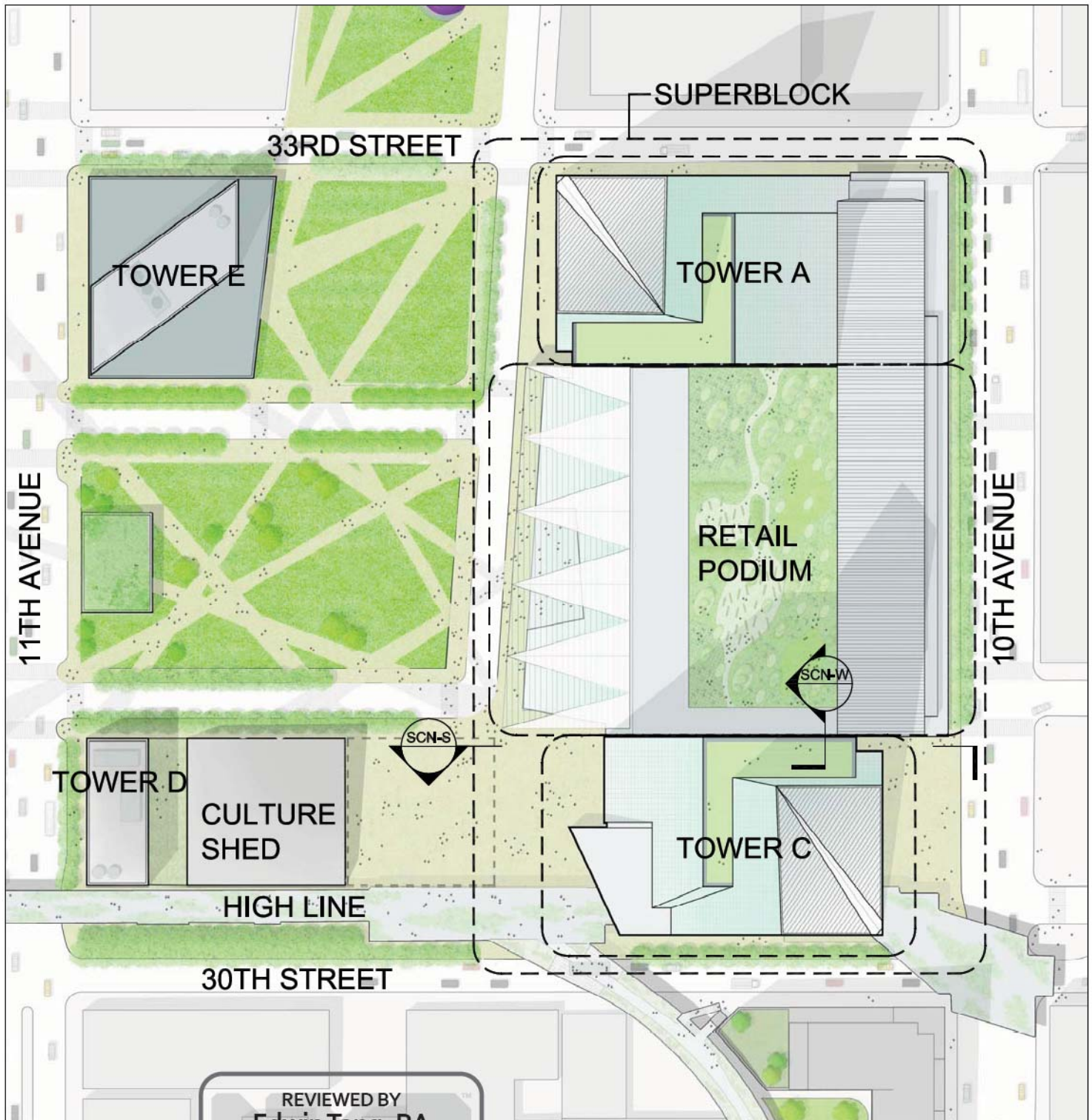
6/09



REVIEWED BY
Edwin Tang, RA
 Executive Director,
 NYC Development Hub

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Control No. 22802
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Edwin Tang, RA
 Executive Director,
 NYC Development Hub

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1776.10

SCALE: N.T.S.

HYE-KPF-SKT-A-20120907 SITE PLAN

HYE site plan

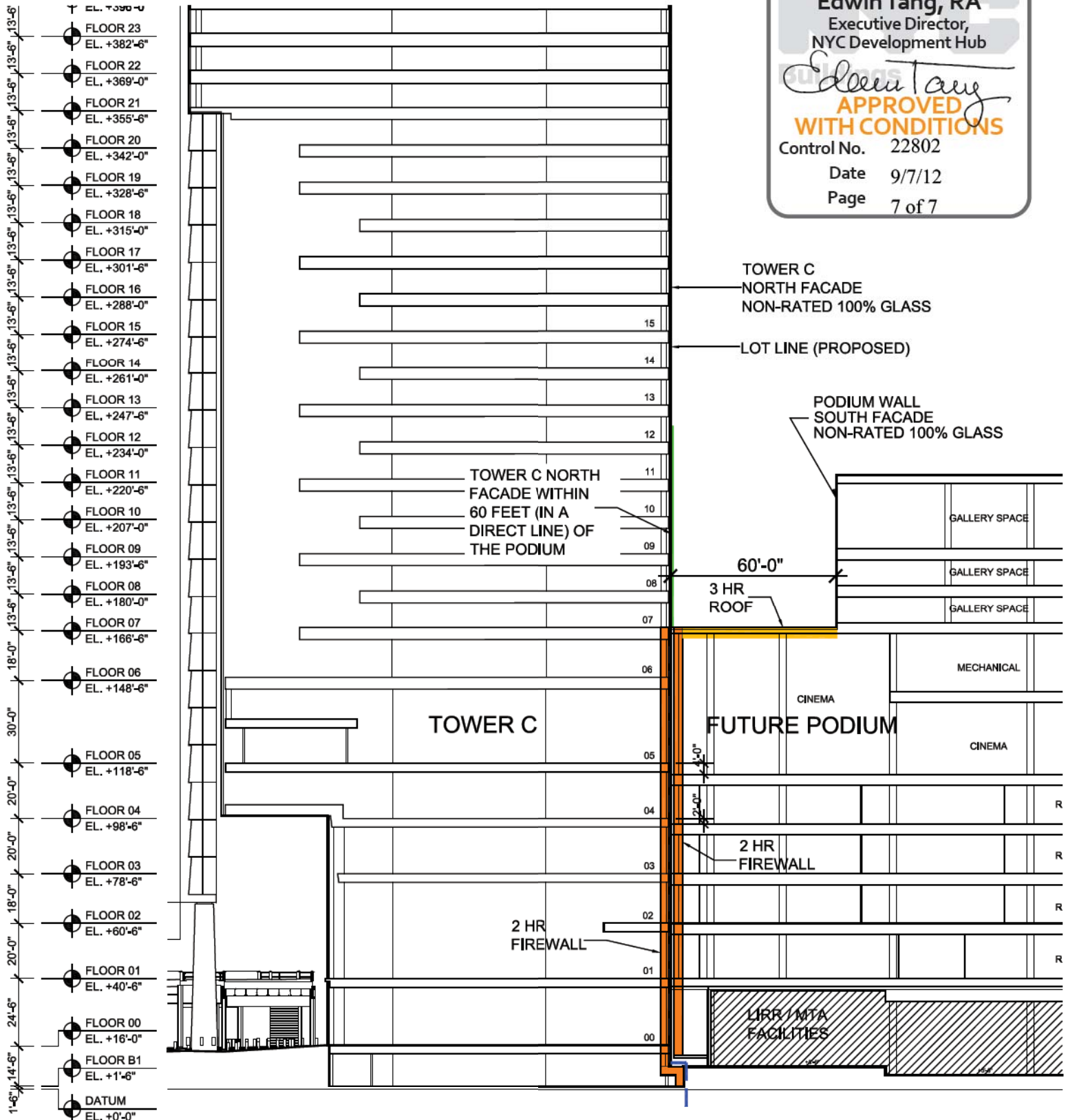
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1776.10

SCALE: N.T.S.

HYE-KPF-SKT-A-20120907 SECTION LOOKING WEST

HYE-TC-A-SCW-20120907_zoning_section