

# ZRD1/CCD1 Response Form

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

House No(s) 2461

Street Name Broadway

Borough Manhattan

Block 1239

Lot 10

BIN 1033583

Job No. 121275707

## DETERMINATION (To be completed by a Buildings Department official)

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

Follow-up appointment required? ☐ Yes ☒ No

Primary Zoning Resolution or Code Section(s): BB2015-17

Other secondary Zoning Resolution or Code Section(s):

Control Number: 60589

Comments:

The applicant is proposing to cantilever a portion of the NB from the 8th through 19th floors above the adjacent 3 story office building at 2465 Broadway at the newly proposed Class 1B construction classification, 19- story predominantly residential building. As per the applicant's narrative, windows are being proposed along and below the proposed cantilever as outlined below:

- Openings within 30'-60' from the top of the adjacent building bulkhead not to exceed 45% per floor, and permitted for legal light and air.
- Openings within 0'-30' from the top of the adjacent building bulkhead not to exceed 10% per floor, and permitted for legal light and air.
- Windows for habitable spaces located below the cantilever are in compliance with 2014 BC 1203.4.1.2.4.

The request to review and deem acceptable the proposed window openings along the cantilever is hereby approved per the following conditions.

1. Provide protected window openings per BC 705.8.2
2. Comply with BB2015-17 VI.B

This CCD1/ZRD1 is approved ONLY for the specific request and conditions as noted above. The attached plans / documentation have not been reviewed beyond the context of the specific request and shall not be deemed as having been reviewed and approved in accordance with applicable Zoning Resolution, Building and other Codes.

DOB examiner shall verify that plans filed, comply with all the conditions of approval. If the work is professionally certified, the Applicant of record shall be responsible to verify that the proposed work is in compliance with the conditions of approval.

Note: If approved determination is not scanned or micro filmed, it will be deemed invalid.

Name of Authorized Reviewer (please print): I-Ju Chen, RA

Title (please print): Code and Zoning Specialist, Manhattan Borough

Authorized Signature:

REVIEWED BY  
 Code and Zoning Specialist  
 Date

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

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

APPROVED  
 WITH CONDITIONS  
 Date 09/10/2019  
 Page 1 of 14  
 Control No. 60589



# CCD1: Construction Code Determination Form

Must be typewritten.

☒ Orient and affix BIS  
job number label here ☒

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

## 1 Location Information Required for all requests on filed applications.

House No(s) 2461

Street Name Broadway

Borough Manhattan

Block 01239

Lot 0010

BIN 1033583

CB No. 107

## 2 Applicant Information Required for all requests on filed applications.

Last Name Chen

First Name Eran

Middle Initial

Business Name ODA- Architecture LPC

Business Telephone (646) 478-7455

Business Address 250 Park Avenue South Third Floor

Business Fax

City New York

State

Zip 10003

Mobile Telephone

E-Mail eran@oda-architecture.com

License Number 036207

License Type ☐ P.E. ☒ R.A. ☐ RLA ☐ Elevator (Co) Director DOB PENS ID # (if available)

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

Relationship to the property: ☐ Attorney ☒ Filing Representative (Class 2) ☐ Other

Last Name GO/AK/NAT/PAO/TOW/IS

First Name JO/HO/PET/BR/AR

Middle Initial

Business Name JM ZONING

Business Telephone (212) 964-4464

Business Address 225 BROADWAY, SUITE 1300

Business Fax (775) 628-3726

City NEW YORK

State NY

Zip 10007

Mobile Telephone On

E-Mail DETERMINATIONS@JM License/Registration # (if P.E./R.A./R.L.A./Attorney/Lic.(Co)Director) 001185

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

Determination request is for: ☒ Determination ☐ Predetermination

Determination request issued to: ☒ Borough Commissioner's Office (Initial) ☐ Technical Affairs (Appeal) ☐ Elevators

Job associated with this request? ☒ Yes (provide job # / doc # / obj # / examiner name below) ☐ No

Job #: 121275707

Document # 01

Objection #:

Examiner: Hao Sun

Has this request or a similar one been previously denied? ☒ Yes (attach all denied request form(s) and attachment(s)) ☐ No

Enter short description of Technical Topic (5 words or less): Cantilever Window Openings

Construction Code (if applicable): ☒ 2014 Code ☐ 2008 Code ☐ 1968 Code ☐ Prior to 1968 Code

Enter All Control #(s) for related CCD1/ZRD1 requests:

Request for 1-3 family dwelling? ☐ Yes ☒ No For HPD Affordable Housing? ☐ Yes ☒ No Fee Exempt per 28-112.1? ☐ Yes ☒ No

Zoning District(s): C4-6A

MDL: N/A

Zoning Overlay(s): N/A

BBs: N/A

Special District(s): N/A

Other:

ZR Section: N/A

Code Section: BC 705.12

Rule #: N/A

TPPN, Memo:

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

☐ Borough Commissioner

☐ Code & Zoning Specialist

☐ General Counsel's Office

☐ Deputy Borough Commissioner

☐ Chief Plan Examiner

☐ Elevators

☐ Other

### ADMINISTRATIVE USE ONLY

Control #:

Appointment Scheduled With:

Comments:

Review Team Members:

Reviewed By:

Code and Zoning Specialist

APPROVED

IN CONDITIONS  
Date 09/10/2019

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01/18

# CCD1: Construction Code Determination Form

PAGE 2

## 5 Description of Request (utilize page 3/Section 7 if additional space is needed to properly describe this request)

This is a request for:

- ☒ Interpretation or clarification
- ☐ Variation of Building Code or Rules per § 28-103.3 (please state in detail the practical difficulty that is specific to this project, and provide the analysis as to equally safe alternative, as per NYC Charter Section 645(b)(2))
- ☐ Variation of Multiple Dwelling Law (MDL) § 277.16 for Article 7B Buildings (please state in detail the practical difficulty that is specific to this project and provide the analysis as to equally safe alternative, as per NYC Charter Section 645(b)(2))

**NOTE: Variations of any other MDL provisions must be filed with the Board of Standards and Appeals (BSA) per MDL § 310.**

Please itemize all attachments, including plans/sketches, submitted with this form. (attachment may not be larger than 11" x 17")  
If request is based on a plan examiner objection, type in the applicable objection text exactly as it appears on the Objection sheet and include a copy of the Objection sheet in the submitted Pdf.

The above referenced application is being filed to construct a new nineteen (19) story mixed use building at 2461 Broadway. The building shall be constructed in accordance with construction classification 1B. From the proposed eighth through nineteenth floor, we are proposing to cantilever the building above an adjacent building (2465 Broadway). Please note that both buildings shall be part of the same zoning lot. The adjacent building (2465 Broadway), is an existing three (3) story and mezzanine, B-business occupancy building, with an active sprinkler and fire alarm. Please see attached copy of TCO 100795917T049.

The determination is being submitted to confirm the acceptance of:  
-The proposed window openings located at the exterior walls of the cantilever.  
-The proposed windows for the area below the cantilever.

BC 705.12 states "Portions of a building cantilevered over existing buildings. Where a portion of a building is cantilevered over an adjacent building or tax lot by a horizontal distance greater than 1 foot (305 mm), the cantilevered portions shall be protected with construction that conforms to a fire engineering analysis acceptable to the commissioner that conforms to Section 705.12.1".

Please note that a separate CCD1 has been submitted for the commissioner approval of the approved cantilever, as required by BC 705.12. This is for the review of the fire analysis along with the peer review for the proposed cantilever.  
This CCD1 is specifically being filed for the proposed window openings/location along and below the proposed cantilever.

Window openings at the exterior walls of the cantilever:  
BUILDINGS BULLETIN 2015-017 outlines the acceptable window openings located at the exterior walls of the cantilever.

For the newly proposed cantilever, the following is being proposed:

-The openings in the fire rated walls within 30'-0" to 60'-0" to the highest roof construction of the adjacent building, will not exceed 45% per floor and are permitted for legal light and air (as per BB 2015-017 part VI(b));

**NOTE: Department of Buildings Determination will be issued on the CCD1 Response Form**

## 6 Statements and Signature Required for all requests (If Attorney, include 'Esquire' or 'Esq.' in signature)

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

Name (please print)

Eran Chen

Signature

Date

05/13/19

REVIEWED BY  
I-Ju Chen, RA  
Code and Zoning Specialist

P.E. R.A. Seal (apply Seal, mention and date over seal - required for Attorneys on Unfiled applications)

ADMINISTRATIVE USE ONLY

Control #:

Reviewed By:

APPROVED  
WITH CONDITIONS

Date:

Date 09/10/2019

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01/18

# CCD1: Construction Code Determination Form

PAGE 3

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

-The openings in the fire rated walls within 0'-0" to 30'-0" to the highest roof construction of the adjacent building, vary from no openings to more than the 10% permitted;

BUILDINGS BULLETIN 2015-017 VI(b) states: Practical Difficulty for Group R-2 and R-3 occupancies. In cases where buildings are located on the same zoning lot but on different tax lots, where the applicant demonstrates a practical difficulty in providing required light and ventilation for habitable rooms in an R-2 or R-3 occupancy located along a tax lot line (internal to the zoning lot) within the 10% tabular limitation of Part IV, the borough commissioner may authorize openings in excess of these limitations upon a finding of equally safe alternative, as per section AC 28-103.3.

2. Windows 30 feet or more above roofs of buildings on the same zoning lot. Where windows open above the roofs of buildings on the same zoning lot, and such windows are 30 feet or more, measured vertically, to the highest roof, rooftop equipment or bulkhead, the maximum allowable openings may be authorized to exceed the 10% tabular area subject to the guiding limitations and conditions, below: a. Limitations: Distance measured vertically to the highest roof, rooftop equipment or bulkhead Maximum openings as a percent of the area of the facade of the story in which such openings are located 30 feet or more but less than 60, 45%, or the percentage in table BC 705.8 as measured horizontally to the zoning lot line, whichever is less 60 feet or more The percentage in table BC 705.8 as measured horizontally to the zoning lot line

In order to achieve adequate light and air for the dwelling units proposed, there is a practical difficulty in limiting the openings to 10% (for windows located more than 30 feet above the adjacent roof, but less than 30 feet above the bulkheads on that roof). We are proposing that these openings be permitted up to 45% per floor. These windows are physically located more than 30 feet from the highest construction of the adjacent building (the bulkheads), and these windows are also located more than 30 feet, vertically, above the roof of the adjacent building.

Windows for the habitable spaces located below the cantilever:

BC 1203.4.1.2.4 states "Maximum depth of room. No part of any room shall be more than 30 feet (9144 mm) from a window opening onto a street or yard unless such room also opens onto a court complying with Section 1206".

For the newly proposed cantilever, the following is being proposed:

-The underside of the cantilevered portion for the new building proposed at 2461 Broadway, shall be located ~26'-7.5" (at the eighth floor) above the existing roof of 2465 Broadway. The ~26'-7.5" accommodates the required 9'-0" FDNY access clearance as per FC 504.4.4.

-The cantilever will project over the adjacent building 25'-0" (Ranging from 18'-4" to 25'-0") at the eighth floor. There shall be no legal windows opening to the underside of the cantilever below (at the 7th floor).

-The cantilever will project over the adjacent building an additional 12'-6" at the eleventh floor. The depth of the rooms below the cantilever (located at the 10th floor), along with the depth of the cantilever, shall be within the maximum permitted 30 feet, as permitted by BC 1203.4.1.2.4.

-The cantilever will project over the adjacent building an additional 12'-6" at the fourteenth floor. The depth of the rooms below the cantilever (located at the 13th floor), along with the depth of the cantilever, shall be within the maximum permitted 30 feet, as permitted by BC 1203.4.1.2.4.

Please accept as stated above.

**NOTE: Department of Buildings Determination will be Issued on the CCD1 Response Form**

## 8 Statements and Signature Required for all requests (If Attorney, include 'Esquire' or 'Esq.' in signature)

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

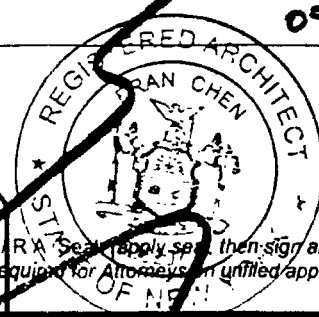
Name (please print)

Eran Chen

Signature

Date

05/31/19



REVIEWED BY  
I-Ju Chen, RA  
Code and Zoning Specialist

RA Seal (apply seal, then sign and date over seal - not required for Attorneys in unfilled applications)

ADMINISTRATIVE USE ONLY

Control #:

Reviewed By:

APPROVED

Date:

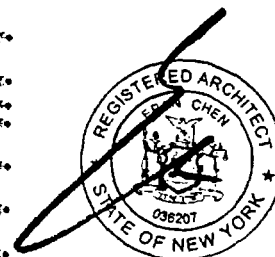
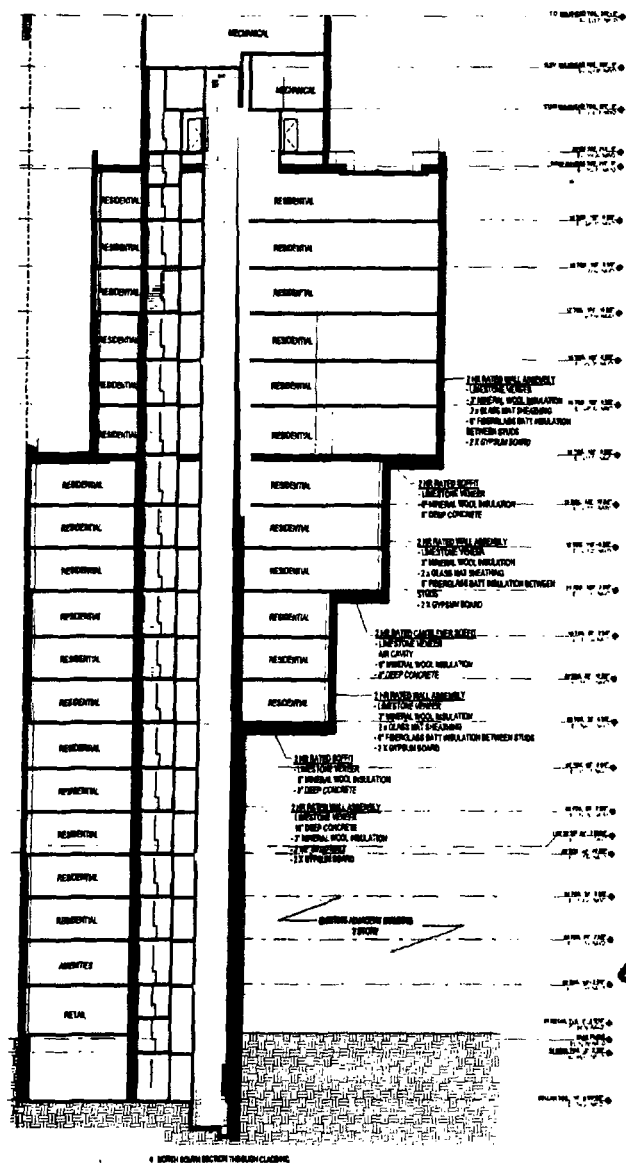
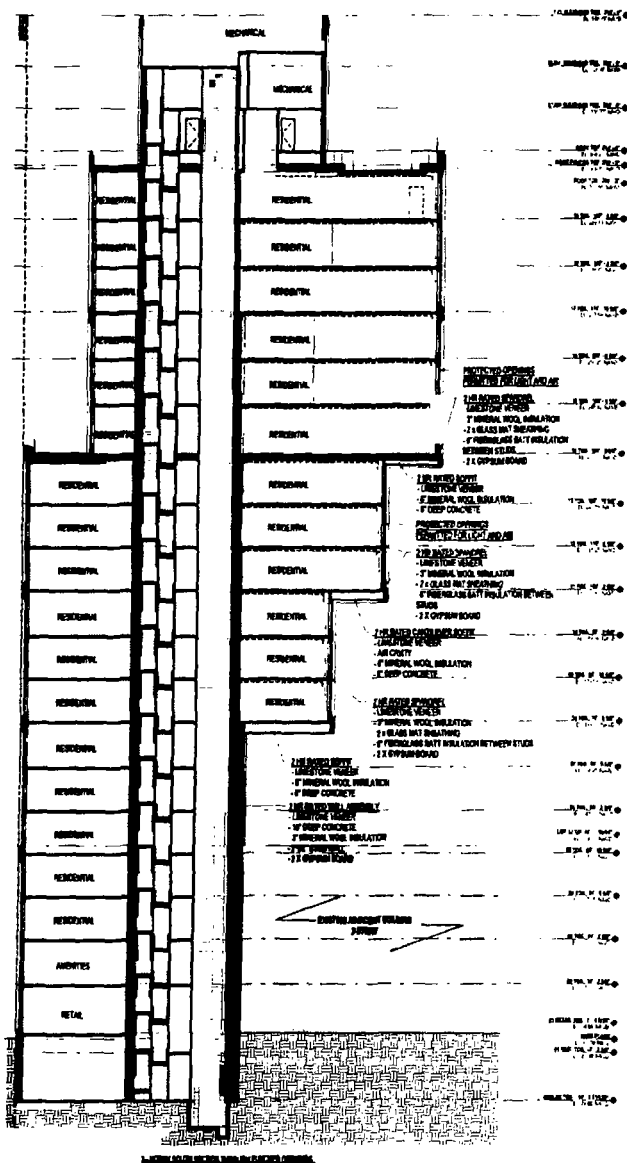
711-1 CONDITIONS

Date 09/10/2019

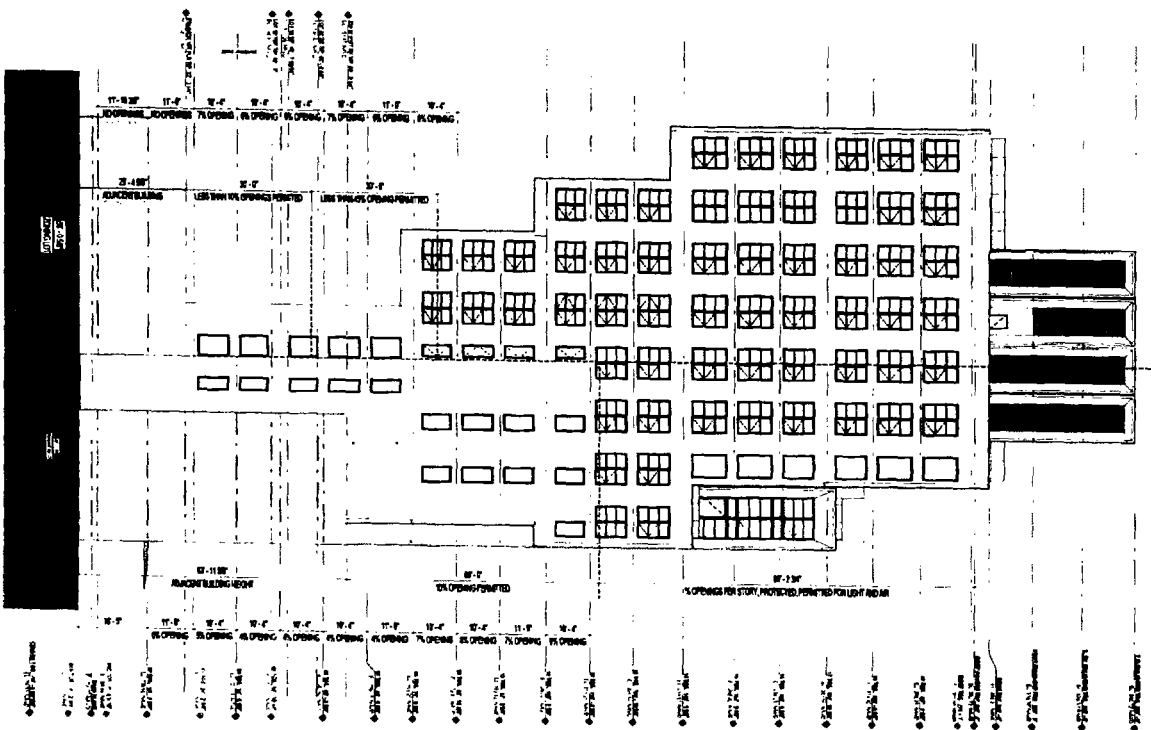
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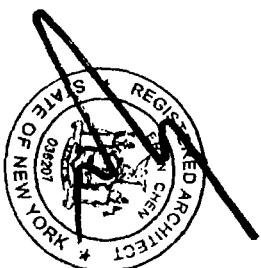
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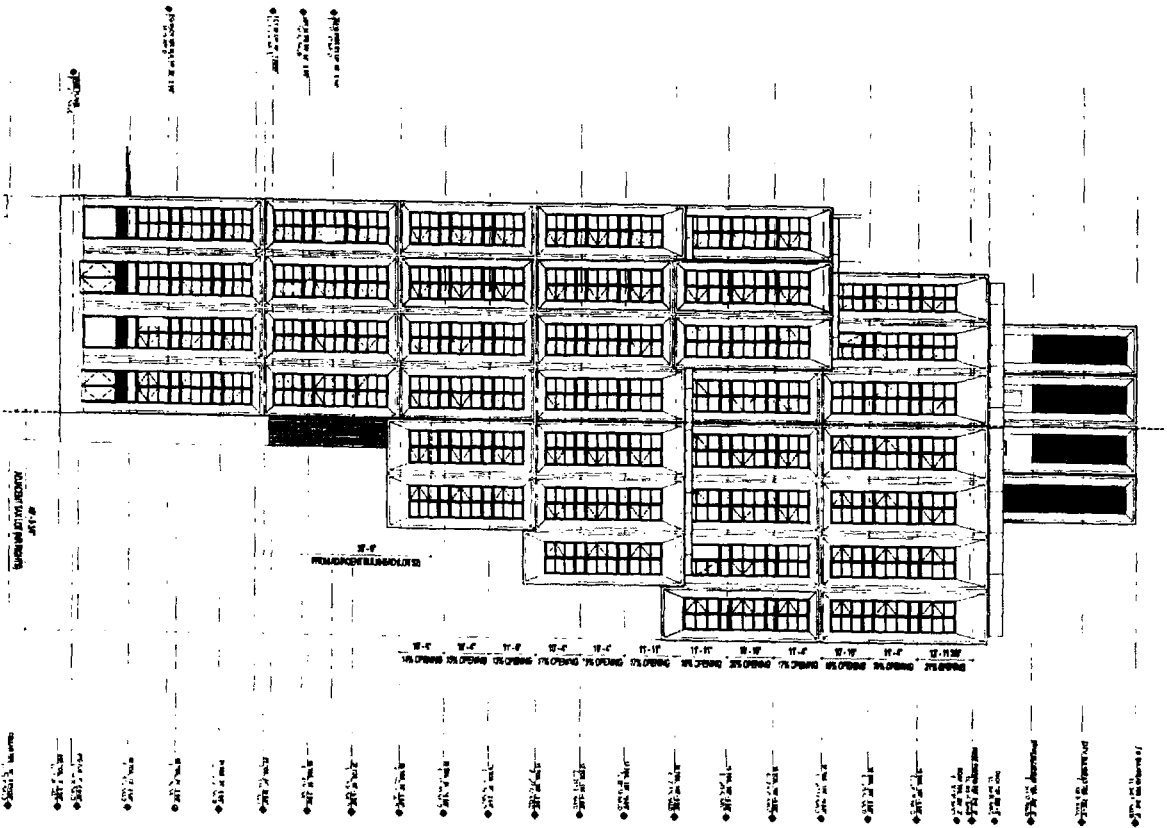


Floor	Number of Openings	Total Area of All Openings			Total Area of All Openings			Total Area of All Openings			Total Area of All Openings		
		Opening Area (SF)	% Opening	% Permitted	Opening Area (SF)	% Opening	% Permitted	Opening Area (SF)	% Opening	% Permitted	Opening Area (SF)	% Opening	% Permitted
1	2	0	0%	0%	0	0%	0%	0	0%	0%	0	0%	0%
2	3	74.8	74%	100%	74.8	74%	100%	74.8	74%	100%	74.8	74%	100%
3	1	77.1	4%	100%	77.1	4%	100%	77.1	4%	100%	77.1	4%	100%
4	1	27.0	4%	100%	27.0	4%	100%	27.0	4%	100%	27.0	4%	100%
5	1	22.8	4%	100%	22.8	4%	100%	22.8	4%	100%	22.8	4%	100%
6	1	22.8	4%	100%	22.8	4%	100%	22.8	4%	100%	22.8	4%	100%
7	1	22.8	4%	100%	22.8	4%	100%	22.8	4%	100%	22.8	4%	100%
8	1	22.8	4%	100%	22.8	4%	100%	22.8	4%	100%	22.8	4%	100%
9	1	22.8	4%	100%	22.8	4%	100%	22.8	4%	100%	22.8	4%	100%
10	1	22.8	4%	100%	22.8	4%	100%	22.8	4%	100%	22.8	4%	100%
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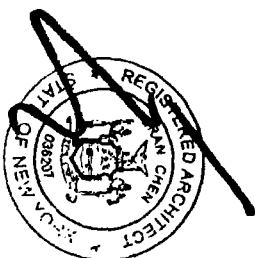








2461 Broadway Condominium LOT 10.5.1 (10.5.1.1) (10.5.1.2) (10.5.1.3) (10.5.1.4) (10.5.1.5) (10.5.1.6) (10.5.1.7) (10.5.1.8) (10.5.1.9) (10.5.1.10)									
Floor	Number of Openings	Opening Area (sq ft)	Width (ft)	Height (ft)	Area (sq ft)	% Opening	% Threshold	% Threshold	% Threshold
1	0	0	11'-10 1/2"	11'-10 1/2"	543.33	0%	0%	0%	0%
2	0	0	11'-0"	11'-0"	543.33	0%	0%	0%	0%
3	0	0	11'-0"	11'-0"	543.33	0%	0%	0%	0%
4	0	0	11'-0"	11'-0"	543.33	0%	0%	0%	0%
5	0	0	11'-0"	11'-0"	543.33	0%	0%	0%	0%
6	0	0	11'-0"	11'-0"	543.33	0%	0%	0%	0%
7	0	0	11'-0"	11'-0"	543.33	0%	0%	0%	0%
8	0	0	11'-0"	11'-0"	543.33	0%	0%	0%	0%
9	0	0	11'-0"	11'-0"	543.33	0%	0%	0%	0%
10	0	0	11'-0"	11'-0"	543.33	0%	0%	0%	0%
11	0	0	11'-0"	11'-0"	543.33	0%	0%	0%	0%
12	0	0	11'-0"	11'-0"	543.33	0%	0%	0%	0%
13	0	0	11'-0"	11'-0"	543.33	0%	0%	0%	0%
14	0	0	11'-0"	11'-0"	543.33	0%	0%	0%	0%
15	0	0	11'-0"	11'-0"	543.33	0%	0%	0%	0%
16	0	0	11'-0"	11'-0"	543.33	0%	0%	0%	0%
17	0	0	11'-0"	11'-0"	543.33	0%	0%	0%	0%
18	0	0	11'-0"	11'-0"	543.33	0%	0%	0%	0%
19	0	0	11'-0"	11'-0"	543.33	0%	0%	0%	0%
20	0	0	11'-0"	11'-0"	543.33	0%	0%	0%	0%



Order	Qty	Unit Price	Total
1	10.00	10.00	10.00
2	10.00	10.00	10.00
3	10.00	10.00	10.00
4	10.00	10.00	10.00




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**OWNER**  
JAMES GORDON TULL  
2200 MCSTRAND AV  
BROOKLYN NY 11210  
(718) 887-4781

**CONSULTANTS**  
**STRUCTURAL ENGINEER**  
 WSP USA  
 200 N. JEFFERSON ST. 2ND FL.  
 NEW YORK, NY 10020

[illegible]

**FRANCIS CORBIN, JR.**  
THOMSON TOMASSETT  
55 HANCOCK AVENUE  
NEW YORK, NY 10022  
(212) 681-1200

[illegible]

**JOHN J. HAWKINS**  
1811 AVENUE OF AMERICA  
NEW YORK, NY 10019  
212/692-5150

**JOHN J. HAWKINS, President**  
COUNCIL ON  
CRIMINAL JUSTICE

40 PINE PLAGE BLVD  
MILWAUKEE, WI 53222  
Osh 226 16-11

1

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1

LOCATION PLAN

BLACK, 1000  
LEFT 10-100  
ZONES MAP 10

2481 BROADWAY

2481 BROADWAY  
CONDOMINIUM  
UNDER CONSTRUCTION  
APC CCR NUMBER: 1247507

[illegible]

1



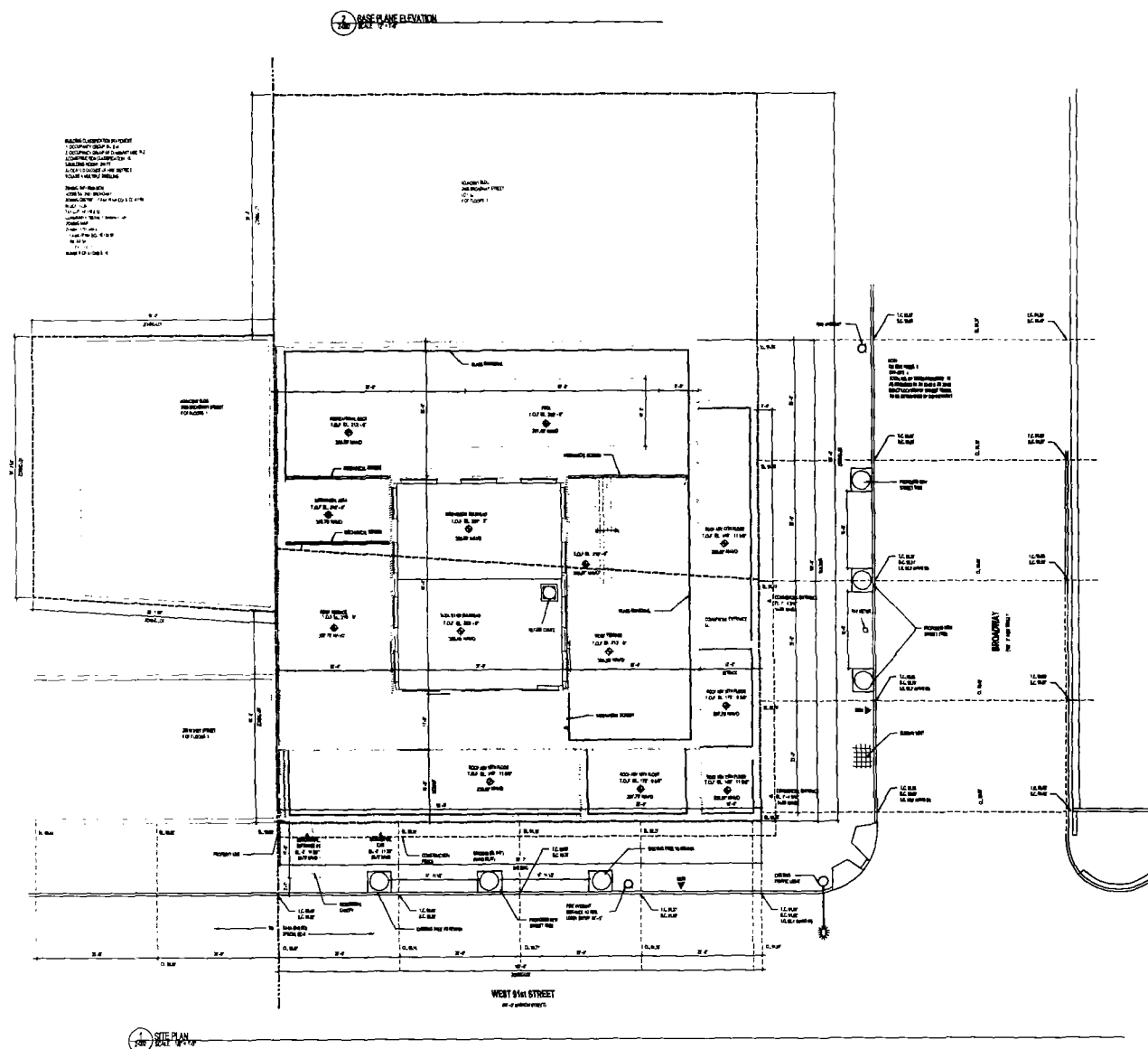
DATE	TIME	LOCATION

**ZONING ANALYSIS -**  
**PLAN**

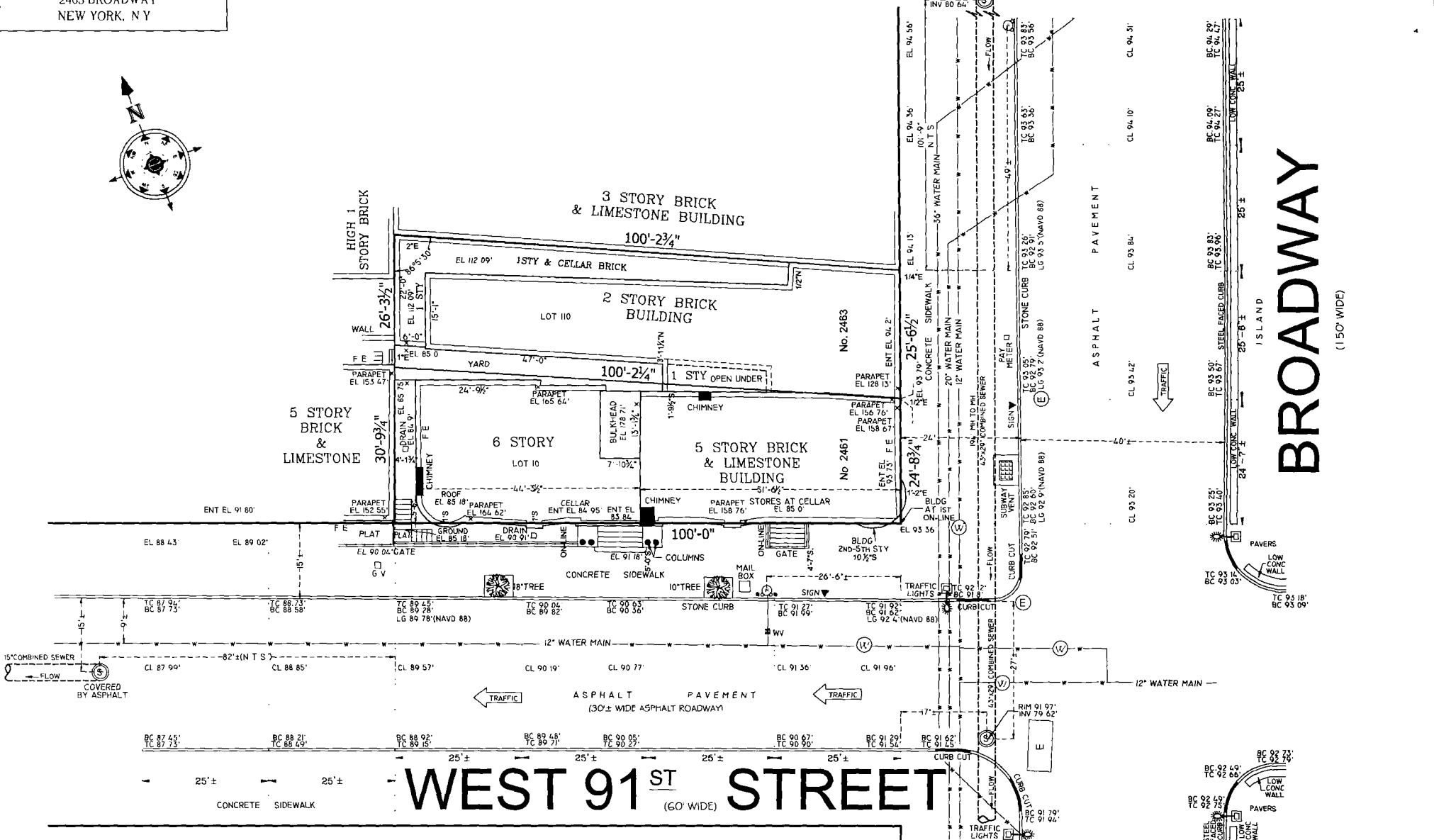
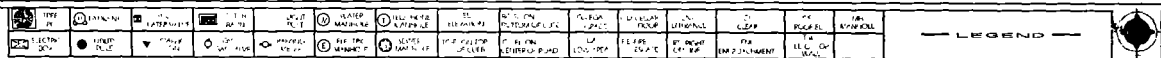
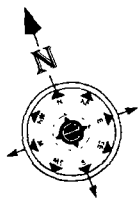
7-0020

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1	PAGE	11
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2461 BROADWAY  
2463 BROADWAY  
NEW YORK, NY



DATE	DESCRIPTION
MAY 3, 2017	ARCHITECTURAL SURVEY
MAY 10, 2017	ADD WATER & SEWER
OCT. 10, 2017	ADD ELEVATIONS
BLOCK _____	1239
LOT _____	10 & 110
SECTION _____	4
COUNTY _____	NEW YORK
DWG BY _____	A.G.
CHKD BY _____	J.A.
SCALE _____	1"= 12'

**NOTE:** Unauthorized alterations or additions to this survey is a violation of section 7209 of the New York State education law. Copies of this survey map not bearing the land surveyor's inked seal or embossed seal shall not be considered to be a valid true copy. Guarantees or certifications indicated hereon shall run only to the person for whom the survey is prepared, and on his behalf to the title company, governmental agency and lending institution listed hereon, and to the assignees of the lending institution. Guarantees or certification are not transferable to additional institutions or subsequent owners.

**CAUTION:**

- 1) Before performing any digging or drilling on this site, it is required that subsurface services, including the underground mains be marked and identified by the utility involved in compliance with industrial code 53 of New York State
- 2) All elevations refer to North America Vertical Datum of 1988 (NAVD 88 Datum)
- 3) Survey is not for title purposes
- 4) Watermains are shown per NYC DEP maps and their locations are approximate

11 of 14  
60589

EMPIRE STATE  
LAYOUT, INC.



2209 WERRICK ROAD  
SUITE 202  
WERRICK, VA 22156

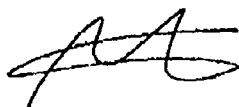
11522 15-32 美国埃德蒙(Edmund)公司

# Certificate of Occupancy

CO Number: 100795917T050

This certifies that the premises described herein conforms substantially to the approved plans and specifications and to the requirements of all applicable laws, rules and regulations for the uses and occupancies specified. No change of use or occupancy shall be made unless a new Certificate of Occupancy is issued. *This document or a copy shall be available for inspection at the building at all reasonable times.*

<b>A.</b> Borough: Manhattan Address: 2465 BROADWAY Building Identification Number (BIN): 1033599	Block Number: 01239 Lot Number(s): 52 Building Type: Altered	Certificate Type: Temporary Effective Date: 10/03/2016 Expiration Date: 01/01/2017
<i>For zoning lot metes &amp; bounds, please see BISWeb.</i>		
<b>B.</b> Construction classification: 1 (Prior to 1968 Code) Building Occupancy Group classification: C (1968 Code) Multiple Dwelling Law Classification: None		
No. of stories: 3      Height in feet: 39      No. of dwelling units: 0		
<b>C.</b> Fire Protection Equipment: None associated with this filing.		
<b>D.</b> Type and number of open spaces: None associated with this filing.		
<b>E.</b> This Certificate is issued with the following legal limitations: Easement(s) - Recording Info: EGRESS EASEMENT BETWEEN 2465 AND 2473 BROADWAY		
<b>Outstanding requirements for obtaining Final Certificate of Occupancy:</b>		
There are 4 outstanding requirements. Please refer to BISWeb for further detail.		
Borough Comments: None		



Borough Commissioner



Commissioner

# Certificate of Occupancy

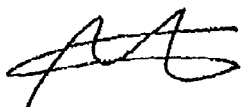
CO Number:

100795917T050

## Permissible Use and Occupancy

All Building Code occupancy group designations are 1968 designations, except RES, COM, or PUB which are 1938 Building Code occupancy group designations.

Floor From To	Maximum persons permitted	Live load lbs per sq. ft.	Building Code occupancy group	Dwelling or Rooming Units	Zoning use group	Description of use
CEL		OG	COM		9	STORAGE, MECHANICAL/UTILITY ROOMS, LAUNDRY ROOM
001	70	120	COM		9	PHYSICAL CULTURE ESTABLISHMENT
END OF SECTION						



Borough Commissioner



Commissioner

\*\*\*\*\* NEW YORK CITY \*\*\*\*\*  
\*\*\* DEPARTMENT OF BUILDINGS \*\*\*

R E C E I P T

INVOICE #: 13581840      DATE: AUGUST 6 2019      TIME: 9:40 A.M.

TOTAL PAYMENT RECEIVED: 1000.00

PAYMENT: 1000.00      CHARGE #: A1219  
PAYMENT: 0.00

FOR: DETERMINATION-INITIAL FEE-CODE

JOB #: 121275707 01  
2461 BROADWAY

RECEIVED FROM: MANHATTAN BOROUGH OFFICE

STATION: 10  
05111 000201 00251 OT