## Zoning Lot Mergers and Transfers of Development Rights

Caroline G. Harris, Esq. Troutman Sanders LLP

Michael Zenreich, AIA Michael Zenreich Architect, PC

September 21-22, 2006



NEW YORK UNIVERSITY School of Continuing and Professional Studies

# **Equitable Building**



# The Zoning Resolution of New York

#### ZONING RESOLUTION

THE CITY OF NEW YORK

#### FILE THESE SHEETS IN YOUR ZONING BOOK

Update #4

TEXT: 126 Sheets MAPS: 74 Sheets

#### Zoning Text Amendments as Adopted by the City Council on:

05/11/05 - N050110(A) ZRK; 06/23/05 - N050117 ZRM, N050161(A) ZRM, N050169 ZRM, N050297 ZRM; 07/27/05 - N050401 ZRY; 08/17/05 - N050281 ZRM, N050417 ZRM; 09/15/05 - N040541 ZRQ; 11/16/05 - N060035 ZRK; 12/08/05 - N0660022 ZRR, N060083 ZRY; 12/21/05 - N06004(A) ZRM, N060065 ZRR; 02/15/06 - N060133 ZRK; 03/01/06 - N060170 ZRK; 03/22/06 - N050348 ZRM, N060199 ZRM; 51/006 - N060201 ZRM

#### Zoning Map Amendments\*\* as Adopted by the City Council on:

5/11/2005 - C0350111(A) ZMK (ed., 9h, 12c, 12d, 13a, 13b, 1C50195 ZMQ (10d); 6/8/05 - C040043 ZMQ (10c), C040395 ZMK (1c); C050455 ZMK (1c); C050455 ZMK (1c); C050455 ZMK (1c); C040395 ZMK (1c); L12040 - C040162 ZMK (2c); C040395 ZMK (1c); L1204 - C04015 ZMK (1c); L1204 - C040015 ZMK (1c); L1204 - C04015 ZMK (1c); L1

| PAGE      | DATE         | PAGE  | DATE         | PAGE                | DATE         | PAGE  | DATE         |
|-----------|--------------|-------|--------------|---------------------|--------------|-------|--------------|
| Contents: |              |       |              |                     |              |       |              |
| 1         | 12/8/05      | 121   | NO CHANGE    | 237                 | 3/1/06       | 407c  | 5/11/05      |
| 2         | NO CHANGE    | 122   | 12/8/05      |                     | 11/16/05     | 407d  | 5/11/05      |
| 3         | 5/11/05      | 123   | 12/8/05      |                     | 5/11/05      | 407e  | 5/11/05      |
|           | CORRECTION   | 124   | 12/8/05      |                     | ADMIN. CORR. | 407f  | 5/11/05      |
| 4         | 6/23/05      | 125   | 3/1/06       |                     | NO CHANGE    | 407g  |              |
|           | 5/11/05      |       | 11/16/05     | 239                 | ADMIN. CORR  |       | 5/11/05      |
|           | CORRECTION   |       | 5/11/05      | 240                 | NO CHANGE    | 407h  | 3/1/06       |
| 21        | NO CHANGE    | 126   | 3/1/06       | 255                 | CORRECTION   |       | 5/11/05      |
| 22*       | 7/27/05      |       | 11/16/05     | 256                 | NO CHANGE    |       | CORRECTION   |
| 23        | 7/27/05      |       | 5/11/05      | 287                 | 12/21/05     | 407i  | 3/1/06       |
|           | NO CHANGE    | 127   | 3/1/06       |                     | BLANK        |       | 5/11/05      |
| 17        | NO CHANGE    |       | 11/16/05     | 309                 | NO CHANGE    | 407j  |              |
|           | 12/21/05     |       | 5/11/05      | 310                 | 6/23/05      | ,     | 5/11/05      |
| 5         | NO CHANGE    | 128   | 3/1/06       | 311                 | ADMIN. CORR  | 408   | NO CHANGE    |
| 6         | 5/11/05      |       | 11/16/05     | 312                 | NO CHANGE    | 435   | NO CHANGE    |
| 7         | NO CHANGE    |       | 5/11/05      | 357                 | 5/11/05      | 436   |              |
| 8         | 5/11/05      | 129   | 3/1/06       | 358                 | NO CHANGE    |       | NO CHANGE    |
| 9         |              |       | 11/16/05     | 363                 | 5/11/05      |       | 12/21/05     |
|           | NO CHANGE    |       | 5/11/05      | 364                 | NO CHANGE    | 451   |              |
| 7         | NO CHANGE    | 130   | 3/1/06       | 367                 | 5/11/05      |       | NO CHANGE    |
| 8         |              | 133   |              | 368                 |              |       | NO CHANGE    |
| 5         | NO CHANGE    |       | 11/16/05     |                     | CORRECTION   | 462   |              |
| 6         |              |       | 5/11/05      | 369                 | REVISED      | 487   |              |
|           | NO CHANGE    | 134   | NO CHANGE    |                     | NO CHANGE    |       | NO CHANGE    |
| 8         |              |       | ADMIN. CORR  | 371                 |              |       | NO CHANGE    |
|           | NO CHANGE    |       | NO CHANGE    |                     | NO CHANGE    | 524   |              |
| 0         |              |       | NO CHANGE    |                     | REVISED      |       | NO CHANGE    |
|           | 5/11/05      |       | ADMIN. CORR. | 375a                |              | 592   |              |
| 3         |              |       | NO CHANGE    | 375b                |              | 593   |              |
| 4         |              | 152   |              |                     | 5/11/05      |       | NO CHANGE    |
| 5         |              |       | ADMIN. CORR  |                     | ADMIN. CORR. |       | NO CHANGE    |
| 6         |              |       | NO CHANGE    | 375c                |              | 604   |              |
| 7         |              |       |              |                     | 5/11/05      | 613   |              |
| 8         |              |       | NO CHANGE    | 375d                |              | 614   |              |
| 0         | 7/27/05      |       | NO CHANGE    | <i>373</i> <b>4</b> | 5/11/05      |       | NO CHANGE    |
| 19        |              | 196*  |              | 376                 | NO CHANGE    | 616   |              |
|           | NO CHANGE    | 197   |              | 387                 |              |       | NO CHANGE    |
| 01        |              |       | NO CHANGE    |                     | NO CHANGE    |       | CORRECTION   |
|           | NO CHANGE    |       | NO CHANGE    |                     | NO CHANGE    | 655   |              |
| 103       |              |       |              |                     | REVISED      |       | NO CHANGE    |
| 104       |              | 201   |              |                     | REVISED      |       | NO CHANGE    |
| 105       |              |       | NO CHANGE    | 390b                |              | 658   |              |
|           | ADMIN. CORR. |       | ADMIN. CORR. | 391                 |              | 659   |              |
| 106       | NO CHANGE    |       | NO CHANGE    |                     | BLANK        | 659a  |              |
| 107       |              |       | ADMIN. CORR. |                     | NO CHANGE    | 0394  | 5/11/05      |
| 108       |              |       | NO CHANGE    | 402                 |              | 659b  |              |
|           | NO CHANGE    |       | 12/21/05     |                     | REVISED      | 0590  | 5/11/05      |
| 18        |              | A.J.J | ADMIN. CORR. | 407a                |              | 659c  |              |
|           |              | 234   | NO CHANGE    | 407b                |              | 0.570 | 5/11/05      |
|           |              |       |              |                     | 5/11/05      |       | ADMIN. CORR. |
|           |              |       |              |                     |              |       |              |

CITY PLANNING COMMISSION

DEPARTMENT OF CITY PLANNING

# **Zoning Map**



# Building Dept TPPN Memorandum



DATE:

DEPARTMENT OF BUILDINGS EXECUTIVE OFFICES 60 HUDSON STREET, NEW YORK, N.Y. 10013

STEWART D. O'BRIEN, Acting Commissioner

Richard C. Visconti, R.A. Deputy Commissioner Technical Affairs 12121 312-8120 FAX: 12121 312-8688

TECHNICAL FOLICY & PROCEDURE NOTICE # 14/93

TO: DISTRIBUTION

FROM: Richard C. Visconti, B.A., A.I.A Deputy Commissioner

November 23 ,1993

SUBJECT: Definition of floor area Section 12-10 of the

**UBJECT:** Definition of floor area Section 12-10 of the Zoning Resolution

#### EFFECTIVE: IMMEDIATELY

<u>PURPOSE:</u> Purther clarification of Department's interpretation of floor area definition Section 12-10 of the Zoning Resolution pertaining to floor space used for dwelling purposes.

<u>SPECIFIC5:Cellar space</u> used for <u>dwelling purposes shall be</u> <u>included as floor area</u> whether the cellar level is <u>determined by curb level or base plane</u>.

RCV:FA:ap

3100

# Zoning

# Zoning controls

## Use and Bulk

#### Use

A use is any activity, occupation, business or operation carried on, or intended to be carried on, in a building or on a tract of land.

#### Use

A "use" is:

(a) any purpose for which a *building or other structure* or a tract of land may be designed, arranged, intended, maintained or occupied; or

(b) any activity, occupation, business or operation carried on, or intended to be carried on, in a *building or other structure* or on a tract of land.

### **Non- Conforming**

A "non-conforming" use is any lawful use, whether of a building or other structure or of a tract of land, which does not conform to any one or more of the applicable use regulations of the district in which it is located, either on December 15, 1961 or as a result of any subsequent amendment thereto.

#### **Bulk**

Bulk is the term used to describe the size (including height and floor area) of buildings.

#### **Bulk**

"Bulk" is the term used to describe the size of *buildings or other structures*, and their relationships to each other and to open areas and *lot lines*, and therefore includes:

## **Non- Complying**

A "non-complying" building or other structure is any lawful building or other structure which does not comply with anyone or more of the applicable district bulk regulations either on December 15, 1961 or as a result of a subsequent amendment thereto.

A "non-compliance" is a failure by a non-complying building or other structure to comply with any one of such applicable bulk regulations.

#### **Government Agencies**

Department of Buildings Board of Standards and Appeals Department of City Planning Community Boards Borough President Landmarks Preservation Commission City Council Mayor

| Approvals Types |                   |       |  |  |  |  |  |
|-----------------|-------------------|-------|--|--|--|--|--|
| As of Right     |                   |       |  |  |  |  |  |
|                 | Dept of Buildings |       |  |  |  |  |  |
|                 | Certifications    | (CPC) |  |  |  |  |  |
|                 | Authorizations    | (CPC) |  |  |  |  |  |
| Discretionary   |                   |       |  |  |  |  |  |
|                 | Variances         | (BSA) |  |  |  |  |  |
|                 | Special Permits   | (BSA) |  |  |  |  |  |
|                 | ULURP             |       |  |  |  |  |  |

## ULURP

Special Permits Re-Zoning Map Changes

#### **Floor area**

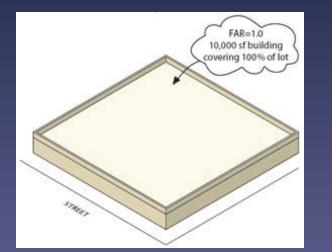
"Floor area" is the sum of the gross areas of the several floors of a *building* or *buildings*, measured from the exterior faces of exterior walls or from the center lines of walls separating two *buildings*.

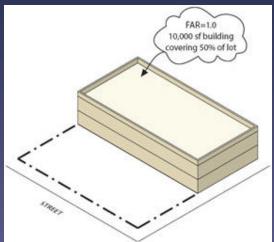
#### Floor area ratio

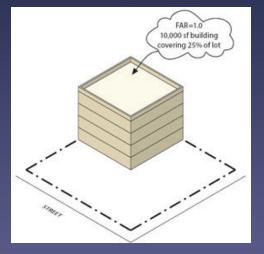
"Floor area ratio" is the total floor area on a zoning lot, divided by the lot area of that zoning lot.

(For example, a building containing 20,000 square feet of floor area on a zoning lot of 10,000 square feet has a floor area ratio of 2.0.)

## **Floor Area Ratio**







### **Development Rights**

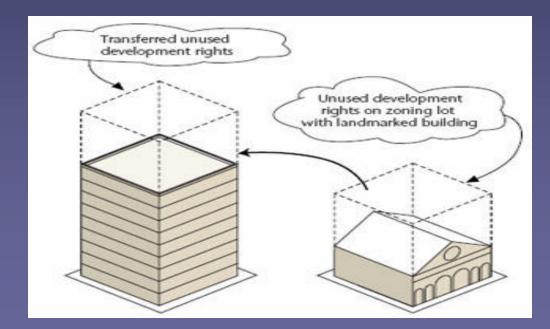
Under New York City's zoning law, the unused development rights of a lot may be sold and transferred as-of-right to adjacent lots only through a zoning lot merger, except in the case of designated landmarks where such transfer is possible by a special permit without a zoning lot merger. Unused development rights are often incorrectly called "air rights."

### **Zoning Lot Mergers**

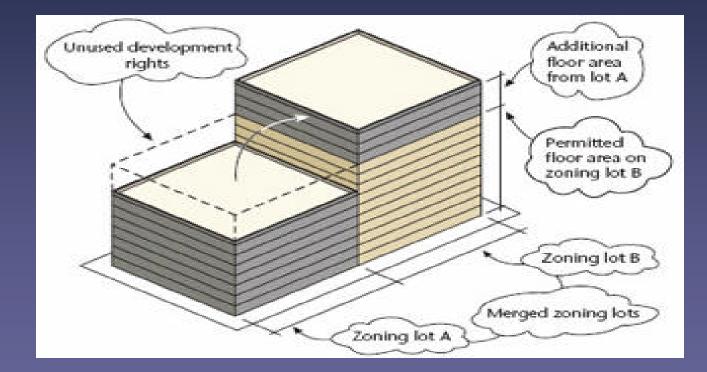
Zoning lot mergers are critical to the successful functioning of the zoning. They enable developers to assemble small lots into the larger merged lots needed to build efficient, economical new buildings. The mergers also provide an incentive to preserve small existing buildings that are not built to the full permitted floor area, by enabling the transfer of the unused floor area from the site of a small existing building to the development site.

### **Zoning Lot Mergers**

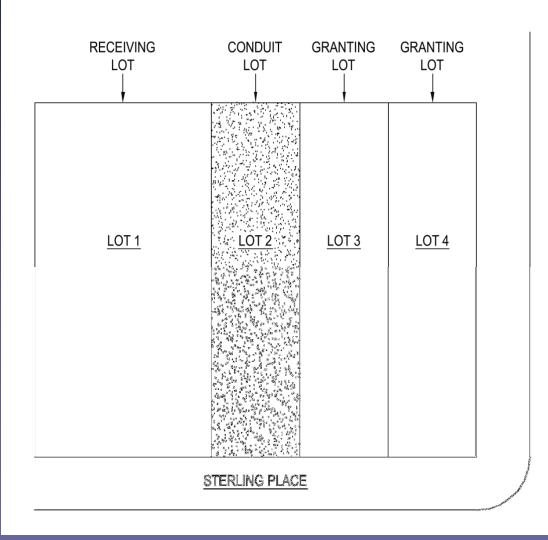
A zoning lot merger is the joining of two or more adjacent zoning lots into one new zoning lot. Unused development rights may be shifted from one lot to another, as-of-right, only through a zoning lot merger.



## **Zoning Lot Mergers**



# **Granting and Receiving Sites**



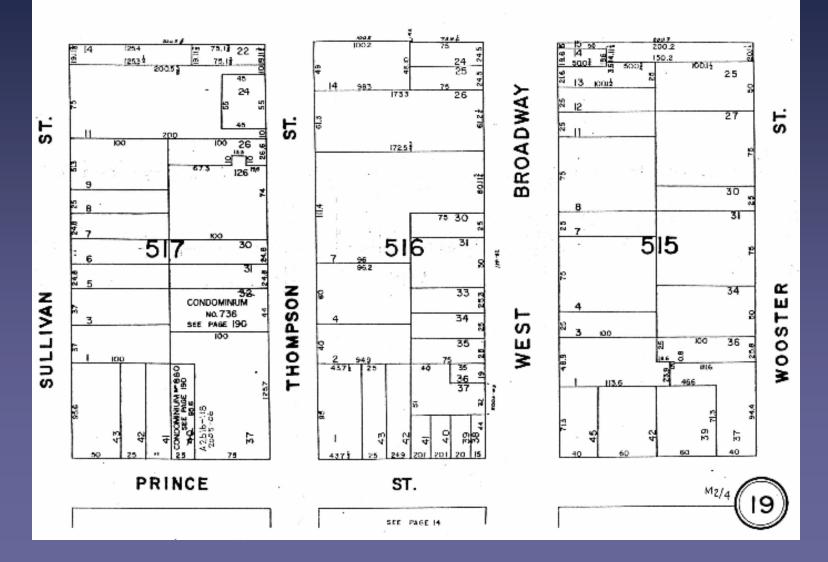
## **Tax Lots and Zoning Lots**

Tax Lots: Affect the way you pay your taxes

Zoning Lots: Affect the way you can develop your property

## Tax Map

W. HOUSTON



ST.

## Zoning lot (A)

A "zoning lot" is either:
(a) a lot of record existing on December 15, 1961 or any applicable subsequent amendment thereto;

## Zoning lot (C)

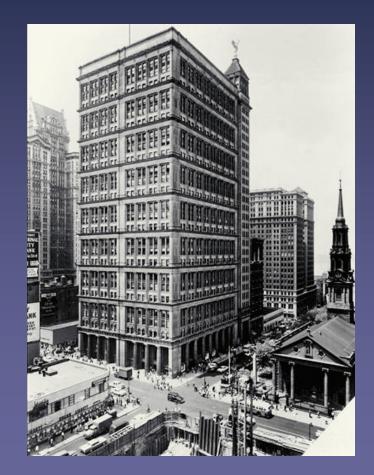
(b) a tract of land, either unsubdivided or consisting of two or more contiguous lots of record, located within a single *block*, which, on December 15, 1961 or any applicable subsequent amendment thereto, was in single ownership;

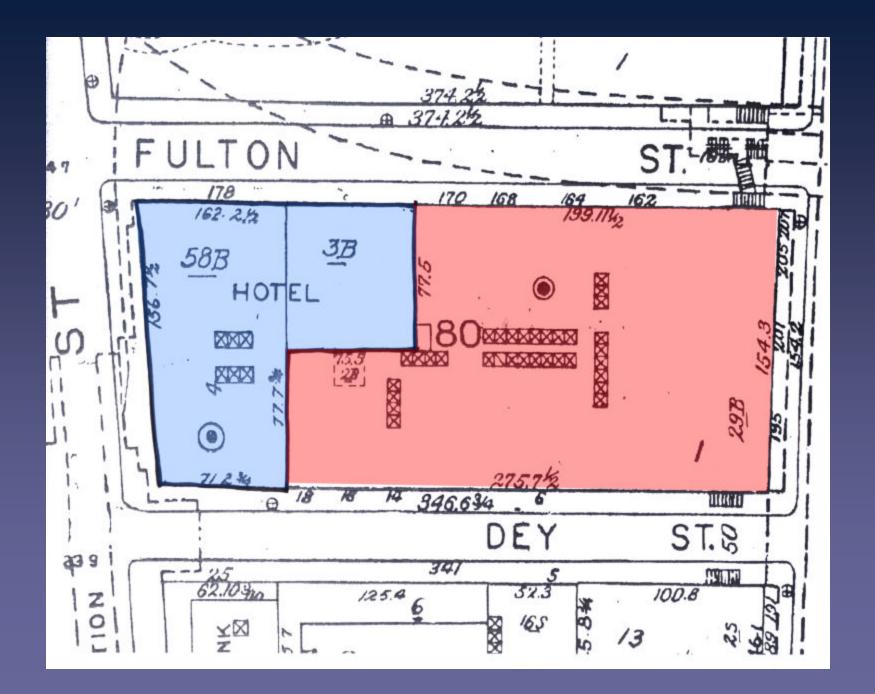
# Zoning lot (C)

(c) a tract of land, either unsubdivided or consisting of two or more lots of record contiguous for a minimum of ten linear feet, located within a single *block*, which at the time of filing for a building permit..... is under single fee ownership....

## 195 Broadway, New York

## Zoning Lot (B)





#### **Bulk**

"Bulk" is the term used to describe the size of *buildings or other structures*, and their relationships to each other and to open areas and *lot lines*, and therefore includes:

## **Non-Complying Buildings**

54-31 General Provisions
 Except as otherwise provided in Section 54-13, a non-complying building or other structure may be enlarged or converted, provided that no enlargement or conversion may be made which would either create a new non-compliance or increase the degree of non-compliance

### **Development, or to develop**

A "development" includes the construction of a new building or other structure on a zoning lot, the relocation of an existing building on another zoning lot, or the use of a tract of land for a new use.

To "develop" is to create a *development*.

#### Enlargement or to enlarge

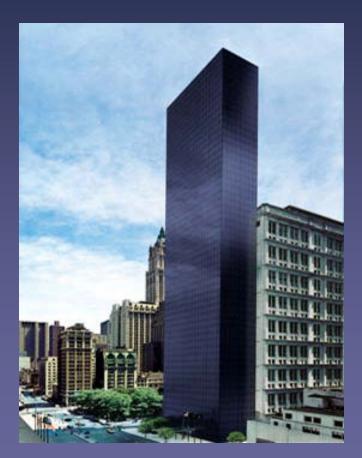
An "enlargement" is an addition to the *floor area* of an existing *building*, an increase in the size of any other

structure, or an increase in that portion of a tract of land occupied by an existing *use*.

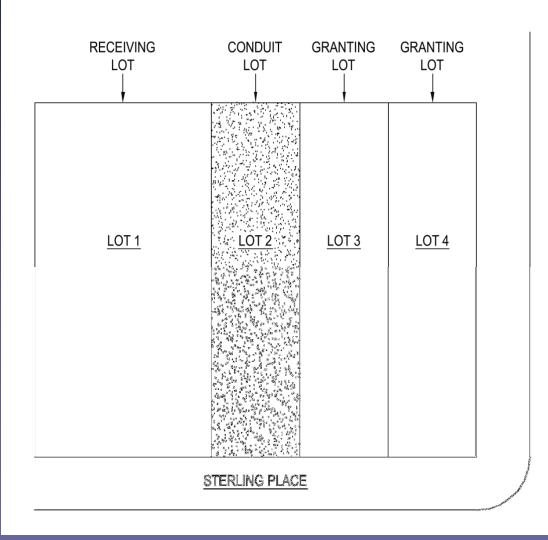
To "enlarge" is to make an enlargement.

## 195 Broadway, New York

# Zoning Lot (B)



# **Granting and Receiving Sites**



### **Zoning Lot Development Agreement**

### ZONING LOT DEVELOPMENT AND EASEMENT AGREEMENT

| day of                | , 2006        | by and b   |           | A CONTRACTOR OF A CONTRACTOR OFTA CONT | New      | York li  | mited liability |
|-----------------------|---------------|------------|-----------|--|----------|----------|-----------------|
| company ("140") wit   | h an address  | c/o        |           |  | Stre     | eet, Nev | w York, New     |
| York 10019;           | , i           | a New      | York      | corporation  | (T)      | with     | an address      |
|                       | ; and         |            | , bo      | th individuals   | , (colle | ctively, | 'K") with an    |
| address               |               | ; ("colled | ctively,  | the "Owner")   | , and _  |          | , a             |
| Delaware limited liab | ility company | ("Devel    | oper"), l | having an add  | ress     |          | , New           |
| York, New York 1002   | 2.            |            |           |  |          |          |                 |

### WITNESSETH:

WHEREAS, Developer is the owner of certain land, with the buildings and improvements thereon, in the City of New York, Borough of Manhattan, generally known by the street address 153 West 57th Street, designated as Lot 10 in Block 1010 which is more particularly described on <u>Exhibit A</u> annexed hereto and made a part hereof (said land being herein called the "<u>Developer Land</u>," said buildings and improvements, together with any future replacements thereof permitted pursuant to the provisions of this Agreement, being herein called the "<u>Developer Building</u>," and the Developer Land and the Developer Building being herein collectively called the "<u>Developer Premises</u>"):

WHEREAS, Developer is also the owner in fee of a certain parcel of air which lies above a horizontal plane drawn at an elevation of 165.78 feet referenced to Manhattan Datum located within the boundaries of that certain parcel of land known and numbered as 158 West 58th Street, New York New York and designated as Lot 55 in Block 1010 on the Tax Map of the City, County and State of New York (the 'Lot 55 Land," and said air parcel as more particularly described on Exhibit B attached hereto and made a part thereof, being herein called the "Air Parcel");

WHEREAS, Owner is the owner of the condominium units that comprise the condominium located on certain land, with the buildings and improvements thereon, in the City of New York, Borough of Manhattan, generally known by street addresses as 140 West 58th Street, New York, New York, designated as Lots 1001, 1002, 1003, 1004, 1005, 1006, 1007 and 1008 in Block 1010 on the Tax Map of the City of New York and more particularly described on <u>Exhibit C</u> annexed hereto and made a part hereof (said land being herein collectively called the "<u>Owner Land</u>," said buildings and improvements, together with any future replacement thereof permitted pursuant to the provisions of this Agreement, being herein called the "<u>Owner Building</u>," and the Owner Land and the Owner Building being herein collectively called the "<u>Owner Premises</u>");

WHEREAS, pursuant to a certain Zoning Lot Development Agreement by and between Developer's predecessor in interest, Murmac Management Company LLC, and New Hampton, LLC dated April 26, 2004 and recorded in the office of the New York City Register on August 18, 2004 bearing CRFN 2004000512840 (the "Lot 55 LLDA"). Developer is entitled to utilize the unused development rights attributable to the Lot 55 Land on other parcels of land and

NEWYORK01 1141429v1 999995-038443

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# Easement for Light and Air

### LIGHT AND AIR EASEMENT AGREEMENT\*

| EASEMENT    | AGREE    | MENT | ma | de this | dav        | of of  |    | . 200 betw      | /een |
|-------------|----------|------|----|---------|------------|--------|----|-----------------|------|
| hereinafter | referred | to   | as | the     | "Grantor," | having | an | office/residing | at   |
| and         |          |      |    |         |            |        |    |                 | ,    |
| hereinafter | referred | to   | as | the     | "Grantee," | having | an | office/residing | at   |

WHEREAS, the Grantor is the fee owner of certain land located in the City and State of New York, Borough of \_\_\_\_\_\_, designated as Block \_\_\_\_\_\_ Lot \_\_\_\_\_ on the Tax Map of the City of New York, hereinafter referred to as Parcel A and more particularly described by a metes and bounds description set forth in Schedule A annexed hereto and by this reference made a part hereof;

WHEREAS, the Grantee is the fee owner of certain land located in the City and State of New York, Borough of \_\_\_\_\_\_, designated as Block \_\_\_\_\_ Lot \_\_\_\_ on the Tax Map of the City of New York, hereinafter referred to as Parcel B and more particularly described by a metes and bounds description set forth in Schedule B annexed hereto and by this reference made a part hereof;

WHEREAS, there is an existing/will be constructed a -story building on Parcel B;

WHEREAS, Grantee has requested the New York City Department of Buildings (the "Department of Buildings") to act upon Application No. \_\_\_\_\_\_ to \_\_\_\_\_ to \_\_\_\_\_\_ to \_\_\_\_\_\_ to \_\_\_\_\_ to \_\_\_\_\_\_ to \_\_\_\_\_ to \_\_\_\_\_\_ to \_\_\_\_\_\_\_ to \_\_\_\_\_\_ to \_\_\_\_\_\_ to \_\_\_\_\_\_ to \_\_\_\_\_\_ to \_\_\_\_\_\_ to \_\_\_\_\_\_\_ to \_\_\_\_\_\_\_ to \_\_\_\_\_\_\_ to \_\_\_\_\_\_ to \_\_\_\_\_\_ to \_\_\_\_\_\_ to \_\_\_\_\_\_\_ to \_\_\_\_\_\_\_ to \_\_\_\_\_\_\_to \_\_\_\_\_\_to \_\_\_\_\_to \_\_\_\_\_to \_\_\_\_\_to \_\_\_\_\_to \_\_\_\_\_to \_\_\_\_\_to \_\_\_\_\_to \_\_\_\_\_to \_\_\_\_\_to to \_\_\_\_\_\_to \_\_\_\_\_to \_\_\_\_to \_\_\_\_to \_\_\_\_\_to \_\_\_\_\_to \_\_\_\_\_to \_\_\_\_\_to \_\_\_\_\_to \_\_\_\_to \_\_\_\_to \_\_\_\_\_to \_\_\_\_\_to \_\_\_\_\_to \_\_\_\_\_to \_\_\_\_\_to \_\_\_\_\_to \_\_\_\_to \_\_\_\_to \_\_\_\_\_to \_\_\_\_\_to \_\_\_\_\_to \_\_\_\_to \_\_\_\_to \_\_\_\_to \_\_\_\_to \_\_\_\_to \_\_\_\_\_to \_\_\_\_to \_\_\_

WHEREAS, the Department of Buildings may approve the Application upon the condition, *inter alia*, that Grantor create an easement for light and air for the benefit of the present and future owners of Parcel B in order to comply with the applicable provisions of Title 27, Chapter 1, Subchapter 12, Articles 3 and 6 of the Administrative Code of the City of New York and applicable light and air provisions of the Multiple Dwelling Law.

NOW, THEREFORE, good and valuable consideration having been paid, the Grantor for her/himself, her/his heirs, legal representatives, successors and assigns hereby makes the following grant to Grantee, her/his heirs, legal representatives, successors, and assigns and to any future owner of Parcel B:

 The right to unrestricted light and air over Parcel A as described herein, such that any construction on Parcel A shall never infringe upon the light and air provided to Parcel B;

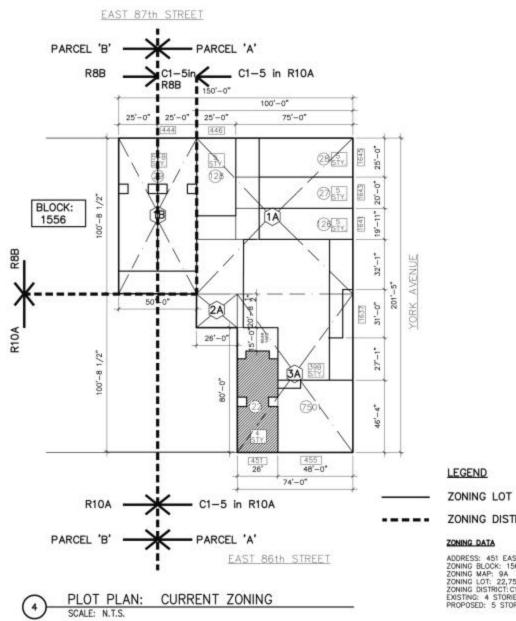
15

NYC.gov/buildings

<sup>\*</sup> This easement agreement may be entered into as a means of compliance with light and air requirements of the New York City Administrative Code and New York State Multiple Dwelling Law. This agreement may not be used to satisfy provisions of the New York City Zoning Resolution.

# **Channel Club, NYC**





ZONING DISTRICT BOUNDARY

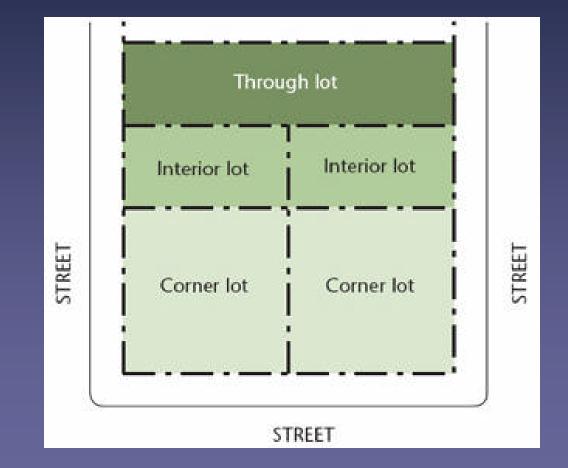
ADDRESS: 451 EAST 86TH STREET, NEW YORK, NY ZONING BLOCK: 1566 ZONING MAP: 9A ZONING LOT: 22,7501,125,27,28,128,29 ZONING DISTRICT: C1-5 IN R10A, R8B, C1-5 IN R8B EVISTING: 4 STORIES PROPOSED: 5 STORIES

# Lot line

A "lot line" is a boundary of a zoning lot.

# **Types of Lots**

Corner Lot Interior Lot Through Lot



### Building

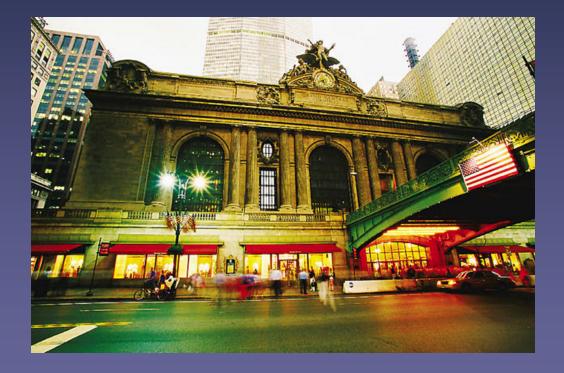
A "Building" Is Any Structure Which:

(A) Is Permanently Affixed to the Land;

(B) Has One or More Floors and a Roof; And

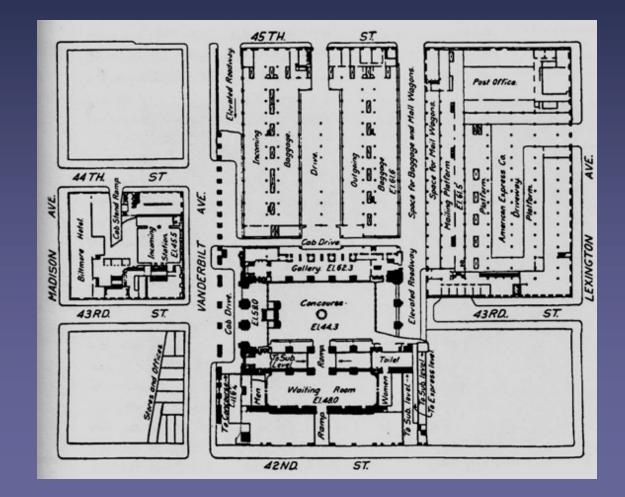
(C) Is Bounded by Either Open Area or the Lot Line of a Zoning Lot

# Grand Central Station Transfer of Development Rights



### **Grand Central Station**

### Landmarks Transfer of Development Rights

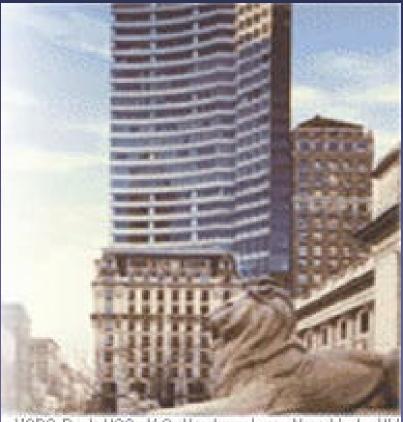


### 74-711 Landmark preservation in all districts

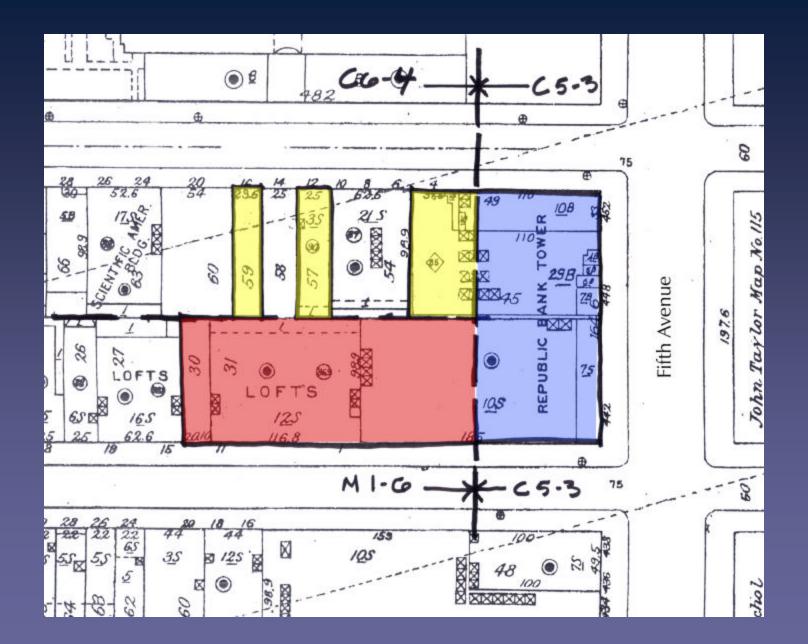
In all districts, for zoning lots containing a landmark designated by the Landmarks Preservation Commission, or for zoning lots with existing buildings located within Historic Districts designated by the Landmarks Preservation Commission, the City Planning Commission may permit modification of the use and bulk regulations, except floor area ratio regulations, provided that:

## **Republic National Bank (HSBC)**

Zoning Lot Merger Split Lot Historic Special Permit Modification of Bulk



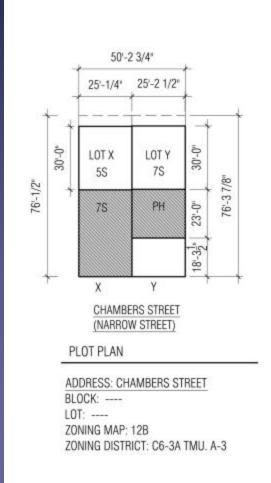
HSBC Bank USA, N.A. Headquarters, New York, NY

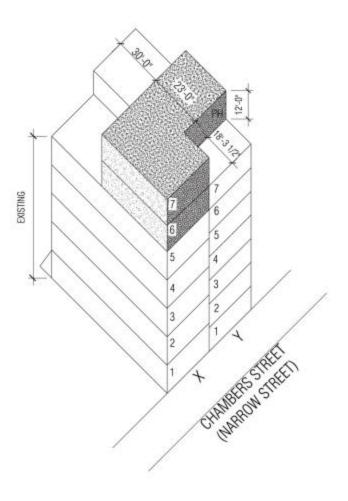


## Split Lot

A split lot is a zoning lot located in two or more districts in which different use, bulk, parking, or other regulations apply.

# **Narrow Buildings**





### **Z** Sheet

### ZONING LOT INFORMATION



### ZONING FLOOR AREA

|               | 148 CHAMB   | ERS STREET  | 146 CHAME  | IERS STREET |
|---------------|-------------|-------------|------------|-------------|
| FLOOR         | EXISTING    | PROPOSED    | EXISTING   | PROPOSED    |
| FIRST FLOOR   | 1,944 S.F.  | 1,944 S.F.  | 1,853 S.F. | 1,853 S.F.  |
| SECOND FLOOR  | 1,766 S.F.  | 1,766 S.F.  | 1,745 S.F. | 1,745 S.F.  |
| THIRD FLOOR   | 1,766 S.F.  | 1,766 S.F.  | 1,745 S.F. | 1,745 S.F.  |
| FOURTH FLOOR  | 1,766 S.F.  | 1,766 S.F.  | 1,745 S.F. | 1,745 S.F.  |
| RETH FLOOR    | 1,766 S.F.  | 1,766 S.F.  | 1,745 S.E. | 1,745 S.F.  |
| SIXTH FLOOR   | 1,766 S.F.  | 1,766 S.F.  |            | 1,160 S.F.  |
| SEVENTH FLOOR | 1,766 S.F.  | 1,766 S.F.  |            | 1,160 S.F.  |
| TOTALS        | 12,540 S.F. | 12,540 S.F. | 8,833 S.F. | 11,153 S.F. |

| FLOOR         | EXISTING    | PROPOSED    |
|---------------|-------------|-------------|
| FIRST FLOOR   | 3,797 S.F.  | 3,797 S.F.  |
| SECOND FLOOR  | 3,511 S.F.  | 3,511 S.E.  |
| THIRD FLOOR   | 3,511 S.F.  | 3,511 S.E.  |
| FOURTH FLOOR  | 3,511 S.F.  | 3,511 S.E.  |
| FIFTH FLOOR   | 3,511 S.F.  | 3,511 S.F.  |
| SIXTH FLOOR   | 1,766 S.F.  | 2,926 S.F.  |
| SEVENTH FLOOR | 1,766 S.F.  | 2,926 S.F.  |
| TOTALS        | 21,373 S.F. | 23,693 S.F. |

ZONING MAP

### APPENDIX A (8/27/98) Special Tribeca Mixed Use District Map



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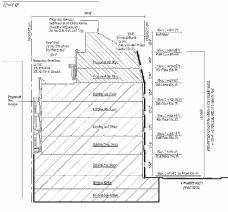
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tines Who Licensed Detected Class Agene

### LOT DIAGRAM



### HEIGHT AND SETBACK DIAGRAM



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WEST BROADV

|  | ITEN   | PERMITTED/REQUIRED   | PROPOSED   | COMPLIANC  |
|--|--|--|--|--|
|  | 1. USE REGULATIONS   |  |  |  |
| SEC: 32-00   | GENERAL PROVISIONS   | USE GROUP 2 PERMITTED  | USE GROUP 2  | COMPLIES   |
| SEC: 32-11   | USE GROUPS 1 AND 2   | AS PER Z.R. 22-12  | USE GROUP 2  | COMPLIES   |
| SEC : 32-422   | LOCATION OF FLOORS OCCUPIED BY NON-RESIDENTIAL USES  | LOCATED ON A STORY BELOW THE<br>LOWEST STORY OCCUPED IN<br>WHOLE OR IN PART BY SUCH<br>RESIDENTIAL USES  | EXISTING GROUND FLOOR<br>COMMERICAL SPACE TO REMAIN  | COMPLIES   |
| SEC: 34-112  | RESIDENTIAL BULK REGULATIONS IN C6 DISTRICT  | APPLICABLE DISTRICT - R9A  | PROPOSED DISTRICT - R9A  | COMPLIES   |
|  | 2. BULK REGULATIONS  |  |  |  |
| SEC: 23-145  | MAXIMUM FAR(89)  | 7.52 E.A.R   | 7.52 X 3,864 - F.A.R   | COMPLIES   |
|  | MAXIMUM FLOOR AREA<br>MAXIMUM LOT OWFRAGE  | 3,864 X 7.52 = 29,057 S.F.   | 23,693 S.F.  | COMPLIES   |
|  | MAXIMUM LOT COVERAGE   | 70 %   | 60: FLOOR =1,160 / 3,864= 30 %<br>70: FLOOR -1,160 / 3,864= 30 %   | COMPLIES   |
| SEC:23-462   | MINIMUM REQUIRED SIDE YARDS  | NONE REQUIRED  | NA   | COMPLIES   |
| SEC:23-47  | MINIMUM REQUIRED REAR YARDS  | 30'4" REQUIRED   | 30'-0" PROVIDED  | COMPLIES   |
| SEC:23-22  | MAXIMUM # OF DWELLING UNITS  | 29,057 / 740 - 39 UNITS  | 5 UNITS  | COMPLIES   |
|  | 3. SPECIAL DISTRICT - TRIBECA MIXED USE +43  |  |  |  |
| SEC : 111-02   | LOFT DWELLINGS AND JOINT LIVING-WORKING QUARTERS FOR<br>ARTISTS ARE PREMITTED USES WITHIN THE SPECIAL DISTRET,<br>SUBJECT TO THE BULK REGULATIONS OF SEC. 111-11   | AS OF BIGHT IN C6-3<br>REFERS TO Z.R. 22-12  | EXISTING LOFT DWELLINGS ON<br>FLOORS 2-5 TO REMAIN.<br>PROPOSED BUILDING<br>ENLARGEMENT FOR NEW<br>FLOORS 6-7 WILL BE NEW<br>LOFT DWELLINGS  | COMPLIES   |
| SEC:111-03   | AREA A3 - GENERAL MIXED USE AREA   |  |  |  |
| SEC : 111-10<br>SEC : 111-103  | SPECIAL USE REGULATIONS<br>OFTIN BULDINGS PROVING ON CHAMBERS STREET*<br>"""<br>THE FOLLOWING RETAIL FACILITIES SHALL BE LIMITED<br>TO 30000 SQ FT, OF FLOOR, AREA ON A ZONNG IOT.<br>INCLUDING RETAIL CULLAR SPACE ALLOTTED TO SUCH<br>USES, EXCEPT AS OTHERWISE PROVIDED IN SECTION 111-40;"   | RETAIL FACILITIES SHALL BE<br>LIMITED TO >20,000 SQ FT.  | EXISTING (NO CHANGE)<br>RETAIL FACILITIES<br>PROPOSED = 3,797 SQ. FT.  | COMPLIES   |
| SEC:111-104  | SPECIAL PROVISIONS FOR AREAS A1, A2, A3 AND B2 (2) AREA A3 - THE<br>SHALL APPLY TO ALL NEW DEVELOPMENTS AND ENLARGMENTS, EX  | REGULATIONS APPLICABLE TO A C6-3A I<br>CEPT AS SET DOPTH DEPEND  | INSTRICT   |  |
|  |  |  |  |  |
|  | 1. HERGHT AND SETBACK REGULATIONS<br>THE HEIGHT AND SETRACK REGULATIONS OF SECTION 35-24 SHAL NO<br>10. PERMITTED OBSTRUCTIONS - REFER TO Z.R. 33-42   | OT APPLY. IN LIFE THEREOF, THE FOLLOW  | VING HEIGHT AND SETBACK REGUA  | LTIONS SHALL A   |
|  | (), PERMITTED OBSTRUCTIONS - REFER TO Z.R. 33-42   | (a) BALCONIES, UNENCLOSED<br>SUBJECT TO Z.R. 24-165  | REFER TO   |  |
|  |  | (B) CHIMNEYS OR FLUES  | REFER TO<br>HEIGHT & SETBACK<br>DIAGRAM  | COMPLIES   |
|  |  | (C) ELEVATOR OR STAIR BULKHEADS  |  |  |
|  | (i), MEASUREMENT OF HEIGHT   | HEIGHTS OF ALL BUILDINGS SHALL<br>BE MEASURED FROM THE BASE<br>PLANE   |  | COMPLIES   |
|  | (iv). MAXIMUM HEIGHT OF STREET WALLS & REQUIRED SETBACKS   | 85-0° OR THE HEIGHT OF AN<br>ADDINING BUILDING FRONTING<br>ON THE SAME STREET LINE WITH<br>A HILIGHT OF AT LEAST<br>67-0°, WHICHEVER IS LESS   | 84-11° STREET WALL<br>PROVIDED   | COMPLIES   |
|  |  | SETBACK WITH A DEPTH OF AT<br>LEAST 15-0° SHALL BE PROVIDED<br>FROM ANY STREET WALL<br>FRONTING ON A NARROW STREET.  | 15-9" FRONT SETBACK<br>PROVIDED  | COMPLIES   |
|  | (1). MAXIMUM BUILDING HEIGHT   | NO BUILDING OR OTHER<br>STRUCTURE SHALL EXCEED A<br>HEIGHT OF 135-0"   | 97-7" BUILDING HEIGHT<br>PROVIDED  | COMPLIES   |
|  | o, defected all registrations from standards from Jonese   | Janeta albiterati variante da la superiora de la<br>superiora de la constante de la superiora de la<br>albitera de la superiora de la constante de la<br>superiora de la constante de la constante<br>la superiora de la constante de la constante<br>albitera de la constante de la constante de la constante<br>la superiora de la constante de la constante<br>albitera de la constante<br>albite   | NUMERAL OF SAME AND A  | skerate  |
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|  |  | SINT SINT CINE SINGLAR<br>WIT SHOT OWN ASSESSED  | WUT. PENNING TOPPER.   |  |
|  | al lander for the state of the  | NULER TERRANSI,  | 34874,~526145.<br>80948,~250842<br>80948,~250842<br>80948,~550842<br>90547,~3,50467<br>90547,~3,50467<br>90547,~346675   | 60%9.95  |
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| 2012 (242  | Securitization (n. J. and and an and a security of the securit   |  |  | 2000020  |
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| 2000 VII-00<br>2000 VII-00<br>2000<br>VII-00<br>2000<br>VII-00<br>VII-00<br>VII-00<br>VII-00<br>VII-00<br>VII-00<br>VII-00<br>VII-00<br>VII-00<br>VII-00<br>VII-00<br>VII-00<br>VII-00<br>VII-00<br>VII-00<br>VII-00<br>VII-00<br>VII-00<br>VII-00<br>VII-00<br>VII-00<br>VII-00<br>VII-00<br>VII-00<br>VII-00<br>VII-00<br>VII-00<br>VII-00<br>VII-00<br>VII-00<br>VII-00<br>VII-00<br>VII-00<br>VII-00<br>VII | Retarior information<br>of the second second second second second second second<br>of the second second second second second second second<br>second second seco | 607/201284<br>59625750038-0001<br>59625750038-0001<br>596255202750038-0001<br>81001-001-001<br>81001-001   |  | 019873-22<br>Constants<br>Constants  |
|  |  | 0071001280<br>190227420194-00200<br>0.000207420194-00200<br>0.000207420100740021040<br>0001010400<br>000101040<br>0001000<br>0001000<br>0001000<br>0001000<br>0001000<br>0001000   | Hospital Control to School Control to School Control C | 20080.025<br>Constants   |
|  | Retarior information<br>of the second second second second second second second<br>of the second second second second second second second<br>second second seco | 407-200.279<br>198027-800-8-408<br>4.960267-800-8-408<br>4.960267-800-8-408<br>4.900-9-40<br>5.000<br>4.900-9-40<br>5.000<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-400-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-40<br>4.900-9-400-9-40<br>4.900-9-400-9-40<br>4.900-9-400-9-40<br>4.900-9-400-9-40<br>4.900-9-400-9-40<br>4.900-9-400-9-40<br>4.900-9-400-9-40<br>4.900-9-400-9-40<br>4.900-9-400-9-40<br>4.900-9-400-9-40<br>4.900-9-400-9-40<br>4.900-9-400-9-400-9-40<br>4.900-9-400-9-400-9-40<br>4.900-9-40          |  | 0.0087320<br>Constants<br>Constants<br>Constants<br>Constants<br>Constants   |
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### MICHAEL ZENREICH, PC A R C H I T E C T 55 West 17th Street, 5 Floor New York, N.Y. 10011 Tel. (212) 242-7440

ETRUCTURE, ENGINEER Dahinsko Consolting Engineers PC 49 Ward 248 State, Nave York, NY 10001 41 Ward 248 State, Nave York, NY 10001

### Sideris Engineers P.C. Mochanical Fire Protection Plumbing Electrical

217-22 Northern Boulevard Beyside, New York 11361 Tel: 718-224-9091 Fax: 718-224-9143 DOB APPLICATIONS:

### ALT 1 : #104332474 ALT 1:#104332474 MH:#104332474 Doc. 2 ST:#104332474 Doc. 3 BOILER:#104441347 SPRINKLER:#104441378 FIRE ALARM:#104441338

PROJECT 146 CHAMBERS STREET NEW YORK, NEW YORK

### ALL RIGHTS RESER

Date: Saytember 8, 2006

Down By: MR Clocked By: MR

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## Mixed Use Building

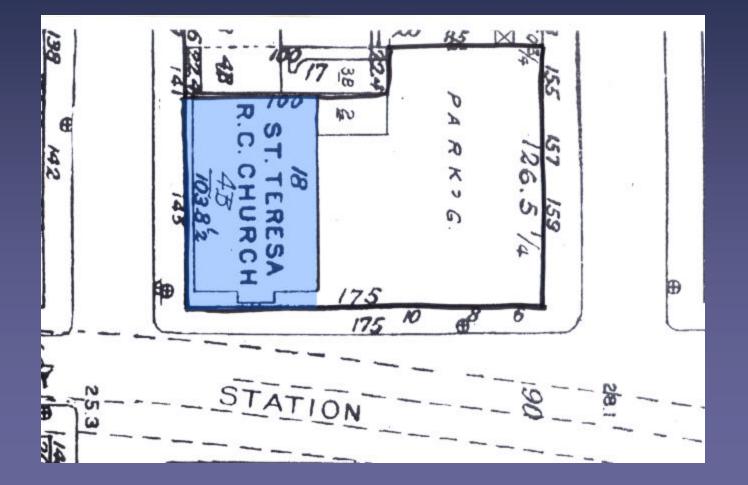
A "mixed building" is a *building* in a *Commercial District* used partly for *residential use* and partly for *community facility* or *commercial use*.

### Crossroads, 10 Rudgers, NY

# Lot Coverage



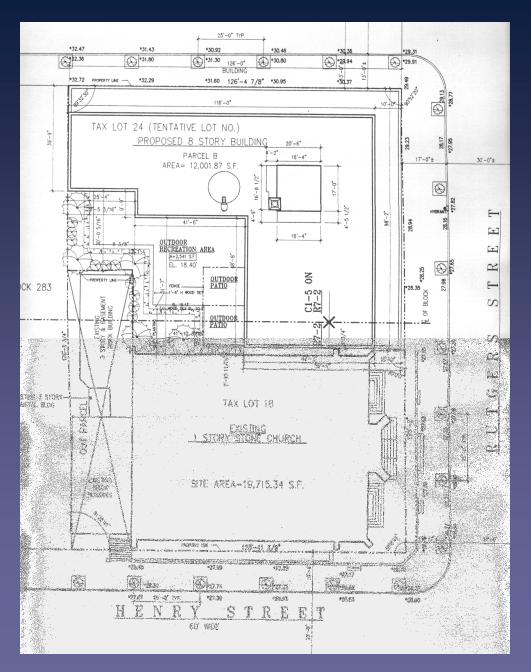
### Crossroads, 10 Rudgers, NY

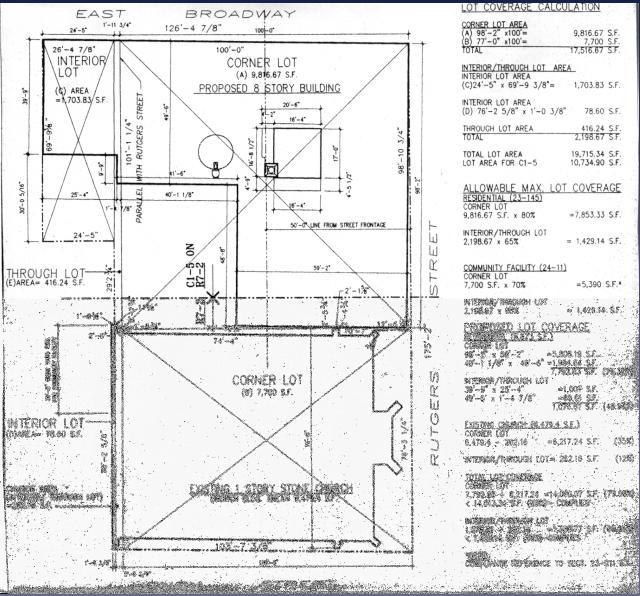


### Quality Housing 23-011(b.1)

(b) In other R6, R7, R8, R9 or R10 Districts, the bulk regulations applicable to Quality Housing developments may, as an alternative, be applied if the zoning lot is developed pursuant to all of the requirements of the Quality Housing Program..... In these districts, the Quality Housing bulk regulations may apply to developments or enlargements on zoning lots with existing buildings to remain, if:

(1) the existing *buildings* are non-*residential* and the entire *zoning lot* will comply with the *floor area ratio* and density standards applicable to Quality Housing *developments*; or





|     | LOT COVERAGE CALCULATION   |
|-----|--|
|     | CORNER LOT AREA           (A) 98'-2" x100'=         9,816.67 S.F.           (B) 77'-0" x100'=         7,700 S.F.           TOTAL         17,516.67 S.F.  |
|     | INTERIOR/THROUGH LOT AREA<br>INTERIOR LOT AREA<br>(C)24'-5" x 69'-9 3/8"= 1,703.83 S.F.  |
|     | INTERIOR LOT AREA<br>(D) 76'-2 5/8" x 1'-0 3/8" 78.60 S.F.   |
|     | THROUGH LOT AREA         416.24 S.F.           TOTAL         2,198.67 S.F.   |
|     | TOTAL LOT AREA 19,715.34 S.F.<br>LOT AREA FOR C1-5 10,734.90 S.F.  |
|     | ALLOWABLE MAX, LOT COVERAGE<br>RESIDENTIAL (23-145)<br>CORNER LOT<br>9,816.67 S.F. x 80% =7,853.33 S.F.  |
|     | INTERIOR/THROUGH LOT<br>2,198.67 x 65% = 1,429.14 S.F.   |
|     | COMMUNITY FACILITY (24-11)           CORNER LOT           7,700 S.F. x 70%   =5,390 S.F.*  |
|     | NTENCR/INSIGNALLOS<br>2.1988.57 x 958 - 1,423.14. 55   |
|     | PEOPERSID LOT COVERAGE<br>COMPARENT STATES<br>STATES STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATES<br>STATE |
|     | N TENOR/THROUGH LOT<br>38'-5' x 25'-4' +1.507 1.F.<br>49'-6' x 1'-4 7/8' =50 5.5<br>TOTOS T.S.T. (44.94)55   |
| ``` | ENSTRA CHARGE (8.479.4 S.E.)<br>CORNER (81<br>6.478.4 - 202.16 - =6.217.24 S.F. (35%)  |
| •   | "WTERIOR/THROUGH TOTA 282.18 S.F. (128)  |
|     | 1714 - LUR COMPANY<br>CAME LON<br>2,792.85 - 6,217.24 -14.041.07 S.P. (75.0804)<br>2,14.03.35 S.F. (2002) - COMPANY  |
|     | Million / Honolet Lol<br>Long at a local   |
|     | Elling antipacz to act. 23-on all  |

|   | ZUNI   | NG ANALYSIS   |   |  |
|---|--|---|---|--|
| QUALITY HOUSING AS ADAPTED BY THE CITY COUNCIL<br>JUNE 29, 1994 |  |   |   |  |
| ZONING<br>RESOLUTION  | ITEM   | PERMITTED/ REQUIRED   | PROPOSED  |  |
|   | I. USE REGULATION  |   |   |  |
| 32-15<br>32-11/22-12<br>22-14                                   | USE GROUP 6<br>USE GROUP 2<br>USE GROUP 4                          | AS OF RIGHT IN C1-5/R7-2<br>AS OF RIGHT IN C1-5/R7-2<br>AS OF RIGHT IN R7-2   | PROP. IN NEW DEVELOPME<br>PROP. IN NEW DEVELOPME<br>EXISTING 1-STORY CHURCH                                 |  |
|   | II. BULK REGULATIONS   |   |   |  |
| 35-011  | QUALITY HOUSING PROGRAM  | BULK REGULATIONS MAY BE APPLIED<br>TO RESIDENTAIL PORTION UNDER<br>SAME COND. SET IN SECT. 23-011<br>& 35-23                                      |   |  |
| 23-011 (b)  | QUALITY HOUSING PROGRAM  | IN R7 DISTRICT QUALITY HOUSING<br>BULK REGUALTIONS SHALL APPLY<br>IF ZONING LOT IS DEVELOPED UNDER<br>ALL QUALITY HOUSING PROGRAM<br>REQUIREMENTS |   |  |
| 23-145<br>24-11<br>33-121                                       | MAX. F.A.R.  | 3.44 RESIDENTIAL<br>6.5 COMMUNITY FACILITY<br>2.0 COMMERCIAL  | 3.14 (SEE COMPUTATIO<br>0.55 BELOW)<br>0.44   |  |
|   | MAY RESIDENTIAL C.A.   | 10.715 74 55 1 7.44   | 61.056.07 C.F.  |  |
|   |  | - <b>E</b> 2017 SF.   | CTORE OT CF<br>(VPE DOMNO AREA)<br>- 67,000 73 3.1 (COMPLES<br>UNISER ROLE)                                 |  |
|   | Mar deskriftal große f.a.<br>W/ 22 Micharga, alcoharet             | 98.204.77 EF22 NECH DESUST  | 07.427.0004.00000<br>98.7557-1.278.74<br>92.777.87.55<br>9.4.8-55.854.09/18/25.3<br>9.4.8-55.854.09/18/25.3 |  |
|   | ANALARII FIR IOMMANYY<br>FACUPT                                    | 19,715.34 S.F. x 8.5<br>=126.148.7 S.F.=57,432.54 S.F.<br>=43,328.84 S.F.   | 10.200 SF.<br>TAN-400 789/18,748.34   |  |
|   | MAX COMMENSIAL F.A.  | 10,734.99 S.F. x 2,8=9,387,45 S.F.  | F.A. (F. CINOPERIAL<br>GERS SI S.F. (COMPUEY)<br>F.A.F. & DIST 33/33/334.9<br>                              |  |
| £3 <b>14</b> 5  | REPORTAL MAX, LOT SUMPAGE<br>COMMELLOT (202)<br>INTRALLOT (202)    | 17,516,87 = 804= 14,823,34 S.S.<br>3,195,67 = 93%= 1,428,14 S.S.  | FRISKERRAL I SKR.44 S<br>FRISK CHERCH & STOR &<br>FRISK   |  |
| 24-11   | COMBRANTY MAR LOT COMPACE<br>COMBRILLOT (COM<br>INTERIOR LOT (COM) | 17.518.87 x 798+ 13.381.87 s.f.<br>2.198.87 x 658+ 1,429.14 s.f.  | CLEANS: 14,020,077 S.<br>M. / D. M. 2001 S.<br>D. M. 75, 34,554 S.  |  |
| 13-411 E.L.   | chality elwens fitting<br>Ban fittalten                            | enst. Non-Arsondenta, Slog.<br>Zonno lut contens av f.a.e. e<br>Lut areaali   | CERTARS SEE LOT MARRA<br>90.07  |  |

### Lot Coverage

"Lot coverage" is that portion of a *zoning lot* which, when viewed directly from above, would be covered by a *building* or any part of a *building*.

However, for purposes of computing a height factor, any portion of such building covered by a roof which qualifies as open space, or any terrace, balcony, breeze way, or porch or portion thereof not included in the floor area of a building, shall not be included in lot coverage.

### **Height Factor**

- The "height factor" of a *building* is equal to the total *floor area* of the *building* divided by its lot coverage.
- If two or more *buildings* are located on the same *zoning lot*, their *height factor* is the sum of their floor areas divided by the sum of their *lot coverages*.

The height factor is thus equal to the number of stories, if the building were erected without setbacks. In computing a height factor, a fraction of .5 or more may be considered a whole number, and smaller fractions shall be disregarded.

### **Open Space**

"Open space" is that part of a zoning lot, including courts or yards, which:

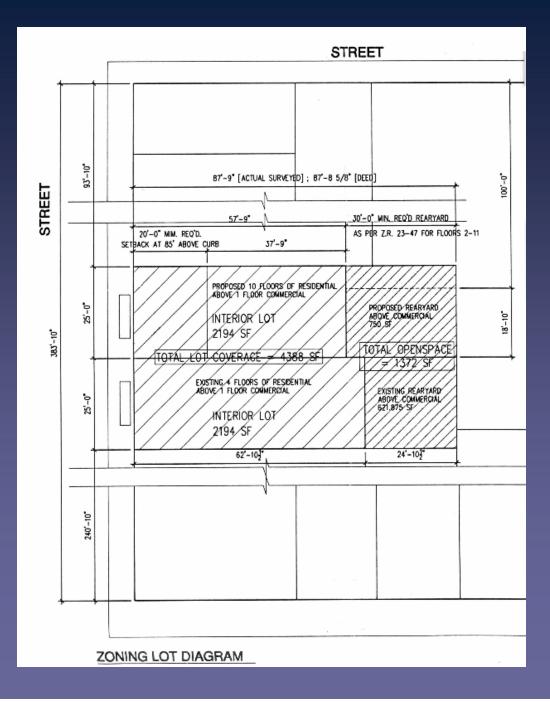
(a) is open and unobstructed from its lowest level to the sky, except as provided below;

(b) is accessible to and usable by all persons occupying a dwelling unit or a rooming unit on the zoning lot; and
(c) is not part of the roof of that portion of a building containing dwelling units or rooming units.

### **Location of Open Space**

35-33 A non-residential use occupying a portion of a building that was in existence on December 15,1961, may be changed to a residential is and the regulations on minimum required open space ratio shall not apply to such change in use

### Location Of Open Space



### **Preconsideration**

### BUILDINGS

Additional Information

| 1 Filing Status |      |        |                          |  |  |  |
|-----------------|------|--------|--------------------------|--|--|--|
| Job Number      |      |        | As an attachment to:     |  |  |  |
| Sheet Number 1  | a, 1 | Shaata | declard Street, New York |  |  |  |

### 2 Additional Information Block:

Lot:

Respectfully requesting a pre-consideration for the future following condition:

We are enlarging an existing two-story commercial building and altering the existing building and building an enlargement to create a twolve-story residential building.

This building, Orchard Street, lot , will be merged with Orchard Street, lot 10. Orchard is a building built before 1961 and the 2nd and 3rd stories were converted to residential use under application 103 and CO # 103 was issued.

By marging with . Orchard Street floors 2 and 3 will be enlarged. This enlargement will be done by basic height and setback regulations of the Zoning Resolution.

Section 35-33 applies in this situation, it states:

" A non-#residential use# occupying a portion of a #building# that was in existence on December 15, 1961, may be changed to a #residential use# and the regulations on minimum required #open space ratio# shall not apply to such change of #use#.

Floors 2 and 3. Orchard Street will have a lot coverage of 70%. The portion of Orchard Street does not count towards Open Space Ratio per Section 35-33 ZR.

Our interpretation is that since the building existed prior December 15, 1961 and a change of use to residential is being made to non-residential space, then the Open Space Ratio does not apply to this change of use application.

| Acceptance of our interpretation is respectfully requested.  | STERED ARCHU                 |
|--|------------------------------|
|  | a Contel CENTER CO           |
| 20-  | A LE BE                      |
| 5 500m nr. 40  |                              |
| - OK to  | ACCEPT                       |
|  | The steel and the state      |
| provided the for   | OF NEW                       |
| Was all and a  | A44 10345 0105               |
| in the second in   |                              |
| 3 Statements and Signatures  |                              |
| I source size that is of the above information it as register and cannot be the source of my knowledge   | Ander Nore Ficanaci Senreich |
| Fue isotections solvements and compare unter \$26.12s of the VML administrative Fuelding Code  | Second 200                   |
| and a summarized welf recommendation of consider   | en.                          |
| Example there are a new employees or for a solvemphysical according to the many or observation for example, the result of the source for special to that interval is the observation for special to that interval is the observation of the source for special to that interval is the observation of the special to the special  | 6.5                          |
| bit is sugged by the table pointing include the country of the district of the state of the stat |                              |
|  | Number 5-1105 A              |

### Legally required window

(A "legally required window" is a window or portion of a window(including a window either in addition to or as a substitute for mechanical ventilation) which is required by any applicable law or statute to provide light or ventilation to a "living room," as defined in Section 4 of the Multiple Dwelling Law.

## **Internet Resources**

- 1. City Planning: <u>www.nyc.gov/html/dcp/home.html</u>
- Department of Buildings: <u>www.nyc.gov/html/dob/home.htm</u>
- Landmarks Preservation Commission:
- 4. Oasis NYC map: <u>www.oasisnyc.net</u>
- 5. Property Shark: www.propertyshark.com



### Split Lot

A split lot is a zoning lot located in two or more districts in which different use, bulk, parking, or other regulations apply.

# 77-11 Conditions for Application of Use Regulations to Entire Zoning Lot

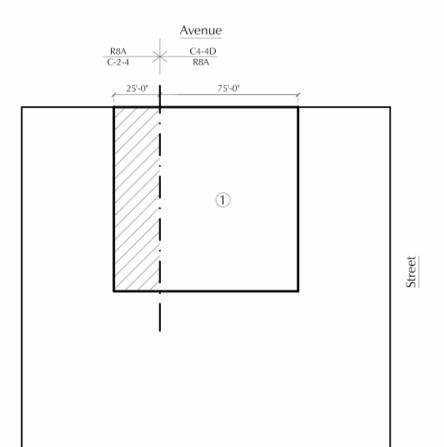
Whenever a zoning lot existing on December 15, 1961, or on any applicable subsequent amendment thereto, is divided by a boundary between districts in which different uses are permitted, the use regulations applicable to the district in which more than50 percent of the lot area of the zoning lot is located may apply to the entire zoning lot, provided that the greatest distance from the mapped district boundary to any lot line of such zoning lot in the district in which less than 50 percent of its area is located does not exceed 25 feet. Such distance shall be measured perpendicular to the mapped district boundary.

#### 77-211 Condition for application of bulk regulations to entire zoning lot

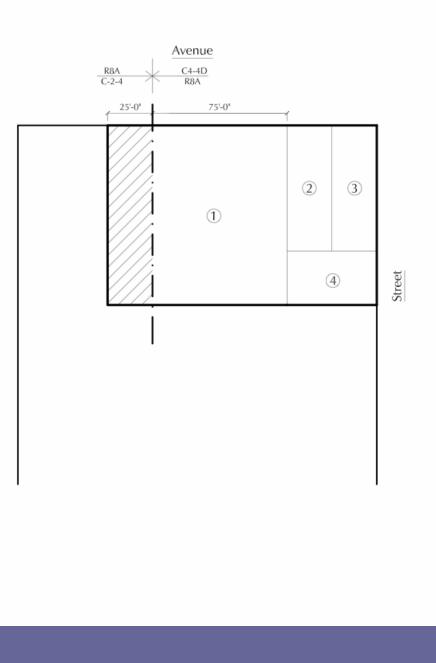
Whenever a zoning lot existing on December 15, 1961, or on any applicable subsequent amendment thereto, is divided by a boundary between:

- (a) two Residence Districts limited to single- or single- and twofamily residences; or
- (b) two Commercial Districts or two Manufacturing Districts in which the same uses are permitted but different bulk regulations apply;

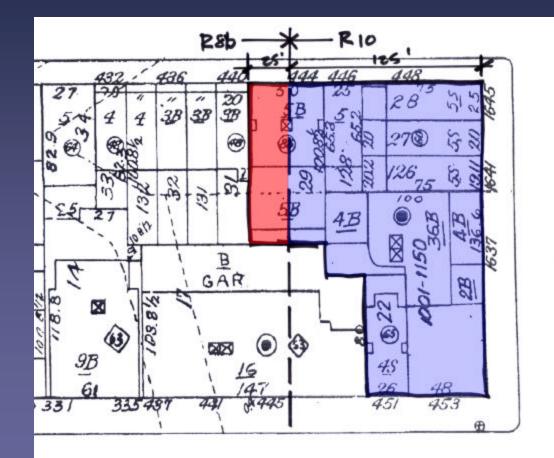
the bulk regulations applicable to the district in which more than 50 percent of the lot area of the zoning lot is located may apply to the entire zoning lot, provided that the greatest distance from the mapped district boundary to any lot line of such zoning lot in the district in which less than 50 percent of its area is located does not exceed 25 feet. Such distance shall be measured perpendicular to the mapped district boundary. Split Lot Existing prior to 1961



# Split Lot Merged

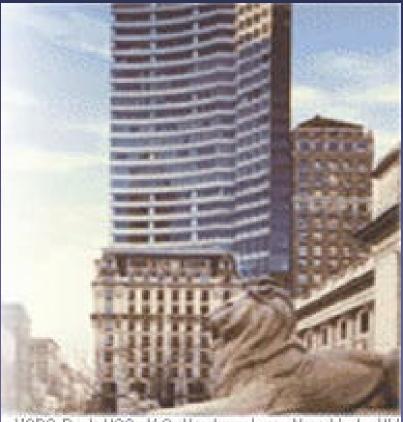


#### **Split Lot regulations**

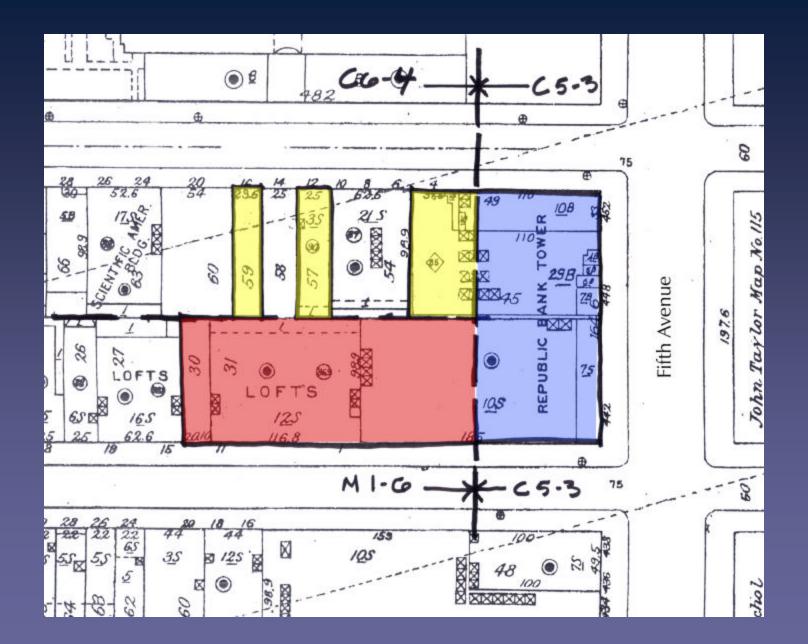


## **Republic National Bank (HSBC)**

Zoning Lot Merger Split Lot Historic Special Permit Modification of Bulk



HSBC Bank USA, N.A. Headquarters, New York, NY



### Split Lot

A split lot is a zoning lot located in two or more districts in which different use, bulk, parking, or other regulations apply.

#### 77-22 Split Lot Floor Area Ratio

The maximum floor area ratio permitted on each portion of such zoning lot for the applicable type of building or buildings on such zoning lot shall be determined under the applicable regulations of the Chapters indicated:.....

Each such floor area ratio shall be multiplied by the percentage of the zoning lot to which such #floor area ratio applies. The sum of the products thus obtained shall be the adjusted maximum floor area ratio# applicable to such zoning lot.

..... (other conditions apply).....

#### REPUBLIC NATIONAL BANK OF NEW YORK April 23, 1981

#### ZONING LOT

| Block   | Lot  | Building  | <u>C5-3</u>             | <u>C6-4</u>  | <u>M 1-6</u>                              | Total   |
|---------|--|---|-------------------------|--|---|---|
| 841 -   | 49<br>45,47,53<br>41<br>31<br>30<br>57<br>59 | 452 Fifth Avenue<br>450 Fifth Avenue (New)<br>444 Fifth Avenue<br>1 West 39th<br>13 West 39th<br>12 West 40th<br>16 West 40th | 3,300<br>6,575<br>9,875 | 330<br>4,360.625<br>4,937.5<br>2,468.75<br>2,320.625 | -<br>3,456.25<br>11,520.833<br>2,057.2917 | 3,630<br>10,935,625<br>18,227.75<br>11,520.833<br>2,057.2917<br>2,468.75<br>2,320.625 |
| Total A | Tea  |   | 19,7508.R.              | 14,417.58.8.   | 17,034.37S.F.                             | 51,201.8758.B.  |
| % of Lo | t Area                                       |   | 38,5728%                | 28.15827   | 33.2589%                                  | 100% of lot area  |
| Adjuste | ed P.A.R.                                    | (.3857 x 15) + (.2816   | x 10) + (.332           | 7 x 10) = 11.9                                       | 286 F.A.R. = 610,7                        | 768.68  |

| TOTAL AVAILABLE ZONING FLOOR AREA | 3                 |                | 610,768 | canna Gran Martin Caller (19 1952) 1997 - Elizioneo de Indio Paris Indio Paris Constante Constante Constante Co |
|-----------------------------------|-------------------|----------------|---------|---|
|                                   |                   |                |         |   |
| Maximum allowable bulk in C5-3    | 19,750 x 15 F.A.R | 296,250 Z.F.A  | 2.03    |   |
| Naximum allowable bulk in C6-4    | 14,417 x 11.929 - | 171,980 Z.P.A. |         |   |
| Maximum allowable bulk in ML-6    | 17,034 x 11.929   | 203,198 Z.F.A. |         |   |
|                                   |                   |                |         |   |

## Tax Lot/Zoning Lot Subdivision RP-604

Form B.P. 604 (Rev.) REQUEST TO REAL PROPERTY ASSESSMENT BUREAU SURVEYING DIVISION FOR TENTATIVE LOT NUMBERS 3 1 SEC. VOL. BOROUGH Manhattan uraw sketch to scale BLOCK 137 DATE 06/22/2006 1" - 50' ifpossible. Indicate North Arrow. PRESENT LOT NO. 32,33 CHAMBERS STREET 50.39 102-15 -.3Z TENTATIVE LOT NUMBERS 32 146 CHAMBERS STREET 146 CHAMBERS ifor Department of Buildings STREET WEST BROADWAY filing only) 194 Persy. ~111 Ð 24-10  $V = 30.0^{\circ}$ Owner's Name 146 Chambers Owners LLC TAX MAP CHANGE WILL NOT BE MADE UNTIL Assistant Surveyo Architect's or RECEIPT OF APPROVAL Signature of Architect Engineer's BY DEPT. OF BUILDINGS Seal

# **Tax Lot Zoning Lot Subdivision PW-1**

Plan/Work Approval Application

InternalUse Job Mumber

Application Must Be Typewritten

(AffixTabs

| Initial Filing 2,3,4,8,6            | Subsequent Filing 2,3,4,8,7A,8,9,16                      | JobNumber     | Work TypeSuffa |
|-------------------------------------|--|---------------|----------------|
| Job Involves a development project. |  |               | /              |
| Johnwolwestnerthousing/duster.      | Additions  | Changes       |                |
| Number of buildings                 | Lam theoriginal applicant applying for additional        | Amendment.    |                |
| Project Marse                       | approvala.   | Reinstatement |                |
| PrepetI.D.                          | Lam a subsequent applicant taking responsibility for the | Withdrawal    |                |
| FOR D.O.S.                          | forme specified herein.                                  |               |                |

| <b>2Location</b>   |             |        |                 |          |   |
|--------------------|-------------|--------|-----------------|----------|---|
| Barough            | Nock        | Lob(s) | HIN             | C.B. No. |   |
| House No(8).       | Street.Name |        | Api/OondoNo(a). |          |   |
| Special Place Name |             |        | Phor(a)         |          | _ |

| 3Applicant    |     | The following int | formation represents a change to the | original filing |          |
|---------------|-----|-------------------|--------------------------------------|-----------------|----------|
| Last Name     |     |                   | Piret Nerros                         | MI              |          |
| Bustness Name |     |                   |                                      | Business Ph     | ione ( ) |
| Address       |     |                   | City                                 | Blacks          | 219      |
| P.H.          | BA. | Other             |                                      | 12c. No.        |          |

| 4 Filing Representative Complete | elf different from applicant. |                    |  |
|----------------------------------|-------------------------------|--------------------|--|
| LastName                         | Piret Name                    | ML                 |  |
| Business Name                    |                               | Business Phone ( ) |  |
| Address                          | City                          | Stata ZIP          |  |

| AdditionalConsiderations             |                           |                          |                   |                      |
|--------------------------------------|---------------------------|--------------------------|-------------------|----------------------|
| Directive 14 Acceptance Requested    | Old Code Review Requested | Infil Zoning             | Quality Housing   | Site Safety Job      |
| Legalization of workdoneafter 1/1/89 | Applicationisb            | ing made to comply with: | LocalLaw6 of 1973 | Local Law 16 of 1984 |

| <b>6InitialFiling</b> | Complete sections and schedules in | dicated to the right of only one sele | ched job type.          |                       |                       |
|-----------------------|------------------------------------|---------------------------------------|-------------------------|-----------------------|-----------------------|
| New Building          | 8,9,10,15,16,8chedule A            | Bubdivision: 9                        | SpecialStatus, Limitai  | tions or Restrictions | V. 101.               |
| Alteration            | 7                                  | Improved Property                     | Restrictive Declaration | Landmark              | Single Room Occupancy |
| Denoition             | 8,9,100                            | Unimproved Property                   | Reel                    | BSA Calendar Number   |                       |
| Stgn                  | 74,8,9,104,18                      | Condominiums                          | Page No.                | CPC Calendar Number   |                       |
| Place of Assembly     | 11 Related Job Number:             |                                       | Other                   |                       |                       |

| Alteration - Type I (C)                            | angeto Cof O) (  | Complete 7A,8,9,10,18,5               | Schedule A                              | Select One:     | New C of O              | Amended C of 0                  |
|--|------------------|---------------------------------------|---|-----------------|-------------------------|---------------------------------|
| Change to:   | Occupa           | anny/Use                              | Hoom Count/D                            | DevelopingUnits | Egress                  | PartialDemolition               |
| Colargement:                                       | Horteo           | (antau)                               | Westind                                 |                 |                         |                                 |
| Alteration - Type II                               | complete 7A and  | d indicated sections and ac           | thedules.                               | Select One:     | Regiptment Installation | Equipment Repair / Modification |
| PL Phonbing -9,101                                 | .PW-1B           | 13 PostBurning -                      | 9,PW-10                                 | SP Sprinkler-9, | 10A,10B,10C,14,PW-1B    | EQ ConstructionEquip13          |
| ME Mach/HVAC -9,104                                |                  | 75 PuelStorage -1                     | 9,PW-1C                                 | TA FireAlerra   | -9,14                   | OT Other-9,Describe below:      |
|  |                  |                                       |   |                 |                         |                                 |
| Alteration - Type III                              |                  |                                       | 0,10A,10B,10C,14<br>rktypesonly),9,10A, | 17 FireSuppres  | seiom -9,14             |                                 |
|  | Complete section | na 7A,8 (EQ, 00, or 0T wo             |   |                 | stion -9,14             |                                 |
| Alteration - Type III Part A Job Description (Reg. | lompiete section | na 7A,8 (EQ, CC, or OT wor<br>Micros) |   |                 | sitor: -9,14<br>\$      | \$                              |
| Alteration - Type III                              | lompiete section | na 7A,8 (EQ, CC, or OT wor<br>Micros) | rktypesonly),9,10A,                     | 108,100,100     |                         | \$                              |