



CITY PLANNING COMMISSION
CITY OF NEW YORK

OFFICE OF THE CHAIRMAN

February 3, 2015

Martin Rebholz, R.A.
Borough Commissioner, Manhattan
New York City Department of Buildings
280 Broadway, 3rd Floor
New York, NY 10007

Re: Application No. N150145ZCM
Certification for Office Use
55 Hudson Yards (a/k/a 380 Eleventh Ave.)
Block 705, Lot 1
C6-4
Special Hudson Yards District (Subarea A-2)
Community District 4
Borough of Manhattan

Dear Commissioner Rebholz:

Please be advised that, in accordance with ZR Sec. 93-131(a)(2) of the Zoning Resolution ("Certification for Office Use") an application for a certification by the Chair of the City Planning Commission to the Department of Buildings that the proposed development utilizes floor area increases pursuant to the ZR Sec. 93-30 and will not result in a total amount of Use Group 6B office floor area developed or enlarged after January 19, 2005, within the Hudson Yards Redevelopment Area (as that term is defined in ZR Sec. 93-01) of over 20 million square feet, is hereby certified.

THE CERTIFICATION N150145ZCM HAS BEEN APPROVED PURSUANT TO SECTION 93-131(a)(2) OF THE ZONING RESOLUTION AND IS SUBJECT TO VERIFICATION BY THE DEPARTMENT OF BUILDINGS FOR COMPLIANCE WITH ALL OTHER APPLICABLE PROVISIONS OF THE ZONING RESOLUTION.

Carl Weisbrod, Chairman
City Planning Commission
22 Reade Street – 2W, New York, N.Y. 10007-1216
(212) 720-3200 FAX (212) 720-3219
www.nyc.gov/planning

Page 2

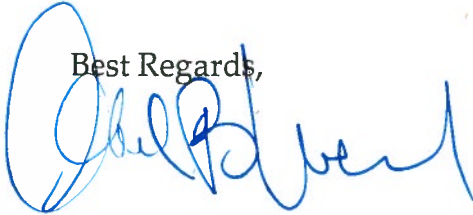
February 3, 2015

55 Hudson Yards (a/k/a 380 Eleventh Ave.)

Certification of Office Use

Application No. N150145ZCM

Best Regards,



Carl Weisbrod

C: Jacqueline Harris
Dominick Answini
File



City Planning will
assign and stamp
reference numbers
here

Land Use

Department of City Planning

DEPARTMENT OF
CITY PLANNING



N150144ZCM

N150145ZCM

Received by Central Intake on October 27, 2014

1. APPLICANT AND APPLICANT'S REPRESENTATIVES

APPLICATION NUMBER

One Hudson Yards Owner LLC

APPLICANT (COMPANY/AGENCY OR OTHER ORGANIZATION) *

60 Columbus Circle

STREET ADDRESS

New York NY 10023

CITY STATE ZIP

212-801-3540 212-801-1127

AREA CODE TELEPHONE # FAX #

* List additional applicants below:

Metropolitan Transportation Authority

CO-APPLICANT (COMPANY/AGENCY OR OTHER ORGANIZATION)

CO-APPLICANT (COMPANY/AGENCY OR OTHER ORGANIZATION)

ADDITIONAL APPLICANT REPRESENTATIVE

APPLICATION NUMBER

Tal Golomb

APPLICANT'S PRIMARY REPRESENTATIVE

Fried Frank Harris Shriver and Jacobson LLP

REPRESENTATIVE'S COMPANY/AGENCY OR OTHER ORGANIZATION

One New York Plaza

STREET ADDRESS

New York NY 10004

CITY STATE ZIP

212-859-8819 212-859-4000

AREA CODE TELEPHONE # FAX #

Envi: Hully. Chen & Associates, Co

2. SITE DATA

(If the site contains more than one property complete the "LR Item 2. Site Data Attachment Sheet.")

NAME AND PROFESSIONAL AFFILIATION (ATTORNEY/ARCHITECT/ENGINEER ETC.)

TELEPHONE #

FAX #

380 Eleventh Avenue

STREET ADDRESS

One Hudson Boulevard

PROJECT NAME (IF ANY)

Eleventh Avenue between West 33rd Street and West 34th Street

DESCRIPTION OF PROPERTY BY BOUNDING STREETS OR CROSS STREETS

C6-4, Special Hudson Yards District (Eastern Rail Yard Subarea A2)

8b

EXISTING ZONING DISTRICT (INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY)

ZONING SECTIONAL MAP NO(S)

Block 705, Lot 1

TAX BLOCK AND LOT NUMBER

Manhattan

BOROUGH

CD 4

COMM. DIST.

URBAN RENEWAL AREA, HISTORIC DISTRICT OR OTHER DESIGNATED AREA (IF ANY)

IS SITE A NEW YORK CITY OR OTHER LANDMARK? NO ☒ YES ☐ IF YES, IDENTIFY

3. DESCRIPTION OF PROPOSAL

(If the entire project description does not fit in this space, enter "see attached description" below and submit description on a separate sheet, identified as "LR Item 3. Description of Proposal")

See attached LR Item 3 and LR Item 11.

4. ACTIONS REQUESTED AND FEES

(Check appropriate action(s) and attach supplemental form)

* No supplemental form required

- ☐ CHANGE IN CITY MAP.....MM \$
- ☐ ZONING MAP AMENDMENT.....ZM \$
- ☐ ZONING TEXT AMENDMENT.....ZR \$
- ☐ ZONING SPECIAL PERMIT.....ZS \$
- ☐ ZONING AUTHORIZATION.....ZA \$
- ☒ ZONING CERTIFICATION.....ZC \$ 3,400*2
- ☐ PUBLIC FACILITY, SEL./ACQ.....PF \$
- ☐ DISPOSITION OF REAL PROP.....PD \$
- ☐ URBAN DEVELOP.-T ACTION.....HA \$
- ☐ URBAN RENEWAL PROJECT.....* \$
- ☐ HOUSING PLAN & PROJECT.....* \$
- ☐ FRANCHISE.....* \$
- ☐ REVOCABLE CONSENT.....* \$
- ☐ CONCESSION.....* \$
- ☐ LANDFILL.....* \$
- ☒ OTHER (Describe) \$
- CEQR \$ 110

☐ MODIFICATION \$

☐ FOLLOW-UP \$

☐ RENEWAL \$

☒ OTHER \$ 110.-

SPECIFY

TOTAL FEE (For all actions) \$ 6910

Make Check or Money Order payable to Department of City Planning

If fee exemption is claimed check box below and explain

☐

Has pre-application meeting been held? ☐ NO ☒ YES

If yes Dominick Answini 9/10/14

DCP Office/Representative Date of meeting



Create New CEQR Review Record

Project Name:

ONE HUDSON BLVD. 2.8 SECTIONS 93-3493-13

☒ Private Applicant Borough:

MAN

Lead Agency

☐ PRE CEQR

Complexity Classification: Routine

Date Record Created: 10/27/2014



Project Created, please double click on the project number
to review created record.

Add New Project

15DCP066M

N150144ZCM

N150145ZCM



15 DCP.06 6M1

5. ENVIRONMENTAL REVIEW

CITY ENVIRONMENTAL QUALITY REVIEW (CEQR)

LEAD AGENCY City Planning

Received by Central Intake on October 27, 2014

TYPE OF CEQR ACTION:

☒ TYPE II Type II category: §17.5(c)(18)

☐ TYPE I } Has EAS been filed? Yes ☐

☐ UNLISTED } If yes, Date EAS filed: _____

Has CEQR determination been made? Yes ☐

If yes, what was determination? Negative Declaration ☐

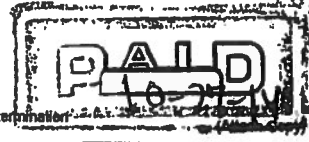
CND ☐

Positive Declaration ☐

Date determination was made: _____

No ☒No ☐

Date determination made: _____



If Positive Declaration, has PDEIS been filed? _____

Has Notice of Completion (NOC) for DEIS been issued? _____

If yes, attach copy.

If PDEIS has not been filed, has final scope been issued? _____

If yes, date issued: _____

6. COASTAL ZONE MANAGEMENT
IS SITE IN STATE DESIGNATED COASTAL ZONE MANAGEMENT (CZM)? AREA? No ☒ Yes ☐
7. RELATED ACTIONS BY CITY PLANNING

LIST ALL CURRENT OR PRIOR CITY PLANNING COMMISSION ACTIONS RELATED TO SITE:

APPLICATION NO.	DESCRIPTION/ DISPOSITION/STATUS	CAL NO.	DATE
N/A	Certification for District Improvement Bonus		

8. RELATED ACTIONS BY OTHER AGENCIES

LIST ALL OTHER CURRENT OR PRIOR CITY, STATE OR FEDERAL ACTIONS RELATED TO APPLICATION:

REFERENCE NO.	DESCRIPTION/ DISPOSITION/STATUS	CAL NO.	DATE
N/A			

9. FUTURE ACTIONS REQUIRED

LIST ALL FUTURE CITY, STATE OR FEDERAL ACTIONS REQUIRED TO IMPLEMENT THE PROPOSED ACTION:

N/A

10. APPLICANT
 (Attach authorizing resolution(s), if applicable)

L. JAY CROSS, PRESIDENT
 NAME AND TITLE OF APPLICANT OR AUTHORIZED REPRESENTATIVE

SIGNATURE OF APPLICANT

DATE

One Hudson Yards Owner LLC

APPLICANT'S COMPANY/AGENCY OR OTHER ORGANIZATION (IF ANY)

11. CO-APPLICANTS

(Attach authorizing resolution(s), if applicable)

NAME AND TITLE OF CO-APPLICANT OR AUTHORIZED REPRESENTATIVE

SIGNATURE OF CO-APPLICANT

DATE

Metropolitan Transportation Authority

CO-APPLICANT'S COMPANY/AGENCY OR OTHER ORGANIZATION

347 Madison Avenue, New York, New York 10017

STREET ADDRESS

CITY

STATE

ZIP

TEL. NO.

FAX

NAME AND TITLE OF CO-APPLICANT OR AUTHORIZED REPRESENTATIVE

SIGNATURE OF CO-APPLICANT

DATE

CO-APPLICANT'S COMPANY/AGENCY OR OTHER ORGANIZATION

STREET ADDRESS

CITY

STATE

ZIP

TEL. NO.

FAX

ADMINISTRATIVE CODE

ANY PERSON WHO SHALL KNOWINGLY MAKE A FALSE REPRESENTATION OR WHO SHALL KNOWINGLY FALSIFY OR CAUSE TO BE FALSIFIED ANY FORM, MAP, REPORT OR OTHER DOCUMENT SUBMITTED IN CONNECTION WITH THIS APPLICATION SHALL BE GUILTY OF AN OFFENSE PUNISHABLE BY FINE OR IMPRISONMENT OR BOTH, PURSUANT TO SECTION 11-54 OF THE CITY OF NEW YORK ADMINISTRATIVE CODE.

NOTICE

THIS APPLICATION WILL BE DEEMED PRELIMINARY UNTIL IT IS CERTIFIED AS COMPLETE BY THE DEPARTMENT OF CITY PLANNING OR THE CITY PLANNING COMMISSION. ADDITIONAL INFORMATION MAY BE REQUESTED BY THE APPLICANT BY THE DEPARTMENT OF CITY PLANNING.

DEPARTMENT OF
CITY PLANNING

N150144ZCM

150505 W

of 2

Received by Central Intake on October 27, 2014



Create New CEQR Review Record

Project Name:

ONE HUDSON BLVD. 2.0 SECTIONS 93-34493-131

☒ Private Applicant Borough:

MAN

Lead Agency

☐ PRE CEQR

Complexity Classification: Routine

Date Record Created: 10/27/2014



Project Created, please double click on the project number
to review created record.

Add New Project

15DCP066M

N150144ZCM
N150145ZCM



15 DCP.06 6M

Received by Central Intake on October 27, 2014

Basic Form LR - continued

5. ENVIRONMENTAL REVIEW

CITY ENVIRONMENTAL QUALITY REVIEW (CEQR) (Discuss with CEQR lead agency before completing)
LEAD AGENCY City Planning
TYPE OF CEQR ACTION:
[X] TYPE II Type II category: 617.5(c)(19)
[] TYPE I Has EAS been filed? Yes []
[] UNLISTED If yes, Date EAS filed:
Has CEQR determination been made? Yes []
If yes, what was determination? Negative Declaration []
CND []
Positive Declaration []
Date determination was made: (Attach Copy)
Date determination made:
If Positive Declaration, has PDEIS been filed?
Has Notice of Completion (NOC) for DEIS been issued? If yes, attach copy.
If PDEIS has not been filed, has final scope been issued? If yes, date issued:

6. COASTAL ZONE MANAGEMENT

IS SITE IN STATE DESIGNATED COASTAL ZONE MANAGEMENT (CZM)? AREA? No [X] Yes []

7. RELATED ACTIONS BY CITY PLANNING

LIST ALL CURRENT OR PRIOR CITY PLANNING COMMISSION ACTIONS RELATED TO SITE:
APPLICATION NO. DESCRIPTION/ DISPOSITION/STATUS CAL. NO. DATE
N/A Certification for District Improvement Bonus

8. RELATED ACTIONS BY OTHER AGENCIES

LIST ALL OTHER CURRENT OR PRIOR CITY, STATE OR FEDERAL ACTIONS RELATED TO APPLICATION:
REFERENCE NO. DESCRIPTION/ DISPOSITION/STATUS CAL. NO. DATE
N/A

9. FUTURE ACTIONS REQUIRED

LIST ALL FUTURE CITY, STATE OR FEDERAL ACTIONS REQUIRED TO IMPLEMENT THE PROPOSED ACTION:
N/A

10. APPLICANT (Attach authorizing resolution(s), if applicable)

NAME AND TITLE OF APPLICANT OR AUTHORIZED REPRESENTATIVE SIGNATURE OF APPLICANT DATE
APPLICANT'S COMPANY/AGENCY OR OTHER ORGANIZATION (IF ANY)

11. CO-APPLICANTS (Attach authorizing resolution(s), if applicable)

NAME AND TITLE OF CO-APPLICANT OR AUTHORIZED REPRESENTATIVE SIGNATURE OF CO-APPLICANT DATE
Metropolitan Transportation Authority 10/24/14
CO-APPLICANT'S COMPANY/AGENCY OR OTHER ORGANIZATION
347 Madison Avenue, New York, New York 10017
STREET ADDRESS CITY STATE ZIP TEL. NO. FAX
NAME AND TITLE OF CO-APPLICANT OR AUTHORIZED REPRESENTATIVE SIGNATURE OF CO-APPLICANT DATE
CO-APPLICANT'S COMPANY/AGENCY OR OTHER ORGANIZATION
STREET ADDRESS CITY STATE ZIP TEL. NO. FAX

ADMINISTRATIVE CODE NOTICE

ANY PERSON WHO SHALL KNOWINGLY MAKE A FALSE REPRESENTATION ON OR WHO SHALL KNOWINGLY FALSIFY OR CAUSE TO BE FALSIFIED ANY FORM, MAP, REPORT OR OTHER DOCUMENT SUBMITTED IN CONNECTION WITH THIS APPLICATION SHALL BE GUILTY OF AN OFFENSE PUNISHABLE BY FINE OR IMPRISONMENT OR BOTH, PURSUANT TO SECTION 16-184 OF THE CITY OF NEW YORK ADMINISTRATIVE CODE.
THIS APPLICATION WILL BE DEEMED PRELIMINARY UNTIL IT IS CERTIFIED AS COMPLETE BY THE DEPARTMENT OF CITY PLANNING OR THE CITY PLANNING COMMISSION. ADDITIONAL INFORMATION MAY BE REQUESTED OF THE APPLICANT BY THE DEPARTMENT OF CITY PLANNING.

N150145ZCM N150144ZCM



Received by Central Intake on October 27, 2014

Special Permit/Authorization/Certification

7S/ZA/ZC



N150144ZCM - ZR 93-34

Received by Central Intake on October 27, 2014

N150145ZCM - ZR 93-131

APPLICATION NO.

(If more than five actions are being requested, enter "see attached" below, and list ALL PROPOSED ACTIONS in the same format as below on a separate sheet titled "Proposed Zoning Special Permits/ Authorization/ Certifications.")

Action(s)
requested
pursuant to
ZR
(Check one box
for each proposed
action)

Special Permit (ZS)

Authorization (ZA)

Certification (ZC)

PURSUANT TO:

ZONING RESOLUTION

SECTION NUMBER

N150144ZCM

ZONING RESOLUTION SECTION TITLE

Certification for Transferable
Development Rights from Subarea A1

Certification for Use Group 6B office
space

TO MODIFY:
SECTION NO.
(If applicable)

NA

NA

NA

NA

NA

HAS A DRAFT RESTRICTIVE DECLARATION BEEN INCLUDED WITH THIS APPLICATION?

YES ☐ NO ☒

WILL ALL PARTIES IN INTEREST TO THE PROPERTY AGREE TO A RESTRICTIVE DECLARATION IF REQUIRED? YES ☒ NO ☐

Property
ownership/
interest

CHECK APPLICABLE BOX(ES) (If more than one box is checked in the left column, please explain below).

APPLICANT:

☒ IS OWNER OF SUBJECT PROPERTY

☐ IS LESSEE OF SUBJECT PROPERTY

☐ HAS CONTRACT TO LEASE/BUY SUBJECT PROPERTY

☐ IS OTHER (explain real property interest below)

APPLICANT:

☐ IS A CITY AGENCY

☐ IS A STATE OR FEDERAL AGENCY

Discussion
of findings

STATEMENT IN SUPPORT OF REQUIRED ZONING RESOLUTION FINDINGS/DECLARATION OF COMPLIANCE

(This is the same discussion/statement as in Attachment #11. If it fits below, it may be put here instead of in a separate attachment. If Attachment #11 has been completed, you may leave this area blank).

**REVISED**

014
DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

CENTRAL INTAKE, LAND USE REVIEW
22 Reade Street, Room 2E
New York, New York 10007-1216

ROUTING FORM

Request for Staff Assignment changes

Please inform Susan Felsen, Status Office, within three (3) working days if the staff person in your division has changed for this project since the original submission by one of the following options:

- E-mail: Sfelsen@planning.nyc.gov and please include "staff assignment" in the subject line of the e-mail.
- Fax: Please fill in this box & fax to (212) 720-3356 and please note "ATTN: Susan Felsen"

Staff Assignment: _____ Division: _____

Date: **FRI** NOVEMBER **14** 2014

We have received **7** copies of application **N1501452CM** CEQR No. **15DCP 066**
for (Project Name) **380 11TH AVE.**

Lead responsibility is assigned to: BX BK **(MN)** QN SI TRD _____
(Circle or enter lead office) (other)

Comments: **REV. Z.R. SECTIONS**
NOW 93-131(A)(2)
AND 93-34

The copies were distributed as follows:

1	Counsel J. LUBIN		Planning Coordination
	Database Application and Development		Strategic Planning
X	Environmental Assessment Review	X	Technical Review
	Housing, Economic and Infrastructure Planning		Transportation – 2 Lafayette – 12 th Floor
1	Land Use Review – Central Intake	X	Urban Design
X	Land Use Review – Status Office		Waterfront & Open Space Planning
	Land Use Review	X	Zoning
BRONX BOROUGH OFFICE – One Fordham Plaza – Room 502, Bronx, New York 10458-5891			
BROOKLYN BOROUGH OFFICE – 16 Court Street – 7 th Floor, Brooklyn, New York 11241-0103			
5	MANHATTAN BOROUGH OFFICE – 22 Reade Street – 6 th Floor	D. ANSKW	
QUEENS BOROUGH OFFICE – 120-55 Queens Boulevard, Room 201, Kew Gardens, NY 11424			
STATEN ISLAND BOROUGH OFFICE – 130 Stuyvesant Place – 6 th Floor, Staten Island, NY 10301-2511			

For further information, please contact CENTRAL INTAKE.

Maurice Spreiregen
(212) 720-3382 / Fax (212) 720-3356
mspreir@planning.nyc.gov

Fried, Frank, Harris, Shriver & Jacobson LLP

One New York Plaza
New York, New York 10004-1980
Tel: +1.212.859.8000
Fax: +1.212.859.4000
www.friedfrank.com



Direct Line: 212-859-8336
Fax: 212-859-4000
holly.chen@friedfrank.com

November 14, 2014

By Hand

Maurice Spreiregen
Central Intake
Department of City Planning
22 Reade Street, 2nd Floor
New York, NY 10007

2014 NOV 14 AM 10:25
EPT OF CITY PLANNING
CITY PLANNING COMM. STOR

Re: One Hudson Boulevard (Manhattan Block 705, Lot 1)
ULURP Application - N150145ZCM - **REVISED**

Dear Mr. Spreiregen:

Attached for filing are seven copies of a revision to the One Hudson Boulevard ULURP Application. The application was originally filed on October 27, 2014. This update consists of the following changes only, and the remainder of the application remains as filed.

This revision, associated with ULURP N150145ZCM, revises the Project Description and Statement of Facts to correct the section of the Zoning Resolution under which the Office Certification is being sought.

Please note that all other materials associated with the One Hudson Boulevard ULURP Application, ULURP #s N150144ZCM and N150143ZCM remain as previously filed.

Please feel free to call me at 212-859-8336 with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Holly Chen".
Holly Chen

Enclosures

REVISED

Applicant's Project Description

1. Introduction

One Hudson Yards Owner LLC (the "Applicant") respectfully requests a certification (the "Certification") from the Chairperson of the City Planning Commission (the "Chairperson") pursuant to:

1. Section 93-131(a)(2) of the Zoning Resolution that the proposed development of Use Group 6B office space in the Hudson Yards Redevelopment Area utilizes floor area increases pursuant to Section 23-90 (Inclusionary Housing), 93-30 (Special Floor Area Regulations), inclusive, or 96-25 (Floor Area Bonus for New Legitimate Theater Use) and will not result in a total amount of Use Group 6B office floor area developed or enlarged after January 19, 2005 within the Hudson Yards Redevelopment Area of over 20 million square feet (the "Office Certification"); and
2. Section 93-34 of the Zoning Resolution for a distribution of floor area from the Eastern Rail Yard Subarea A1 within the larger Special Hudson Yards District (the "District") to 380 11th Avenue (Block 705, Lot 1) (the "Receiving Site") (the "TDR Certification").

The Metropolitan Transportation Authority is a co-applicant solely with respect to the TDR Certification in its capacity as the owner of the development rights of the Eastern Rail Yards Subarea A1, as required by Section 93-34 of the Zoning Resolution.

The Applicant is the fee owner of the Receiving Site. The Receiving Site is approximately 40,015.918 square feet in lot area and is located within Subarea A2 of the District. The Receiving Site is located in a C6-4 commercial district and is subject to the additional controls set forth in the Zoning Resolution for the District.

2. Background

The requested Certification will facilitate the development of the Receiving Site by the Applicant. The additional floor area distributed to the Receiving Site by this Certification will allow for the construction of an approximately 1,118,296 square foot, LEED-certified, class A office tower. Applicant submitted, immediately prior to this application, an application for a certification from the Chairperson pursuant to Section 93-31 of the Zoning Resolution to permit an increase of the basic maximum Floor Area Ratio ("FAR") for the Receiving Site (the "DIF Certification"). The application for the DIF Certification will allow an additional of 320,127.344 square feet of development rights or 8.0 FAR to be developed on the Receiving Site.

3. Description of the Surrounding Area

The Receiving Site is located in the borough of Manhattan, Community District 4 in the new Hudson Yards neighborhood.

To the west of the Receiving Site is an open lot owned by the New York City Department of Transportation for the parking and storage of buses (the "DOT Site"). The DOT Site is located within a M1-5 manufacturing district and has a maximum FAR of 5.

To the north of the Receiving Site is a continuation of the District's Large Scale Subarea A, which extends to West 41st Street along the east side of 11th Avenue. The Large-Scale Subarea is currently generally characterized by transportation and infrastructure uses and has only limited commercial and residential uses. It is generally mapped with an underlying C6-4 commercial district, but the special controls in the District are designed to create a new central business district adjacent to the new Hudson Park and Boulevard area. The portion of the Large-Scale Subarea directly north of the Receiving Site is Subarea A3, which has a basic maximum FAR of 10.0 that can be increased to 24.0 FAR (of which no more than 6.0 FAR may be residential use and up to 2.0 FAR may be community facility use) through the District Improvement Fund Bonus and purchase of transferable development rights from Subarea A1.

Directly to the east of the Receiving Site is a portion of Phase I Hudson Park and Boulevard. Further to the east is a continuation of Subarea A2, which has the same controls as the Receiving Site.

To the south of the Receiving Site is Subarea A1, which extends south to West 30th Street between 10th and 11th Avenues. Subarea A1 has a maximum FAR of 19.0, although only 11.0 FAR may be utilized within Subarea A1 itself. Of this 11.0 FAR allowable on-site, commercial uses are limited to 9.0 FAR, residential uses to 3.0 FAR and community facility uses to 2.0 FAR.

4. Description of the Proposed Project Area

The Receiving Site is located within Subarea A2 of the District, which is also referred to as the Four Corners Area. The Receiving Site (Manhattan Tax Block 705, Lot 1) encompasses the property bounded by Hudson Boulevard, West 33rd Street, 11th Avenue and West 34th Street and is identified by the street address 380 Eleventh Avenue (a/k/a 553 West 33rd Street).

The Receiving Site is approximately 40,015.918 square feet in lot area, located within a C6-4 commercial district and subject to the additional controls set forth in the District. The Receiving Site has a basic maximum FAR of 10.0, which can be increased to 33.0 FAR (of which no more than 6.0 FAR may be residential use and 2.0 FAR may be community facility use) through the District Improvement Fund Bonus and purchase of transferable development rights from Subarea A1.

The Receiving Site does not contain any natural features or significant topographic features.

5. Description of the Proposed Development

The Applicant intends to build an approximately 1,118,296 square foot, class-A office tower (the "Tower") at the Receiving Site. The total floor area of the Proposed Development will be approximately 1,118,296 square feet. All floor area will be for permitted commercial uses. The Applicant intends to actively pursue LEED certification for the Proposed Development.

6. Actions Necessary to Facilitate the Project

This Application seeks the certification by the Chairperson that (a) the proposed development of Use Group 6B office space in the Hudson Yards Redevelopment Area for the Tower does not utilize any floor area increases pursuant to Section 23-90 (Inclusionary Housing), 93-90 (Special Floor Area Regulations), inclusive, or 96-25 (Floor Area Bonus for New Legitimate Theater Use); and (b) the transfer of 398,009.476 square feet of floor area or 9.95 FAR to the Receiving Site from the Eastern Rail Yard Subarea A1 complies with the requirements of Section 93-34. Upon approval of this application and the previously filed application for the DIF Certification, approximately 1,118,296 square feet of floor area will be available for development on the Receiving Site.

7. Conclusion

For the reasons enumerated in Attachment 11, Statement of Findings, the Applicant respectfully requests that the Chairperson issue the Certification requested herein.

Attachment 11 -- Applicant's Statement of Findings for a Certification by the Chairperson pursuant to Section 93-131(a)

93-131

Certification for office use

The provisions of this Section shall apply to all #development# or #enlargement# in the #Hudson Yards Redevelopment Area#, with the exception of Subdistrict F.

(a) No temporary certificate of occupancy from the Department of Buildings may be issued for any portion of a #development# or #enlargement# in the #Hudson Yards Redevelopment Area# that includes Use Group 6B offices #developed# or #enlarged# after January 19, 2005, until the Chairperson of the Department of City Planning certifies to the Commissioner of Buildings that:

(1) such #development# or #enlargement# does not utilize any #floor area# increases pursuant to Sections 23-90 (INCLUSIONARY HOUSING), 93-30 (SPECIAL FLOOR AREA REGULATIONS), inclusive, or 96-25 (Floor Area Bonus for New Legitimate Theater Use); or

Not applicable.

(2) such #development# or #enlargement# utilizes #floor area# increases pursuant to Sections 23-90, 93-30, inclusive, or 96-25, and will not result in a total amount of Use Group 6B office #floor area# #developed# or #enlarged# after January 19, 2005, within the #Hudson Yards Redevelopment Area# of over 20 million square feet.

This is the fourth application for certification pursuant to Section 93-131 for development or enlargement of Use Group 6B offices after January 19, 2005 within the Hudson Yards Redevelopment Area. The proposed Tower is anticipated to include approximately 1,105,934 zoning square feet (27.64 FAR) of Use Group 6B office space, which will include floor area increases through Sections 93-31 (District Improvement Fund Bonus) and 93-34 (Distribution of Floor Area from the Eastern Rail Yard Subarea A1).

The first application (ULURP No. N 090464 ZCM), filed by Verizon New York, Inc. for a site at 544 West 39th Street (Manhattan Block 710, Lots 6 and 58) was for approximately 7,200 zoning square feet of Use Group 6B office space. The second application (ULURP No. N 130088ZCM), filed by ERY Tenant LLC for a site at 501 West 30th Street (Manhattan Block 702, Lot 10) was for approximately 1,440,000 zoning square feet of Use Group 6B office space.¹ The third application (ULURP No. N 150069ZCM) filed by ERY Tenant LLC for a site at 500 West 33rd Street was for approximately 1,994,507 zoning square feet of Use Group 6B office space. Added together with this application, approximately 4,529,417 zoning square feet of Use Group 6B office space will be developed within the Hudson Yards Redevelopment Area after January 19, 2005, which will not result in development or enlargement over 20 million square feet.

All #development# or #enlargement# so certified shall be permitted in accordance with the provisions of this Chapter, or the provisions of the #Special Clinton District# or the #Special Garment Center District#, as applicable.

(b) Where the Chairperson of the Department of City Planning determines that the amount of office #floor area# in any #development# or #enlargement# will result in a total amount of Use Group 6B office #floor area developed# or #enlarged# after January 19, 2005, within the #Hudson Yards Redevelopment Area# of over 20 million

¹ Based on the most recent plans for the building at 501 West 30th Street, the floor area number for same has been reduced to 1,421,776 zoning square feet from 1,440,000 zoning square feet.

square feet, no building permit from the Department of Buildings shall be issued for any #development# or #enlargement# that includes Use Group 6B offices constructed after January 19, 2005, until the Chairperson certifies to the Commissioner of Buildings that:

- (1) such #development# or #enlargement# does not utilize any #floor area# increases pursuant to Sections 23-90, 93-30, inclusive, or 96-25; or*
- (2) such #development# or #enlargement# utilizes #floor area# increases pursuant to Sections 23-90, 93-30, inclusive, or 96-25, and will not result in a total amount of Use Group 6B office #floor area# #developed# or #enlarged# after January 19, 2005, within the #Hudson Yards Redevelopment Area# of over 25 million square feet.*

All #developments# or #enlargements# so certified shall be permitted in accordance with the provisions of this Chapter, or the provisions of the #Special Clinton District# or the #Special Garment Center District#, as applicable.

However, if such #developments# or #enlargements# fail to comply with the provisions of Section 11-331 with respect to completion of foundations within one year of the date of certification pursuant to this Section, such building permit shall lapse, and any new building permit will require a new Chairperson's certification pursuant to this Section.

Not applicable.

Attachment 11 – Applicant’s Statement of Findings for a Certification by the Chairperson pursuant to Section 93-34

93-34

Distribution of Floor Area in the Large-Scale Plan Subdistrict A

In order to promote a superior site plan in the Eastern Rail Yard Subarea A1 of the Large-Scale Plan Subdistrict A, the Chairperson of the City Planning Commission shall allow, by certification, the distribution of #floor area# from the Eastern Rail Yard Subarea A1 to #zoning lots# in Subareas A2 through A5 of the Large-Scale Plan Subdistrict A. Such distribution shall only be permitted for receiving sites that have maximized their permitted #floor area# through contributions to the #Hudson Yards District Improvement Fund#, pursuant to Section 93-31, or the transfer of #floor area# or increase in the amount of #floor area# from the #Phase 2 Hudson Boulevard and Park#, pursuant to Sections 93-32 or 93-33. For the purposes of this Section, a “receiving site” shall mean a #zoning lot# within Subareas A2 through A5 to which #floor area# from the Eastern Rail Yard Subarea A1 has been distributed.

The Applicant has, previously submitted an application for the DIF Certification pursuant to which the Applicant will obtain approximately 320,127.344 square feet of floor area, or 8.0 FAR, through contributions to the Hudson Yards District Improvement Fund pursuant to Section 93-31. The maximum amount of floor area available through contributions to the Hudson Yards District Improvement Fund is 8.0 FAR. As indicated on Sheet Z1-02, the Receiving Site will have acquired the maximum 8.0 FAR permitted through a contribution to the Hudson Yards District Improvement Fund pursuant to the DIF Certification before acquiring the distribution of floor area from the Eastern Rail Yards Subarea A1 under this application.

(a) Distribution of #floor area# by certification

The Chairperson of the Commission shall allow, by certification, a distribution of #floor area# from the Eastern Rail Yards Subarea A1 to a receiving site provided that:

- (1) The amount of #floor area# distributed does not result in distributions in excess of the maximum amount specified for the applicable #use# that may be distributed from the Eastern Rail Yard Subarea A1, as set forth in paragraph (b)(2) of Section 93-21;***

Section 93-21(b)(2) permits a maximum of 10.0 FAR to be distributed from the Eastern Rail Yards Subarea A1 through a transfer of floor area pursuant to Section 93-34 and only a maximum of 3,238,000 square feet of floor area may be distributed to sites in Subarea A2 through a transfer pursuant to Section 93-34.

As indicated in the zoning calculations submitted with this Certification, approximately 398,009.476 square feet of floor area for permitted commercial uses will be distributed from Subarea A1 to the Receiving Site through this Certification. We are aware of two other applications for a transfer of floor area pursuant to Section 93-34, which are collectively requesting a transfer of 1,710,988 square feet. In the aggregate, the other two requests together with this Certification are requesting a transfer of a total of 2,108,997.476 square feet of floor area, which is less than the maximum set forth in Section 93-21(b)(2) of 3,238,000 square feet and thus, the Eastern Rail Yard Subarea A1 generates enough transferable development rights for this application.

- (2) Each distribution, once completed, irrevocably reduces the amount of #floor area# that may be distributed from the Eastern Rail Yard Subarea A1 by the amount of #floor area# distributed; and***

The Notice of Restrictions that will be filed with the Office of City Clerk, New York County upon completion of this Certification, will indicate that the distribution of floor area to the Receiving Site pursuant to this Certification will irrevocably reduce the

amount of floor area that may be distributed from the Eastern Rail Yard Subarea A1 by 398,009.476 square feet.

- (3) The amount of #floor area# on the receiving site which results from such distribution does not exceed the maximum #floor area ratio# permitted on a #zoning lot# through the distribution of #floor area# from the Eastern Rail Yard Subarea A1, as specified in Row C of the Table in Section 93-21.***

Section 93-21 permits a maximum of 33.0 FAR, (of which no more than 6.0 FAR may be residential use and no more than 2.0 FAR for community facility use) through the District Improvement Fund Bonus and purchase of transferable development rights from Subarea A1.

The Receiving Site is a single zoning lot. As indicated on Sheet Z1-02, approximately 398,009.476 square feet of floor area will be distributed to the zoning lot through this Certification resulting in the zoning lot having a total of 1,118,296 square feet of floor area or 27.95 FAR, all for permitted commercial uses. The maximum floor area allowed on the zoning lot is 1,320,858 with a maximum permitted FAR of 33.0 for commercial uses. The total FAR of the zoning lot for the Receiving Site will be 27.95 after the transfer of floor area pursuant to the DIF Certification and the transfer of floor area from Eastern Rail Yard Subarea A1, which together is less than the permitted FAR of 33.0, therefore the amount of floor area distributed does not result in distributions in excess of the maximum amount allowed on the zoning lot.