

2022-016



# ZRD1: Zoning Resolution Determination Form

Orient and affix BIS job number label here

Must be typewritten.

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) 317 Street Name West 35th Street  
 Borough Manhattan Block 759 Lot 29 BIN 1013573 CB No. 104

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

Last Name Poon First Name Peter Middle Initial F.  
 Business Name Peter F. Poon Architect P.C. Business Telephone (212) 941-6800  
 Business Address 12 Mercer Street Business Fax \_\_\_\_\_  
 City New York State NY Zip 10013 Mobile Telephone \_\_\_\_\_  
 E-Mail peterpoon@ppaarchitects.com License Number 016481  
 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 Livian First Name Ronny Middle Initial \_\_\_\_\_  
 Business Name A.E.C. Consulting & Expediting Inc. Business Telephone (212) 619-0200  
 Business Address 20 Vesey Street Suite #909 Business Fax (212) 619-0550  
 City New York State NY Zip 10007 Mobile Telephone \_\_\_\_\_  
 E-Mail ronny@aecnyc.net License/Registration # (if P.E./R.A./R.L.A./Attorney) N10214

**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 #: 123851796 Document: 01 Objection #: 2, 4, 5, 6 Examiner: CQN CESAR QUINTERO  
 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): Garment Center Special Use Regulations  
 Enter All Control #(s) for related CCD1/ZRD1 requests: 71346  
 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): C6-4M MDL: \_\_\_\_\_  
 Zoning Overlay(s): \_\_\_\_\_ BBs: \_\_\_\_\_  
 Special District(s): Garment Center Other: \_\_\_\_\_  
 ZR Section: 121-11, 93-90 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

<b>ADMINISTRATIVE USE ONLY</b>	REVIEWED BY <u>Constantino (Cus) Sirakis, PE</u> Deputy Commissioner	
Control #:		
Appointment Scheduled With:		
Comments:		
Review Team Members:	<b>G.Sirakis, K.Wen, S.Hong, M.Seagal, F.Miller, T.McKernan</b>	
Reviewed By:	<b>APPROVED WITH CONDITIONS</b>	Date <u>06/30/2022</u>
	Date <u>06/30/2022</u>	See comments on pages <b>4 through 5.</b>
	Page <b>06/30/2022</b>	01/18
	Control No. <b>1 of 40</b>	

# ZRD1: Zoning Resolution Determination Form

**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.

We respectfully request the Department's concurrence that the applicant may construct a fully commercial building including a hotel and other allowable commercial uses, and that upon filing of a PAA showing such design and use, the the Notice of Intent to Revoke Approval and Permit and Order to Stop Work will be lifted. Enclosed is a letter and analysis prepared by the Applicant's land use counsel to resolve the objections raised in the Special Audit Notice, issued by the Department under Job No. 123851796, which gave rise to the stop work order.

There are four unresolved objections from the Special Audit. The enclosed letter explains that they can be remedied by filing a fully commercial building. Subject to the Department's concurrence with this determination request, the applicant will file a PAA for a fully commercial building with a transient hotel located above as-of-right commercial uses. The responses to the objections are set forth in detail in the attached letter, but in summary:

- Objection #2 is based on ZR 121-11, which is an optional provision that applies to certain mixed residential and commercial developments. This objection will no longer apply once the PAA is filed for a fully commercial building. The objection also references ZR 121-70, which no longer applies because it was removed from the Zoning Resolution when the Citywide Hotel Text Amendment was adopted. The letter also explains that a special permit is not required for the hotel portion because the permit application for the hotel was submitted prior to the vesting deadline set forth in the Zoning Resolution.

*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)

Peter F. Poon

Signature

Date



6-10-2022

P.E./R.A. Seal (apply seal, then sign and date over seal - not required for Attorneys on unfiled applications)

REVIEWED BY  
**Constadino (Gus) Sirakis, PE**  
 Deputy Commissioner  
 Control #: **71346**  
  
**APPROVED WITH CONDITIONS**  
 Date 06/30/2022  
 Page **06/30/2022**  
 Control No. **2 of 40**

ADMINISTRATIVE USE ONLY

Reviewed By:

Date:



ZRD1: Zoning Resolution Determination Form

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

- Objection #4 states that the scope of work shown on the approved plans indicates a removal in excess of 20% of the existing residential floor area, contrary to ZR 93-90 and 93-91. The enclosed letter explains that this objection was based on a prior set of plans, and that the architect has provided drawings showing that only 16.67% of the existing residential floor area has been removed.
- Objection #5 is an administrative objection focused on corrections to be made to the drawings and the ZD1. These corrections will be addressed when the PAA is filed for the fully commercial building.
- Objection #6 states that the current design does not comply with the supplementary use regulations of ZR 32-422 because commercial use would be located above residential. This objection will be resolved when the PAA is filed for the fully commercial building.

We therefore request the Department's concurrence that, upon filing and approval of the PAA for the fully commercial building, the revocation notice and the stop work order will be rescinded.

*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)

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Name (please print)  
 Peter F. Poon  
 Signature \_\_\_\_\_ Date 6-10-2022



REVIEWED BY  
 Constadino (Gus) Sirakis, PE  
 Deputy Commissioner

P.E. / R.A. Seal (apply seal, then sign and date over seal - not required for Attorneys on unified applications)

ADMINISTRATIVE USE ONLY  
 Control # \_\_\_\_\_  
 Reviewed By: *Sirakis* Date \_\_\_\_\_

**APPROVED WITH CONDITIONS**  
 Date 06/30/2022  
 Page 06/30/2022  
 Control No. 3 of 40

01/18  
**See comments on pages 4 through 5.**

# ZRD1/CCD1 Response Form

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

House No(s) 317 Street Name West 35th Street

Borough Manhattan Block 759 Lot 29 BIN 1013573 Job No. 123851796

**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): ZR 32-02 (d) (1), ZR 121-60, ZR 93-90, and ZR 93-91

Other secondary Zoning Resolution or Code Section(s):

Control Number:

Comments:

The applicant's request to continue construction of the proposed transient hotel pursuant to the vesting regulations under section 32-02 (d) (1) of the Zoning Resolution ("ZR") is hereby approved with conditions.

The subject hotel is in a C6-4M District within the Special Garment Center District ("GC"). The proposed work was filed with the Department under a New Building application ("NB") on 5/17/2019, application number 123851796.

On December 9, 2021, the City Council adopted the Citywide Hotels Text Amendment. In the amendment, ZR § 32-02 (a) requires a special permit by the City Planning Commission ("CPC") for the development of a transient hotel in most instances; however, ZR § 32-02 (d) provides the right to continue construction under the vesting provision.

In particular, the vesting criteria pursuant to ZR § 32-02 (d) (1) states, "If, on or before May 12, 2021, an application for a development, enlargement or conversion to a transient hotel has been filed with the Department of Buildings, and if, on or before December 9, 2022, the Department of Buildings has approved an application for a foundation, a new building or an alteration based on a complete zoning analysis showing zoning compliance for such transient hotel, such application may be continued, and construction may be started or continued. The application may be revised and retain vested status, provided that the floor area for the transient hotel is not increased beyond the amount approved."

Since the application (number 123851796) was filed with the Department under NB on 5/17/2019, prior to May 12, 2021, the application may proceed until December 9, 2022 for an approval for foundation, new building, or alteration approval without a CPC Special Permit, provided any revision to the floor area complies with conditions set forth in ZR 32-02(d)(1).

(continue on page 5)

Name of Authorized Reviewer (please print): Gus (Constadino) Sirakis, P.E.

Title (please print): Deputy Commissioner of Development & Technical Affairs

Authorized Signature:

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.

REVIEWED BY  
Constadino (Gus) Sirakis, P.E.  
Deputy Commissioner

*Gus Sirakis*

**APPROVED WITH CONDITIONS**

Date 06/30/2022  
Page 7 of 46  
Control No. 4 of 40

See comments on pages 4 through 5. <sup>12/15</sup>



# ZRD1/CCD1 Response Form

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

House No(s) 317 Street Name West 35th Street  
 Borough Manhattan Block 759 Lot 29 BIN 1013573 Job No. 123851796

**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): ZR 32-02 (d) (1), ZR 121-60, ZR 93-90, and ZR 93-91

Other secondary Zoning Resolution or Code Section(s):

Control Number:

Comments:

(continue from page 4)

With respect to the applicant's proposal to file for a fully commercial building with a transient hotel located above the commercial uses, the subject building is located in Subdistrict A-2, which is subject to ZR 121-60, which states:

"In Subdistrict A-2, the provisions of Section 93-90 (HARASSMENT) and Section 93-91 (Demolition), inclusive, shall apply."

The applicant shall demonstrate compliance with ZR 93-90 and 93-91 with the Borough Office, and shall resolve all other pending issues with the Borough Office with respect to the "Notice of Intent to Revoke Approval and Permit" and "Order to Stop Work" placed on the property prior to resuming construction.

Name of Authorized Reviewer (please print): Gus (Constadino) Sirakis, P.E.

Title (please print): Deputy Commissioner of Development & Technical Affairs

Authorized Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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

**APPROVED WITH CONDITIONS**

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

REVIEWED BY  
 Constadino (Gus) Sirakis, PE  
 Deputy Commissioner

*Chirali*

Date 06/30/2022  
 Page 06/30/2022  
 Control No. 5 of 40

See comments on pages 2/15  
 4 through 5.



Department of Buildings  
 280 Broadway  
 New York, New York 10007  
 (212) 566-5000 | TTY (212) 566-4769  
 nyc.gov/buildings

MANHATTAN (1)  
 280 BROADWAY 3<sup>RD</sup> FLOOR  
 New York, NY 10007

BRONX (2)  
 1932 ARTHUR AVENUE  
 BRONX, NY 10457

BROOKLYN (3)  
 210 JORALEMON STREET  
 BROOKLYN, NY 11201

QUEENS (4)  
 120-55 QUEENS BLVD.  
 QUEENS, NY 11424

STATEN ISLAND (5)  
 BORO HALL - ST. GEORGE  
 STATEN ISLAND, NY 10301

### Notice of Objections – Special Audit

<b>Applicant Name:</b> PETER POON	<b>Date:</b> 03/24/2021
<b>Business Name:</b> PETER F. POON ARCHITECT P.C.	<b>Job Application(s) #:</b> 123851796
<b>Business Address:</b> 12 MERCER STREET NEW YORK NY 10013	<b>Application Type:</b> NB – New Building
<b>Email address:</b> PETERPOON@PPAARCHITECTS.COM	<b>Premises Address:</b> 319 WEST 35 STREET MANHATTAN
<b>Owner/email address:</b> WEIHONG@NYMAYFLOWER.COM	<b>Zoning District:</b> C6-4M, GC
<b>Directive 2</b>	<b>Block:</b> 0759 <b>Lot(s):</b> 0029 <b>Doc(s):</b> 01 <b>Code:</b> 2014

**Examiner's Signature:** James Geoghegan  
**Note:** "Please e-mail: [ManhPER11PlanExam@buildings.nyc.gov](mailto:ManhPER11PlanExam@buildings.nyc.gov) PER-11 Form for Self-Certification of Objections appointment request.  
**An appointment to resolve these objections shall be made with a Self-Certification Plan Examiner."**

- To discuss and resolve these objections, please call 311 to schedule an appointment with the Plan Examiner listed above. You will need the application number and document number found at the top of this objection sheet. To make the best possible use of the Plan Examiner's and your time, please make sure you are prepared to discuss and resolve these objections before arriving for your scheduled plan examination appointment.
- Applicant on record may bring in latest approved plans for review during the appointment. Additional Objections may be issued upon reviewing of materials submitted to appointments.
- Additional Objections may be issued upon reviewing of materials submitted to appointments.
- A PAA will need to be filed to resolve most issues

**Scope of Work:** FILED HEREWITH TO ERECT 25 STORY NEW BUILDING IN ADDRESSES 317 AND 319 WEST 35TH STREET

No.	Applicable Code/Form	Description	Date Resolved	Comments
1.	ZR 121-02 / Appendix A	This property is located within the A2 sub-district of the Special Garment Center District, not within the P2 sub-district. Applicant shall submit a revised Zoning Analysis.		
2.	ZR 121-11 ZR 121-70	Transient Hotels and Offices proposed within the A2 sub-district may be subject to CPC Review or HPD Regulatory Agreement.  Provide evidence/indication of CPC Approval or HPD Regulatory Agreement within submitted Zoning Analysis.		
3.	ZR 121-41 ZR 93-31 AC 107.4	The basic maximum floor area ratio of a zoning lot containing non residential buildings shall be 10.0, and may be increased to a maximum of 12.0 pursuant to ZR 93-31.  As per ZR 93-11, Applicant shall provide indication of CPC Approval regarding a Bonus in Zoning Floor Area Ratio, when present.		Sheet Z-003
4.	ZR 121-60 ZR 93-90, ZR 93-91	In sub-district A-2, the provisions of ZR 93-90 (Harassment) and ZR 93-91 (Demolition), inclusive, shall apply. A) The scope of work as shown on the approved plans indicates a removal of 20% of the existing residential floor area, which is contrary to the requirements outlined in ZR 93-91, resulting in a material alteration as defined by ZR 93-90 because		

REVIEWED BY  
**Constadino (Gus) Strakis, PE**  
 Deputy Commissioner  
*Strakis*  
**APPROVED WITH CONDITIONS**  
 Date 06/30/2022  
 Page 6 of 15  
 Control No. 71346





Department of Buildings  
 280 Broadway  
 New York, New York 10007  
 (212) 566-5000 | TTY (212) 566-4769  
 nyc.gov/buildings

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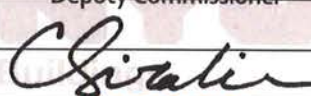
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### Notice of Objections – Special Audit

<b>Applicant Name:</b> PETER POON	<b>Date:</b> 03/24/2021
<b>Business Name:</b> PETER F. POON ARCHITECT P.C.	<b>Job Application(s) #:</b> 123851796
<b>Business Address:</b> 12 MERCER STREET NEW YORK NY 10013	<b>Application Type:</b> NB – New Building
<b>Email address:</b> PETERPOON@PPAARCHITECTS.COM	<b>Premises Address:</b> 319 WEST 35 STREET MANHATTAN
<b>Owner/email address:</b> WEIHONG@NYMAYFLOWER.COM	<b>Zoning District:</b> C6-4M, GC
<b>Directive 2</b>	<b>Block: 0759 Lot(s): 0029 Doc(s): 01 Code: 2014</b>

		<p>(1) The Existing Class 3 NFP construction classification (1938 Building Code) of the existing Five story structures will be upgraded to Class 1-A, 2014 Building Code, (which involves the removal and replacement of existing floor area).</p> <p>(2) The Existing Residential configuration is being modified as per scope of work.</p> <p>(3) The Existing Facades are proposed to be removed and replaced.</p> <p>B) Applicant shall provide evidence of a Demolition Permit. As per ZR 93-91(b), Certification by the Commissioner of The Department of Housing Preservation and Development for the proposed demolition of existing residential floor area is required to obtain permits.</p> <p>C) Work Without a Permit may be evident, as the Department has not approved an Application for Demolition at this property. Partial Demolition Application No. 123353325 is on hold (No approvals or permits having been issued).</p>		
5.	AC 107.4	<p>A) Amended zoning drawings indicate an increase in zoning floor area in excess of 1,000 sqft. Applicant shall clarify as to the revision in ZFA totals. Quantify Exterior Wall Deduction tabulation provided on sheet Z-001.01</p> <p>B) The most recently submitted ZD1 indicates a Building Code Gross Floor Area as 75,559.89 sqft; whereas the Total Construction Floor Area indicated on PW1 Box 8 is 45,859 sqft. Clarification is required.</p> <p>C) The most recently submitted ZD1 additionally indicates discrepancies regarding Total Zoning Floor Area and the breakdown of Residential and Commercial Zoning Floor Areas, as indicated in PW1 Box 12. Coordinate all such revisions with Zoning Analysis provided on drawings.</p>		
6.	ZR 32-422	Commercial Uses are limited to a floor area located below the lowest Floor containing Residential Dwelling Units.		
7.				
8.				
9.				

REVIEWED BY  
**Constadino (Gus) Sirakis, PE**  
 Deputy Commissioner  
  
**APPROVED WITH CONDITIONS**  
 Date 06/30/2022  
 Page 7 of 40  
 Control No. 7 of 40



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### Notice of Objections – Special Audit

<b>Applicant Name:</b> PETER POON	<b>Date:</b> 03/24/2021
<b>Business Name:</b> PETER F. POON ARCHITECT P.C.	<b>Job Application(s) #:</b> 123851796
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<b>Owner/email address:</b> WEIHONG@NYMAYFLOWER.COM	<b>Zoning District:</b> C6-4M, GC
<b>Directive 2</b>	<b>Block:</b> 0759 <b>Lot(s):</b> 0029 <b>Doc(s):</b> 01 <b>Code:</b> 2014

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See comments on pages 4 through 5.





AI1: Additional Information
Must be typewritten.

Orient and affix BIS job number label here

Page number 1 of 1

BIS Document No. 01

1 Location and Job Information Required for all applications.

House No(s) 317-319 Street Name West 35th Street
Borough Manhattan Block 759 Lot 29 BIN 1013572 CB No. 104

2 Revisions to Plans/Drawings Required whenever updating plans. All revisions for each page must be clearly described in section 3.

Submission is part of a Post Approval Amendment (PAA)? [ ] Yes PW1 required [X] No
Table with 12 columns: Action, Original/New/Omit Page ID, Superseding Page ID, Action, Original/New/Omit Page ID, Superseding Page ID, Action, Original/New/Omit Page ID, Superseding Page ID, Action, Original/New/Omit Page ID, Superseding Page ID.

3 Additional Information Required for all applications.

Respectfully request verification that the above building maybe filed as a New Building application instead of an Alteration Type I.
The existing building is a 5 story non-fireproof building. The new addition will be a 20 story fire proof building with transient hotel use.

EXAMINED FOR ZONING EGRESS AND FIRE PREVENTION ONLY AS PER DIR. 219
2-21-19
FEB 22 2019
MARTIN REBHOLZ



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 some other violation.

Name (please print) Peter F. Poon
Signature
Date 2-13-2019
P.E. / R.A. Seal (apply seal, then sign and date over seal)

APPROVED WITH CONDITIONS
Date 06/30/2022
Page 9 of 10
Control No. 71346

See comments on pages 4 through 5.

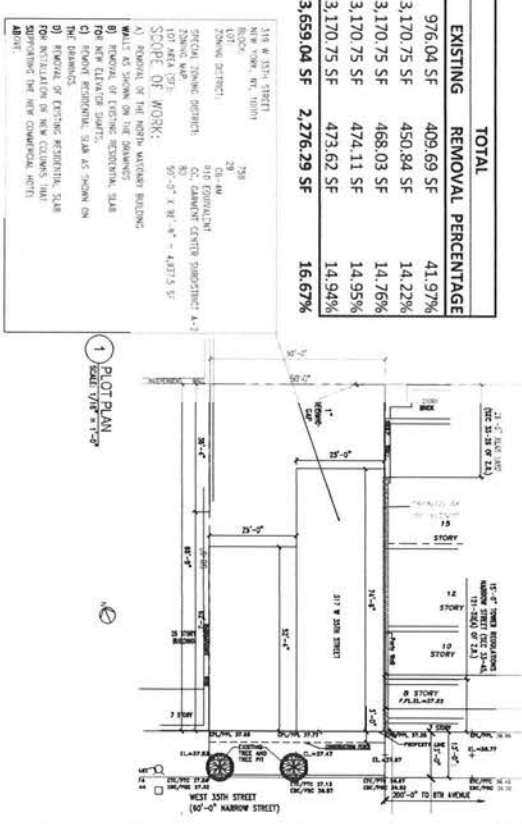
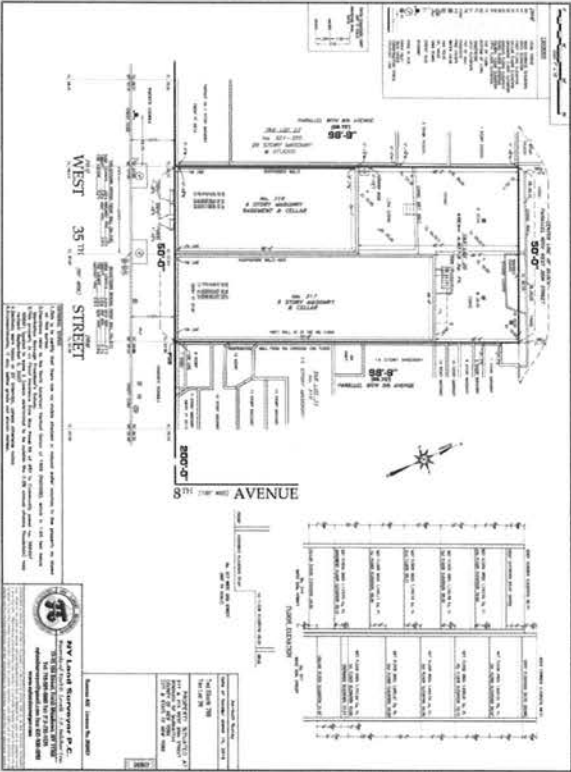
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97. ZONING DISTRICT: R2
98. ZONING DISTRICT: R2
99. ZONING DISTRICT: R2
100. ZONING DISTRICT: R2

**RESIDENTIAL FLOOR AREA REMOVAL**

**PERCENTAGE OF RESIDENTIAL REMOVAL TABULATION**

FLOOR	317		319		TOTAL		
	EXISTING	REMOVAL PERCENTAGE	EXISTING	REMOVAL PERCENTAGE	EXISTING	REMOVAL PERCENTAGE	
1F	351.97 SF	100.00%	624.07 SF	57.72 SF	976.04 SF	41.97%	
2F	1,862.50 SF	18.90%	1,308.25 SF	98.83 SF	3,170.75 SF	14.22%	
3F	1,862.50 SF	19.83%	1,308.25 SF	98.61 SF	3,170.75 SF	14.76%	
4F	1,862.50 SF	19.95%	1,308.25 SF	102.52 SF	3,170.75 SF	14.95%	
5F	1,862.50 SF	19.92%	1,308.25 SF	102.52 SF	3,170.75 SF	14.94%	
<b>SUMMARY</b>					<b>13,659.04 SF</b>	<b>2,276.29 SF</b>	<b>16.67%</b>

NOTES: TOTAL RESIDENTIAL REMOVAL 16.67 %  
 SEE DRAWING DM-002, DM-003, DM-004, DM-005  
 AND DM-006 FOR INDIVIDUAL FLOOR TABULATION



**PPA**  
 PROJECT: 319 WEST 35TH STREET  
 ADDRESS: 319 WEST 35TH STREET  
 CITY: NEW YORK, NY 10001

**RESIDENTIAL REMOVAL NOTES**

DATE: 8/27/2021  
 DRAWN BY: [Signature]  
 CHECKED BY: [Signature]  
 SCALE: AS SHOWN

DM-00100





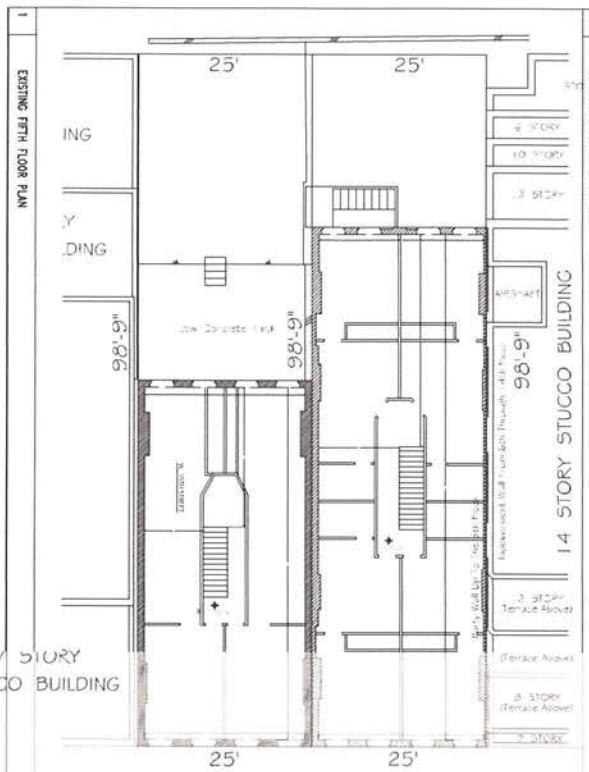
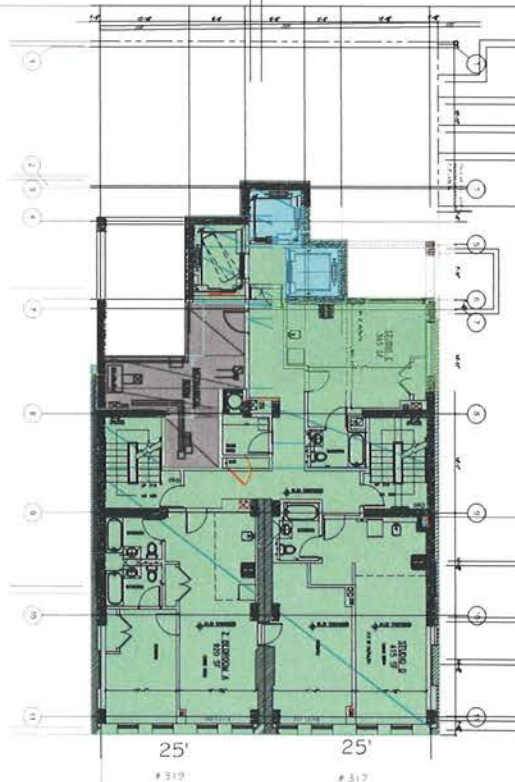
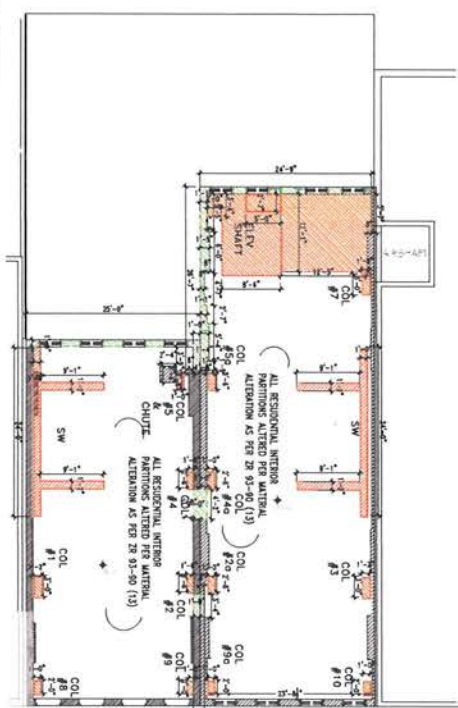












NEW FIFTH FLOOR PLAN

FIFTH FLOOR AREA REMOVAL

DESCRIPTION	AREA	312	313	317	319
EXISTING WOOD SUBSTRATE	147' 0" x 11' 0" = 1,617.00 SF				
EXISTING MASONRY WALL	147' 0" x 11' 0" = 1,617.00 SF				
NEW FLOOR AREA	147' 0" x 11' 0" = 1,617.00 SF				
NEW ELEVATOR SHAFT	147' 0" x 11' 0" = 1,617.00 SF				
NEW TRASH CHUTE	147' 0" x 11' 0" = 1,617.00 SF				
<b>TOTAL</b>		<b>371.10 SF</b>	<b>102.25 SF</b>	<b>1,802.59 SF</b>	<b>1,308.25 SF</b>

DESCRIPTION	AREA	312	313	317	319
EXISTING WOOD SUBSTRATE	147' 0" x 11' 0" = 1,617.00 SF				
EXISTING MASONRY WALL	147' 0" x 11' 0" = 1,617.00 SF				
NEW FLOOR AREA	147' 0" x 11' 0" = 1,617.00 SF				
NEW ELEVATOR SHAFT	147' 0" x 11' 0" = 1,617.00 SF				
NEW TRASH CHUTE	147' 0" x 11' 0" = 1,617.00 SF				
<b>TOTAL</b>		<b>371.10 SF</b>	<b>102.25 SF</b>	<b>1,802.59 SF</b>	<b>1,308.25 SF</b>

**FIFTH FLOOR AREA REMOVAL**

**EXISTING WOOD SUBSTRATE TO BE REMOVED FOR NEW ELEVATOR SHAFT AND TRASH CHUTE**

**EXIST MASONRY WALL TO BE REMOVED (INSTALL STEEL LINTEL AS REQUIRED PRIOR TO REMOVING THE MASONRY WALL)**

**ALL RESIDENTIAL INTERIOR PARTITIONS ALTERED PER MATERIAL CHIT/IE**

**ALL RESIDENTIAL INTERIOR PARTITIONS ALTERED PER MATERIAL CHIT/IE**

**ALL RESIDENTIAL INTERIOR PARTITIONS ALTERED PER MATERIAL CHIT/IE**

**ALL RESIDENTIAL INTERIOR PARTITIONS ALTERED PER MATERIAL CHIT/IE**



**PPA**  
 PROJECT ARCHITECT  
 111 WEST 35TH STREET, 11TH FLOOR  
 NEW YORK, NY 10018  
 TEL: 212 693 8800  
 FAX: 212 693 8801  
 WWW.PPA-NY.COM

**RESIDENTIAL REMOVAL**  
 319 WEST 35TH STREET  
 NEW YORK, NY 10001

**OWNER**  
 HIRONOL LLC

**GENERAL CONTRACTOR**  
 [Name and address]

**DATE**  
 11/11/2011

**SCALE**  
 AS SHOWN

**PROJECT NO.**  
 10000

**DATE**  
 11/11/2011

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

BISP0009  
BISM0009

R E C E I P T

INVOICE #: 13691842      DATE: APRIL 6 2022      TIME: 9:12 A.M.

TOTAL PAYMENT RECEIVED: 1000.00

PAYMENT: 1000.00      CHECK #: 1156  
PAYMENT: 0.00

FOR: DETERMINATION-INITIAL FEE-ZONING

JOB #: 123851796 01  
319 WEST 35TH STREET

RECEIVED FROM: MANHATTAN BOROUGH OFFICE

OPER ID: ABS STATION: 25  
05111 000201 00251 OT

REVIEWED BY  
Constadino (Gus) Sirakis, PE  
Deputy Commissioner  
*Constadino*  
APPROVED  
WITH CONDITIONS  
Date 06/01/2022  
Page 16 of 16

See comments on pages  
4 through 5.



# Kramer Levin



Gary R. Tarnoff  
Partner  
T 212.715.7833  
F 212.715.8232  
gtarnoff@KRAMERLEVIN.com

1177 Avenue of the Americas  
New York, NY 10036  
T 212.715.9100  
F 212.715.8000

June 2, 2022

## VIA EMAIL

Borough Commissioner John Raine, R.A.  
New York City Department of Buildings  
280 Broadway, 3rd Floor  
New York, NY 10007

Re: **Response to Special Audit Notice of Objections**  
**Job No. 123851796**  
**319 West 35 Street, Manhattan (Block 759, Lot 29)**

Dear Borough Commissioner Raine:

We are writing in response to the Department's Notice of Intent to Revoke Approval and Permit and Order to Stop Work dated April 8, 2021, and Special Audit Notice of Objections dated July 23, 2021, for a new hotel at 319 West 35th Street, Manhattan under Job No. 123851796. Copies of those documents are attached for reference. The property is located in a C6-4M district within Subarea A-2 of the Special Garment Center District.

The existing application is for a new 20-story hotel above an existing 5-story residential use. The applicant is now filing a post-approval amendment (PAA) for a fully commercial 25-story building, with the 20-story transient hotel located above other as-of-right commercial uses.

As explained below, all of the objections have been resolved or will be resolved, upon the filing of the PAA for the fully commercial design, and the permit should therefore be reinstated. We have been informed that the applicant's insurance coverage and project financing is contingent upon the lifting of the Stop Work Order, so we respectfully request that the Department expedite its review of this response so as to avoid a significant hardship for the applicant and the project.

The applicant's responses to the unresolved objections are as follows:



See comments on pages  
4 through 5.

**Responses to Unresolved Objections**

No.	Applicable Code/Form		Date Resolved	Comments
2.	<b>ZR 121-11</b> <b>ZR 121-70</b>	Transient Hotels and Offices proposed within the A2 sub-district may be subject to CPC Review or an HPD Regulatory Agreement.  Provide evidence/indication of CPC Approval or HPD Regulatory Agreement within submitted Zoning Analysis		05.12.2021 HPD Review Pending  07.23.2021 – HPD Review Pending; to be indicated on Zoning Analysis

ZR 121-11 is an optional provision that may be used in specific situations where a building is enlarged and a portion of which is subsequently converted to affordable residences pursuant to Article 1, Chapter 5, with transient hotel rooms located above. As stated above, the PAA is being filed for a fully commercial building with a transient hotel located above as-of-right commercial uses, so ZR 121-11 is no longer applicable. ZR 121-70 no longer applies because it was removed from the Zoning Resolution when the Citywide Hotel Text Amendment (N 210406 ZRY) was adopted by the City Council on December 9, 2021.

A special permit from the City Planning Commission for the hotel is not required because the NB permit for the project is specifically excluded from the requirement under the Citywide Hotel Text Amendment. Pursuant to the special vesting regulations of ZR 32-02(d)(1):

“If, on or before May 12, 2021, an application for a *development, enlargement or conversion* to a *transient hotel* has been filed with the Department of Buildings, and if, on or before December 9, 2022, the Department of Buildings has approved an application for a foundation, a new *building* or an alteration based on a complete zoning analysis showing zoning compliance for such *transient hotel*, such application may be continued, and construction may be started or continued. The application may be revised and retain vested status, provided that the *floor area* for the *transient hotel* is not increased beyond the amount approved.” (Emphasis added.)

An application for the proposed hotel was filed with the Department on May 17, 2019, and the Department approved the application on July 26, 2019. Accordingly, upon the issuance of an amended permit pursuant to the PAA, construction of the proposed hotel may proceed without a special permit (provided that the amended permit is issued prior to December 9, 2022). There is no increase in the hotel’s floor area under the PAA.

No.	Applicable Code/Form		Date Resolved	Comments
4.	<b>ZR 121-60</b> <b>ZR 93-90,</b>	In sub-district A-2, the provisions of ZR 93-90 (Harassment) and ZR 93-91 (Demolition), inclusive, shall apply. A) The scope of work as shown on the approved plans		05.12.2021 – Re-Con Request attached;

REVIEWED BY  
 Constadino (Gus) Sirakis, PE  
 Deputy Commissioner

*[Signature]*

**APPROVED WITH CONDITIONS**  
 Date 06/30/2022  
 Page 06/30/2022  
 Control No. 18 of 40

**See comments on pages 4 through 5.**



<p><b>ZR 93-91</b></p>	<p>indicates a removal in excess of 20% of the existing residential floor area; which is contrary to the requirements outlined in ZR 93-91, resulting in a material alteration (as defined by ZR 93-90) because</p> <p>(1) The Existing Class 3 NFP construction classification (1938 Building Code) of the existing Five story structures will be upgraded to Class 1-A, 2014 Building Code,(which involves the removal and replacement of existing floor area).</p> <p>(2) The Existing Residential configuration is being modified as per scope of work.</p> <p>(3) The Existing Facades are proposed to be removed and replaced.</p> <p>B) Applicant shall provide evidence of a Demolition Permit. As per ZR 93-91(b), Certification by the Commissioner of The Department of Housing Preservation and Development for the proposed demolition of existing residential floor area is required to obtain permits.</p> <p>C) Work Without a Permit may be evident, as the Department has not approved an Application for Demolition at this property. Partial Demolition Application No. 123353325 is on hold (No approvals or permits having been issued).</p>	<p>Agency Reviews Pending</p> <p>A &amp; B)              07.23.2021 – As per AII dated by Applicant on 04.28.2021 – HPD permit shall be provided prior to audit resolution.</p> <p>C) 07.23.2021 – Applicant shall provide DOB Demolition Permit as per AII dated 04.28.2021</p> <p>07.23.2021 – Filing Rep presented drawings indicating a removal ratio of under 20%. This conflicts with the statements provided on the Applicant’s AII Responses dated 04.28.2021</p>
------------------------	--	---

In compliance with ZR 93-90, HPD has issued a Final Certification of No Harassment, a copy of which was previously uploaded to the virtual job folder. It is our understanding that the building has been vacant since the issuance of the Final Certification. In compliance with ZR 93-91, submitted herewith is a set of drawings showing, in specific detail, that only 16.67% of the existing residential floor area has been removed. Because less than 20% of the existing residential floor area is being removed, the remaining provisions of ZR 93-91 are not applicable because they apply only where 20% or more of the residential floor area is to be removed. An earlier filing by the applicant showed demolition exceeding 20% – we understand that that filing was amended before any demolition work commenced, and that only 16.67% of the floor area has actually been removed at the project site with the detailed drawings submitted herewith.



**See comments on pages 4 through 5.**

No.	Applicable Code/Form		Date Resolved	Comments
5.	<b>AC 107.4</b>	A) Amended zoning drawings indicate an increase in zoning floor area in excess of 1,000 sqft. Applicant shall clarify as to the revision in ZFA totals. Quantify Exterior Wall Deduction tabulation provided on sheet Z-001.01 B) The most recently submitted ZD1 indicates a Building Code Gross Floor Area as 75,559.89 sqft; whereas the Total Construction Floor Area indicated on PW1 Box 8 is 45,859 sqft. Clarification is required. C) The most recently submitted ZD1 additionally indicates discrepancies regarding Total Zoning Floor Area and the breakdown of Residential and Commercial Zoning Floor Areas, as indicated in PW1 Box 12. Coordinate all such revisions with Zoning Analysis provided on drawings.		05.12.2021 – Revised Zoning Sheets provided for review.  07.23.2021 – Typo's addressed – updated drawings uploaded, DEAR changes pending. ZD1 Pending resubmission.

As stated above, the PAA, along with an amended ZD1, are being submitted showing the fully commercial design. All of the referenced discrepancies will be addressed in these filings.

No.	Applicable Code/Form		Date Resolved	Comments
6.	<b>ZR 32-422</b>	Commercial Uses are limited to a floor area located below the lowest Floor containing Residential Dwelling Units.		05.12.2021 – Applicant to provide HPD Certification as per A11 Dated 04.28.202

As explained above, the PAA shows a fully commercial building with a transient hotel located above as-of-right commercial uses. Accordingly, ZR 32-422 does not apply because there are no longer any residential uses proposed within the building.

We trust that the above is responsive to the Notice of Intent to Revoke and the Special Audit Notice of Objections. We respectfully request that the Department lift the Stop Work Order and reinstate the permit under Job No. 123851796 as soon as possible.

Very truly yours,



Gary R. Tarnoff

Cc: Kazimir Vilenchik, P.E., First Deputy Commissioner



**See comments on pages  
 4 through 5.**



ATTACHMENT

Notice of Intent to Revoke Approval and Permit and Order to Stop Work dated April 8, 2021



**See comments on pages  
4 through 5.**



Melanie E. La Rocca  
Commissioner

April 08, 2021

Lisa Amoia, R.A.  
Deputy Borough  
Commissioner

WEI HONG HU, OFFICER (Owner)  
H HOTEL, LLC  
6129 186TH STREET, FRESH MEADOW, NY 11365

280 Broadway  
New York, NY 10007

PETER POON (Applicant)  
PETER F. POON ARCHITECT P.C.  
12 MERCER STREET, NEW YORK NY 10013

+1 212 393 2615 tel  
+1 646 500 6170 fax  
www.nyc.gov/buildings

**RE: INTENT TO REVOKE APPROVAL(S) AND PERMIT(S),  
ORDER(S) TO STOP WORK IMMEDIATELY**  
319 WEST 35TH STREET  
Block: 00759 Lot: 00029 Application #: 123851796

Dear Sir or Madam:

The Department of Buildings (the "Department") intends to revoke the approval and permit issued in connection with the application referenced above, pursuant to Sections 28-104.2.10 and 28-105.10.1 of the Administrative Code of the City of New York ("AC"), within fifteen calendar days of the posting of this letter by mail unless sufficient information is presented to the Department to demonstrate that the approval and permit should not be revoked.

Pursuant to AC §§ 28-104.2.10 and 28-105.10.1, the Department may revoke approval of construction documents for failure to comply with the provisions of the AC, other applicable laws or rules, or whenever a false statement or misrepresentation of material fact in the submittal documents upon the basis of which the approval was issued, or whenever any approval or permit has been issued in error.

The Department intends to revoke the approval and permit for the reasons set forth on the attached Objection Sheet, dated March 25, 2021.

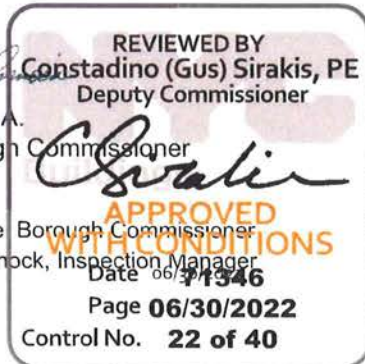
In addition, the conditions described in the attached Objection Sheet present an imminent peril to life or property at the premises. Therefore, you are hereby ordered to **STOP ALL WORK IMMEDIATELY AND MAKE THE SITE SAFE** pursuant to AC § 28-105.10.2.

In order to prevent revocation of the approval and permit upon the expiration of the fifteen day notice period, you must submit a PER 11 Appointment Request Form to the appropriate borough office immediately to schedule an appointment with the auditor to present information to the Department demonstrating that the permit should not be revoked. Your response may be deemed unresponsive if the architect or engineer of record fails to attend the appointment.

Sincerely,

  
Lisa Amoia, R.A.  
Deputy Borough Commissioner

LA/po  
Cc: John Raine, Borough Commissioner  
Ferron Pinnock, Inspection Manager  
Date 06/30/2022



Clarence Smith, Chief Construction Inspector  
Premises file

**See comments on pages  
4 through 5.**

INR1

AL-03



ATTACHMENT

Special Audit Notice of Objections dated July 23, 2021



See comments on pages  
4 through 5.



Department of Buildings  
 280 Broadway  
 New York, New York 10007  
 (212) 566-5000 | TTY (212) 566-4769  
 nyc.gov/buildings

MANHATTAN (1) 280 BROADWAY 3<sup>RD</sup> FLOOR New York, NY 10007  
 BRONX (2) 1932 ARTHUR AVENUE BRONX, NY 10457  
 BROOKLYN (3) 210 JORALEMON STREET BROOKLYN, NY 11201  
 QUEENS (4) 120-55 QUEENS BLVD. QUEENS, NY 11424  
 STATEN ISLAND (5) BORO HALL- ST. GEORGE STATEN ISLAND, NY 10301

### Notice of Objections – Special Audit

<b>Applicant Name:</b> PETER POON	<b>Date:</b> 07/23/2021
<b>Business Name:</b> PETER F. POON ARCHITECT P.C.	<b>Job Application(s) #:</b> 123851796
<b>Business Address:</b> 12 MERCER STREET NEW YORK NY 10013	<b>Application Type:</b> NB – New Building
<b>Email address:</b> PETERPOON@PPAARCHITECTS.COM	<b>Premises Address:</b> 319 WEST 35 STREET MANHATTAN
<b>Owner/email address:</b> WEIHONG@NYMAYFLOWER.COM	<b>Zoning District:</b> C6-4M, GC
<b>Directive 2</b>	<b>Block:</b> 0759 <b>Lot(s):</b> 0029 <b>Doc(s):</b> 01 <b>Code:</b> 2014

**Examiner's Signature:** James Geoghegan  
**Note:** "Please e-mail: [ManhPER11PlanExam@buildings.nyc.gov](mailto:ManhPER11PlanExam@buildings.nyc.gov) PER-11 Form for Self-Certification of Objections appointment request.  
 An appointment to resolve these objections shall be made with a Self-Certification Plan Examiner."

- To discuss and resolve these objections, please call 311 to schedule an appointment with the Plan Examiner listed above. You will need the application number and document number found at the top of this objection sheet. To make the best possible use of the Plan Examiner's and your time, please make sure you are prepared to discuss and resolve these objections before arriving for your scheduled plan examination appointment.
- Applicant on record may bring in latest approved plans for review during the appointment. Additional Objections may be issued upon reviewing of materials submitted to appointments.
- Additional Objections may be issued upon reviewing of materials submitted to appointments.
- A PAA will need to be filed to resolve most issues

**Scope of Work:** FILED HEREWITH TO ERECT 25 STORY NEW BUILDING IN ADDRESSES 317 AND 319 WEST 35TH STREET

No.	Applicable Code/Form		Date Resolved	Comments
1.	ZR 121-02 / Appendix A	This property is located within the A2 sub-district of the Special Garment Center District, not within the P2 sub-district. Applicant shall submit a revised Zoning Analysis.	07/23/2021	05.12.2021 – To be reviewed and comments issued as necessary.
2.	ZR 121-11 ZR 121-70	Transient Hotels and Offices proposed within the A2 sub-district may be subject to CPC Review or an HPD Regulatory Agreement.  Provide evidence/indication of CPC Approval or HPD Regulatory Agreement within submitted Zoning Analysis.		05.12.2021 HPD Review Pending  07.23.2021 – HPD Review Pending; to be indicated on Zoning Analysis
3.	ZR 121-41 ZR 93-31 AC 107.4	The basic maximum floor area ratio of a zoning lot containing non residential buildings shall be 10.0, and may be increased to a maximum of 12.0 pursuant to ZR 93-31.  As per ZR 93-11, Applicant shall provide indication of CPC Approval regarding a Bonus in Zoning Floor Area Ratio, when present.	07/23/2021	Sheet Z-003  05.12.2021 – CPC Documentation Attached for Review  07.23.2021 – CPC certification uploaded and dated 02.03.2017
4.	ZR 121-60 ZR 93-90,	In sub-district A-2, the provisions of ZR 93-90 (Harassment) and ZR 93-91 (Demolition) include, but not limited to, the following:		05.12.2021 – Re-Con Request attached;

REVIEWED BY  
 Constadino (Gus) Sirakis, PE  
 Deputy Commissioner

*(Signature)*

**APPROVED WITH CONDITIONS**  
 Date 06/30/2022  
 Page 7 of 346  
 Page 06/30/2022  
 Control No. 24 of 40





Department of Buildings  
 280 Broadway  
 New York, New York 10007  
 (212) 566-5000 | TTY (212) 566-4769  
 nyc.gov/buildings

MANHATTAN (1)  
 280 BROADWAY 3<sup>RD</sup> FLOOR  
 New York, NY 10007

BRONX (2)  
 1932 ARTHUR AVENUE  
 BRONX, NY 10457

BROOKLYN (3)  
 210 JORALEMON STREET  
 BROOKLYN, NY 11201

QUEENS (4)  
 120-55 QUEENS BLVD.  
 QUEENS, NY 11424

STATEN ISLAND (5)  
 BORO HALL - ST. GEORGE  
 STATEN ISLAND, NY 10301

### Notice of Objections – Special Audit

<b>Applicant Name:</b> PETER POON	<b>Date:</b> 07/23/2021
<b>Business Name:</b> PETER F. POON ARCHITECT P.C.	<b>Job Application(s) #:</b> 123851796
<b>Business Address:</b> 12 MERCER STREET NEW YORK NY 10013	<b>Application Type:</b> NB – New Building
<b>Email address:</b> PETERPOON@PPAARCHITECTS.COM	<b>Premises Address:</b> 319 WEST 35 STREET MANHATTAN
<b>Owner/email address:</b> WEIHONG@NYMAYFLOWER.COM	<b>Zoning District:</b> C6-4M, GC
<b>Directive 2</b>	<b>Block: 0759 Lot(s): 0029 Doc(s): 01 Code: 2014</b>

	<p><b>ZR 93-91</b></p>	<p>A) The scope of work as shown on the approved plans indicates a removal in excess of 20% of the existing residential floor area; which is contrary to the requirements outlined in ZR 93-91, resulting in a material alteration (as defined by ZR 93-90) because</p> <p>(1) The Existing Class 3 NFP construction classification (1938 Building Code) of the existing Five story structures will be upgraded to Class 1-A, 2014 Building Code,(which involves the removal and replacement of existing floor area).</p> <p>(2) The Existing Residential configuration is being modified as per scope of work.</p> <p>(3) The Existing Facades are proposed to be removed and replaced.</p> <p>B) Applicant shall provide evidence of a Demolition Permit. As per ZR 93-91(b), Certification by the Commissioner of The Department of Housing Preservation and Development for the proposed demolition of existing residential floor area is required to obtain permits.</p> <p>C) Work Without a Permit may be evident, as the Department has not approved an Application for Demolition at this property. Partial Demolition Application No. 123353325 is on hold (No approvals or permits having been issued).</p>	<p>Agency Reviews Pending</p> <p>A &amp; B) 07.23.2021 – As per AII dated by Applicant on 04.28.2021 – HPD permit shall be provided prior to audit resolution.</p> <p>C) 07.23.2021 – Applicant shall provide DOB Demolition Permit as per AII dated 04.28.2021</p> <p>07.23.2021 – Filing Rep presented drawings indicating a removal ratio of under 20%. This conflicts with the statements provided on the Applicant's AII Responses dated 04.28.2021</p>
<p>5.</p>	<p><b>AC 107.4</b></p>	<p>A) Amended zoning drawings indicate an increase in zoning floor area in excess of 1,000 sqft. Applicant shall clarify as to the revision in ZFA totals. Quantify Exterior Wall Deduction tabulation provided on sheet Z-001.01</p> <p>B) The most recently submitted ZDI indicates a Building Code Gross Floor Area as 45,859 sqft, whereas the Total Construction Floor Area on PW1 Box 8 is 45,859 sqft. Clarification is required.</p> <p>C) The most recently submitted ZDI additionally indicates discrepancies regarding the Zoning Floor Area and the</p>	<p>05.12.2021 – Revised Zoning Sheets provided for review.</p> <p>07.23.2021 – Typo's addressed – updated drawings uploaded, DEAR changes pending. ZDI Pending resubmission.</p>

REVIEWED BY  
 Constadino (Gus) Sirakis, PE  
 Deputy Commissioner  
  
**APPROVED WITH CONDITIONS**  
 Date 06/30/2022  
 Page 06/30/2022  
 Control No. 25 of 40



Department of Buildings  
 280 Broadway  
 New York, New York 10007  
 (212) 566-5000 | TTY (212) 566-4769  
 nyc.gov/buildings

MANHATTAN (1)  
 280 BROADWAY 3<sup>RD</sup> FLOOR  
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 120-55 QUEENS BLVD.  
 QUEENS, NY 11424

STATEN ISLAND (5)  
 BORO HALL - ST. GEORGE  
 STATEN ISLAND, NY 10301

### Notice of Objections – Special Audit

<b>Applicant Name:</b> PETER POON	<b>Date:</b> 07/23/2021
<b>Business Name:</b> PETER F. POON ARCHITECT P.C.	<b>Job Application(s) #:</b> 123851796
<b>Business Address:</b> 12 MERCER STREET NEW YORK NY 10013	<b>Application Type:</b> NB – New Building
<b>Email address:</b> PETERPOON@PPAARCHITECTS.COM	<b>Premises Address:</b> 319 WEST 35 STREET MANHATTAN
<b>Owner/email address:</b> WEIHONG@NYMAYFLOWER.COM	<b>Zoning District:</b> C6-4M, GC
<b>Directive 2</b>	<b>Block:</b> 0759 <b>Lot(s):</b> 0029 <b>Doc(s):</b> 01 <b>Code:</b> 2014

		breakdown of Residential and Commercial Zoning Floor Areas, as indicated in PW1 Box 12. Coordinate all such revisions with Zoning Analysis provided on drawings.	
6.	ZR 32-422	Commercial Uses are limited to a floor area located below the lowest Floor containing Residential Dwelling Units.	05.12.2021 – Applicant to provide HPD Certification as per A11 Dated 04.28.2021
7.			
8.			
9.			
10.			
11.			
12.			
13.			



See comments on pages 4 through 5.

ATTACHMENT

Demolition Drawings Documenting Removal of 16.67% of Residential Floor Area



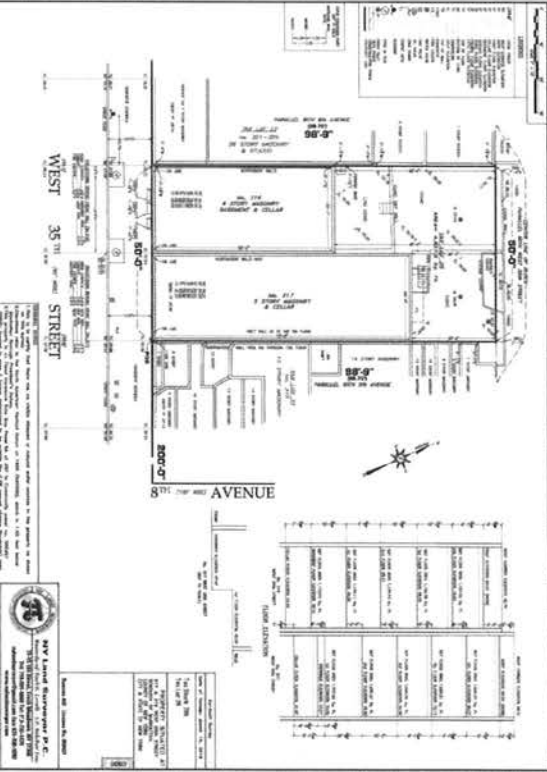
**See comments on pages  
4 through 5.**



- 1. BACK INFORMATION: 319 WEST 35TH STREET, NEW YORK, NY 10001
- 2. LOCATION: 759
- 3. ZONING DISTRICT: R10 EQUIVALENT
- 4. SPECIAL ZONING DISTRICT: CC, CANTON CENTER SUBDISTRICT A-2
- 5. ZONING MAP: 50'-0" x 99'-0" = 4,913.5 SF
- 6. EXISTING RESIDENTIAL FLOOR AREA: 317 W 35TH STREET - 14'-4" x 25'-0" = 1,862.50 SF
- 7. EXISTING RESIDENTIAL FLOOR AREA: 319 W 35TH STREET - 12'-4" x 25'-0" = 1,206.25 SF
- 8. DEMOLITION - 28 83-91
- 9. DEMOLITION OF MATERIAL ENVELOPE AS DEFINED IN SECTION 55-50 (HIGHLIGHTED) OF THE ZONING RESOLUTION. THE EXISTING MATERIAL ENVELOPE WOULD DECREASE THE AMOUNT OF RESIDENTIAL FLOOR AREA IN SUCH MATERIAL ENVELOPE BY 20%.
- 10. THE DEMOLITION OF 317 AND 319 W 35TH STREET
- 11. REMOVAL OF THE NORTH MAJOR BEARING WALLS THAT NOT TO THE NEW LAYOUT
- 12. REMOVAL OF EXISTING RESIDENTIAL SLAB AS SHOWN ON THE DRAWINGS
- 13. REMOVAL OF EXISTING RESIDENTIAL SLAB FOR NEW ELEVATOR SHAFTS
- 14. REMOVAL OF EXISTING RESIDENTIAL SLAB FOR INSTALLATION OF NEW COLUMNS THAT SUPPORTING THE NEW COMMERCIAL LEVEL ABOVE
- 15. MATERIAL ALTERATION - 28 83-90 PARAGRAPH (12)
- 16. MATERIAL ALTERATION SHALL MEAN ANY ALTERATION TO A MATERIAL ENVELOPE OR OTHER BUILDING OR MATERIAL ENVELOPE OR OTHER BUILDING CONVERTS FLOOR AREA FROM RESIDENTIAL TO NON-RESIDENTIAL USE, CHANGES THE NUMBER OR LAYOUT OF ENVELOPE UNITS OR ROOMING UNITS OR ADDS OR REMOVES KITCHENS OR BATHROOMS, PROVIDED, HOWEVER, THAT MATERIAL ALTERATION SHALL NOT INCLUDE:
  - (a) AN ADDITIONAL MATERIAL ENVELOPE WHICH DOES NOT CHANGE THE LAYOUT OF ENVELOPE UNITS OR ROOMING UNITS OR
  - (b) A REPAIR OR RECONSTRUCTION OF EXISTING ELEMENTS OF SUCH MATERIAL ENVELOPE OR OTHER BUILDING SUBJECT MATERIAL ENVELOPE, 55P, 25, 26, 27.

**PERCENTAGE OF RESIDENTIAL REMOVAL TABULATION**

FLOOR	EXISTING	REMOVAL PERCENTAGE	EXISTING	REMOVAL PERCENTAGE
1F	351.97 SF	100.00%	624.07 SF	57.72 SF
2F	1,862.50 SF	18.90%	1,308.25 SF	98.83 SF
3F	1,862.50 SF	369.42 SF	1,308.25 SF	98.61 SF
4F	1,862.50 SF	371.59 SF	1,308.25 SF	102.52 SF
5F	1,862.50 SF	371.10 SF	1,308.25 SF	102.52 SF
<b>SUMMARY</b>			<b>13,659.04 SF</b>	<b>2,276.29 SF</b>
				<b>16.67%</b>



**OWNER:** HITCHSLICK

**ARCHITECT:** PPA ARCHITECTURE PLLC

**GENERAL CONTRACTOR:** J.C. CONSTRUCTION, INC.

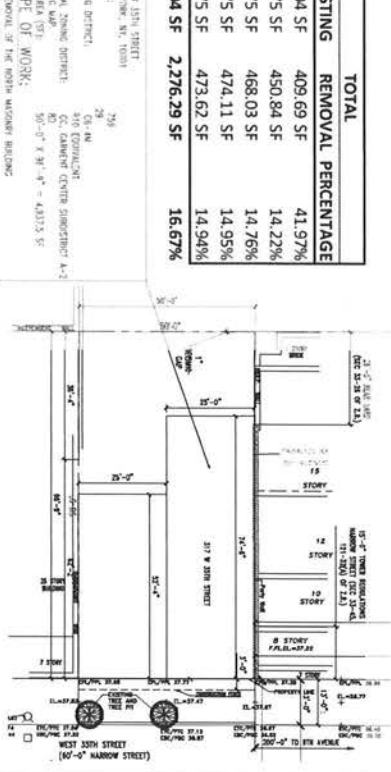
**DATE:** 8/27/2007

**PROJECT:** 319 WEST 35TH STREET, NEW YORK, NY 10001

**NOTES:** SEE DRAWING DM-002, DM-003, DM-004, DM-005 AND DM-006 FOR INDIVIDUAL FLOOR TABULATION

**RESIDENTIAL FLOOR AREA REMOVAL**

FLOOR	EXISTING	REMOVAL PERCENTAGE	EXISTING	REMOVAL PERCENTAGE
1F	351.97 SF	100.00%	624.07 SF	57.72 SF
2F	1,862.50 SF	18.90%	1,308.25 SF	98.83 SF
3F	1,862.50 SF	369.42 SF	1,308.25 SF	98.61 SF
4F	1,862.50 SF	371.59 SF	1,308.25 SF	102.52 SF
5F	1,862.50 SF	371.10 SF	1,308.25 SF	102.52 SF
<b>SUMMARY</b>			<b>13,659.04 SF</b>	<b>2,276.29 SF</b>
				<b>16.67%</b>



**RESIDENTIAL REMOVAL NOTES**

1. PLOT PLAN

2. SEE DRAWING DM-002, DM-003, DM-004, DM-005 AND DM-006 FOR INDIVIDUAL FLOOR TABULATION

3. TOTAL RESIDENTIAL REMOVAL 16.67%

**APPROVED:** [Signature]

**DATE:** 8/27/2007

**PROJECT:** 319 WEST 35TH STREET, NEW YORK, NY 10001

**PPA ARCHITECTURE PLLC**

110 W 45TH STREET, NEW YORK, NY 10036

TEL: 212 692 1234 FAX: 212 692 1234

WWW.PPA-ARCHITECTURE.COM

**ARCHITECT:** PPA ARCHITECTURE PLLC

**DATE:** 8/27/2007

**PROJECT:** 319 WEST 35TH STREET, NEW YORK, NY 10001

**NOTES:** SEE DRAWING DM-002, DM-003, DM-004, DM-005 AND DM-006 FOR INDIVIDUAL FLOOR TABULATION

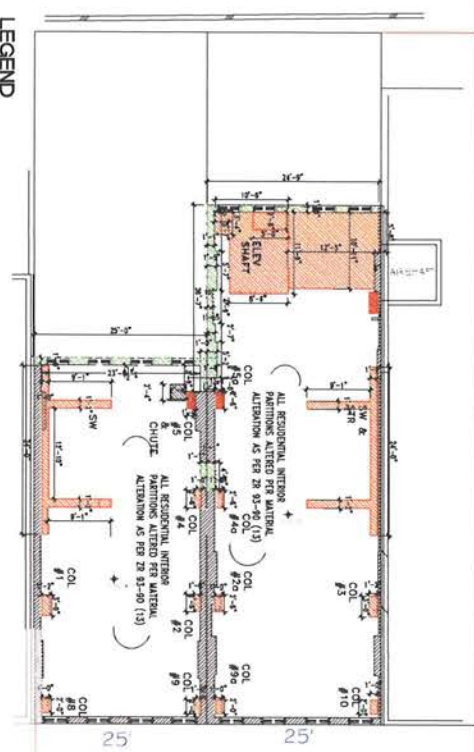
**DM-00100**

See comments on pages 4 through 6.





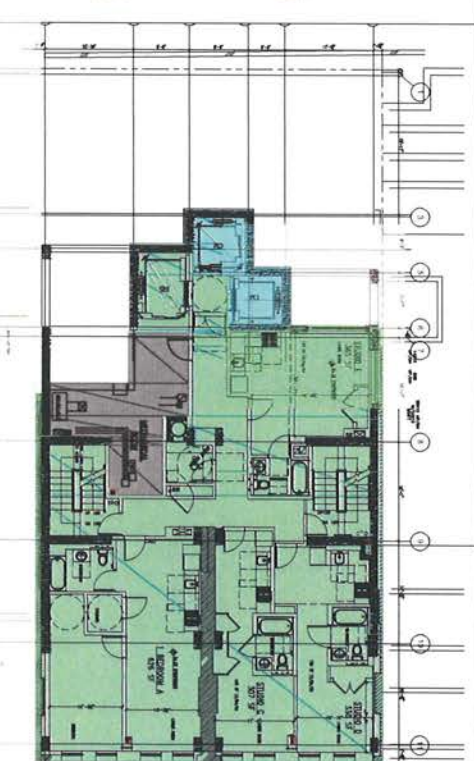




**LEGEND**

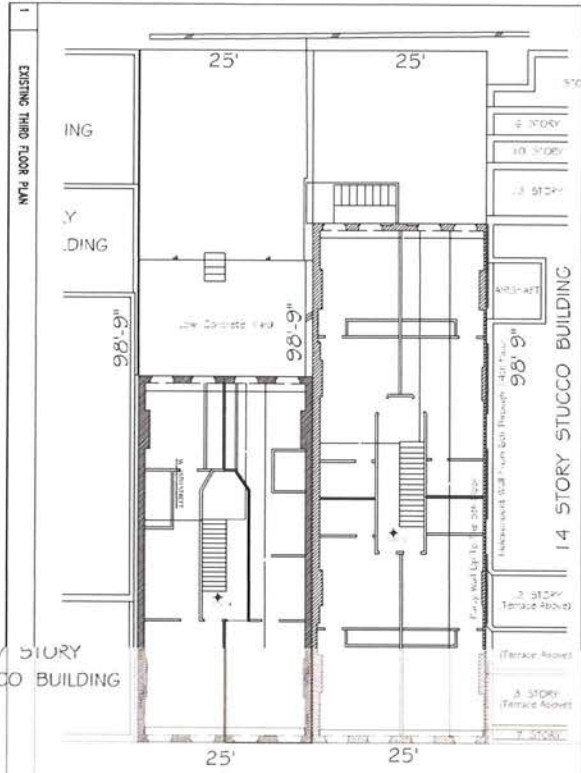
EXIST WOOD SUBSTRATE TO BE REMOVED FOR NEW ELEVATOR SHAFT AND TRASH CHUTE

EXIST MASONRY WALL TO BE REMOVED (INSTALL STEEL UNITS AS REQUIRED PRIOR TO REMOVE THE MASONRY WALL)



THIRD FLOOR AREA REMOVAL

NEW THIRD FLOOR PLAN



EXISTING THIRD FLOOR PLAN

DESCRIPTION	AREA	#317	#318	#319	#320	#321	#322	#323	#324	#325	#326	#327	#328	#329	#330	TOTAL
THIRD FLOOR REMOVAL																
ELEVATOR SHAFT	9'-0" X 8'-0" = 72.00 SF	34.08 SF														34.08 SF
STAIR WALL	1'-0" X 24'-0" = 24.00 SF	43.25 SF														43.25 SF
SMALL WALL	1'-0" X 8'-0" = 8.00 SF		43.25 SF													43.25 SF
NORTH SIDE FLOOR REMOVAL	1'-4" X 1'-0" = 1.33 SF		151.03 SF													151.03 SF
CHUTE	2'-0" X 2'-0" = 4.00 SF		5.83 SF													5.83 SF
EXISTING MASONRY WALL REMOVAL	2'-0" X 1'-0" = 2.00 SF		24.75 SF													24.75 SF
NORTH WALL	2'-0" X 1'-0" = 2.00 SF		21.50 SF													21.50 SF
SOUTH WALL	5'-7" X 1'-0" = 5.58 SF		30.77 SF													30.77 SF
WALL	5'-7" X 1'-0" = 5.58 SF		1.75 SF													1.75 SF
TOTAL		34.08 SF	274.43 SF													308.51 SF
THIRD FLOOR AREA		34.08 SF	274.43 SF													308.51 SF
REMOVAL PERCENTAGE		10.72%	85.28%													95.96%
TOTAL REMOVAL PERCENTAGE																95.96%

**RESIDENTIAL REMOVAL 3F**

319 WEST 35TH STREET  
NEW YORK, NY 10001

DATE: 6-27-2021  
DRAWN BY: LNK/HT  
CHECKED BY: LNK/HT

DM-004.00

**OWNER:** HDBS/BALC

**PROJECT:** 319 WEST 35TH STREET

**CONSULTANTS:** MPPA PROJECT MANAGEMENT INC. 110 WEST 42ND STREET, 11TH FLOOR, NEW YORK, NY 10018

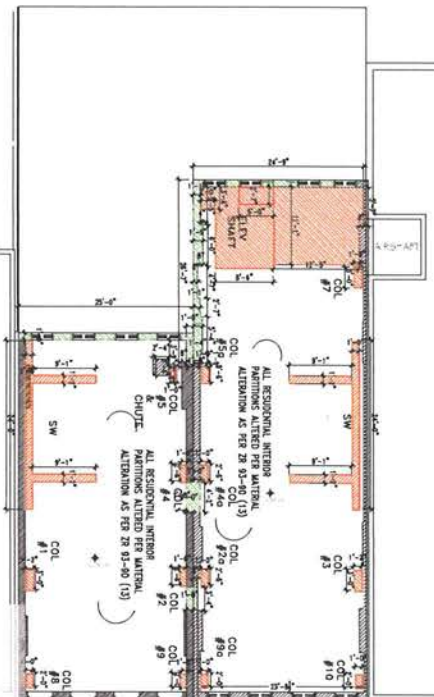
**GENERAL CONTRACTOR:** MPPA PROJECT MANAGEMENT INC. 110 WEST 42ND STREET, 11TH FLOOR, NEW YORK, NY 10018



See comments on pages 4 through 8.

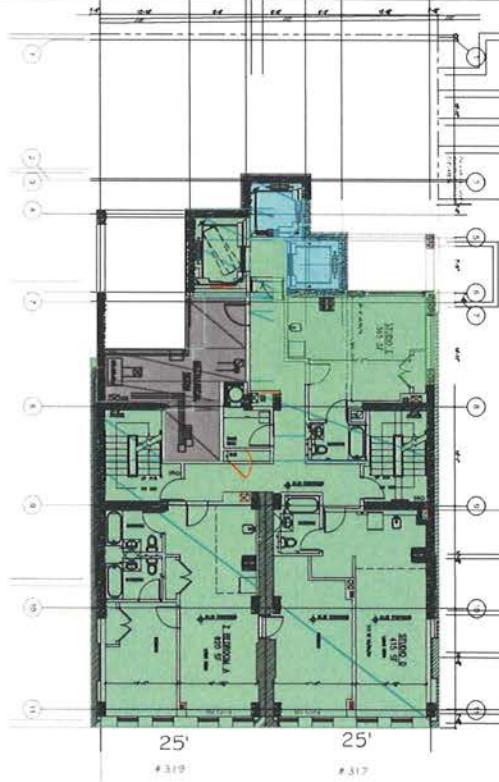






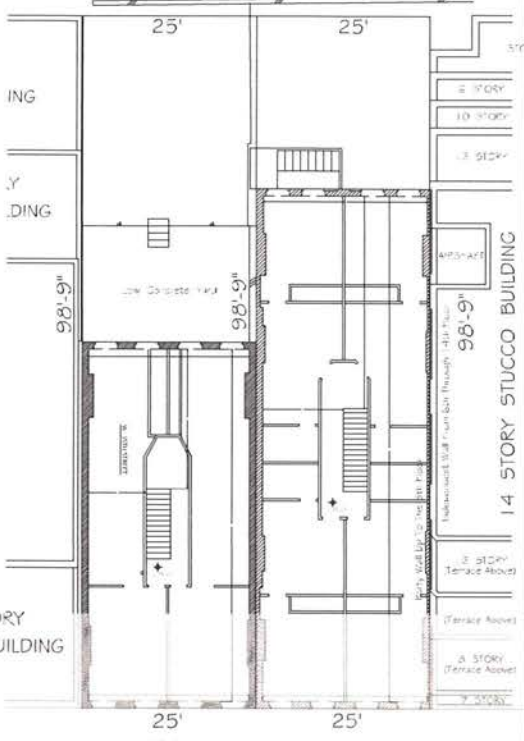
**LEGEND**

- EXIST WOOD SUBFLOOR TO BE REMOVED FOR NEW ELEVATOR SHaft AND TRASH CHUTE
- EXIST MASONRY WALL TO BE REMOVED (INSTALL STEEL TRUSSES AS REQUIRED PRIOR TO REMOVE THE MASONRY WALL)



FIFTH FLOOR AREA REMOVAL

NEW FIFTH FLOOR PLAN



EXISTING FIFTH FLOOR PLAN

DESCRIPTION	AREA	317	318	319	320	321	322
EXISTING WOOD SUBFLOOR REMOVAL	1'-0" x 3'-0" x 11'-0" x 11'-0" x 11'-0" x 11'-0"	111.15 SF					
EXISTING MASONRY WALL REMOVAL	7'-0" x 11'-0" x 11'-0" x 11'-0" x 11'-0" x 11'-0"	46.25 SF					
EXISTING STEEL TRUSSES REMOVAL	1'-0" x 3'-0" x 11'-0" x 11'-0" x 11'-0" x 11'-0"	46.25 SF					
NEW FIFTH FLOOR CONCRETE	11'-0" x 11'-0" x 11'-0" x 11'-0" x 11'-0" x 11'-0"		46.25 SF				
NEW FIFTH FLOOR MASONRY WALL	7'-0" x 11'-0" x 11'-0" x 11'-0" x 11'-0" x 11'-0"		46.25 SF				
NEW FIFTH FLOOR TRUSSES	1'-0" x 3'-0" x 11'-0" x 11'-0" x 11'-0" x 11'-0"		46.25 SF				
<b>TOTAL</b>		<b>203.80 SF</b>	<b>138.75 SF</b>	<b>92.50 SF</b>	<b>92.50 SF</b>	<b>92.50 SF</b>	<b>92.50 SF</b>



**PPA**  
**PREMIER PROJECT MANAGEMENT**  
 110 West 38th Street, 11th Floor  
 New York, NY 10018  
 Tel: (212) 695-2000  
 Fax: (212) 695-2001  
 www.ppa.com

**ARCHITECT**  
**DM-006000**

**319 WEST 38TH STREET**  
**NEW YORK, NY 10001**

**RESIDENTIAL REMOVAL**  
**SF**

**GENERAL CONTRACTOR**  
**DM-006000**

**GENERAL CONTRACTOR**  
**DM-006000**

**GENERAL CONTRACTOR**  
**DM-006000**

**GENERAL CONTRACTOR**  
**DM-006000**

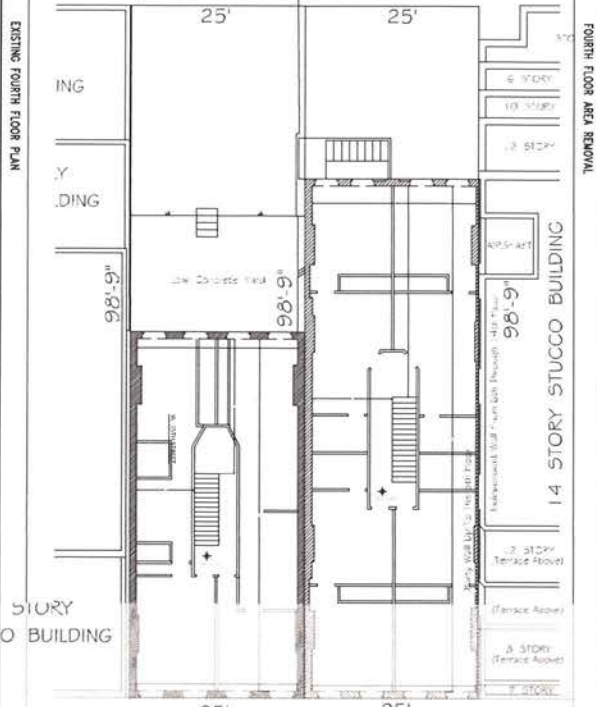
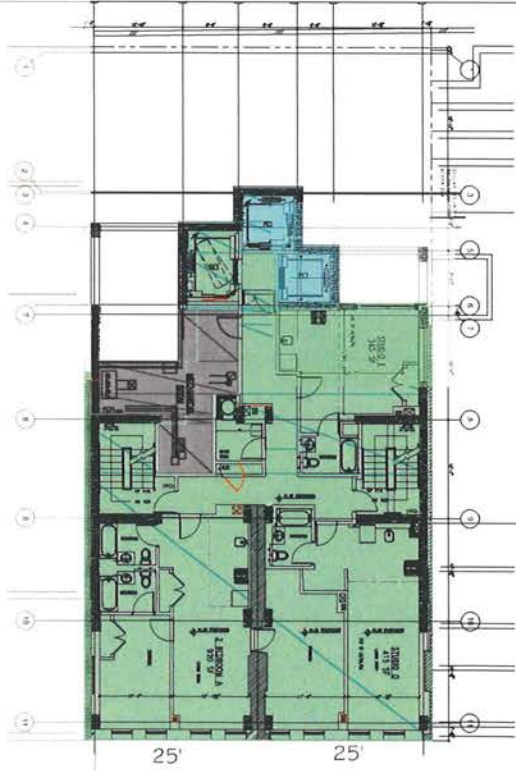
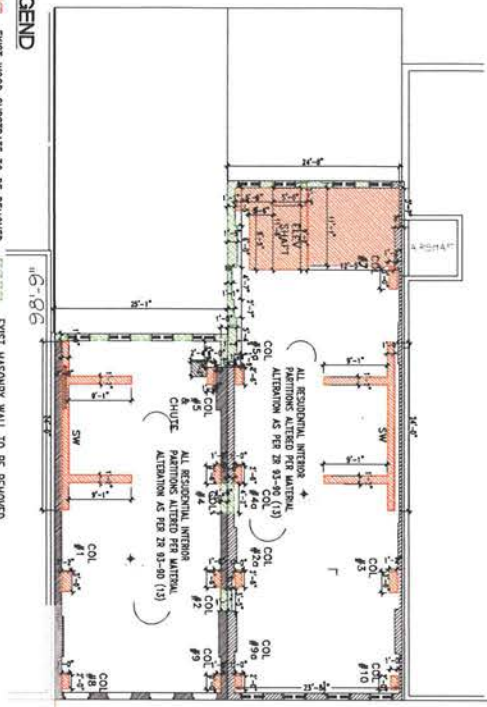
**GENERAL CONTRACTOR**  
**DM-006000**

**GENERAL CONTRACTOR**  
**DM-006000**

**GENERAL CONTRACTOR**  
**DM-006000**







FOURTH FLOOR AREA REMOVAL PLAN  
14 STORY STUCCO BUILDING

DESCRIPTION	AREA	STD	STD	DESCRIPTION	AREA	STD	STD
EXISTING MASONRY WALL REMOVAL	25'-0" x 25'-0" = 625 SF			EXISTING MASONRY WALL REMOVAL	25'-0" x 25'-0" = 625 SF		
WOOD SUBSTRATE REMOVAL	25'-0" x 25'-0" = 625 SF			WOOD SUBSTRATE REMOVAL	25'-0" x 25'-0" = 625 SF		
ELEVATOR SHAFT	8'-0" x 6'-0" = 48 SF			ELEVATOR SHAFT	8'-0" x 6'-0" = 48 SF		
TRASH CHUTE	4'-0" x 6'-0" = 24 SF			TRASH CHUTE	4'-0" x 6'-0" = 24 SF		
TOTAL	1337 SF			TOTAL	1337 SF		

**FOURTH FLOOR REMOVAL**

DESCRIPTION	AREA	STD	STD
ELEVATOR SHAFT	8'-0" x 6'-0" = 48 SF		
WOOD SUBSTRATE	25'-0" x 25'-0" = 625 SF		
TRASH CHUTE	4'-0" x 6'-0" = 24 SF		
TOTAL	737 SF		

**FOURTH FLOOR REMOVAL**

DESCRIPTION	AREA	STD	STD
ELEVATOR SHAFT	8'-0" x 6'-0" = 48 SF		
WOOD SUBSTRATE	25'-0" x 25'-0" = 625 SF		
TRASH CHUTE	4'-0" x 6'-0" = 24 SF		
TOTAL	737 SF		

**FOURTH FLOOR REMOVAL**

DESCRIPTION	AREA	STD	STD
ELEVATOR SHAFT	8'-0" x 6'-0" = 48 SF		
WOOD SUBSTRATE	25'-0" x 25'-0" = 625 SF		
TRASH CHUTE	4'-0" x 6'-0" = 24 SF		
TOTAL	737 SF		

**FOURTH FLOOR REMOVAL**

DESCRIPTION	AREA	STD	STD
ELEVATOR SHAFT	8'-0" x 6'-0" = 48 SF		
WOOD SUBSTRATE	25'-0" x 25'-0" = 625 SF		
TRASH CHUTE	4'-0" x 6'-0" = 24 SF		
TOTAL	737 SF		

**FOURTH FLOOR REMOVAL**

DESCRIPTION	AREA	STD	STD
ELEVATOR SHAFT	8'-0" x 6'-0" = 48 SF		
WOOD SUBSTRATE	25'-0" x 25'-0" = 625 SF		
TRASH CHUTE	4'-0" x 6'-0" = 24 SF		
TOTAL	737 SF		

**FOURTH FLOOR REMOVAL**

DESCRIPTION	AREA	STD	STD
ELEVATOR SHAFT	8'-0" x 6'-0" = 48 SF		
WOOD SUBSTRATE	25'-0" x 25'-0" = 625 SF		
TRASH CHUTE	4'-0" x 6'-0" = 24 SF		
TOTAL	737 SF		

**TOTAL REMOVAL**

WOOD FLOOR AREA: 625 SF  
 117 W 35TH STREET: 625 SF  
 117 W 35TH STREET: 625 SF  
**REMOVAL PERCENTAGE**

TOTAL REMOVAL PERCENTAGE: 14.95%

**RESIDENTIAL REMOVAL 4/F**

319 WEST 35TH STREET  
NEW YORK, NY 10001

DATE: 8-27-2021  
 DRAWN BY: [Signature]  
 CHECKED BY: [Signature]  
 PROJECT NO: DM-00500

**OWNER:** HISTORIC  
**PROJECT:** PPA  
**CLIENTS:** PPA  
**DESIGNER:** [Firm Name]  
**GENERAL CONTRACTOR:** [Firm Name]

**GENERAL CONTRACTOR**

NO.	DESCRIPTION	DATE
1	REVISION	8/27/2021
2	REVISION	8/27/2021
3	REVISION	8/27/2021
4	REVISION	8/27/2021
5	REVISION	8/27/2021
6	REVISION	8/27/2021
7	REVISION	8/27/2021
8	REVISION	8/27/2021
9	REVISION	8/27/2021
10	REVISION	8/27/2021
11	REVISION	8/27/2021
12	REVISION	8/27/2021
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16	REVISION	8/27/2021
17	REVISION	8/27/2021
18	REVISION	8/27/2021
19	REVISION	8/27/2021
20	REVISION	8/27/2021
21	REVISION	8/27/2021
22	REVISION	8/27/2021
23	REVISION	8/27/2021
24	REVISION	8/27/2021
25	REVISION	8/27/2021

**GENERAL CONTRACTOR**

117 WEST 35TH STREET  
NEW YORK, NY 10001  
 (212) 462-0000  
 WWW.PPA-NEWYORK.COM

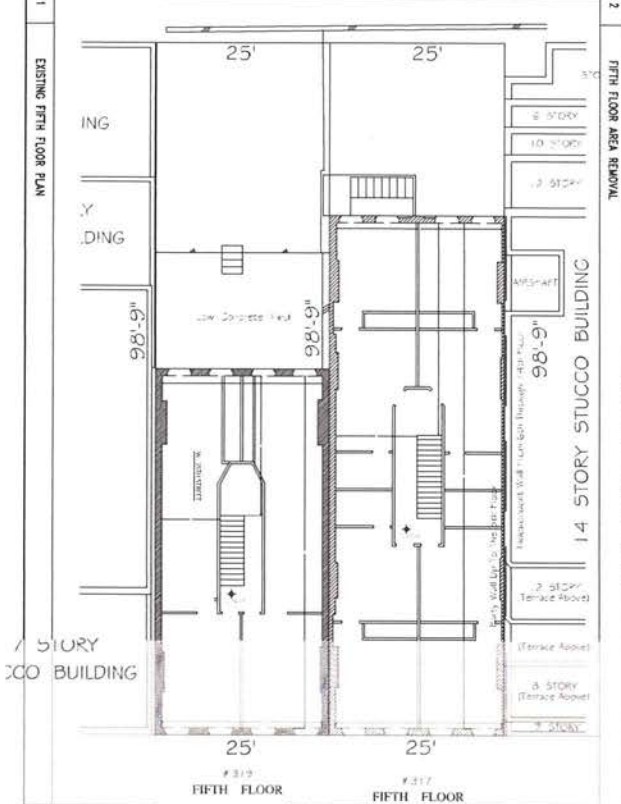
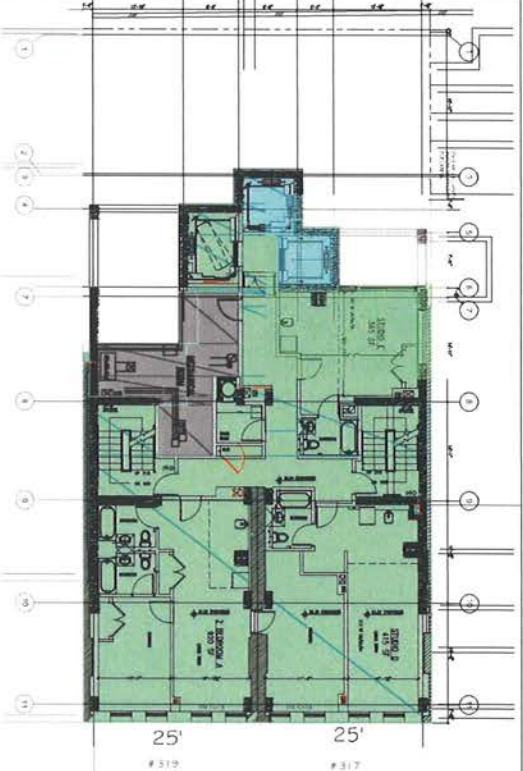
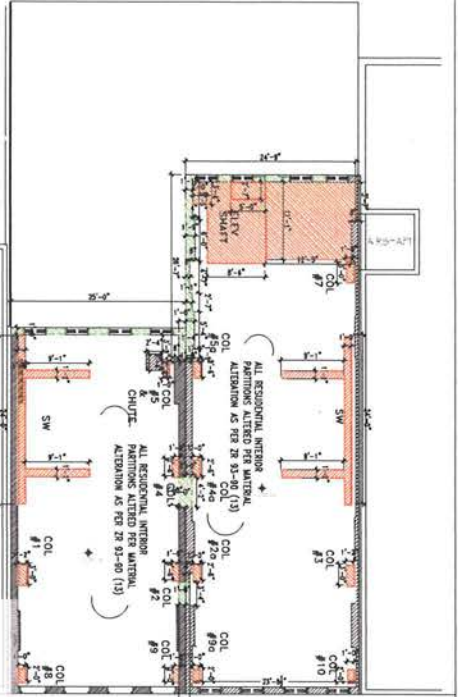
**DESIGNER**

319 WEST 35TH STREET  
NEW YORK, NY 10001  
 (212) 462-0000  
 WWW.PPA-NEWYORK.COM

**DESIGNER**

319 WEST 35TH STREET  
NEW YORK, NY 10001  
 (212) 462-0000  
 WWW.PPA-NEWYORK.COM





DESCRIPTION	AREA	SF	SF	SF	SF	SF
EXISTING FLOOR FINISH	1-2, 3-4, 5-6, 7-8, 9-10	38,111 SF				
EXISTING WALL	1-2, 3-4, 5-6, 7-8, 9-10	45,253 SF				
EXISTING MASONRY WALL REMOVAL	1-2, 3-4, 5-6, 7-8, 9-10	4,755 SF				
CHUTE	1-2, 3-4, 5-6, 7-8, 9-10	154,785 SF				
NORTH FLOOR FLOOR REMOVAL	1-2, 3-4, 5-6, 7-8, 9-10	5,413 SF				
EXISTING MASONRY WALL REMOVAL	1-2, 3-4, 5-6, 7-8, 9-10	24,755 SF				
CONCRETE	1-2, 3-4, 5-6, 7-8, 9-10	25,000 SF				
MECHANICAL	1-2, 3-4, 5-6, 7-8, 9-10	28,077 SF				
MECHANICAL WALL	1-2, 3-4, 5-6, 7-8, 9-10	1,373 SF				
TOTAL		346,423 SF	79,465 SF	267,958 SF		

**TOTAL REMOVAL**  
 EXISTING FLOOR FINISH  
 EXISTING WALL  
 EXISTING MASONRY WALL REMOVAL  
 CHUTE  
 NORTH FLOOR FLOOR REMOVAL  
 EXISTING MASONRY WALL REMOVAL  
 CONCRETE  
 MECHANICAL  
 MECHANICAL WALL

**REMOVAL PERCENTAGE**  
 TOTAL REMOVAL PERCENTAGE

**RESIDENTIAL REMOVAL SF**  
 371,110 SF  
 1,600,291 SF  
 19,821 %  
 14,824 %

**AS SHOWN**  
 1,300,235 SF  
 7,348 %



**PPA PROJECT**  
 319 WEST 34TH STREET  
 NEW YORK, NY 10001

**OWNER:** MTRM LLC  
**ARCHITECT:** [Firm Name]

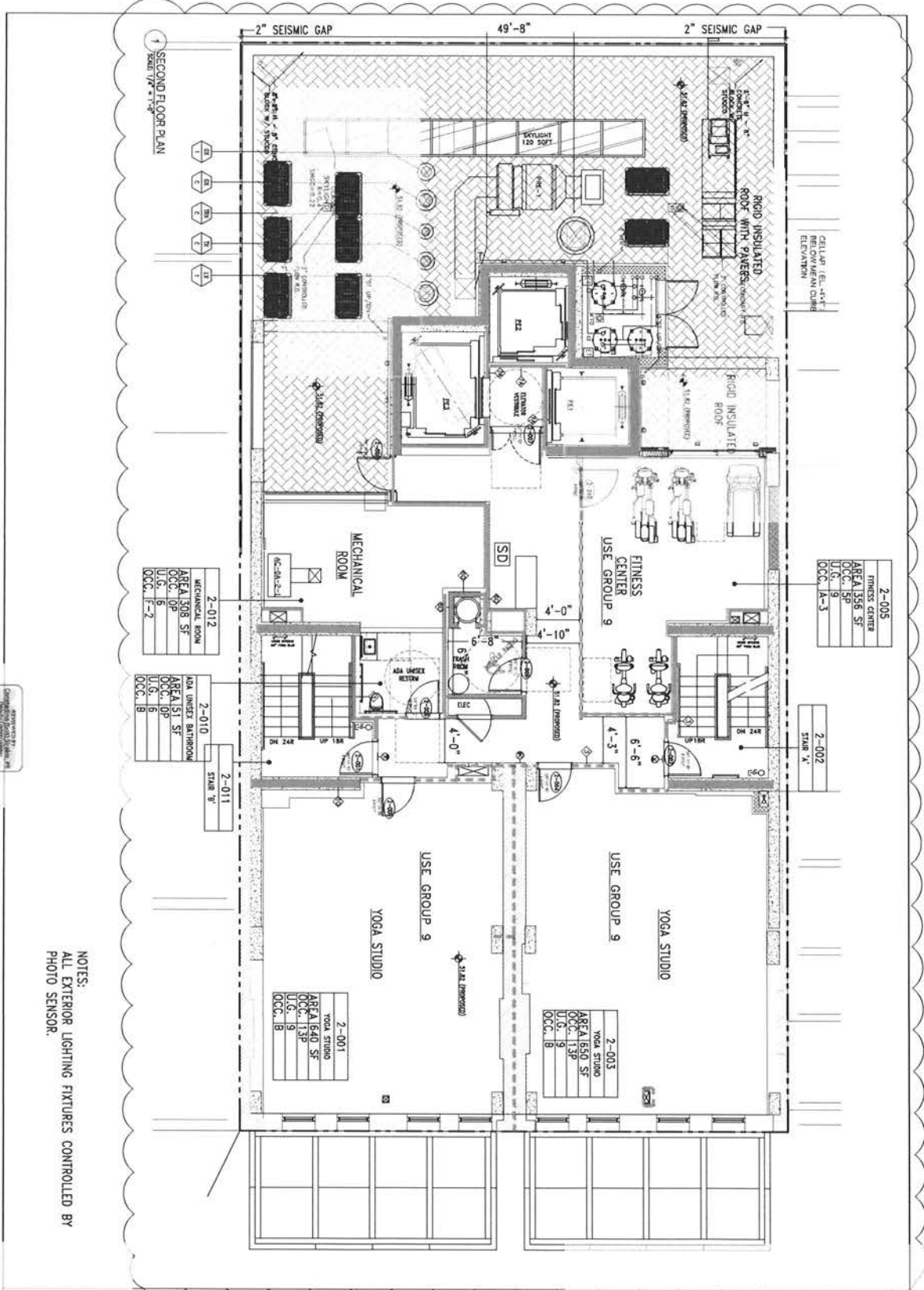
**GENERAL CONTRACTOR:** [Firm Name]

**DATE:** 12/31/2023  
**SCALE:** AS SHOWN  
**PROJECT NO.:** DM-00600

See Comments on Pages 1 & 2





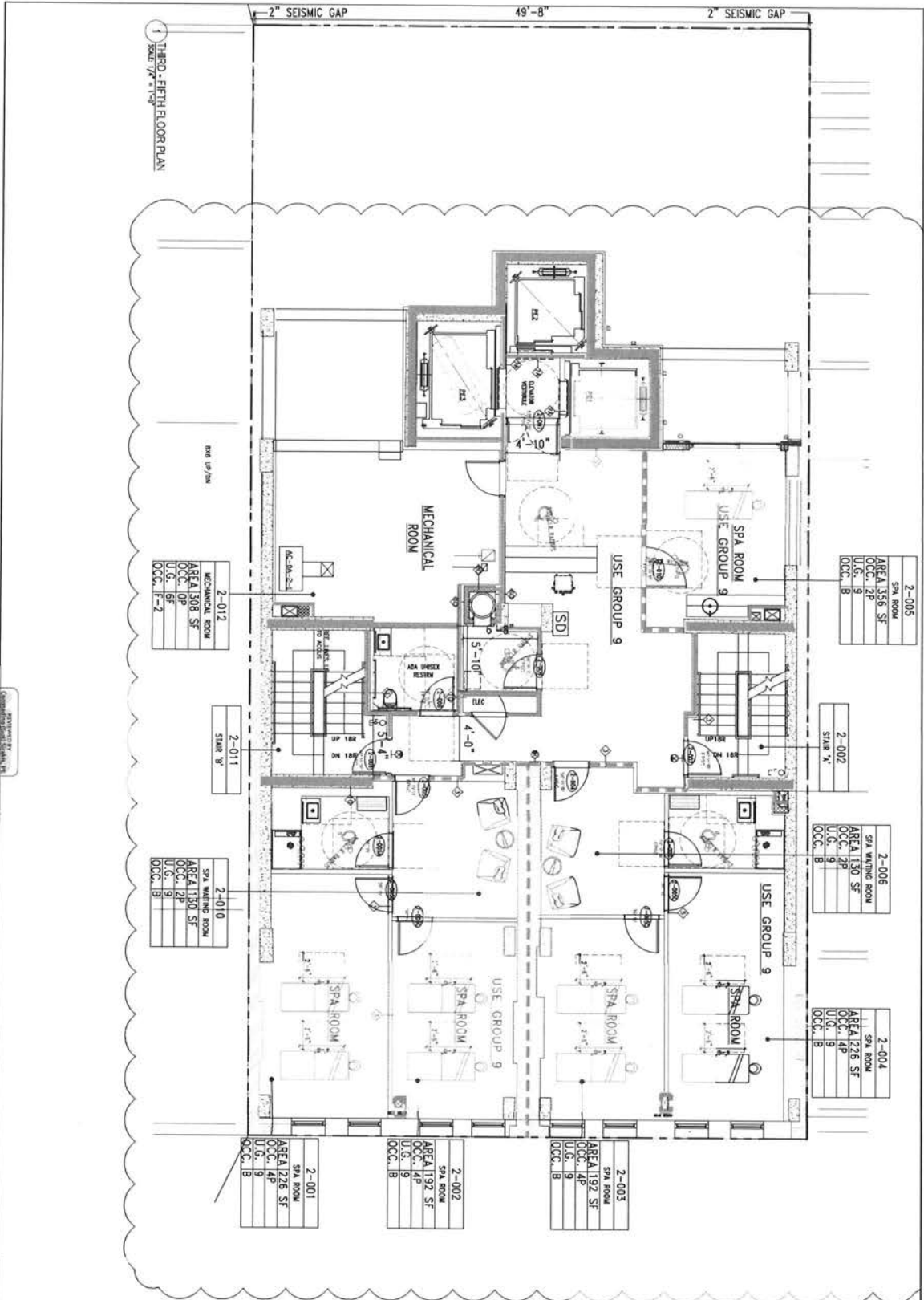


NOTES:  
ALL EXTERIOR LIGHTING FIXTURES CONTROLLED BY PHOTO SENSOR.



OWNER: PHOTONIC LLC	ARCHITECT: PPA PHOTONIC LLC	CONSULTANTS: L.E. EXPANDED, INC. L.E. EXPANDED, INC. L.E. EXPANDED, INC.	DATE: 1/20/2022
PROJECT: 319 WEST 35TH STREET NEW YORK, NY 10001	GENERAL CONTRACTOR: [Name]	DATE: 1/20/2022	DATE: 1/20/2022
FLOOR PLAN 2ND FLOOR	DATE: 1/20/2022	DATE: 1/20/2022	DATE: 1/20/2022
SCALE: 1/4" = 1'-0"	DATE: 1/20/2022	DATE: 1/20/2022	DATE: 1/20/2022

See comments on pages 4 through 5.



1 THIRD - FIFTH FLOOR PLAN  
SCALE 1/8" = 1'-0"



<b>OWNER:</b> HERRINGBELL		<b>ARCHITECT:</b> PPA PROFESSIONAL PROJECT ARCHITECTS	
<b>CONSULTANTS:</b> (List of various engineering and design firms)		<b>GENERAL CONTRACTOR:</b> (Name of the contractor)	
<b>PROJECT INFORMATION:</b> 319 WEST 35TH STREET NEW YORK, NY 10001			
<b>FLOOR PLAN:</b> 3RD - 5TH FLOOR 1/8" = 1'-0"			
<b>DATE:</b> (Project date)			

See comments on sheets A-104.05 through A-104.15



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

BISP0009  
BISM0009

R E C E I P T

INVOICE #: 13794930      DATE: JUNE 10 2022      TIME: 3:03 P.M.

TOTAL PAYMENT RECEIVED: 2500.00

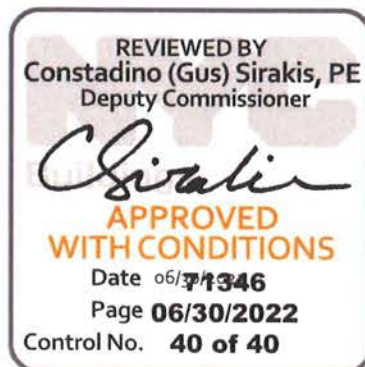
PAYMENT: 2500.00      CHECK #: 1065  
PAYMENT: 0.00

FOR: PRE-DETERMINATION-APPEAL FEE-ZONING

BIN NUMBER: 1013573

RECEIVED FROM: MANHATTAN BOROUGH OFFICE

OPER ID: BHC STATION: 07  
05111 000201 00251 OT



See comments on pages  
4 through 5.