



DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

OFFICE OF THE CHAIR

March 27, 2015

Martin Rebholz
Borough Commissioner
Department of Buildings
280 Broadway, 3rd Floor
New York, N. Y. 10007

Re: Applic. Nos. N 150184 ZCM, N 150185 ZCM & N 150186 ZCM
 Applic. Nos. N 140191 ZRM, N 140192 ZCM & N 140194 ZCM
 Manhattan West (Southwest Building)
 Block 729, Lots 50, 51, 60, 8050, 9050 & 9051
 C6-4 District
 Special Hudson Yards District (Central Blocks Subarea B2)
 Borough of Manhattan
 Community District 4

Dear Commissioner Rebholz:

Please be advised that the applications (N 150184 ZCM, N 150185 ZCM & N 150186 ZCM) and related drawings submitted by BOP West 31st Street LLC for property at the above referenced location, as follows:

1. **N 150184 ZCM** – an application for certification by the Chairperson of the City Planning Commission pursuant to Section 93-31 of the Zoning Resolution to allow the applicable basic maximum residential floor area ratio to be increased up to 740,348 square feet, that an instrument in a form acceptable to the City has executed and recorded and that, thereafter, a contribution in the amount of \$92,810,025.28 has been deposited in the Hudson Yards District Improvement Fund¹;
2. **N 150185 ZCM** – an application for certification by the Chairperson of the City Planning Commission to the Department of Buildings pursuant to Section 93-732 of the Zoning Resolution that a site plan (Phase 1) indicating the area and dimensions of the public access area and detailed plans demonstrating compliance with the requirements of Section 93-73, in connection with a phased development; and

¹ Please be advised that this certification allows the property to develop a maximum of 740,348 square feet of residential zoning floor area and that the Department of Buildings may issue a Temporary Certificate of Occupancy or a Final Certificate of Occupancy for development on this zoning lot that does not exceed that amount. In the event the zoning lot is subdivided, the maximum allowable residential floor area on the subdivided lots may not exceed 740,348 square feet in total and the obligations and restrictions contained in the enclosed Restrictive Declaration apply with equal force to each new zoning lot.

3. **N 150186 ZCM** – an application for certification by the Chairperson of the City Planning Commission to the Department of Buildings pursuant to Section 93-821(e) of the Zoning Resolution that the sum of the permitted parking spaces (including the 330 spaces requested via this application) as set forth in (e)(1)(i), (e)(1)(ii) and (e)(1)(iii), is less than or equal to 5,084 spaces, and as set forth in (e)(2)(i), (e)(2)(ii), (e)(2)(iii) and (e)(2)(iv), is less than or equal to 5,905 spaces²;

are hereby certified.

THE CERTIFICATIONS (N 150184 ZCM, N 150185 ZCM & N 150186 ZCM) HAVE BEEN APPROVED SOLELY PURSUANT TO SECTIONS 93-31, 93-732 & 93-821(e), RESPECTIVELY, OF THE ZONING RESOLUTION AND ARE SUBJECT TO VERIFICATION BY THE DEPARTMENT OF BUILDINGS FOR COMPLIANCE WITH ALL OTHER APPLICABLE PROVISIONS OF THE ZONING RESOLUTION.

Also, please be advised that the applications (N 140191 ZRM, N 140192 ZCM & N 140194 ZCM) and related drawings submitted by BOP West 31st Street LLC for property at the above referenced location, as follows:

1. **N 140191 ZRM** – an application for an amendment of the Zoning Resolution for the City of New York relating to Article IX, Chapter 3 (Special Hudson Yards District), was approved by the City Planning Commission on March 19, 2014 (Cal. No. 6) and by the City Council on April 29, 2014 (Res. No. 222), on which date said Resolution of Approval became effective;
2. **N 140192 ZCM** – an application for certification by the Chairperson of the City Planning Commission pursuant to Section 93-122 of the Zoning Resolution to permit residential use within a zoning lot in Subarea B2 of the Farley Corridor Subdistrict B, that the zoning lot, on which such residential use is located, contains the minimum amount of commercial floor area required before residential use is allowed, as specified in Section 93-22, was approved on March 19, 2014; and

² Please be advised that the application is for the development of no more than 330 accessory parking spaces within a new building.

This certification allows the development of a maximum of 330 accessory parking spaces on the zoning lot. A reduction of the number of spaces in the "reservoir surplus" as defined in ZR Section 93-81, of at least 330, by way of the applicant eliminating 352 public parking spaces from the zoning lot, is a necessary condition of this certification. Therefore the applicant has recorded a Restrictive Declaration representing that such spaces have been removed and will not be restored.

Please note, however, that the number of accessory spaces permitted in the new building remains subject to the parking ratios of ZR Section 93-821(a). Accordingly, if the new building, either at the time of permitting, or as built, contains fewer than the number of dwelling units and/or floor area necessary to permit 330 accessory parking spaces pursuant to those ratios, then the maximum number of permitted accessory parking spaces shall be reduced accordingly pursuant to the ratios of ZR 93-821(a).

3. **N 140194 ZCM** – an application for certification by the Chairperson of the City Planning Commission pursuant to Section 93-122(b) of the Zoning Resolution, for zoning lots with at least 69,000 square feet of lot area, to allow a building (Phase 1) containing residences to be developed without the minimum amount of commercial floor area required before residential uses is allowed as specified in Section 93-22, that a plan has been submitted whereby one or more regularly-shaped portions of the zoning lot with a minimum area of 50,000 square feet are reserved for future development of not more than two million square feet of commercial floor area on each such portion, and that, upon full development of such zoning lot, the ratio of commercial floor area to residential floor area shall be no smaller than the ratio of the minimum amount of commercial floor area required on the zoning lot before residential use is allowed, to the maximum residential floor area permitted on the zoning lot as specified in Section 93-22, was approved on March 19, 2014.

THE CERTIFICATIONS (N 140192 ZCM & N 140194 ZCM) HAVE BEEN APPROVED SOLELY PURSUANT TO SECTIONS 93-122 AND 93-122(b), RESPECTIVELY, OF THE ZONING RESOLUTION AND ARE SUBJECT TO VERIFICATION BY THE DEPARTMENT OF BUILDINGS FOR COMPLIANCE WITH ALL OTHER APPLICABLE PROVISIONS OF THE ZONING RESOLUTION.

In connection with these applications (N 140192 ZCM & N 140194 ZCM, N 150184 ZCM, N 150185 ZCM & N 150186 ZCM, respectively), the applicant executed the following:

1. Amended Notice of Certification – recorded on March 16, 2015 (CRFN: 2015000088853);
2. Hudson Yards District Improvement Fund and Bonus Restrictive Declaration – recorded on March 4, 2015 (CRFN: 2015000072586);
3. Notice of Certification – recorded on March 17, 2015 (CRFN: 2015000090035); and
4. Accessory Parking Restrictive Declaration - recorded on March 16, 2015 (CRFN: 2015000088852).

These Notices and Restrictive Declarations contain special conditions to the issuance of a building permit and/or certificate of occupancy. Questions regarding these provisions should be directed to DCP Counsel Dominick Answini at (212) 720-3676.

Enclosed for your information are the following:

1. a copy of applications N 150184 ZCM, N 150185 ZCM & N 150186 ZCM;
2. a copy of applications N 140191 ZRM, N 140192 ZCM & N 140194 ZCM;
3. a copy of the City Planning Commission report for application N 140191 ZRM, dated March 19, 2014 (Cal. No. 6);

4. a copy of the City Council's Resolution of Approval for application N 140191 ZRM, dated April 29, 2014 (Res. No. 222);
5. a copy of the Amended Notice of Certification (N 140192 ZCM & N 140194 ZCM), dated February 14, 2015, executed by BOP West 31st Street LLC, Brookfield Properties W 33rd CO., L.P., BOP MW Residential Market LLC, and BOP MW Residential Affordable LLC, and recorded on March 16, 2015 (CRFN: 2015000088853);
6. a copy of the Restrictive Declaration (N 150184 ZCM), dated February 13, 2015, executed by BOP West 31st Street LLC, Brookfield Properties W 33rd CO., L. P., MW Residential Market LLC, and BOP MW Residential Affordable LLC, and recorded in the New York County Office of the City Register on March 4, 2015 (CRFN: 2015000072586);
7. a copy of the Notice of Certification (N 150185 ZCM), dated February 13, 2015, executed by BOP West 31st Street LLC, Brookfield Properties W 33rd Co., L.P., BOP MW Residential Market LLC, and BOP MW Residential Affordable LLC, and recorded in the New York County Office of the City Register on March 17, 2015 (CRFN: 2015000090035);
8. a copy of the Restrictive Declaration (N 150186 ZCM), dated February 13, 2015, executed by BOP West 31st Street LLC, Brookfield Properties W 33rd CO., L.P., BOP MW Residential Market LLC, and BOP MW Residential Affordable LLC, and recorded in the New York County Office of the City Register on March 16, 2015 (CRFN: 2015000088852); and
9. the following approved drawings prepared by Skidmore, Owings, & Merrill, LLP:

N 140192 ZCM:

| <u>Dwg. No.</u> | <u>Title</u> | <u>Last Date Revised</u> |
|-----------------|--------------------------------|--------------------------|
| Z-006 | Zoning Chart | March 9, 2015 |
| Z-100 | Zoning Certification Site Plan | March 2, 2015 |

N 140194 ZCM:

| <u>Dwg. No.</u> | <u>Title</u> | <u>Last Date Revised</u> |
|-----------------|---------------------------------|--------------------------|
| Z-102.00 | Public Access Area Plan Phase 1 | February 16, 2015 |
| Z-103.00 | Public Access Area Plan Phase 2 | February 16, 2015 |

N 150185 ZCM:

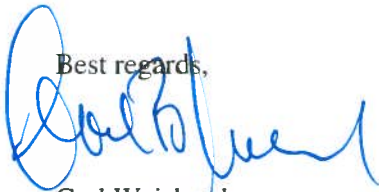
| <u>Dwg. No.</u> | <u>Title</u> | <u>Last Date Revised</u> |
|-----------------|--|--------------------------|
| Z-101.00 | Zoning Certification Public Access Areas | February 16, 2015 |

Manhattan West & Manhattan West (Southwest Building)
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Z-102.00 Public Access Area Plan Phase 1
Z-110.00 West 31st Connector

February 16, 2015
March 2, 2015

Best regards,



Carl Weisbrod

cc: J. Harris
 J. Merani
 J. Miraglia
 I. Sadko
 E. Lee
 K. Ramnarine
 A. Laremont
 D. Answini
 E. Botsford
 Applicant