



ZRD1: Zoning Resolution Determination Form

Must be typewritten

DEPT BLDGS Job No. 123808479



Scan Code ESHS6319568

Use this form only to request Zoning Resolution determination (use CCD1 for all other requests)

1 Location Information Required for all requests on filed applications.

House No(s) 558

Street Name Broadway

Borough Manhattan

Block 497

Lot 15

BIN 1007566

CB No. 102

2 Applicant Information Required for all requests on filed applications

Last Name RUFFIN

First Name ADAM

Middle Initial

Business Name ARCHITECTUREFIRM

Business Telephone 646-462-6376

Business Address 20 JAY STREET SUITE 906

Business Fax

City BROOKLYN

State NY

Zip 11201

Mobile Telephone

E-Mail ARUFFIN@ARCHITECTUREFIRM CO

License Number 032549

License Type ☐ P.E. ☒ R.A.

DOB PENS ID # (if available)

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

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

Last Name VIVES

First Name PABLO

Middle Initial

Business Name WILLIAM VITACCO ASSOCIATES, LTD

Business Telephone 212-791-4578

Business Address 299 BROADWAY

Business Fax

City NEW YORK

State NY

Zip 10007

Mobile Telephone

E-Mail PVIVES@VITACCO.COM

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

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)

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

Job #: _____ Document: _____ Objection #: _____ Examiner: _____

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): Confirmation of proposed accessory use

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) M1-5B MDL: _____

Zoning Overlay(s): _____ BBs: _____

Special District(s): _____ Other: _____

ZR Section. 12-10, 42-14 Code Section _____ Rule # _____ 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 ☐ Other

ADMINISTRATIVE USE ONLY

Control #

Appointment Scheduled With

Comments

Review Team Members:

Reviewed By:

Date

**APPROVED
WITH CONDITIONS**

09/09/19

Page 2 of 11
Control No. 60522

01/18

ZRD1: Zoning Resolution Determination Form

PAGE 2

5 Description of Request (additional space is available on page 3)

NOTE: Buildings Department officials will only interpret or clarify the Zoning Resolution. Any request for variations of the Zoning Resolution must be filed with the Board of Standards and Appeals (BSA) or the Department of City Planning (DCP).

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.

ZRD1 being submitted to confirm the use of the proposed tenant along with its associated accessory uses are permitted within the existing structure at 558 Broadway and do not require a change to the certificate of existing final certificate of occupancy for the building.

The existing final CO for the building (attached) is for use group 10 retail. The department had confirmed through the LNO process (accepted LNO attached) that the existing building has and continues to operate as one retail establishment with over 10,000 square feet of floor area. The future tenant that will occupy the space is the Museum of Ice Cream. The Museum of Ice Cream (MOIC) operates a ticketed retail experience for its customers which as it is intended to serve a wide area of patrons as such we feel it is best classified as use group 10 retail and is in line with the buildings current final CO. In addition to the retail experience MOIC intends on operating a small accessory eating and drinking establishment/Café at the ground floor of the space along with accessory food prep at the cellar level. The café occupies 682 square feet of area and is intended to serve 46 occupants and is not nor is it intended to be a public assembly space. ZR 42-14 D (3) limits use group 6A spaces within M1-5B zoning districts to less than 5,000 square feet below the second floor. The existing building is 23,978 gross square feet with 15,974 square feet at the 1st and 2nd floors. The accessory use group 6A space at the first and second floor will be limited to 682 square feet well under the 5,000 square foot limitation of ZR 42-14 D (3). As such we are requesting confirmation that the proposed café (UG 6A) and its associated food prep space in the cellar can be treated as an accessory use to the existing use group 10 use and does not require the existing CO to amended. This acceptance will be used in order to obtain a NYS liquor license for the accessory use group 6A café/bar in question.

NOTE: Department of Buildings Determination will be issued on the ZRD1 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)

ADAM RUFFIN

Signature

Date

7/26/2019



P then sign and date over seal -
n on unfilled applications)

ADMINISTRATIVE USE ONLY

Reviewed By:

Building

Date:

**APPROVED
WITH CONDITIONS**

09/09/19

Page 3 of 11
Control No. 60522

01/18

ZRD1: Zoning Resolution Determination Form

PAGE 3

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

Based on the above and attached confirmation is requested to confirm that the proposed Café and flood prep areas can be considered accessory to the existing use group 10 CO and do not require the existing CO to be modified.

Thank you in advance.

NOTE: Department of Buildings Determination will be issued on the ZRD1 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)

ADAM RUFFIN

Signature

Date

7/26/2019



P.E. (Professional Engineer) or P.L.C. (Professional Landscape Architect) must sign and date over seal – not required for unlicensed applications

ADMINISTRATIVE USE ONLY

Reviewed By:

Date

**APPROVED
WITH CONDITIONS**

09/09/19
Page 4 of 11
Control No. 60522

01/18