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Memorandum

2018-015

27-Dec-19

To: Mr. Young Yu
NYC-Department of Buildings-HUB

Project: 2018-015 - 12 Berry Street

RE: PLAN EXAMINATION FOR 321 193 506 (DOC 09)

From: Jin Woo Jang, RA

Dear Mr. Yu:

It was my great pleasure speaking with you in our last meeting over the HUB network for the project.

I just wanted to take this opportunity to thank you for having given us a kind and professional guidance for your list of objections.

In the last meeting, you guided us that you had 3 chief issues for the project and they were:

1. BSA documents indicated 47 cars for the Lot 26, yet our drawing only indicated 44 cars.
2. Accessory uses on the second floor are more than 10% of the main use on the floor.
3. Is the easement for acc. off-street parking in the BSA documents (B: 2639 L: 7) being provided in addition to the parking being provided on the zoning lot?

For the above comments, we submit that:

1. We have revised our A-002 to indicate the correct parking capacity and herewith submitted for your review.
2. We note that this 10% maximum accessory use is from NYC Building Code (BC 508.2.1). We believe that the clause shall be applicable only when a project requests for a "Building Area Modifications" in order to reduce the fire area that is subject to the fire protective measures, i.e., sprinkler system, as prescribed under BC 506.

Our project has included the accessory areas on the second floor as building area and does not seek to exclude from the building area calculation in order to

be in compliance with the BC 506, Building Area Modification. It is our opinion, therefore, that this 10% threshold for the accessory spaces under the BC 508.2.1 shall not be applicable for our project.

3. As per the easement for the off-street parking issue, we still remain unchanged from our initial response in our last meeting that the one-zoning-lot development now being reviewed complies with the parking regulation in full, and the restrictive clauses for providing the required off-site parking shall become irrelevant. Further to this, we made an additional inquiry to our zoning counsel, and I have included an excerpt from his response as follows:

"The reference in the BSA-approved plans to required parking provided off-site shouldn't be relevant. That BSA approval relates to the permitted use of a portion of the building on Lot 26. All that matters is that the zoning lot (lots 26 & 30) maintains zoning compliance in the course of this new development on Lot 30, which it does."

Additionally, we had discussed, and agreed for:

- The mezzanine shall have an occ. rate of 60 SF/Persons in accordance with the Table 1004.1.1.
- The stair to the mezzanine being enclosed, therefore, shall not be applicable.

In today's meeting, we would like to discuss our revisions made to the A-002 which includes the revisions that would clarify the following objections:

- Loading berths and that the berths are less than 200% of what is required in area.
- Zoning calculations comments
- ZR sections comments
- Parking stacker's height to meet with the rear yard requirement.
- Required yard dimensions comments
- Total proposed FAR clarification comments.

Thank you very much for your kind attention.

ZONING ANALYSIS

ZONING ANALYSIS				BROOKLYN				12/25/2019	
	Zones		M1-1/M1-2						
	Map		13A						
	BLOCK:		2279						
	LOTS		30, 26						
	ONE ZONING LOT DEVELOPMENT								
	ZONING LOT AREA		25,000						
	ZONING DISTRICT		M1-1/M1-2						
ZR SECTION	ZONING CRITERIA								
42-11	USES PERMITTED		3A, 4A, 4B, 4C, 5, 6A, 6B, 6C, 6D, 6E, 7A, 7B, 7D, 7E, 8, 9B, 9C, 10A, 10B, 10C, 11, 12A, 12B, 12C, 12D, 12E, 13, 14, 16, 17						
	ZONING DISTRICTS		M1-1			M1-2			
	ZONING DISTRICT DISTRIBUTION		22,500			2,500			
			90%			10%			
FAR									
43-122 77-22	ALLOWED FAR FOR COMM. FACIL. USE								
	MAX FAR		2.4		4.8				
	ADJ. IND. FAR		2.16		0.48				
	ADJUSTED GROSS FAR		2.64						
	MAX BLDG. AREA		25,000 X 2.64 =						
MAX PERMITTED FL. AREA ON LOT		66,000							
43-12 77-22	ALLOWED FAR FOR COMERCIAL USE								
	MAX FAR		1		2				
	ADJ. IND. FAR		0.9		0.2				
	ADJUSTED GROSS FAR		1.10						
	MAX BLDG. AREA		25,000 X 1.1 =						
MAX PERMITTED FL. AREA ON LOT		27,500							
	Lots		30		26				
	Address		12 BERRY ST.		8 BERRY ST.				
	Lot Area		21,267		3,733				
			PROPOSED ZFA- LOT 30		EXIST'G. ZFA - LOT 26				
			COMMERCIAL		COMM. FACIL.		SUB TOTAL		
	CELLAR			(2,250)					
	1 FL.	9,348	417	3,591		13,355.60			
	MEZZ.	2,249				2,249.00			
	2 FL.		5,498	3,591		9,089.10			
	2 FL. OPEN USE		(6,686)						
	3 FL.			2,864		2,864.00			
	4 FL.			2,122		2,122.00			
	5 FL.			1,936		1,936.00			
	ZONING FLOOR AREA		11,597	5,915	14,104		31,615.70		
	FAR		0.46	0.24	0.56		1.26		
FAR		1.10 > 0.46, OK		2.64 > 0.24, OK		1.10 > 0.56, OK			
ZONING FLOOR AREA (ZFA)		17,511.70		14,104.00					
TOTAL ZFA		31,615.70							
FAR FOR ZONING LOT		31,615.70/25,000.00=1.26							
		1.26							
TOTAL COMMERCIAL ZFA		11,596.90+ 14,104.00=25,700.90		25,701 / 25,000=1.03 < 1.10, OK					
TOTAL COMM. FACIL. ZFA		5,915		5,915 / 25,000 = 0.24 < 2.64, OK					
YARDS									
43-25	SIDE YARD		NA (IF PROVIDED MIN. 8FT. REQ'D.)						
			0' AND 48.97' PROVIDED						
43-26	REAR YARD		20						
43-261	BEYOND 100 FT. OF ST. LINE		20 FT. OVER 100 FT. DEPTH FROM CORNER						
			50.67' PROVIDED FOR INT. LOT PORTION.						
HEIGHT/BULK									
43-33	ZONING DISTRICT		M1-1		M1-2				
	MAX HEIGHT OF FRONT WALL		30		60				
	BERRY STREET		30' APPLIES (M1-1)						
	N. 13TH. STREET								
	TOTAL STREET FRONTAGE		225						
	DISTRICT WIDTH		200		25				
	HT. ABOVE STREET LINE		30		60				
	SKY EXP. PLANE		1:1		1:2.7				
INITIAL SETBACK		20							
PARKING									
44-21	GROUP PARKING		PKG. RATE		REQUIRED				
	FOR UG 6				47 REQ'D. PER BSA 328-13-BZ				
	1 CAR / 300 SF		11,597 / 300 SF = 39						
	FOR UG 4								
	1 CAR / 10 PERSONS		50 PERSONS / 1 CAR = 5						
	TOTAL REQUIRED		44		47				
TOTAL PROVIDED		91							
LOADING									
44-50	OFF-STREET LOADING-COMMERCIAL USES		11,596.90< 17,000 = 1 REQ'D.		1 REQ'D. PER BSA 328-13-BZ				
	TOTAL BERTH REQUIRED		2						
			2 BERTHS PROVIDED						
BICYCLE PARKING									
44-60	ENCLOSED BICYCLE PARKING								
	FOR UG 4		1/10,000 SF		5,914.80 / 10,000 = 0.59		1		
	FOR UG 6		1/10,000 SF		11,596.90 / 10,000 = 1.16		1		
			2 REQUIRED AND 2 PROVIDED						
	UNENCLOSED BICYCLE PARKING								
	1 PER 10 PARKING SPACES		44.00/10 = 4		5 REQ'D. PER BSA 328-13-BZ				
		9 REQ'D. AND 9 PROVIDED AT SIDEWALK							
PER TBL 1004.1.1 NET FL. AREA OF CLUBHOUSE(A-Z)									