

RECEIVED MAR 24 2014

GOLDMANHARRIS LLC

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Ezra Moser

March 21, 2014

BY CERTIFIED MAIL

Mr. Bob Gormley
District Manager
Manhattan CB 2
3 Washington Square Village, #1A
New York, NY 10012

Re: **Fourth Revised Submission**
299-12-BZ
40-56 Tenth Avenue
Block 646, Lot 1, Manhattan

Dear Mr. Gormley:

Enclosed herein is a copy of a Fourth revised submission in connection with the above-referenced variance application. The revised submission was submitted to the NYC Board of Standards and Appeals on Tuesday, March 18, 2014.

Please let us know if you require any additional information in this regard. Thank you.

Very truly yours,



Ezra H. Moser
Planning Specialist

Enc.

GOLDMANHARRIS LLC

Attorneys at Law

475 Park Avenue South
New York, New York 10016
www.goldmanharris.com

Howard Goldman

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hgoldman@goldmanharris.com

RECEIVED
PLANNING BOARD APPEALS
2014 MAR 19 P 3:25
CAL. NO.

March 18, 2014

BY HAND

Hon. Meenakshi Srinivasan, Chair
NYC Board of Standards and Appeals
250 Broadway, 29th Floor
New York, NY 10007

Re: **Fourth Revised Submission**
Cal. No. 299-12-BZ
40-56 Tenth Avenue
Block 646, Lot 1, Manhattan

Dear Chair Srinivasan:

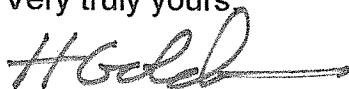
We are pleased to submit a revised Proposed Development scenario, including financial and zoning analyses. The revised design does not seek any additional FAR and requires only a relatively minor height and setback waiver.

The design includes the removal of six feet from the east side of proposed building, reducing the floor plate width from 65 feet to 59 feet. This allows portions of the new building to be set back a distance of 16 feet, as opposed to 10 feet, from the existing High Line building located at 450 West 14th Street.

The special features inherent in the design, including higher floor to ceiling heights, greater percentage of perimeter area, and internal voids to allow for communicating stairs between floors, as well as the innovative solar curve, generates an average rent of \$78 per square foot. This is an increase of \$3 per square foot from the prior scheme and is sufficient to offset the premium costs of the subsurface conditions, estimated at \$6,255,830, and any design-related construction costs.

The Proposed Development is lower in height than a permitted as-of-right tower and is consistent with the built character of the surrounding area. It is lower than both the High Line Building and the Standard Hotel and only ten feet taller than the Romanoff Building.

Very truly yours,



cc: Hon. Corey Johnson, Council Member District 3
Hon. Gale Brewer, Manhattan Borough President
Bob Gormley, Community Board 2 District Manager
Edith Hsu-Chen, Director, Department of City Planning Manhattan Office
Christopher Holme, Department of City Planning
Arthur Huh, Herrick Feinstein, LLP

FREEMAN

REAL ESTATE SERVICES

132 NASSAU STREET
NEW YORK, NY 10038
TEL: 212.732.4056
FAX: 212.732.1442

FRAZIER

& ASSOCIATES, INC.

RECEIVED
2014 MAR 19 P 3:25
C.R.L. 10.

MEMORANDUM

Date : March 18, 2014
To : Howard Goldman
GoldmanHarris, LLP
From : Jack Freeman
Re : Response to Hearing
40-56 Tenth Avenue
New York, NY
BSA Cal. No. 299-12-BZ

Attached please find a letter in response to questions raised at the hearing of February 11, 2014.

FREEMAN

REAL ESTATE SERVICES

132 NASSAU STREET
NEW YORK, NY 10038
TEL: 212.732.4056
FAX: 212.732.1442

FRAZIER

& ASSOCIATES, INC.

March 18, 2014

Hon. Meenakshi Srinivasan, Chairperson
New York City Board of Standards and Appeals
40 Rector Street
New York, New York 10007

Re : 40-56 Tenth Avenue
New York, NY
299-12-BZ

Dear Chairperson Srinivasan:

At the hearing of February 11, 2014 for the above referenced Zoning Variance Application, additional information as well as additional financial analyses were requested as follows:

1. Revised Proposed Development

The Revised Proposed Commercial Development would be a mixed-use program with retail on the ground through second floors, a restaurant on the ground and second floor terrace, and offices on the third through tenth floors. The space will be typical of office work undertaken by owners or prospective tenants in terms of tenant fit out of interior partitions, ceilings and finishes.

There would be 8,200 gross sq.ft. of retail space on the ground floor and 7,195 gross sq.ft. of retail on the second floor. There would be 12,025 sq.ft. of retail in the cellar. The restaurant would have 5,990 sq.ft. on the ground floor, 200 sq.ft. on the second floor and 8,872 sq.ft. on the second floor terrace. There would be 107,377 sq.ft. of office space which includes the lobby. There would be a total gross floor area of 129,557 sq.ft. not including the cellar and a zoning floor area of 117,705 sq.ft.

This development program is referred to as the " Revised Proposed Commercial Development".

2. Breakdown of Office Income

A stacking plan of the office rent for Revised Proposed Commercial Development alternatives considered is attached as Exhibit A.

The total office income from the stacking plan for the Revised Proposed Development is \$8,333,437. This results in an average rent for the Proposed Development of \$78/sq.ft, which is within the higher end of the range of the comparables. This rent is justified due to the signature design, enhanced value of the higher floor to ceiling heights and a greater percentage of perimeter office area with more corner offices. In addition, the Revised Proposed Development provides a more efficient building, yielding more rentable office area within the same zoning floor area as the As of Right Development with Complying Setbacks. The additional income is sufficient to overcome the hardships on the site. Any additional design related construction cost is also supported by the additional income generated by these factors.

Economic Analysis

In order to analyze the economic characteristics of the development alternatives we have prepared the attached Schedule A: Analysis Summary; and Schedule B: Development Costs.

The analysis incorporates the new construction cost estimate prepared by McQuilkin Associates. The estimate is attached as Exhibit A.

The estimated hard construction cost for the Revised Proposed Development is \$56,704,233. The work includes commercial core and shell, electrical, mechanical and elevator systems as well as office lobbies. Ground and second floor retail would have only a core and shell and basic mechanical systems, with the tenant responsible for all improvements.

All other assumptions are the same as those described in the Economic Analysis Report dated October 9, 2012, and the Response to the BSA's Notice of Comments, dated July 30, 2013.

Revised Proposed Development

As shown in the attached Schedule A, the capitalized value determined by the analysis for commercial spaces in the Revised Proposed Development is \$120,360,000.

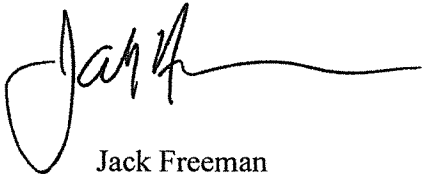
As shown in the attached Schedule A, the total development cost, including estimated property value, hard construction costs, tenant fit-out costs and soft costs, for the Revised Proposed Development is estimated to be \$120,505,000.

Response to Hearing
40-56 Tenth Avenue
New York, NY
March 18, 2014
Page 3

As shown in the attached Schedule A, the difference between the value of the capitalized net operating income of \$120,360,000 and the development cost of \$120,505,000 is (\$145,000). The Revised Proposed Development can be considered to be minimally feasible.

Please feel free to call me if you have any further questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Jack", followed by a long horizontal flourish line.

Jack Freeman

ECONOMIC ANALYSIS
 40-56 TENTH AVENUE
 NEW YORK, NY
 MARCH 18, 2014
 PAGE 4

SCHEDULE A : ANALYSIS SUMMARY

	REVISED PROPOSED DEVELOPMENT
BUILDING AREA (SQ.FT.)	
OFFICE USE	107,377
RETAIL USE	15,395
RESTAURANT	5,990
HIGHLINE TERRACE	8,872
TOTAL AREA	129,557

CAPITAL INVESTMENT SUMMARY

ACQUISITION COSTS	\$32,957,000
HOLDING & PREP. COSTS	\$2,497,000
BASE CONSTRUCTION COSTS	\$56,704,000
TENANT FIT-OUT COSTS	\$4,270,000
SOFT CONSTRUCTION COSTS	\$24,077,000
	\$120,505,000

INCOME AND EXPENSES

OFFICE	\$8,333,000
RETAIL	\$3,539,000
RESTAURANT	\$2,936,000
GROSS INCOME	\$14,808,000
(less)VACANCY	(\$1,481,000)
EFFECTIVE INCOME	\$13,327,000
(less)COMM'L M&O EXPENSES	(\$2,330,000)
(less)WATER & SEWER	(\$27,000)
(less)COMM'L R.E. TAXES	(\$1,943,000)
NET OPERATING INCOME	\$9,027,000
CAPITALIZED VALUE OF NOI @ 7.50%	\$120,360,000

FEASIBILITY ANALYSIS

PROJECT VALUE @ CAP RATE = 7.50%	\$120,360,000
PROJECT DEVELOPMENT COST (SCHEDULE B)	\$120,505,000
PROJECT VALUE (less) PROJECT DEVELOPMENT COST	(\$145,000)

NOTE : ALL \$ FIGURES ROUNDED TO NEAREST THOUSAND

SCHEDULE B : DEVELOPMENT COSTS

		REVISED PROPOSED DEVELOPMENT
DEVELOPMENT COST SUMMARY		
ACQUISITION COSTS		\$32,957,000
HOLDING & PREP. COSTS:		\$2,497,000
BASE CONSTRUCTION COSTS		\$56,704,000
TENANT FIT-OUT		\$4,270,000
EST.SOFT COSTS		\$24,077,000
EST. TOTAL DEV.COSTS		\$120,505,000
=====		
ACQUISITION COSTS :		
Land Purchase Price		\$32,957,000
TOTAL LAND VALUE		\$32,957,000
HOLDING & PREP. COSTS:		\$2,497,000
BASE CONSTRUCTION COSTS :		\$56,704,000
TENANT FIT-OUT		\$4,270,000
EST.CONST.LOAN AMOUNT :		\$90,379,000
EST.CONST.PERIOD(MOS) :		20
EST. SOFT COSTS :		
Builder's Fee/Developer's Profit	1.50%	\$1,808,000
Archit.& Engin. Fees	6.00%	\$3,402,000
Bank Inspect.Engin.		\$23,000
Construction Management	3.00%	\$1,701,000
Inspections, Borings & Surveys		
Laboratory Fees	LS	\$10,000
Soil Investigation	LS	\$10,000
Preliminary Surveys	LS	\$5,000
Ongoing Surveys	LS	\$15,000
Environmental Surveys/Reports	LS	\$2,000
Controlled Inspection Fees	LS	\$75,000
Legal Fees		
Dev.Legal Fees		\$80,000
Con.Lender Legal		\$90,000
End Loan Legal		\$41,000
Permits & Approvals		
D.O.B. Fees	25.53%	\$33,000
Other		\$40,000
Accounting Fees		\$5,000
Consultant Fees		
Appraisal Fees		\$8,000
Marketing/Pre-Opening Expenses		
Rental Commissions	25.00%	\$3,702,000
Financing and Other Charges		
Con.Loan Int. @ Loan Rate =	5.50%	\$4,142,000
Rent-up Loan Int. @ Loan Rate =	5.50%	\$2,239,000
Con.Lender Fees	1.00%	\$904,000
End Loan Fee	1.00%	\$814,000
Construction Real Estate Tax		\$217,000
Rent-up Real Estate Tax		\$972,000
Title Insurance	0.33%	\$398,000
Mtge.Rec.Tax	2.75%	\$2,485,000
Construction Insurance	1.00%	\$851,000
Water and Sewer		\$5,000
Other		\$0
TOTAL EST.SOFT COSTS		\$24,077,000

NOTE : ALL \$ FIGURES ROUNDED TO NEAREST THOUSAND

Freeman/Frazier & Associates, Inc.

Date : March 18, 2014

Property : 40-56 Tenth Avenue

Block : 646 Lots : 1, 5-9 Manhattan

Total Land Area : 23,541 sq.ft.

Zone : M1-5

Page 6

Schedule C: Rentable Office Area Stacking Plan

Revised Proposed Development

Floor	Sq. Ft.	Rent \$/Sq.Ft	Annual Rent/Floor
Ground	9,055	\$ 69	\$ 624,795
Two	3,432	\$ 70	\$ 240,240
Three	11,937	\$ 75	\$ 895,275
Four	10,610	\$ 76	\$ 806,360
Five	12,168	\$ 77	\$ 936,936
Six	10,385	\$ 78	\$ 810,030
Seven	12,472	\$ 79	\$ 985,288
Eight	11,201	\$ 80	\$ 896,080
Nine	12,878	\$ 81	\$ 1,043,118
Ten	11,239	\$ 85	\$ 955,315
Roof	2,000	\$ 70	\$ 140,000
Total	107,377	\$ 78	\$ 8,333,437

Exhibit A

40-56 TENTH AVE

PROPOSED 5.0 FAR
SCENARIO E

Preliminary Construction Cost Estimate

New York, New York

March 12, 2014

McQUILKIN ASSOCIATES, LLC

Construction Consultants

500 Morris Avenue
Springfield, NJ 07081
Tel: 973-218-1600
Fax: 973-218-1700

McQUILKIN ASSOCIATES, LLC
PROJECT:40-56 TENTH AVENUE - PROPOSED 5.0 FAR
LOCATION: NEW YORK. NY

DATE: 3/12/14
REV.:

QUALIFICATIONS

- 1 This estimate is based on a competitively bid project utilizing union labor.

EXCLUSIONS

- 1 Demolition work - Existing Buildings
- 2 Design/Professional fees.
- 3 Surveys & Reports
- 4 Treatment/Removal of Contaminated Materials
- 5 Controlled Testing and Inspection
- 6 Public Agency Approvals/Inspection Fees
- 7 Building permit/filing fees.
- 8 Builder's risk insurance.
- 9 Utility Company Charges (other than Temporary for Contractor)
- 10 Overtime
- 11 Performance Bond
- 12 Mock-Ups
- 13 Escalation - Estimate Based on Construction Start 3rd Qtr 2012
- 14 Contractors Profit or Construction Manager's Fee
- 15 Tenant Improvements

McQUILKIN ASSOCIATES, LLC
 PROJECT:40-56 TENTH AVENUE - PROPOSED 5.0 FAR
 LOCATION: NEW YORK. NY

DATE: 3/12/14
 REV.:

CSI CODE	TRADE SUMMARY	AMOUNT	COST/S.F 150,207 SF
01500	TEMPORARY CONSTRUCTION	915,000	6.09
02500	SITE IMPROVEMENTS	188,700	1.26
02600	SITE UTILITIES	170,000	1.14
02950	EXCAVATION/FOUNDATION	6,998,999	46.90
03300	SUPERSTRUCTURE CONCRETE	1,317,068	8.83
04100	MASONRY	351,350	2.35
05100	STRUCTURAL STEEL	7,460,000	49.99
05300	METAL DECK	609,764	4.09
05500	MISCELLANEOUS IRON	942,790	6.32
06100	ROUGH CARPENTRY	230,200	1.54
06200	FINISH CARPENTRY	86,900	0.58
07100	WATERPROOFING	155,092	1.04
07250	FIREPROOFING	457,323	3.06
07510	ROOFING/INSULATION/FIRESTOPPING	821,295	5.50
07900	CAULKING & SEALANTS	105,000	0.70
08100	HOLLOW METAL	57,300	0.38
08300	SPECIAL DOORS	35,000	0.23
08400	ENTRANCES AND STOREFRONT	1,230,125	8.24
08700	HARDWARE	70,650	0.47
08950	EXTERIOR FAÇADE	13,811,320	92.54
09000	INTERIOR FIT OUT	1,030,130	6.90
09250	DRYWALL	1,436,884	9.63
09300	TILE	218,334	1.46
09500	ACOUSTIC TILE	74,288	0.50
09650	RESILIENT FLOORING	42,588	0.29
09900	PAINTING	389,234	2.61
10400	IDENTIFYING DEVICES	25,000	0.17
10530	CANOPIES	459,000	3.08
10800	TOILET ACCESSORIES	128,600	0.86
11160	LOADING DOCK EQUIPMENT	20,000	0.13
14200	ELEVATORS	1,845,000	12.36
15300	FIRE PROTECTION	675,932	4.53
15400	PLUMBING	1,406,500	9.42
15500	HEATING, VENTILATING AND AIR CONDITIONING	2,861,583	19.17
16,000	ELECTRICAL WORK	2,527,207	16.93
		SUBTOTAL	49,154,155
	GENERAL CONDITIONS 12%		329.36
			5,898,499
		SUBTOTAL	55,052,653
	INSURANCE 3%		368.89
			1,651,580
		TOTAL	56,704,233
			379.95

NYS RA / PE SEAL AND SIGN

BSA ZONING ANALYSIS

REVISED APRIL 2005

BSA CALENDAR NO.

299-12-BZ

BLOCK 646

LOT 1

SUBJECT SITE ADDRESS

40-56 TENTH AVENUE, NEW YORK NY 10014

APPLICANT

GOLDMAN HARRIS LLC

ZONING DISTRICT M1-5

PRIOR BSA #

COMPLIANT: "Y"

SPECIAL/HISTORIC DISTRICT N/A

IF NOT: "N" and

COMMUNITY BOARD 2

INDICATE AMT

* APPLICABLE	MAXIMUM	MINIMUM	LEGAL PER				
ZR SECTION	PERMITTED	REQUIRED	C of O or BSA	EXISTING	PROPOSED	OVER/UNDER	

LOT AREA

23,541sf

23,541sf

Y

LOT WIDTH

206'-6"

206'-6"

Y

USE GROUP (S)

42-00

17

vac.

6

Y

FA RESIDENTIAL

FA COMMUNITY FACILITY

FA COMMERCIAL/INDUST.

FLOOR AREA TOTAL

43-12

117,705sf

47,392sf

117,705sf

Y

43-12

117,705sf

47,392sf

117,705sf

Y

FAR RESIDENTIAL

FAR COMMUNITY FACILITY

FAR COMMERCIAL/INDUST.

FAR TOTAL

43-12

5.0

2.01

5.0

Y

43-12

5.0

2.01

5.0

Y

OPEN SPACE

N/A

0

Y

OPEN SPACE RATIO

N/A

0

Y

LOT COVERAGE (%)

N/A

NO. DWELLING UNITS

N/A

WALL HEIGHT

43-43

85' / 6 st.

40' / 3 st.

185' / 10 st.

N

TOTAL HEIGHT

40'

199'

N/A

NUMBER OF STORIES

3

10

N/A

FRONT YARD

43-43

0

0

0

Y

SIDE YARD

43-25

0

0

0

Y

SIDE YARD

43-25

0

0

0

Y

REAR YARD

43-261

20' x 53'

N/A

0

N

SETBACK (S)

43-43

15' / 20'

N/A

0' / 0'

N

SKY EXP. PLANE (SLOPE)

43-43

2.7:1, 5.6:1

N/A

0

N

NO. PARKING SPACES

44-12 / 44-20

150

0

0

0

Y

LOADING BERTH (S)

44-52

N/A

1

0

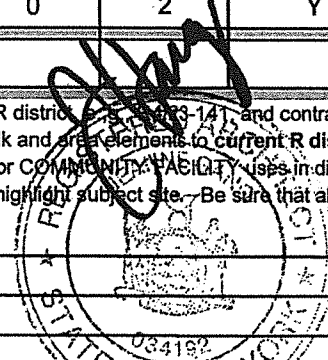
2

Y

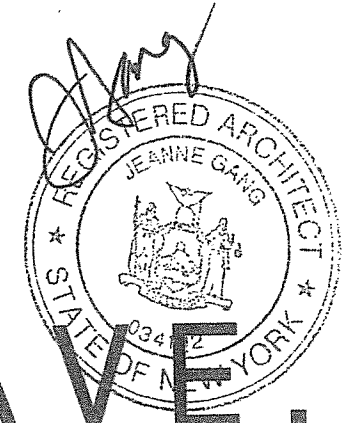
OTHER:

* In Applicable ZR Section column: For RESIDENTIAL developments in non-residential districts, indicate nearest R district (e.g., R3-141) and contrast compliance. For COMMERCIAL or MANUFACTURING developments in residential districts, contrast proposed bulk and area elements to current R district requirements, except for parking and loading requirements (contrast to nearest district where use is permitted). For COMMUNITY FACILITY uses in districts where not permitted, contrast to nearest district where permitted. For all applications, attach zoning map and highlight subject site. Be sure that all items noted in the DOB Denial/Objection are included.

NOTES:



RECEIVED MAR 24 2014



40-56 TENTH AVE.

NEW YORK, NEW YORK 10014

DEVELOPMENT SCENARIO "E"
PROPOSED DEVELOPMENT (F.A.R. = 5.0)
BSA Calendar No: 299-12-BZ
March 18, 2014

40-56 TENTH AVE., LLC
CLIENT
24 Union Square East Fifth Floor T 212.353.8700
New York, New York 10003 F 212.353.1798

**STUDIO/
GANG**
ARCHITECTS
ARCHITECT
1212 N. Ashland Ave Suite 212 T 773.384.1212
Chicago, Illinois 60622 F 773.384.0231

ARUP NY
STRUCTURAL ENGINEER
155 Avenue of the Americas #1 T 212.229.2669
New York, New York 10013 E newyork@arup.com

ARUP NY
MECHANICAL, ELECTRICAL, PLUMBING
& FIRE PROTECTION ENGINEER
155 Avenue of the Americas #1 T 212.229.2669
New York, New York 10013 E newyork@arup.com

SCAPE STUDIO
LANDSCAPE ARCHITECT
27 West 20th Street, Suite 1001 T 212.462.2628
New York, New York 10001 F 212.462.4164

LANGAN ENGINEERING
CIVIL ENGINEER
360 West 31st Street, 8th Floor T 212.479.5400
New York, New York 10001 F 212.479.5444

DAVIS LANGDON
COST ESTIMATOR
370 Lexington Avenue, Suite 2500 T 617.357.1496
New York, New York 10017 F 617.357.1812

DRAWING INDEX:	
GENERAL	
E-G000	TITLE SHEET-DRAWING INDEX
E-G001	SURVEY
ARCHITECTURAL	
E-Z000	ZONING, SITE PLAN, FLOOR AREA TABLES, CALCULATIONS
E-Z010	SITE PLAN
E-A100	CELLAR LEVEL PLAN
E-A101	GROUND LEVEL PLAN
E-A102	2ND LEVEL PLAN
E-A103	3RD LEVEL PLAN
E-A104	4TH LEVEL PLAN
E-A105	5TH LEVEL PLAN
E-A106	6TH LEVEL PLAN
E-A107	7TH LEVEL PLAN
E-A108	8TH LEVEL PLAN
E-A109	9TH LEVEL PLAN
E-A110	10TH LEVEL PLAN
E-A111	11TH LEVEL ROOF PLAN
E-A200	NORTH ELEVATION
E-A201	SOUTH ELEVATION
E-A202	EAST ELEVATION
E-A203	WEST ELEVATION
E-A204	CONTEXT ELEVATION LOOKING EAST
E-A300	BUILDING SECTION N-S
E-A301	BUILDING SECTION E-W

TOTAL LOT AREA:
SQ. FT.: 23,541.00
ACRES: 0.5404

TITLE NO.

W. 14TH STREET
(10 FEET WIDE PUBLIC ROAD)

W. 13TH STREET
(40 FEET WIDE PAVEMENT ROAD)

NOTES:
THIS IS TO CERTIFY THAT THERE ARE NO STREAMS OR NATURAL WATER
COURSES IN THE PROPERTY AS SHOWN ON THIS SURVEY.

ALL ELEVATIONS ARE IN MANHATTAN HIGHWAY DATUM, WHICH IS 2.75 FEET ABOVE THE NATIONAL GEODETIC SURVEY DATUM OF 1929. (US COAST AND GEODETIC SURVEY DATUM) MEAN SEA LEVEL, SANDY HOOK, NEW JERSEY.

ALL UNDERGROUND UTILITIES INDICATED HEREON HAVE BEEN PLOTTED FROM MAPS AS PROVIDED BY THE RESPECTIVE UTILITY COMPANIES AND/OR COVERED BY A PUBLIC AGENCY. WE BEAR NO RESPONSIBILITY FOR THEIR ACCURACY OR COMPLETENESS. IT IS THE OWNERS RESPONSIBILITY TO CONTACT THE APPROPRIATE UTILITY COMPANY PRIOR TO ANY EXCAVATION IN ORDER TO VERIFY ALL UTILITY LOCATIONS.

ALL MANHOLE COVERS PLOTTED FROM ACTUAL FIELD MEASUREMENTS.

INVERT ELEVATIONS FIELD VERIFIED.

CAUTION:
BEFORE DOING ANY DIGGING OR DRILLING ON THIS SITE, IT IS REQUIRED THAT SUB-SURFACE SERVICE, INCLUDING THE UNDERGROUND MAINS, DUCTS & CABLES BE MARKED AND IDENTIFIED BY THE UTILITY INVOLVED. THIS SHOULD BE DONE BY PROVIDING THE AFFECTED UTILITY WITH THE NOTICE REFERRED TO IN THE STATE OF NEW YORK INDUSTRIAL CODE 53.

LEGEND

[illegible]

NOTE: THERE ARE NO LEGAL GRADES
ESTABLISHED IN THIS AREA. ELEVATIONS
INDICATED THUS [7.99] REPRESENT THE
EXISTING GRADES AS SHOWN ON THE
FINAL MAP FOR BLOCK 646.

**SURVEY OF PROPERTY SITUATED IN:
40-56 10TH AVENUE
BOROUGH OF MANHATTAN
COUNTY OF NEW YORK
CITY OF NEW YORK
STATE OF NEW YORK**

SURVEYED: JULY 10, 2010

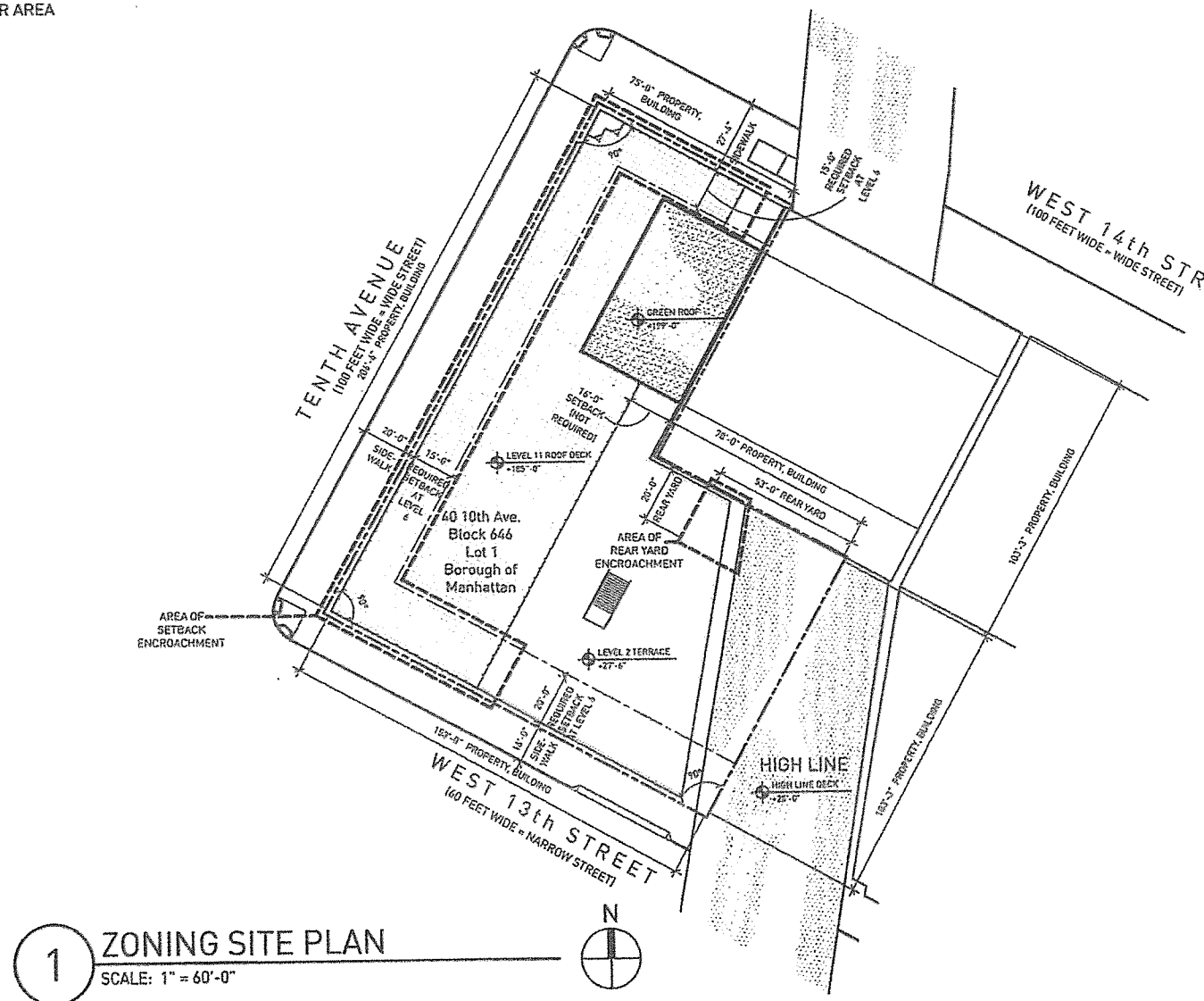
FEHRINGER SURVEYING, P.C.
ROBERT FEHRINGER
LICENSED LAND SURVEYOR
2200 JACKSON AVENUE
SEAFORD, N.Y. 11783
(516) 763-5515 FAX NO. (516) 763-5525

ZONING ANALYSIS

SITE ADDRESS:	
40-56 Tenth Avenue New York, NY 10014	
APPLICABLE SECTION	
MAP 8b.	ZONING DISTRICT: M1-5
ZR 42-00	GENERAL PROVISIONS USES PERMITTED: 4-14, 16, 17 USES PROPOSED: 6
ZR 43-10	FLOOR AREA REGULATIONS
ZR 43-12	MAXIMUM PERMITTED FAR RATIO = 5.0 LOT AREA: 23,541 SF PERMITTED AREA: 23,541x5 = 117,705 SF PROPOSED F.A.R. = 5.0 PROPOSED ZONING AREA: 117,705
ZR 43-20	YARD REGULATIONS
ZR 43-25	MINIMUM REQUIRED SIDE YARDS: NONE REQUIRED
ZR 43-26	MINIMUM REQUIRED REAR YARDS: 20'-0" EXCEPT AT CORNER OR THROUGH LOTS
ZR 43-261	BEYOND 100' OF A STREET LINE: SEE SITE PLAN REAR YARDS PROVIDED: NONE
ZR 43-40	HEIGHT AND SETBACK REGULATIONS
ZR 43-43	TAKEN FROM TABLE PROVIDED <u>INITIAL SETBACK DISTANCE</u> ALLOWED: 20'-0" on narrow street 15'-0" on wide street PROVIDED: 0'-0" on narrow street 0'-0" on wide street <u>MAXIMUM HEIGHT OF FRONT WALL</u> ALLOWED: 85'-0" or 6 stories PROVIDED: 185'-0" (10 stories) <u>SKY EXPOSURE PLANE</u> ALLOWED: 2.7 vertical to 1 horizontal on narrow street 5.6 vertical to 1 horizontal on wide street PROVIDED: N/A
ZR 44-50	GENERAL PURPOSES
ZR 44-52	REQUIRED ACCESSORY OFF-STREET LOADING BERTHS M1-5 OFFICE USE FIRST 100,000 SF= NONE REQUIRED M1-5 COMMERCIAL USE 25,000-40,000 SF = 1 REQUIRED REQUIRED= 1 PROVIDED= 2
ZR 44-581	SIZE OF REQUIRED LOADING BERTH COMMERCIAL USE = L 33ft x W 12ft x H 14ft
ZR 44-582	LOCATION OF ACCESS TO THE STREET ENTRANCE OR EXITS = Not less than 50 ft from intersection of any two streets

FLOOR AREA SCHEDULE			
FLOOR	USE	NON-F.A.R. S.F.	ZONING S.F.
CELLAR	MECH/RETAIL	20,650	0
FIRST	RETAIL/COMM./LOADING	3,172	20,073
SECOND	COMM./RETAIL	365	11,057
THIRD	OFFICE	365	11,572
FOURTH	OFFICE	365	10,245
FIFTH	OFFICE	365	11,803
SIXTH	OFFICE	365	10,020
SEVENTH	OFFICE	365	12,107
EIGHTH	OFFICE	365	10,836
NINTH	OFFICE	365	12,513
TENTH	OFFICE / MECH ROOF	4,910	6,329
ELEVENTH	ROOF DECK	850	1150
TOTAL	ALL USES		117,705
		PROPOSED ZONING AREA	117,705
		MAX. ALLOWABLE ZONING AREA	117,705

NOTE: CELLAR AREA DOES NOT COUNT AS PART OF
OVERALL ZONING FLOOR AREA



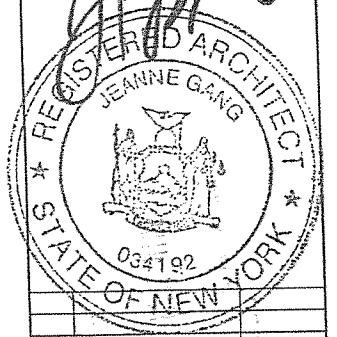
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3	BSA RESPONSE #1	08-24-2013
2	BSA APPEAL	12-16-2011
1	PRICING	03-21-2011
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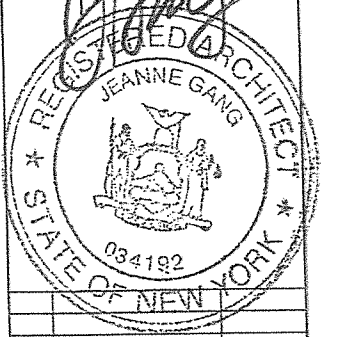
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**ZONING, SITE PLAN
 FLOOR AREA TABLES**
 Drawing Number: **E-Z000**

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1	PRICING	03-21-2011

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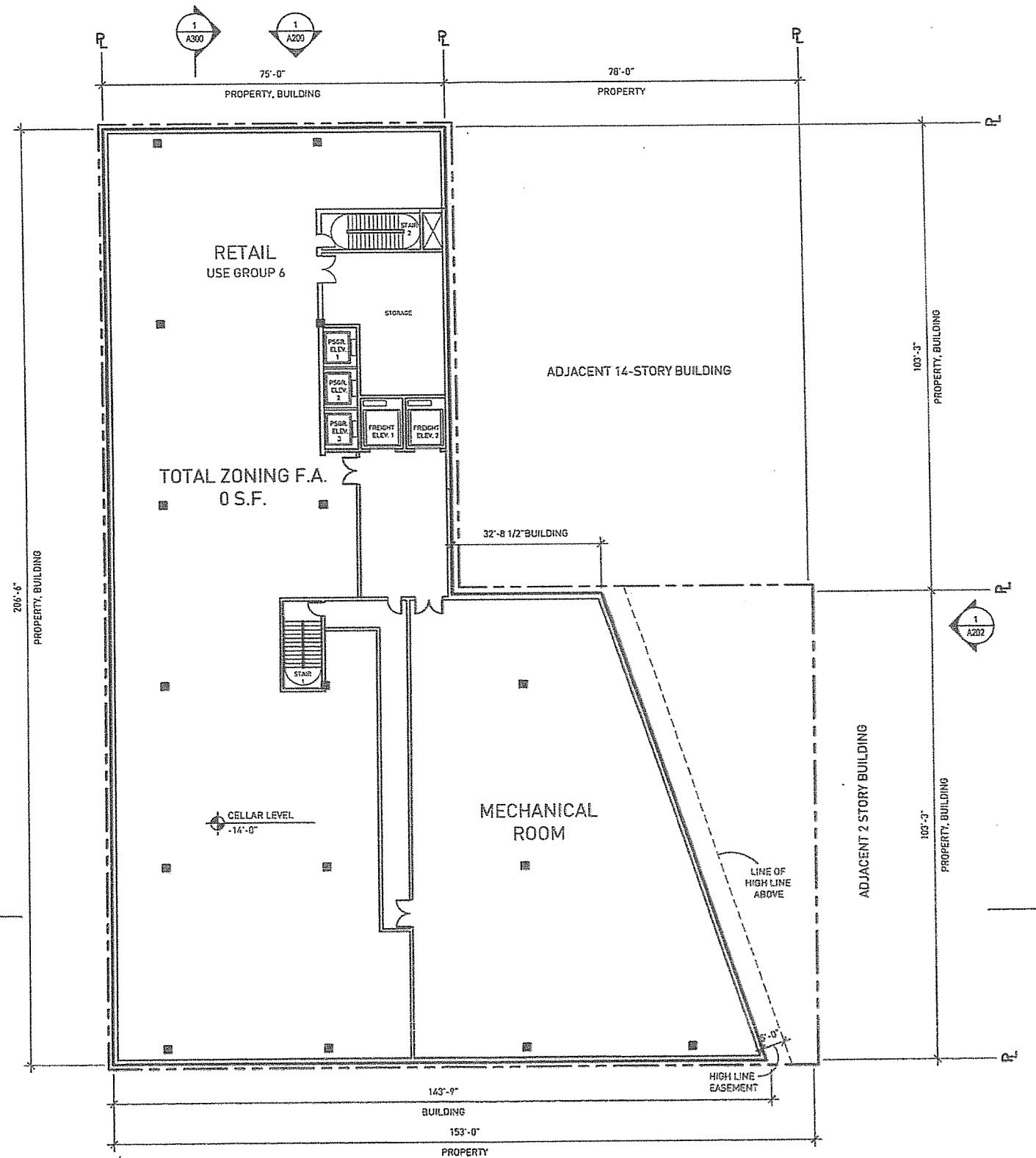
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Street Title: Scale: 1" = 30'-0"

CELLAR LEVEL PLAN

Drawing Number: E - A100



NOTE: PROPERTY LINE HAS BEEN
OFFSET TO CLEARLY SHOW
LOCATION OF BUILDING WALLS.

NOTE: ALL PARTITIONS AND
EXITS SHALL BE AS APPROVED BY
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1 CELLAR LEVEL PLAN
SCALE: 1" = 30'-0"



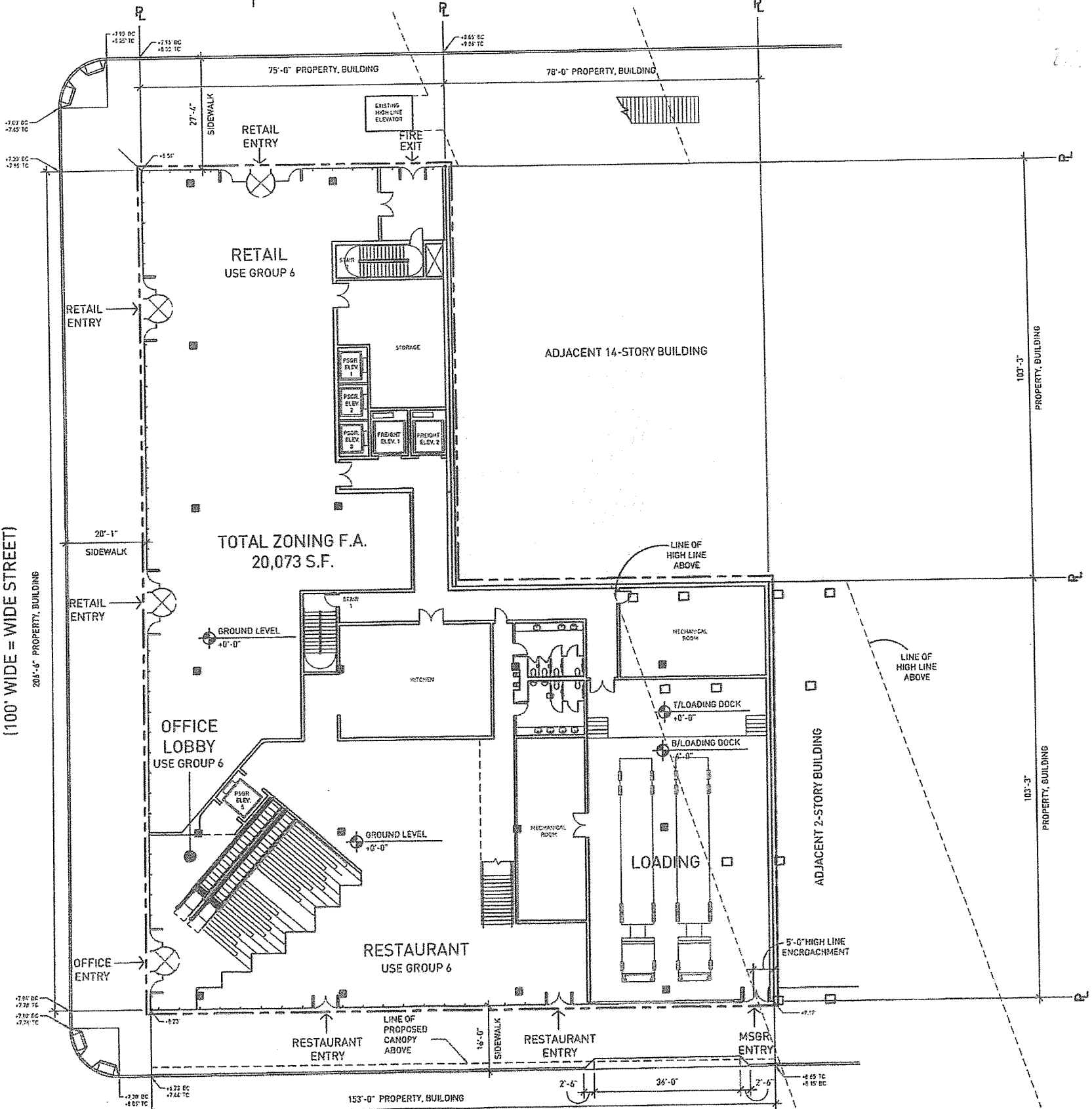
1 GROUND LEVEL PLAN

SCALE: 1" = 30'-0"



TENTH AVENUE
(100' WIDE = WIDE STREET)

20'-6" PROPERTY BUILDING

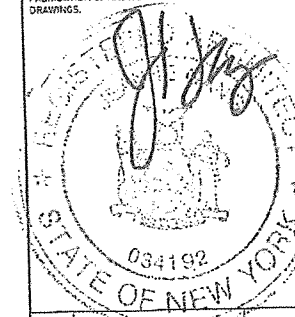


WEST 13th STREET
(60' WIDE = NARROW STREET)

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2	BSA APPEAL	12-10-2011
1	PRICING	03-21-2011

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BSA Calendar No. 289-12-02 Project No. 1020

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GROUND LEVEL PLAN

Drawing Number:

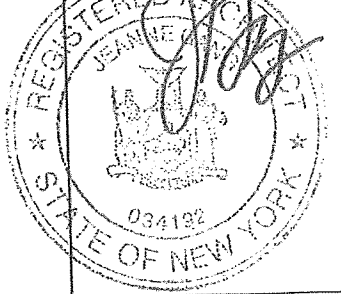
E - A101

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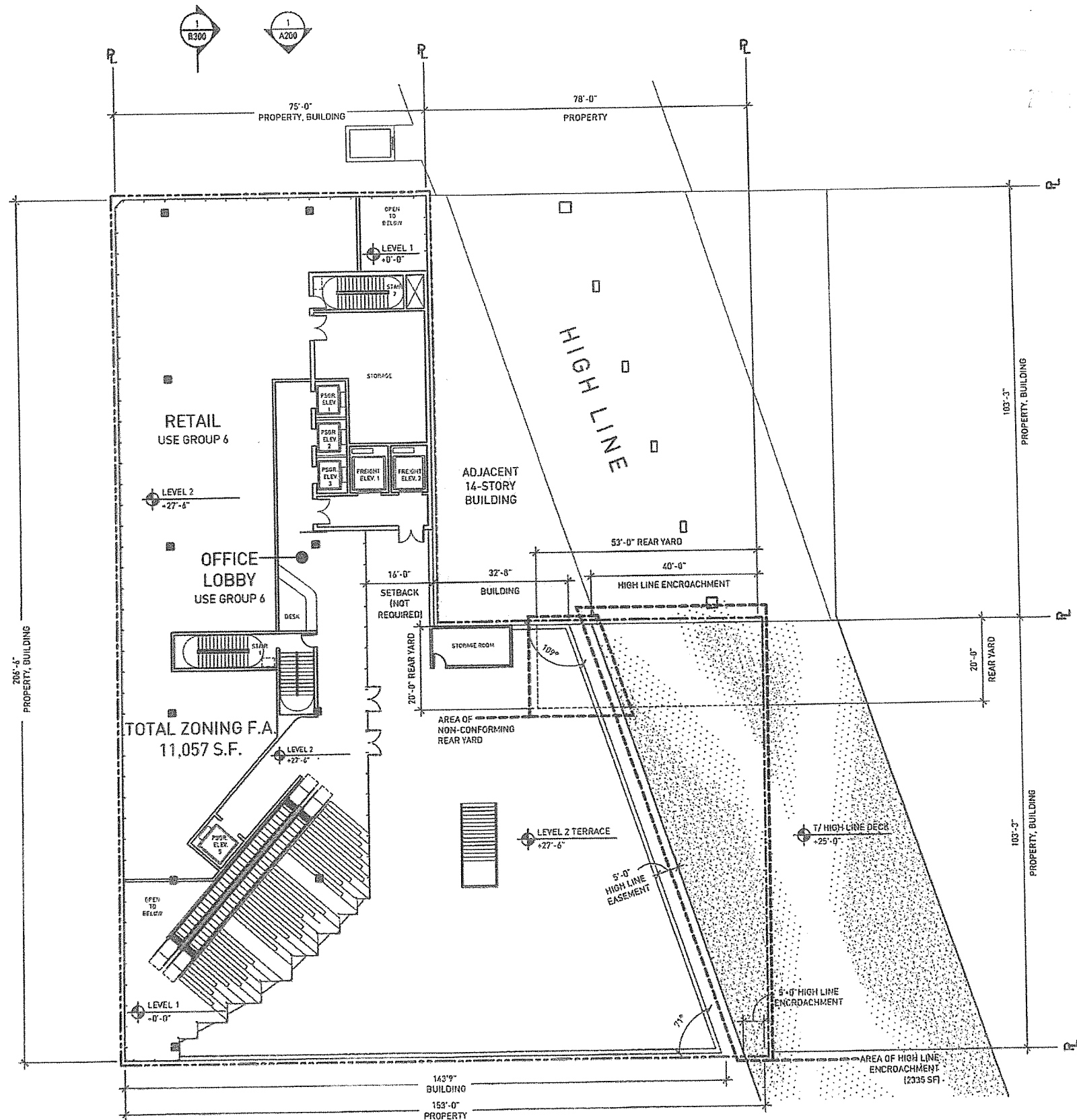
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2ND LEVEL PLAN

Drawing Number: E - A102



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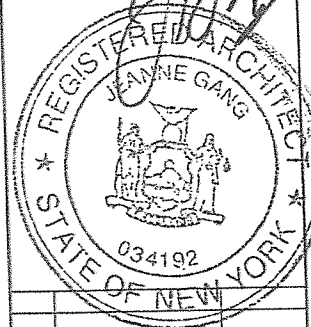
1) 2ND LEVEL PLAN
SCALE: 1" = 30'-0"



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1	PRICING	02-21-2011

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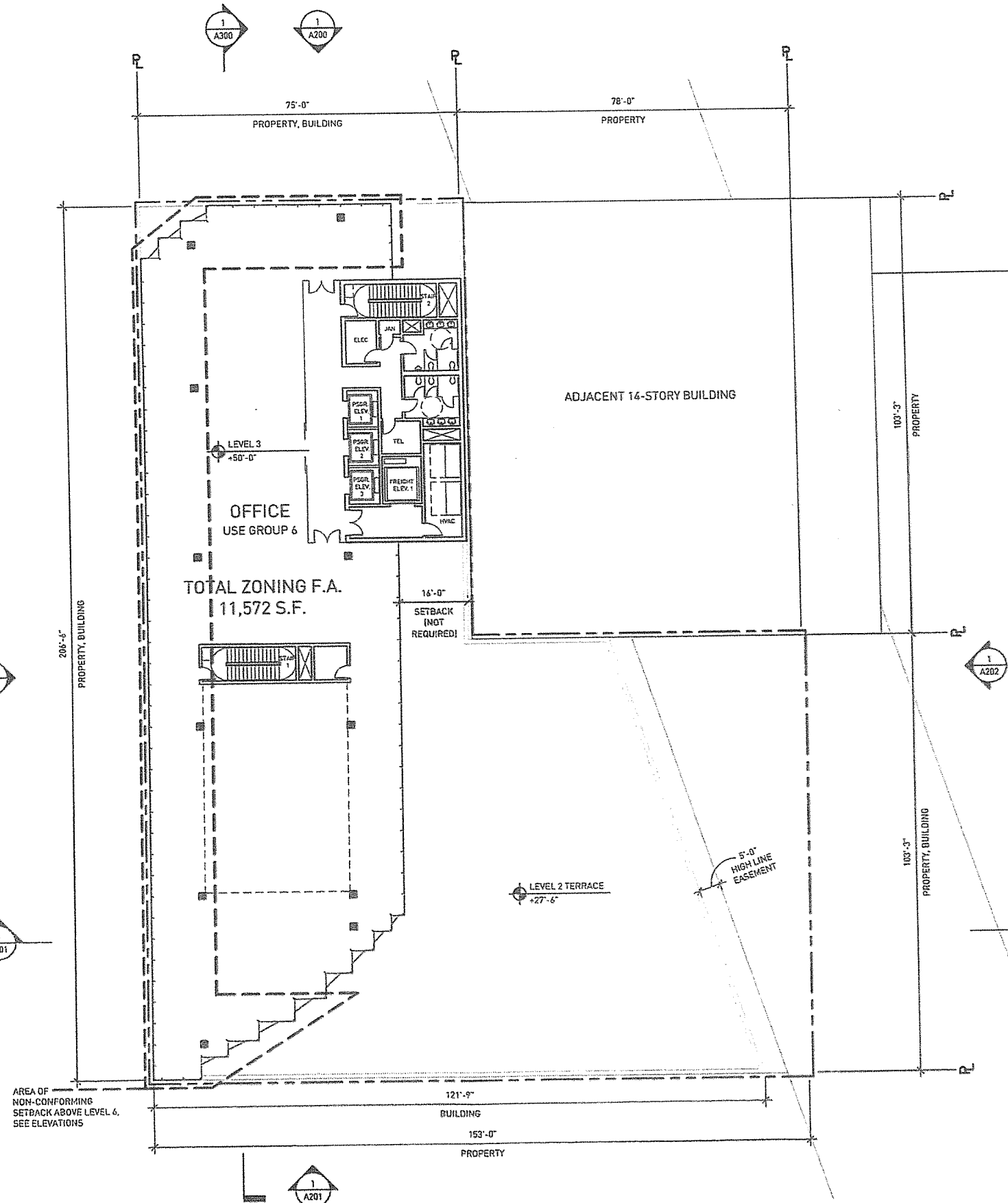
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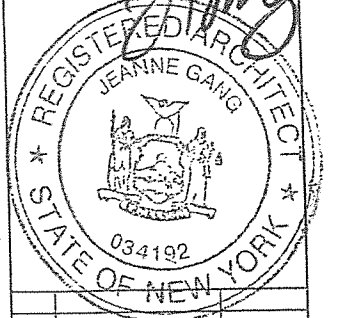


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1 LEVEL 3
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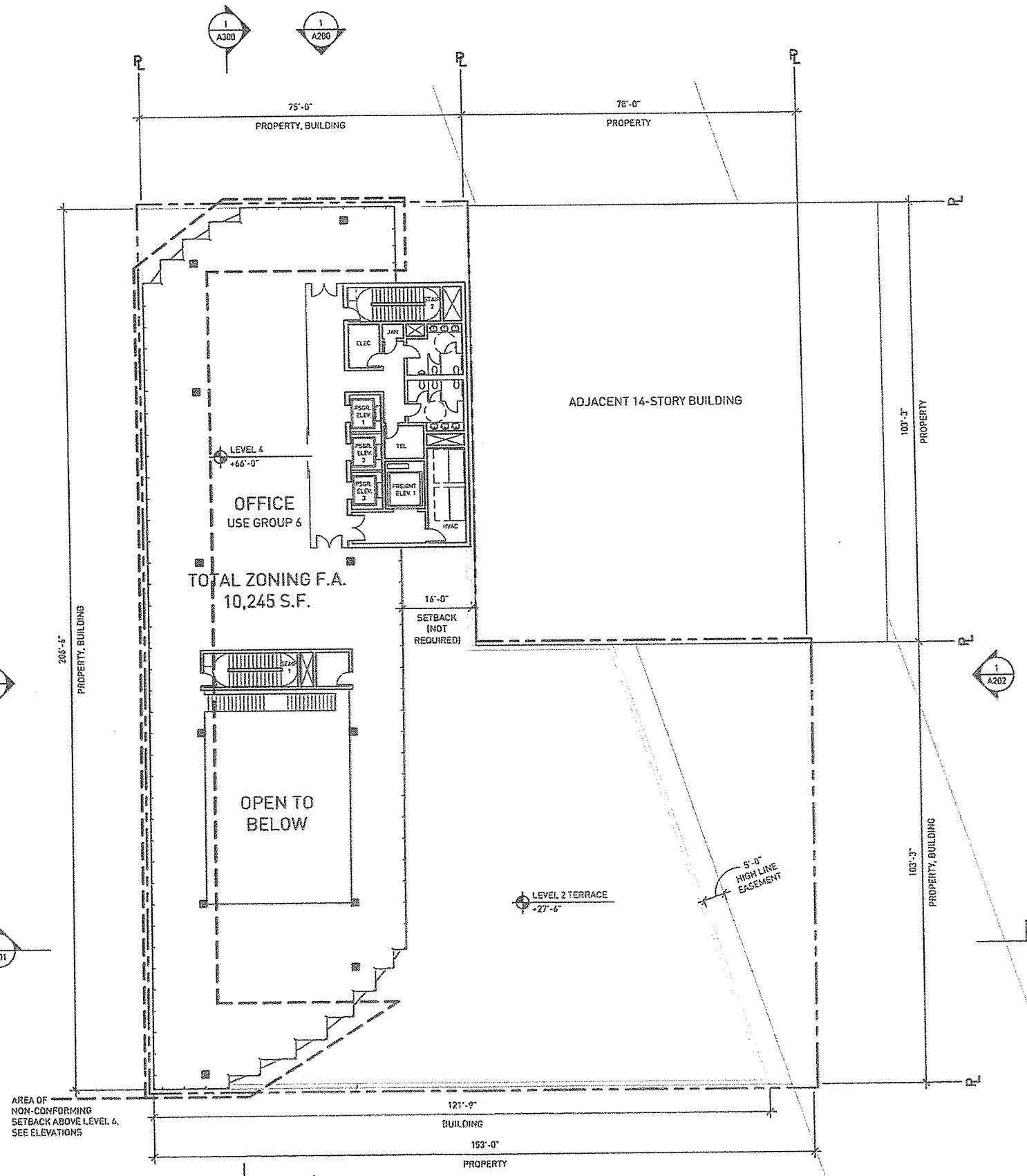
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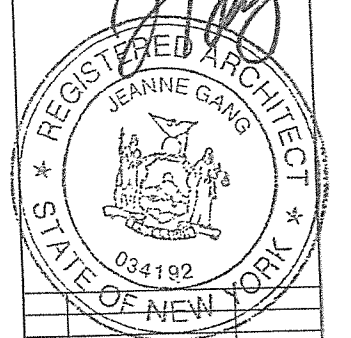


1 LEVEL 4
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1	PROJING	03-21-2011

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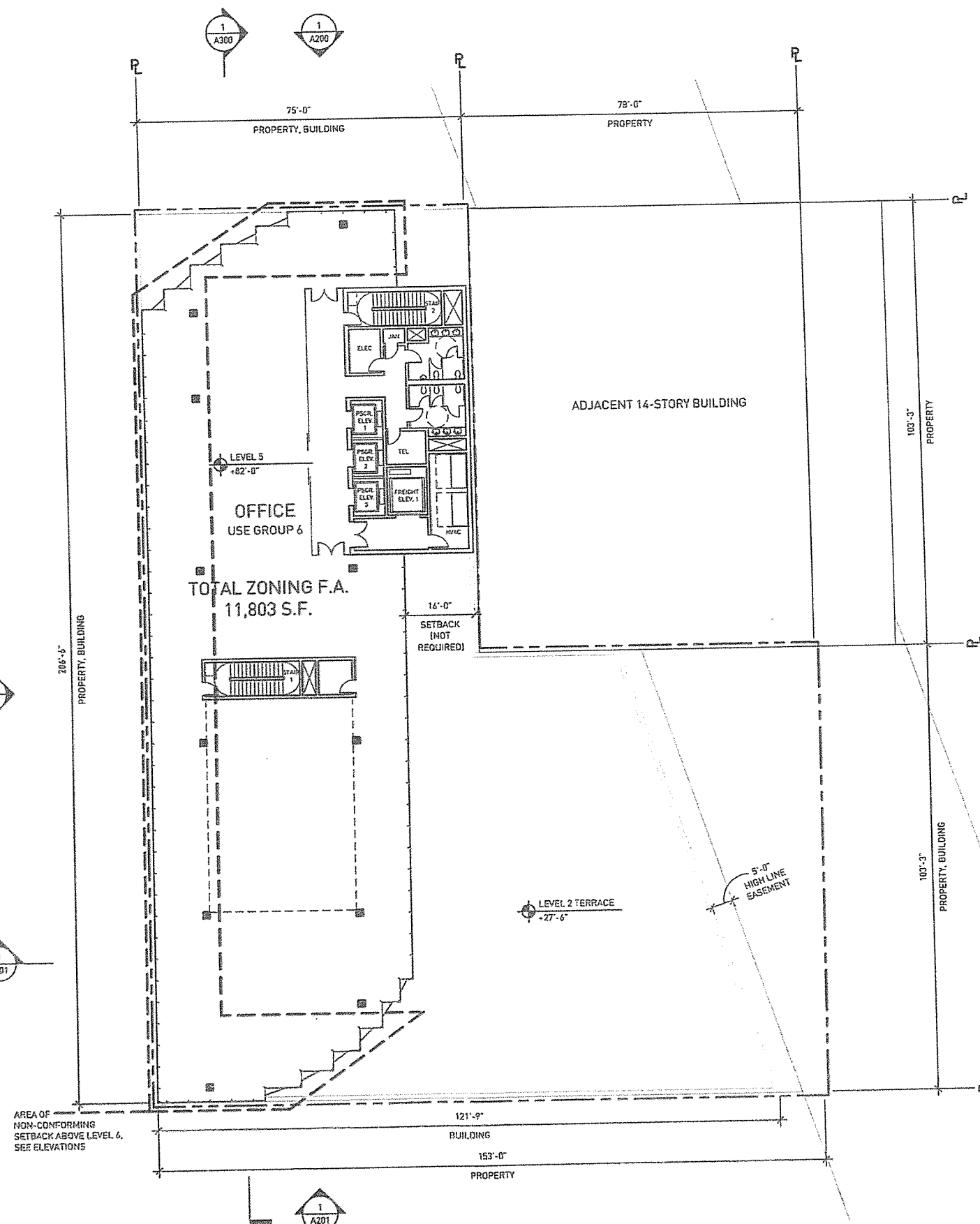
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Sheet Title: LEVEL 5 Scale: 1" = 30'-0"

Drawing Number: **E - A105**

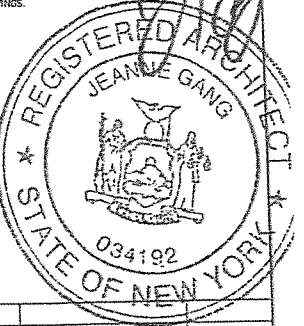


1 LEVEL 5
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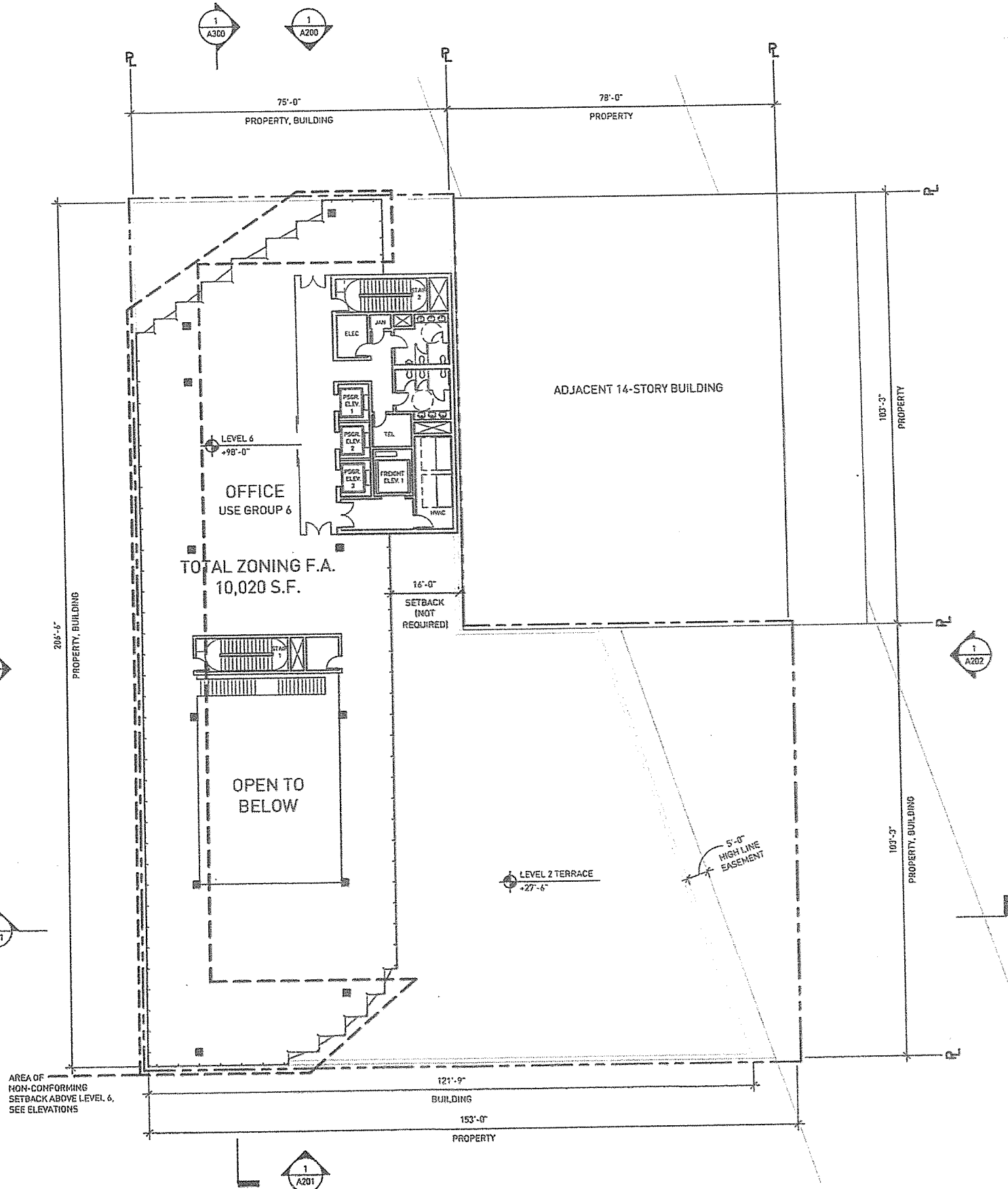
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BSA Calendar No: 299-12-BZ Project No: 1009
Drawn: WE Date: 02.22.2011
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Sheet Title: LEVEL 6
Scale: 1" = 30'-0"

Drawing Number: **E - A106**

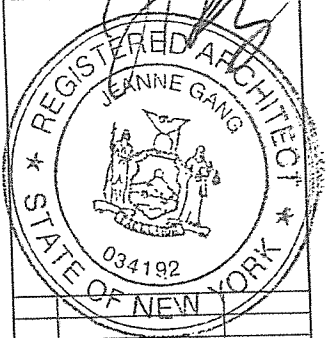


1 LEVEL 6
SCALE: 1" = 30'-0"

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5	BSA RESPONSE #3	12-12-2013
4	BSA RESPONSE #2	10-15-2013
3	BSA RESPONSE #1	05-24-2013
2	BSA APPEAL	12-10-2011
1	PRICING	05-21-2011
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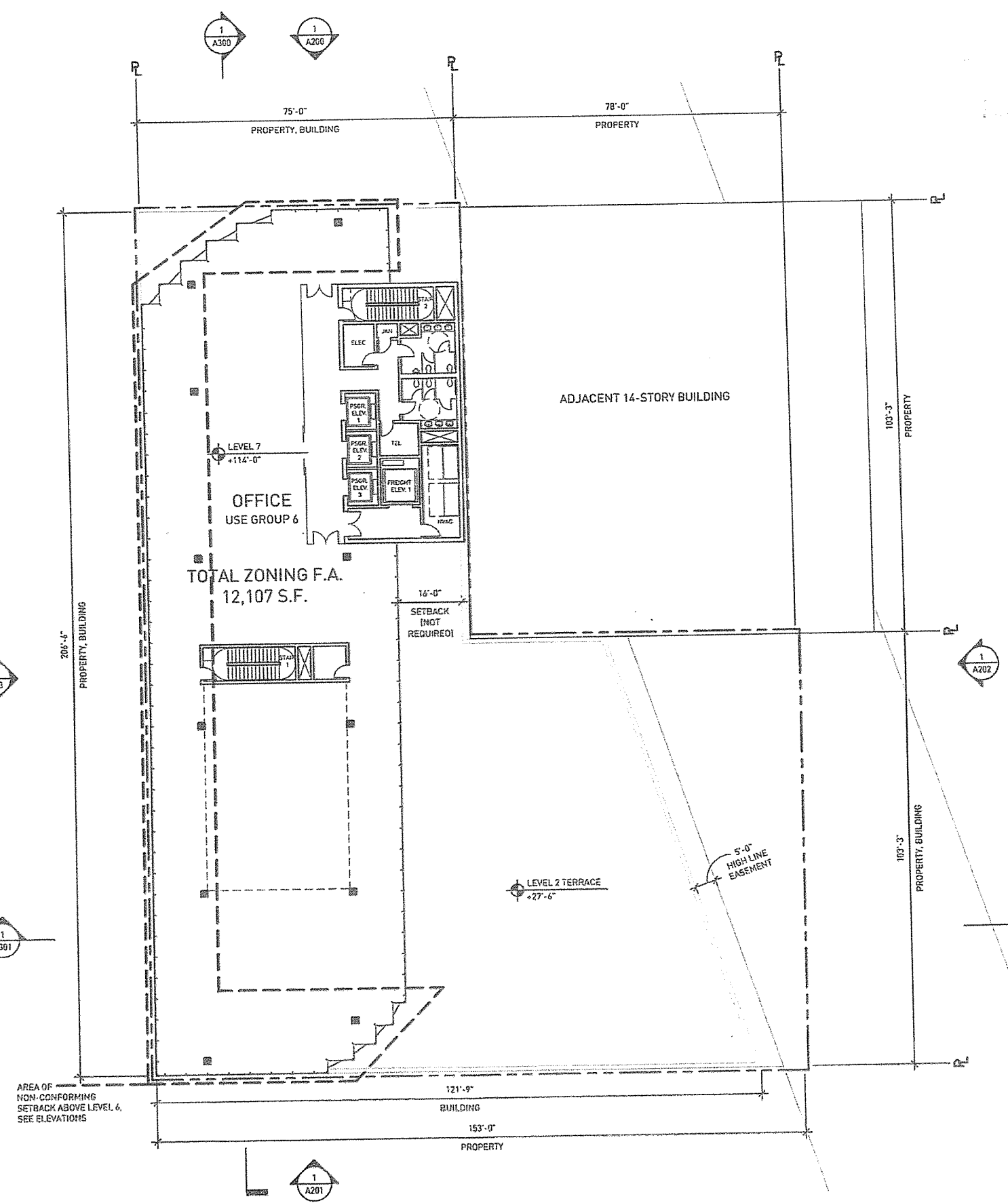
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Drawn : WE	Date : 02.22.2011
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Sheet Title :	Scale: 1" = 30'-0"

LEVEL 7
Drawing Number: **E - A107**



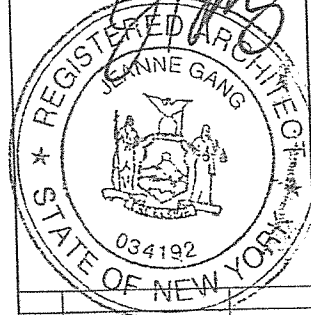
1 LEVEL 7
SCALE: 1" = 30'-0"

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4	BSA RESPONSE #2	10-15-2013
3	BSA RESPONSE #1	08-24-2013
2	BSA APPEAL	12-16-2011
1	PROJING	03-21-2011

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BSA Calendar No: 200-12-02 Project No: 1009

Drawn: WE Date: 02.22.2011

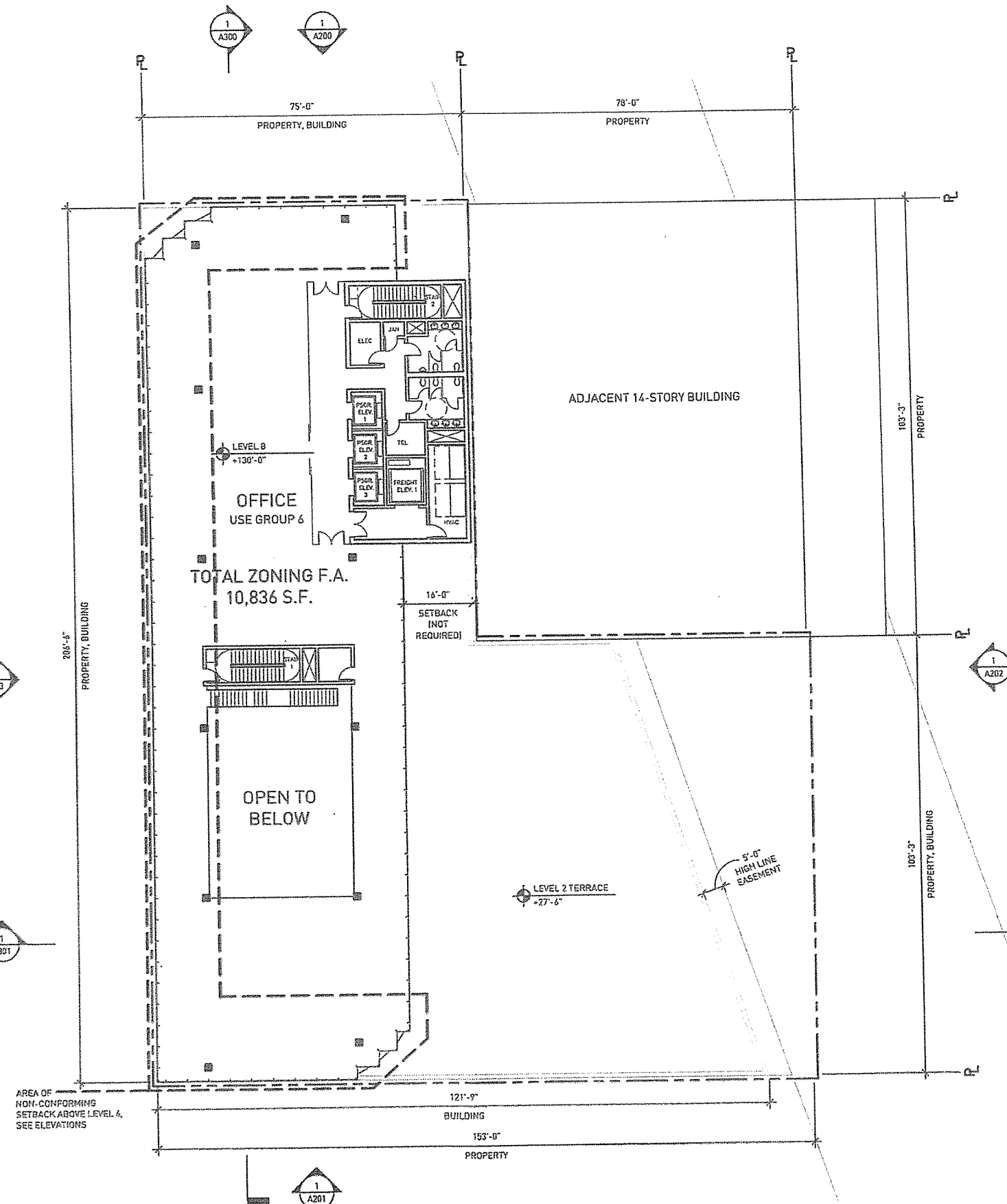
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Sheet Title: Scale: 1" = 30'-0"

LEVEL 8

Drawing Number:

E - A108



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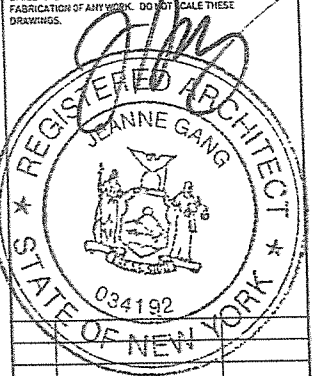
1 LEVEL 8
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4	BSA RESPONSE #2	10-15-2013
3	BSA RESPONSE #1	08-24-2013
2	BSA APPEAL	12-18-2011
1	PRICING	03-21-2011
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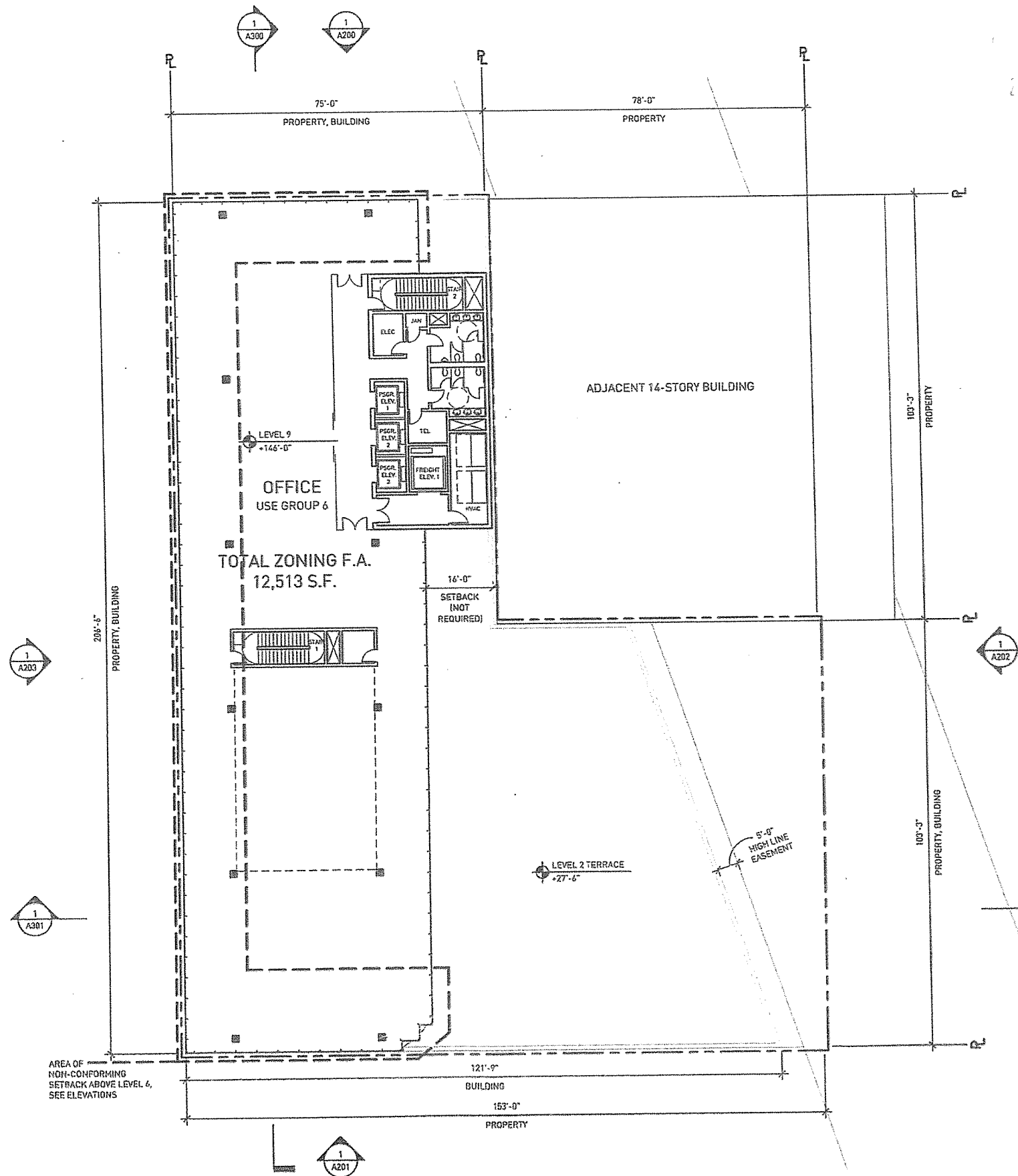
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BSA Calendar No: 299-12-8Z Project No: 1009	
Drawn: WE	Date: 02.22.2011
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Sheet Title:	Scale: 1" = 30'-0"

LEVEL 9

Drawing Number: E - A109

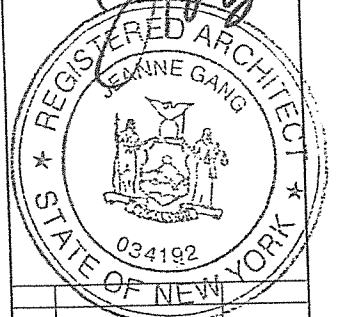
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1 LEVEL 9
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6	BSA RESPONSE #4	03-18-2014
5	BSA RESPONSE #3	12-12-2013
4	BSA RESPONSE #2	10-15-2013
3	BSA RESPONSE #1	09-24-2013
2	BSA APPEAL	12-18-2011
1	PRICING	03-21-2011

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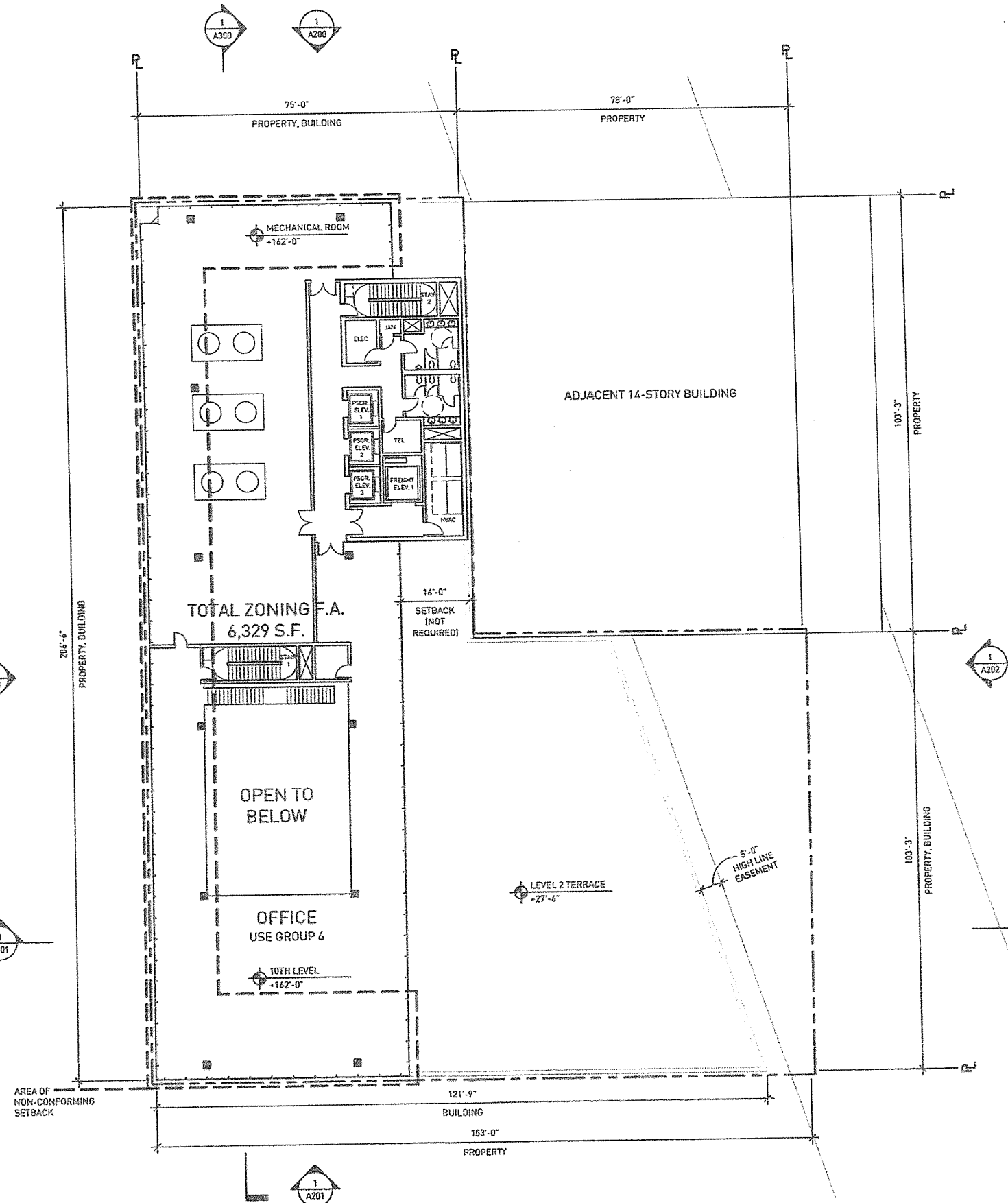
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Drawn: WE Date: 02.22.2011
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Sheet Title: 10TH LEVEL PLAN
Scale: 1" = 30'-0"

Drawing Number: E - A110



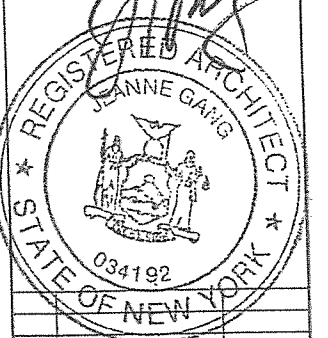
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1 10TH LEVEL PLAN
SCALE: 1" = 30'-0"



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3	BSA RESPONSE #1	08-24-2013
2	BSA APPEAL	12-16-2011
1	PRECING	03-21-2011
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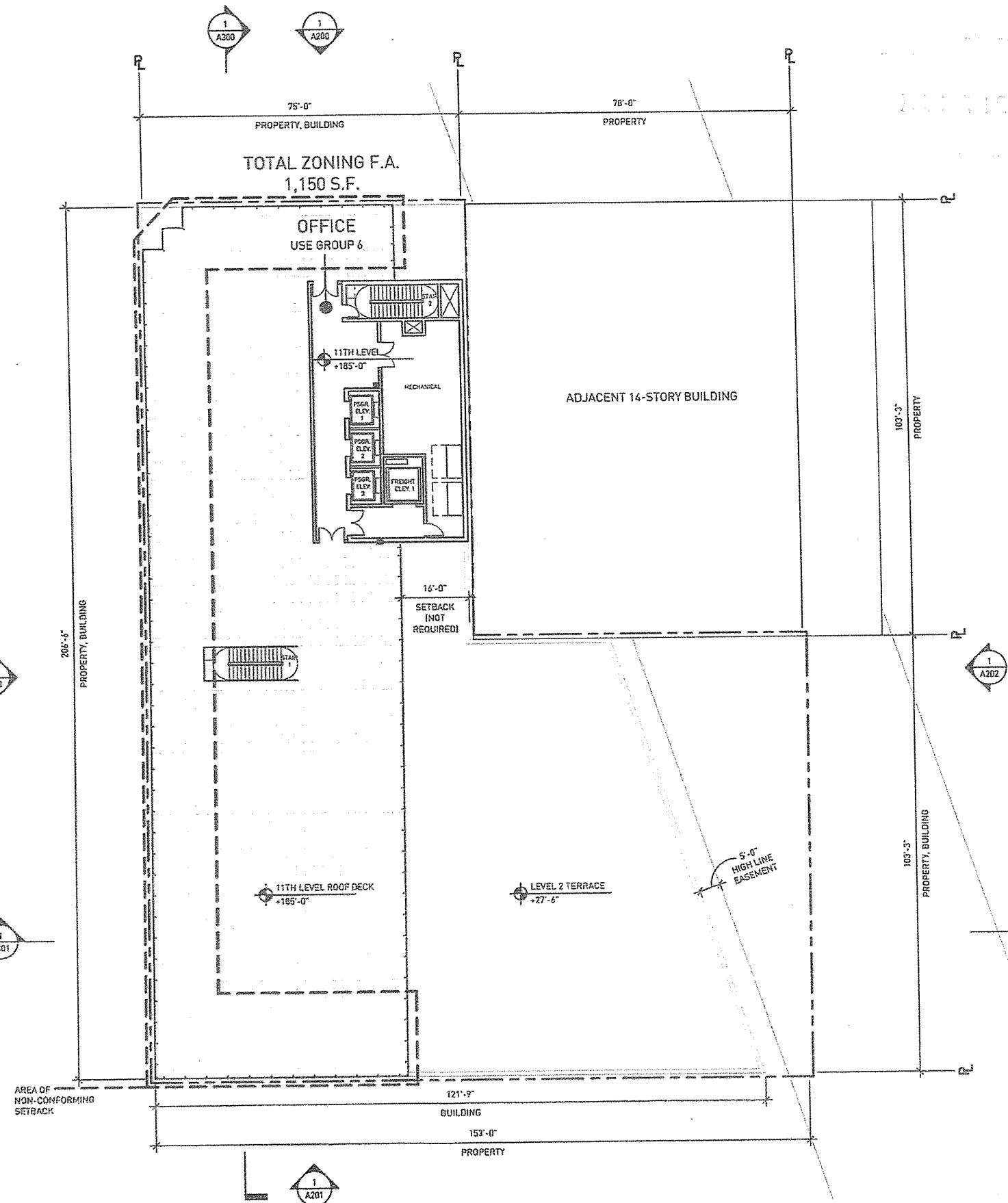
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Sheet Title: Scale: 1" = 30'-0"

11TH LEVEL ROOF PLAN

Drawing Number: **E - A111**



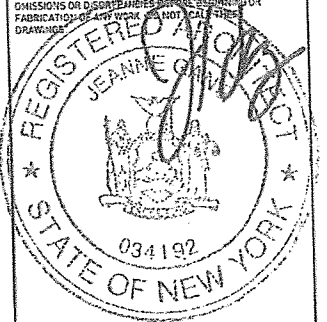
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1 11TH LEVEL ROOF PLAN
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3	BSA RESPONSE #1	08-24-2013
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BSA Calendar No : 299-12-BZ Project No : 1009

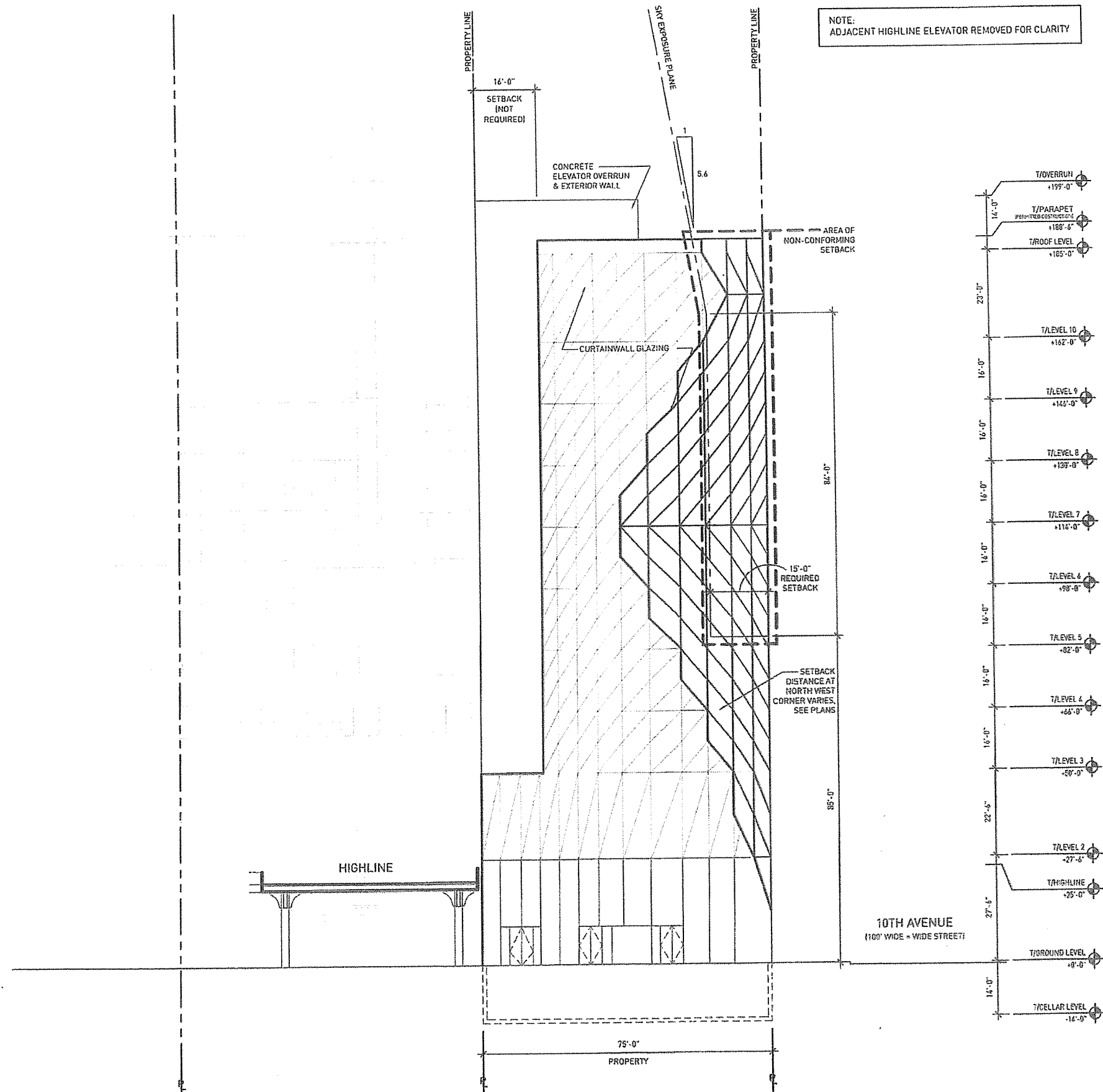
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Sheet Title: Scale: 1" = 30'-0"

NORTH
ELEVATION

Drawing Number: E - A200

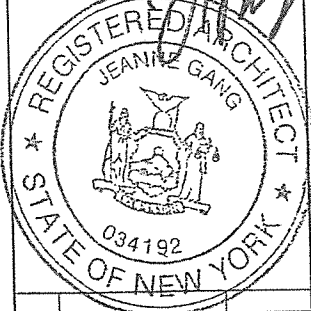


1 NORTH ELEVATION
SCALE: 1" = 30'-0"

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5	BSA RESPONSE #3	12-12-2013
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3	BSA RESPONSE #1	09-24-2013
2	BSA APPEAL	12-16-2011
1	PRCING	03-21-2011

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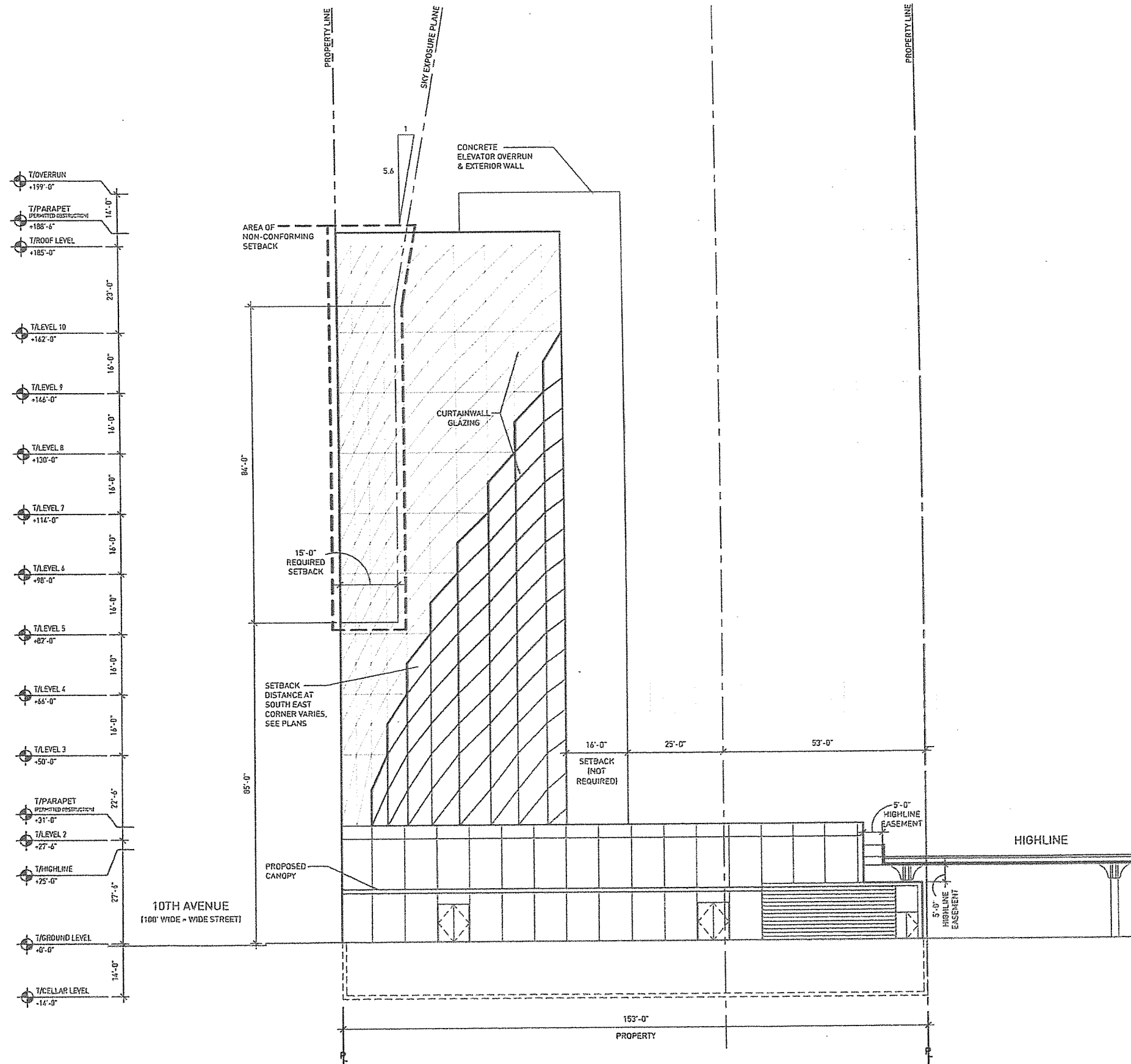
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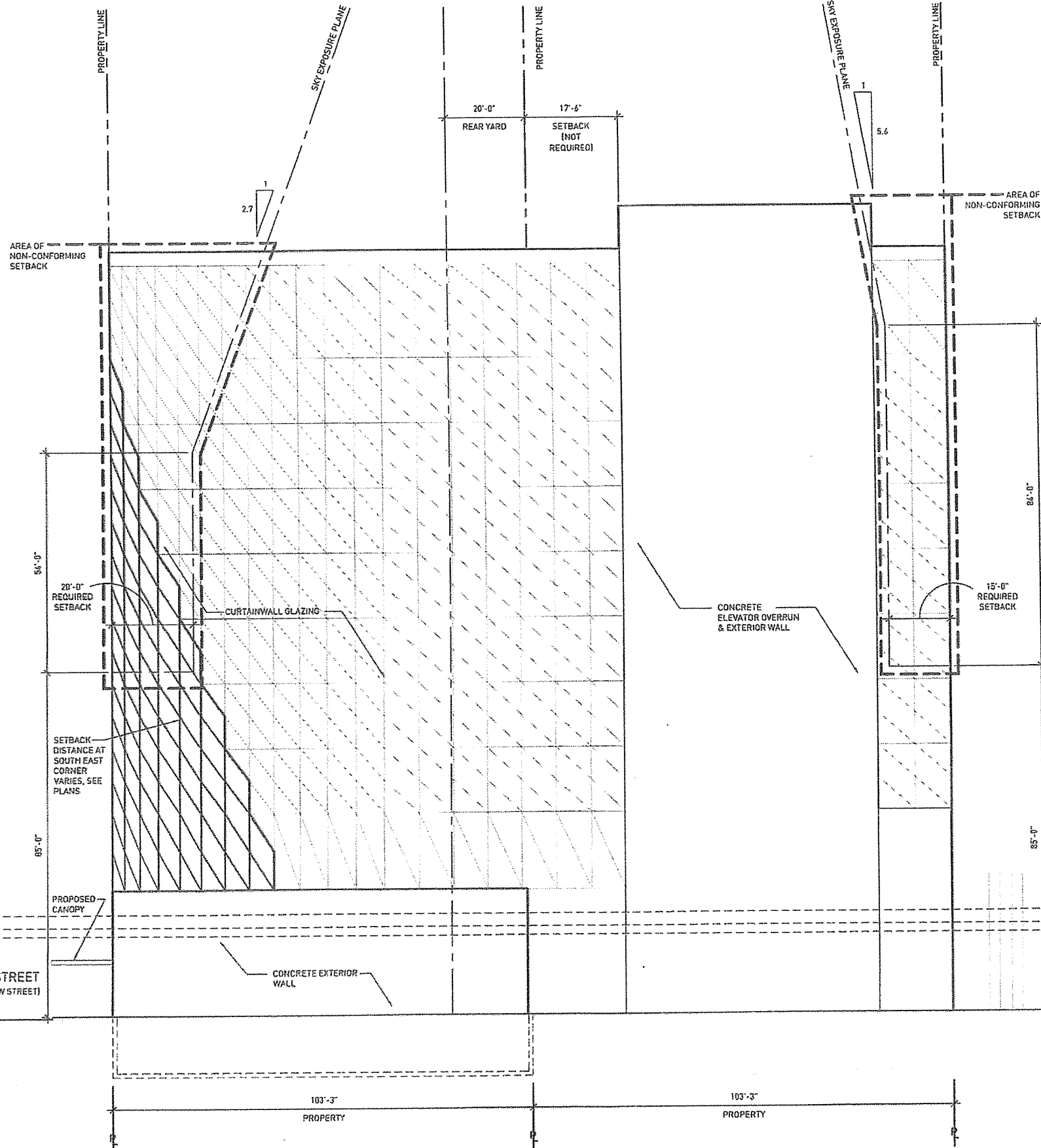
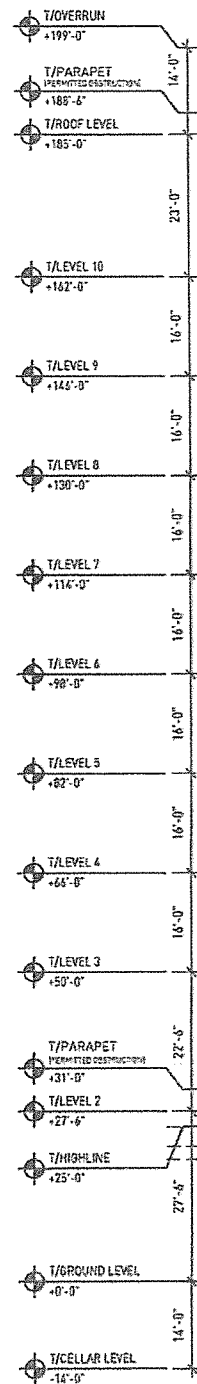
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**SOUTH
ELEVATION**

Drawing Number: **E - A201**



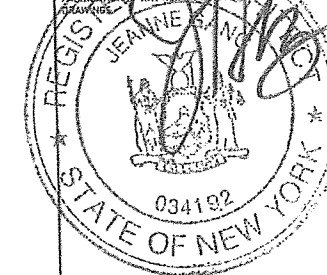
1 SOUTH ELEVATION
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6	BSA RESPONSE #4	03-18-2014
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2	BSA APPEAL	12-18-2011
1	PROJING	03-21-2011

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Sheet Title: Scale: 1" = 30'-0"

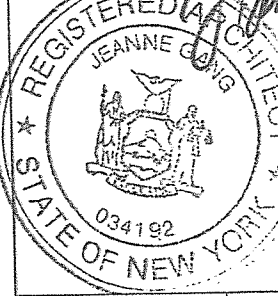
EAST ELEVATION

Drawing Number: **E - A202**

1 EAST ELEVATION
SCALE: 1" = 30'-0"

40 TENTH AVENUE
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6	BSA RESPONSE #4	03-18-2014
5	BSA RESPONSE #3	12-12-2013
4	BSA RESPONSE #2	10-15-2013
3	BSA RESPONSE #1	05-24-2013
2	REAPPEAL	12-16-2011
1	PROJG	02-21-2011

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BSA Calendar No : 229-12-02 Project No : 1009

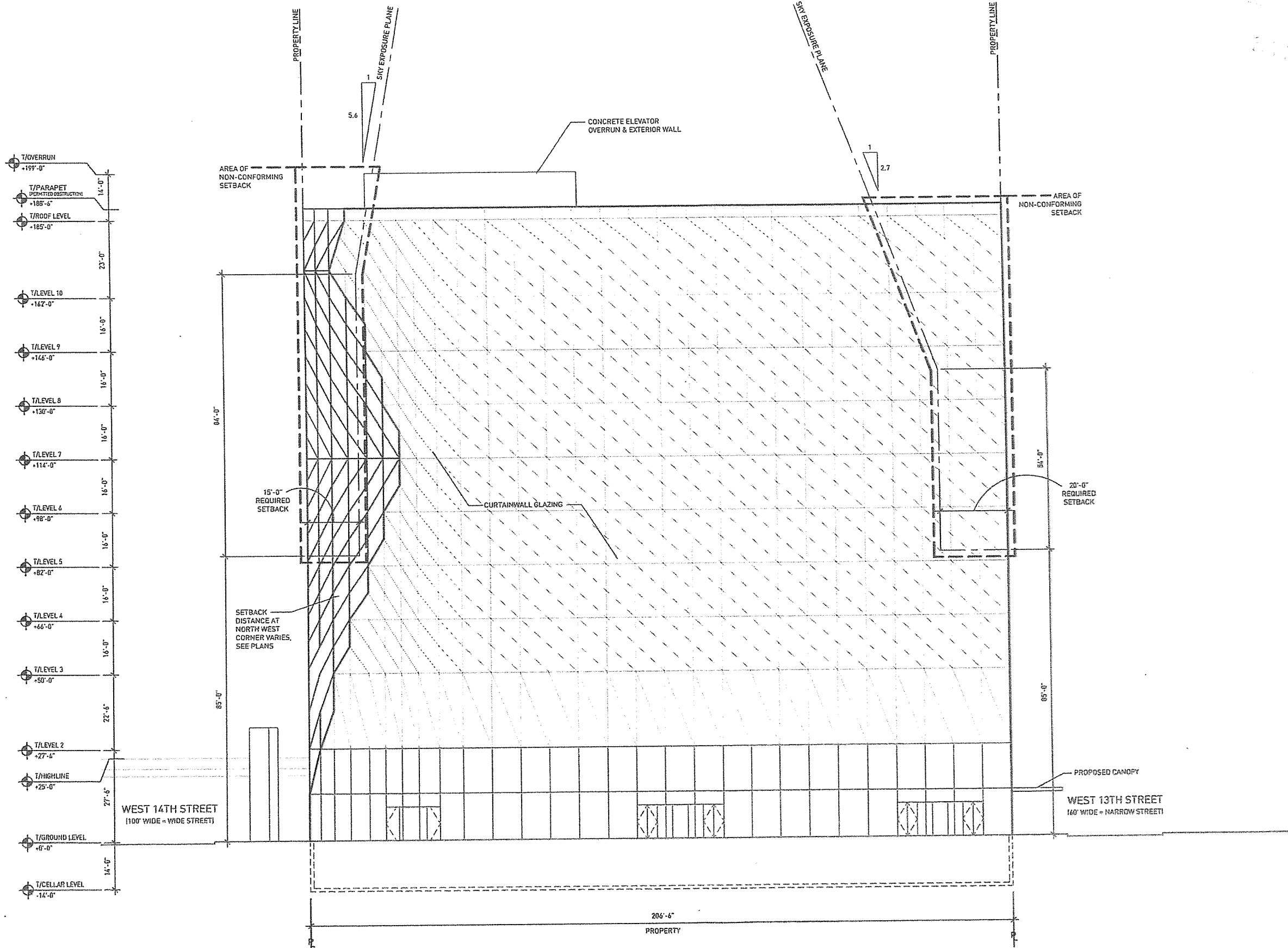
Drawn : WE Date : 02.22.2011

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Sheet Title: Scale: 1" = 30'-0"

WEST
ELEVATION

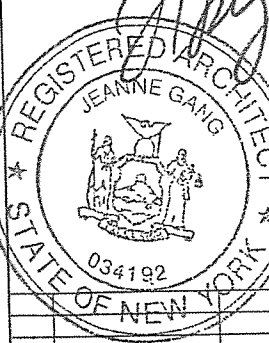
Drawing Number: E - A203



1 WEST ELEVATION
SCALE: 1" = 30'-0"

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4	BSA RESPONSE #2	10-15-2013
3	BSA RESPONSE #1	08-24-2013
2	BSA APPEAL	12-16-2011
1	PROJING	03-21-2011

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BSA Calendar No: 299-12-02, Project No: 1009

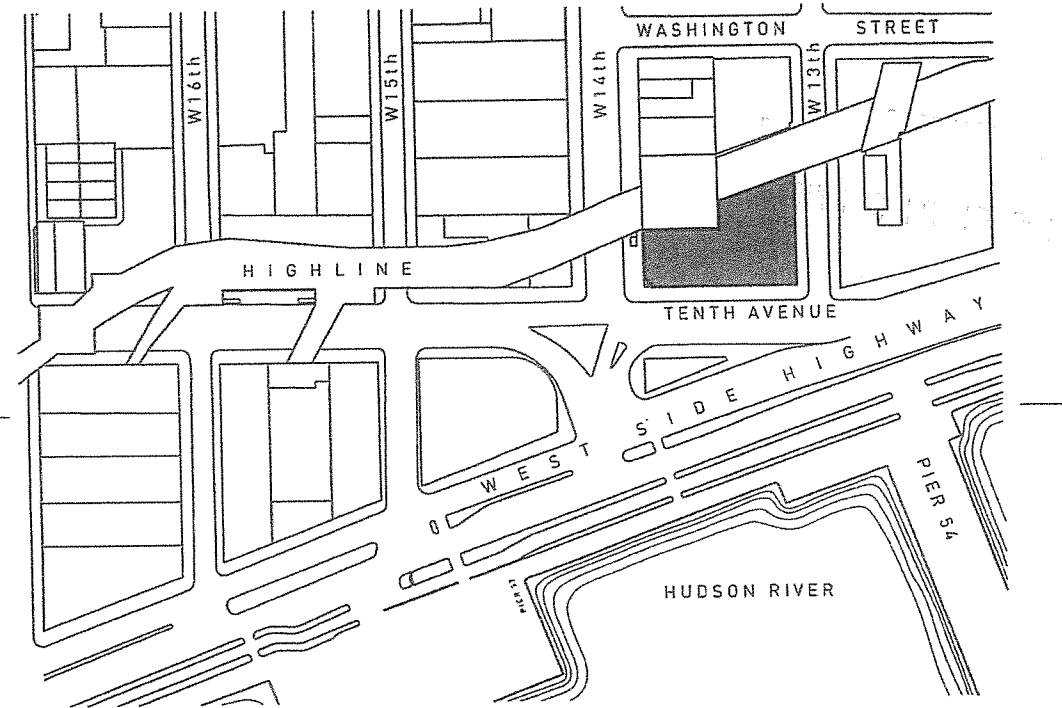
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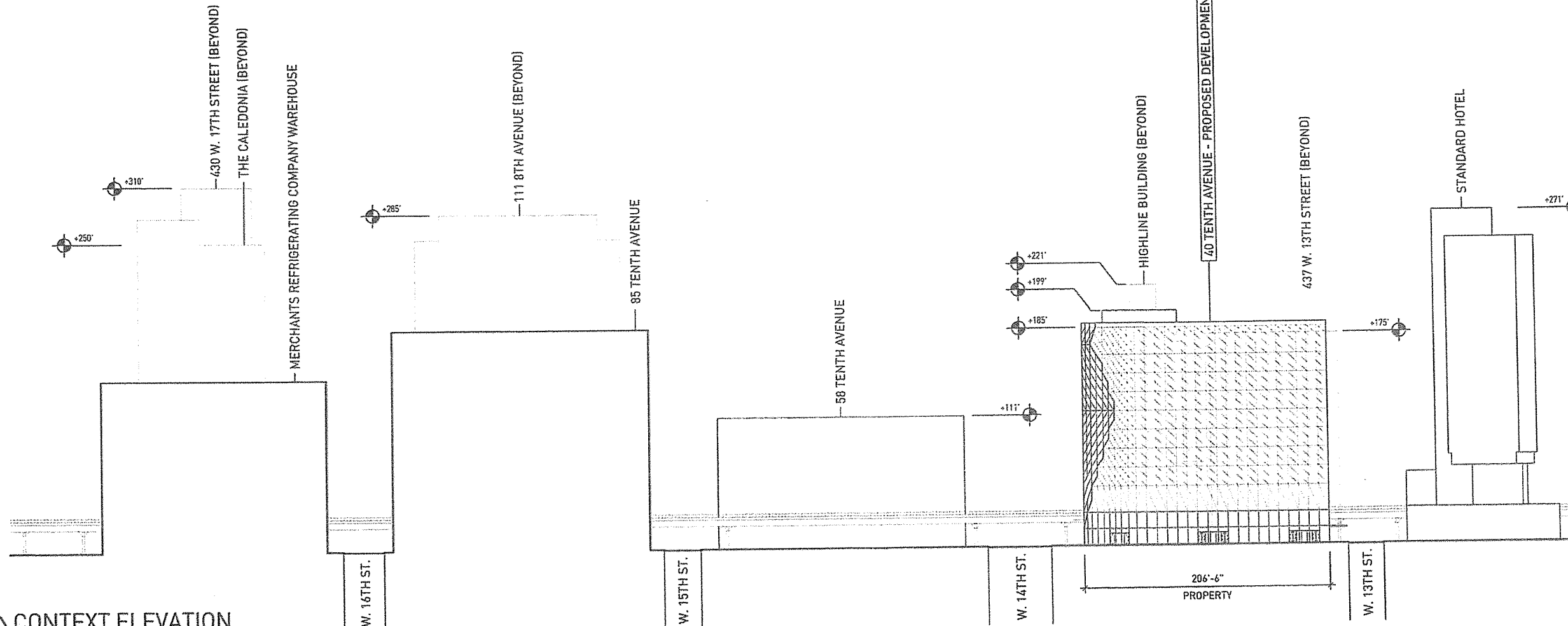
Sheet Title: Scale: varies

CONTEXT ELEVATION
LOOKING EAST

Drawing Number: E-A204



2 KEY PLAN
SCALE: 1" = 250'-0"



1 CONTEXT ELEVATION
SCALE: 1" = 100'-0"

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3	BSA RESPONSE #1	05-24-2013
2	BSA/APPEAL	12-16-2011
1	PR/CNG	03-21-2011

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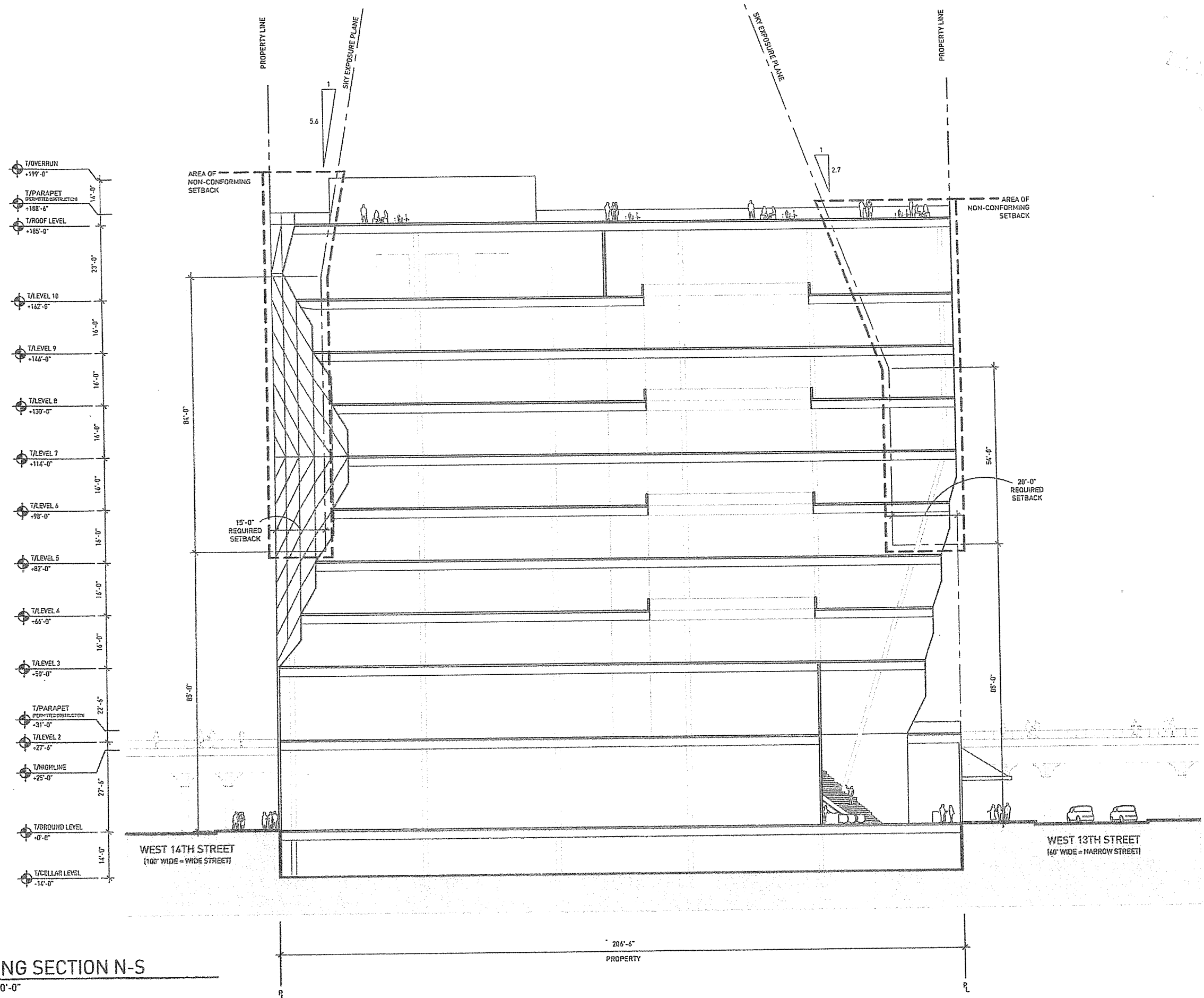
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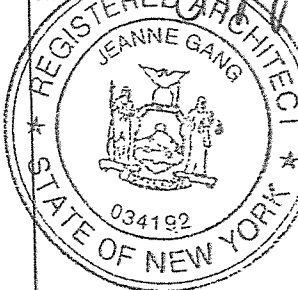
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Drawn: WE Date: 02.22.2011
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Sheet Title: BUILDING SECTION N-S
Drawing Number: E - A300



1 BUILDING SECTION N-S
SCALE: 1" = 30'-0"

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3	BSA RESPONSE #1	06-24-2013
2	BSA APPEAL	12-16-2011
1	PENDING	03-21-2011

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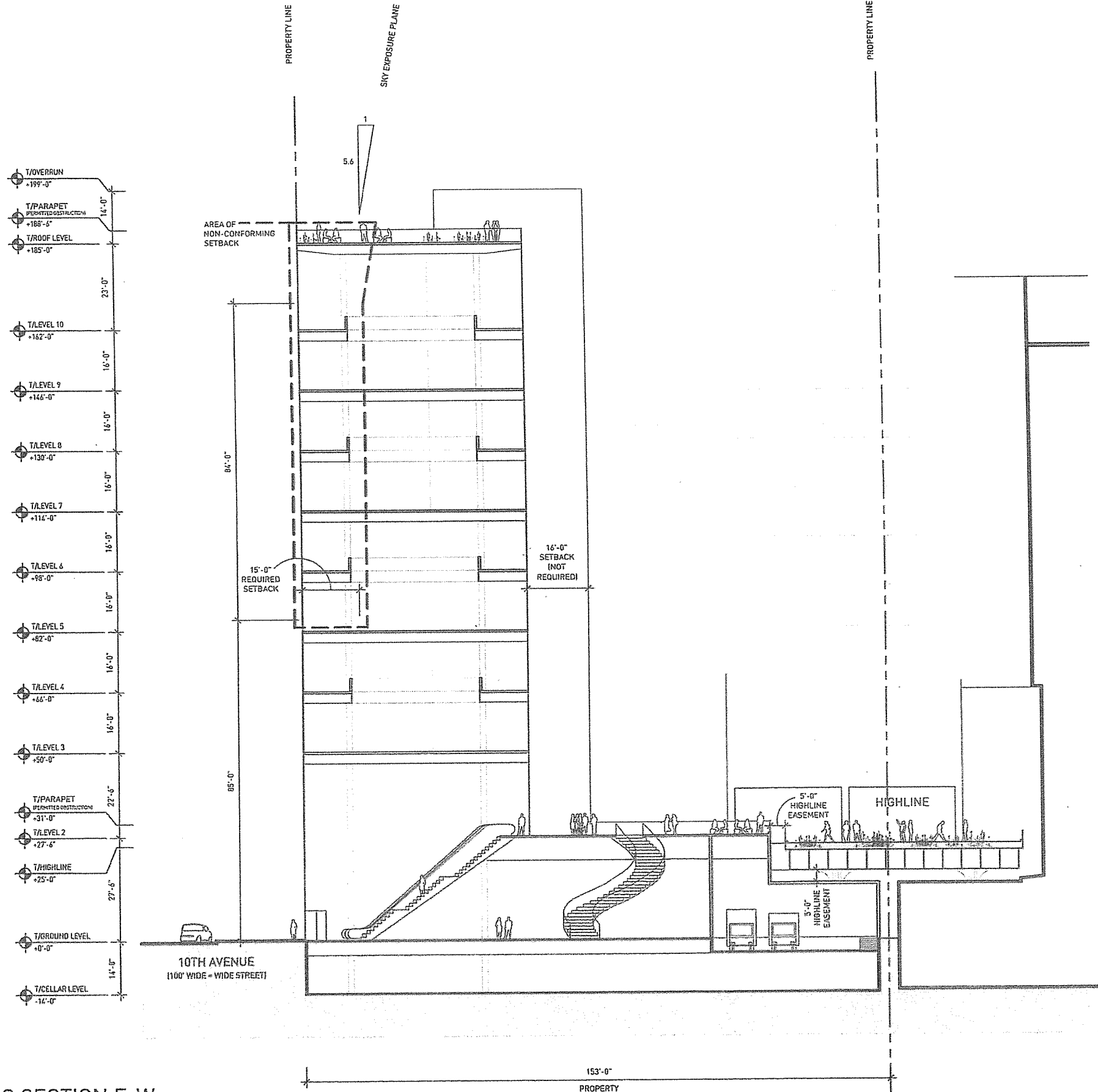
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Sheet Title: Scale: 1" = 30'-0"

BUILDING SECTION E-W

Drawing Number: **E - A301**



1 BUILDING SECTION E-W
SCALE: 1" = 30'-0"