APPENDIX I

Written Comments on the DEIS, Community Board 5 and Manhattan Borough President's Recommendations, and Vornado Correspondence

APPENDIX I.1
Written Comments on the DEIS

Max Afonov
1642 West 9th Street
Brooklyn, NY 11223

June 6th, 2010

RE: **C100047ZMM - Object to proposed demolition of Hotel Pennsylvania**

To whom it may concern:

It has come to my attention that Hotel Pennsylvania, the beloved and famous Manhattan landmark, is doomed due to some developer's plans to build another faceless tower in its place. Everyone's aware that New York's inspiring ambiance and charm comes from the many distinct environments and buildings that make this City what it is. We do not need yet another glass tower that a 5 year old could design in her spare time. We need buildings that we can relate to, and which we can call ours for generations to come.

For me personally Hotel Penn is the source of many warm memories associated with HOPE conferences. It is a place where like-minded people can gather and share ideas, furthering the field of high technology. We need this space, and we will fight to keep it ours.

Sincerely,

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OFFICE OF THE
CHAIRPERSON
JUN 07 2010

Comments on Draft Environmental Impact Statement
ULURP #C100047ZMM

To Whom It May Concern:

Please forgive me if my comments step outside the guidelines for those directed at an Environmental Impact Statement. I've read the report and, while not an engineer or expert on the environmental effects of such a project, I do believe what I describe to be of monumental concern, not only to those in the immediate area, but to the entire region and even well beyond that.

It is with much dismay that I read of the resurgence of an ill-advised idea by Vornado Realty Trust to completely alter the character and design of a key Manhattan neighborhood, ironically the exact same neighborhood that fell victim to such a plan back in 1963. That plan was, of course, the destruction of the original Pennsylvania Station, designed by McKim, Mead, and White, a move that has been almost universally condemned as a shortsighted injustice, perpetrated by the desire for "improvements" and the illusion of money being saved. After seeing the plan for the area as published on February 5, 2010, I see a disturbing number of parallels.

While improvements are generally a positive development, we must always weigh their cost, not simply in dollars, but in the effects on our existing lives, on the future, and on history. Restoring pedestrian walkways, upgrading subway entrances, modernizing the infrastructure - few can argue with the obvious merits. But one section that's almost camouflaged amidst all of the talk of progress is the one that casts a shadow over the entire idea. I'm referring to the planned destruction of the Hotel Pennsylvania.

Once again, we have a structure designed by McKim, Mead, and White that is a living testament to history. I could spend a very long time recounting all of the milestones that have occurred inside its walls from 1919 all the way to the present. The Hotel Pennsylvania is one of the oldest and most historically significant hotels in Manhattan. It was (and still is) the home of probably the most famous telephone number in the world (PEnnsylvania 6-5000) immortalized in the Glen Miller song. It was home to concerts by the likes of Tommy Dorsey, Duke Ellington, Count Basie, and many more. It's currently home to science fiction conventions, swing concerts, technology seminars, and all sorts of other events that capture the attention of a worldwide audience.

In the many times I've passed its doors on Seventh Avenue, I don't think I've ever seen the place not bustling with some sort of activity. In that lobby you will feel what New York is - and always has been - about. It's a teeming and happy area of controlled mayhem where the young and the old, the familiar and the foreign, all mix together and create a collective experience. And no office tower, no matter how new and modern, will ever attain that kind of soul. I sincerely hope everyone who reads this takes a few moments to go into that lobby and just watch the incredible activity constantly taking place. These are people seeing and experiencing New York City in precisely the way it should be experienced - next to the biggest train station in the country, surrounded by history, and not being forced to spend huge amounts of money on

accommodations. As someone who travels all over the world, I can attest to the importance and allure of each of these components. This is why so many foreign visitors come to our city by way of the hotel and it's why a good percentage would no longer be able to without such a place to call home during their stay. The hotel is also a favorite amongst those from other parts of the United States who want to visit New York but can't afford $300 a night hotel rooms. With 1700 rooms in its massive structure and nothing comparable anywhere near it, the loss of such a facility will certainly have a significant impact on tourism in Manhattan. These are significant environmental impacts.

While relatively few New Yorkers will care about the loss of some hotel rooms since they probably don't have the need to stay in a hotel in the first place, they *will* feel the economic impact of fewer tourists or visitors with far less income to spend due to the more expensive hotels they will be pushed into. The people who will feel this firsthand haven't had the opportunity to speak on this issue. I fear that, much like in 1963, a good amount of the anger and sadness will come from all over the world as people become aware of what is actually happening. And, of course, one thing New Yorkers *do* care about is history. Our city is precious *because* the old is mixed in with the new and history lessons abound with just a walk down a street. While the Hotel Pennsylvania isn't on the same scale as the New York Public Library, its historical relevance is indisputable, despite what one may think of the building itself. Only preserving the most pristine structures is as ill-conceived as not saving any of them.

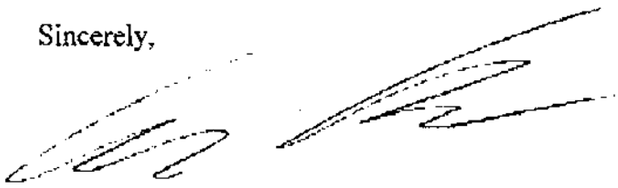
The real injustice here is that all of this is being cast aside in the name of profits. We'll be taking all of the history, all of the travelers, all of the activity and character and opportunity - and replacing it with what? A 67 story office tower with limited access to the public, undoubtedly in instant need of massive amounts of security and offering very little to give back to the community. We'd be exchanging the cheerful chaos of a busy hotel for yet another barricaded security fortress, as inevitably such a structure would have to be. In these times of economic strife, one has to wonder how on earth such an idea could even be seriously considered when the entire downtown area is still struggling to get tenants. Won't this simply hurt those efforts? Won't it encourage commuters who work in this new building to not venture into town at all and instead to merely walk across the street from Penn Station and simply go back at the end of the day? Is it worth all of the above just to make commuting a bit shorter for this group of people? And this is all assuming that such a huge tower even gets enough tenants in the first place. I maintain that even if it does and companies are lined up to get in that it wouldn't be worth the tremendous cost in what we've given up.

All of the improvements listed in the report are still very doable and something the public will support. But if the only way to get those improvements is to destroy something precious, then this is *not* a good deal for the city, its environment, its inhabitants, and its visitors. It's particularly telling to look at the section on the "No Action" building where it's stated that if the 67 story tower isn't permitted, the hotel would still be destroyed and replaced with a small office building which "would not enhance significantly the likelihood of corporate office tenants remaining in or relocating to, and expanding in, New York City." And, as further punishment, the neighborhood improvements would be taken off the table.

Clearly, it would make even less sense to destroy a successful and huge hotel to construct a relatively small office building. The mere fact that it's being presented in such a way is worthy of suspicion. By proclaiming that the hotel will be destroyed no matter what, Vornado is apparently betting that anyone opposed to that action will see the situation as hopeless and simply give them what they want. I believe New Yorkers won't be that easily swayed. I truly hope you make a decision based on what *we* want - we being the residents, the tourists, the employees, the businesses, with respect for the future and the past.

Thanks for reading this and for the work you do.

Sincerely,



Eric Corley
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(917) 945-2600

EMPIRE STATE BUILDING COMPANY L.L.C.
c/o Malkin Holdings LLC
One Grand Central Place
60 East 42nd Street
New York, NY 10165

BY HAND DELIVERY

June 7, 2010

Honorable Amanda M. Burden
Chairperson
City Planning Commission of the City of New York
22 Reade Street
New York, NY 10007

RE: Proposed Redevelopment of 139 West 32nd Street, New York, NY (ULURP Nos. 100004?ZM, 100004?ZRM, 100049ZSM and 100050ZSM; collectively, the "15 Penn Plaza Project")

Dear Chairperson Burden:

We are the owners of 350 Fifth Avenue, commonly known as the Empire State Building ("ESB"), located between 33rd and 34th Streets, and are writing you to comment on the 15 Penn Plaza Project at the site of the existing Hotel Pennsylvania ("Project Site").

As was disclosed at the May 26, 2010 public hearing, the applicant for the 15 Penn Plaza Project, 401 Hotel REIT, LLC ("Applicant"), proposes to develop at the Project Site either a 1,190-foot high single tenant office building, containing approximately 2,821,000 gross square feet ("GSF") of commercial space, or a 1,216-foot high multi-tenant building, containing approximately 2,666,000 GSF of commercial space. We understand that under either scenario, the 15 Penn Plaza Project would contain approximately 2,052,667 zoning square feet ("ZSF").

Given ESB's great historical significance, its status as a landmarked icon in New York City's skyline and, most importantly, its proximity to the 15 Penn Plaza Project, Applicant's thorough communication to us with respect to the 15 Penn Plaza Project would have been expected. However, we only received one phone call from Applicant about the project and only once it was within the public realm. As a result of our counsel's FOIL request, we recently received a copy of the application materials for the project, which prompted questions and a phone call to Applicant. We are still in the process of reviewing the application and the Draft Environmental Impact Statement ("DEIS") to assess the impacts on ESB and surrounding areas.

Though we are early in our review of the 15 Penn Plaza Project, we have the following initial questions and/or concerns:

1. ESB is a building of historical and cultural importance, declared a landmark (interior and exterior) by the New York City Landmarks Preservation Commission, and listed on both the New York State and the National Register of Historic Places. It is troubling that ESB is not discussed, or even mentioned, in the Historical Resources section of the DEIS. This section of the DEIS states that the study area for evaluating impacts on architectural resources is 400 feet (90 feet for an archaeological resource). Given that the 400-foot radius is the standard established

by the City Environmental Quality Review Technical Manual ("CEQR Manual), Applicant's exclusion of ESB from 15 Penn Plaza Project's impacts on historical resources may have been appropriate in ordinary circumstances; however, these are not ordinary circumstances. The scale of the 15 Penn Plaza Project is immense, more immense than ESB. We believe that a study area of 400 feet for a building that would rise to approximately 1,200 feet in such close proximity to ESB which rises to 1,250 feet (the top of the mast) and 1,450 feet (the top of the broadcast tower) is severely inadequate. In fact, the CEQR Manual states that the 400-foot radius is adequate for most proposals, but concedes that a larger study area is appropriate in certain instances. By a way of example, the CEQR Manual states that a larger study area is appropriate for "[p]rojects that result in changes that are highly visible and can be perceived from farther than 400 feet and could affect the context of historic resources some distance away..."[1] Given the 15 Penn Plaza Project's proximity to ESB, the scale, bulk and the design of the 15 Penn Plaza Project is incompatible with ESB, and the 15 Penn Plaza Project blocks views of the ESB from areas west of the 15 Penn Plaza Project, permanently changing the character of the New York City skyline. Accordingly, we believe a full evaluation of impacts associated with the 15 Penn Plaza Project on ESB is appropriate and necessary.

2. As ESB was not identified as an architectural resource, ESB was also not analyzed in the Shadows section of the DEIS. Though this section of the DEIS does briefly mention ESB, the impact of shadows from the 15 Penn Plaza Project is not fully analyzed in the DEIS. For example, the DEIS shows shadows falling on properties immediately adjacent to ESB. Based on our review of this section of the DEIS, we seriously question how shadows would not fall on ESB as well and wonder if additional time frames should have been analyzed. As the CEQR Manual states that where shadows from a new skyscraper extend outside the 400-foot radius and affect sun-sensitive features of a historic resource, a larger study area is appropriate, the 400-foot radius study area used in the DEIS is seemingly inadequate and should be expanded to include ESB. The DEIS does not provide this analysis.

3. The application materials and the DEIS indicate that the 15 Penn Plaza Project would reach approximately 1,200 feet in height (1,134 feet or 1,156 feet to the top of roof; 1,190 feet or 1,216 feet to the top of screen), but contain only 67 stories in the single-tenant scenario or 68 stories in the multi-tenant scenario. We are confused as to why approximately 14 feet per story is justified for a 67- or 68-story building to reach such great heights. In comparison, ESB is 102 stories high and reaches approximately the same height as the 15 Penn Plaza Project (not including ESB's broadcast tower), and the state-of-the-art New York Times Building at the intersection of Eight Avenue and 42nd Street is 52-stories and 748 feet tall. We would respectfully request justification for the 15 Penn Plaza Project height. In addition, we request information on whether a mast, a spire, an antenna or other similar structure(s) is anticipated to be installed or constructed atop the 15 Penn Plaza Project and if so, up to what height, so that we and the public can know the true and overall height of the project.

4. In addition to the shadow impacts, the 15 Penn Plaza Project would disrupt/partially block ESB's broadcast area, causing interference with antenna based transmission to sectors on the west side of Manhattan, New Jersey and beyond, and potential bounceback off 15 Penn Plaza to the east. This is a significant impact that adversely affects broadcasting in New York City, not just at ESB, and one that must be fully disclosed and evaluated.

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[1] CEQR Technical Manual, 9-9.

5. We are also concerned about the traffic impacts in the area from the 15 Penn Plaza Project. The Project Site is directly across from Penn Station, which was disclosed at the public hearing to be the biggest transportation hub in New York City in terms of the number of commuters. As such, this area is severely congested at all hours with regard to both vehicular and pedestrian traffic. We understand that Applicant will be providing a number of transit improvements, including the reopening of the "Gimbels Passageway." Though these transit improvements would help to mitigate the additional traffic during construction and the resulting increase in traffic from the 15 Penn Plaza Project, it is unclear whether such improvements would fully mitigate the rise in traffic congestion from the addition of 2.6 to 2.8 million gross square feet of combined office and retail space. Additionally, as Applicant expects to lease the majority, if not all, of the 15 Penn Plaza Project as a headquarters for a major financial services firm, there will be obvious vehicular traffic impacts associated with "black car" services. Although Applicant has committed to requiring "black car" service providers to have an off-site waiting area, the feasibility of such off-site waiting area that would be able to provide the level of service, including promptness, may be unrealistic and is an item of concern that should be analyzed in greater detail. Lastly, the proposed 34th Street Transitway and the planned nearly decade long construction along 34th Street of the ARC project raise serious questions. We believe a more detailed traffic study that takes in these possibilities is appropriate and necessary.

As noted above, we are in the process of reviewing the application and the DEIS for the 15 Penn Plaza Project which we recently received to evaluate the project's impacts on ESB and the surrounding area and will share any additional concerns we may have with you and the Commission.

Thank you for the opportunity to comment on the 15 Penn Plaza Project. We are available, of course, to discuss in person any of our concerns outlined above. We appreciate your attention and cooperation.

Very truly yours,

EMPIRE STATE BUILDING COMPANY L.L.C.
By: Malkin Holdings LLC, Supervisor

By: _____
Peter L. Malkin, Chairman

By: _____
Anthony E. Malkin, President

cc: Honorable Christine C. Quinn
Honorable Scott M. Stringer
Honorable Richard N. Gottfried
Members of the City Planning Commission
Community Board No. 5, Manhattan
David Karnovsky, Esq.
Ms. Edith Hsu-Chen
Ross F. Moskowitz, Esq.

21623

CITY PLANNING COMMISSION Calendar Information Office -

Room 2E 22 Reade Street, New York, N.Y. 10007

Or fax to: (212)720-3219

Please include the following pieces of information:

Gregory Jones

363 West 30th St

Save the Hotel Foundation

ULURP or CEQR Application #C100047ZMM

• Borough - Manhattan

As a representative of Save the hotel Penn Foundation, and a resident of NYC chelsa area I am extremely opposed to the rezoning of this area, and the proposed building of the new 15 Penn Plaza tower. The developer has not given enough thought into the 4 1/2 year plan that it will take to build this tower. The FAS they are proposing are way above specifications for the area, they have not secured any possible tenant for the new location either.

There has been no traffic congestion or pollution plan put into place to address the noise, sound, and air pollution for the duration of the proposed build, nor has a traffic plan be put into place for the construction vehicles that would be required to transport the material necessary for the building.

Furthermore we have no guarantee that the developer will even build the proposed tower after the demolition of the Hotel, Vornado has a track record of backing out of the plans to build on sites in major cities such as Boston, MA (Filene's basement site) as well as pulling out of development in the WTC project.

This hotel is rich in culture and history and should be preserved not demolished.

06-07-2010 04:03pm From- T-732 P.001/001 F-986

21629 6-7-10

To: N.Y.C. Planning ~~fax~~ 212 720 3219

Re: ULURP # C100047ZMM

I would like to express my opposition to demolishing the Hotel Pennsylvania, as I believe it to be a valuable source of ~~affordable~~ accomodations and convention ~~facilities for~~ both local and out-of-town guests and attendees.

Thank you.

James S. Wiener

James S. Wiener
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Bay Shore, N.Y. 11706-7816

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phone
516 456 1206

APPENDIX I.2

Community Board 5 and Manhattan Borough President's Recommendations

MANHATTAN COMMUNITY BOARD FIVE

Vikki Barbero, Chair

450 Seventh Avenue, Suite 2109
New York, NY 10123-2199
212.465.0907 f-212.465.1628

Wally Rubin, District Manager

June 11, 2010

City Planning Commission and Commissioners
Ms. Amanda M. Burden, Chair
City Planning Commission
22 Reade Street
New York, NY 10007

Dear Chair Burden:

I write to you as Chair of Community Board Five regarding the application before you that would permit the construction of 15 Penn Plaza, a large commercial office building at the site of the current Hotel Pennsylvania.

A copy of the Board's resolution is attached. The Board voted 36 to 1, with one abstention, to deny the application.

Community Board Five and its Land Use & Zoning Committee spent considerable time meeting with the applicant and reviewed every available document pertaining to this application. We also listened carefully to members of the public who attended both the LUZ meeting on February 24, 2010 and the full Board on April 15, 2010.

The Board does not oppose this proposed project *per se.* However, we have serious concerns about the building's proposed size, possible only through the granting of special permits, in an application that offers few public benefits in exchange.

First, in exchange for a 20% transit bonus, the applicant's proposal includes the restoration and reopening of the Gimbel's Passageway plus various other access and egress improvements, all of which we applaud. But as we note in our resolution, some of these improvements are either self-serving or mandated, and thus not sufficient for the 474,000 square feet received in exchange.

Second, Community Board Five is deeply troubled by this application's request for midblock up-zoning (from a C6-4.5 to a C6-6) adding another 266,000 square feet to an application that lacks many confirmed details, including building size, height, tenancy, construction timetable or financing plans. The applicant conceded to us that it could be many years before any development scenario might move forward. Yet if granted, the upzoning would be permanent and remain with the zoning lot regardless of future development plans or even if the lot were to be sold.

Third, we ask that the Commission evaluate this application from the perspective of consistency. The Commission recently considered the Jean Nouvel/MoMA building, and despite noting the proposed building's exemplary design and the lasting benefits that this project would generate for landmarks and cultural institutions, it voted to reduce its size due to its impacts on the city skyline and the surrounding neighborhood. In comparison, the 15 Penn Plaza application wholly lacks the MoMA project's distinguished architectural features, produces no benefits for landmark preservation or cultural access, would have similarly detrimental impacts on neighborhood density and traffic, and would notably diminish, not enhance, the skyline position of its iconic neighbor, the Empire State Building. Indeed, the proposed buildings would directly obstruct the view of the Empire State Building from the west, thereby fundamentally altering and diminishing New York City's skyline in a way few projects have in decades. Should 15 Penn Plaza not be held to the same standards and criteria as Nouvel/MoMA?

Community Board Five is not opposed to development and we recognize that this site is appropriate for a large commercial building. We value the job creation that will result not only during construction but also after the proposed building is complete. And we see the benefits that may result from the proposed transit improvements. But we are also acutely aware of how the area surrounding Penn Station is poised to undergo enormous development, growth, and change in the coming decade. This means that each individual land use in this area will cumulatively contribute to its transformation -- beginning with 15 Penn Plaza.

We urge the Commission to deny 15 Penn Plaza's upzoning request until which time the applicant comes back to you with final, financed and tenant-specific decisions in place. Only then, we believe, can a thoughtful and reasoned decision be made.

Thank you for your consideration.

Sincerely,

Vikki Barbero
Chair

Cc: Hon. Speaker Christine Quinn
Hon. Scott Stringer
Hon. Thomas Duane
Hon. Richard Gottfried

MANHATTAN COMMUNITY BOARD FIVE
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Vikki Barbero, *Chair*
Wally Rubin, *District Manager*

April 16, 2010

Hon. Amanda Burden
Chair
Department of City Planning
22 Reade Street, Room 2E
New York, NY 10007

Re: 15 PENN PLAZA

Dear Chair Burden:

At the regularly scheduled monthly meeting of Community Board Five on Thursday, April 15, 2010, the Board passed the following resolution by a vote of 36 in favor, 1 opposed, 1 abstaining:

WHEREAS, 401 Commercial LP and 401 Hotel REIT LLC propose to redevelop the current site of the Hotel Pennsylvania with a new 67-story, approximately 1,190 to 1,216-foot tall commercial office building to be known as 15 Penn Plaza; and

WHEREAS, The development site is currently occupied by the 1,700 room Hotel Pennsylvania which was designed by McKim, Mead & White which Community Board Five has previously recommended for landmark designation but the New York Landmark Preservation Commission recently determined that the Hotel did not meet their criteria for designation; and

WHEREAS, The applicants are proposing two optional development scenarios for the site in order to have flexibility to respond to future market conditions:

1) An office building for a single financial industry tenant with five floors of approximately 340,000 sq. ft. of trading floor use, plus approximately 18,000 sq. ft. of retail use, 509,000 sq. ft. of amenity, lobby, service and loading area space, 418,000 sq. ft. of mechanical space, and 1.53 million sq. ft. of office space for a total of 2.83 million gross sq. ft.; or

2) A slightly smaller office building for multiple tenants that would include approximately 1.89 million sq. ft. of commercial office use, 361,711 sq. ft. of retail space, 307,180 sq. ft. of mechanical space, and 97,131 sq. ft. of amenity, lobby, and service and loading area space for a total of 2.66 million gross sq. ft.; and

WHEREAS, The applicants do not yet have a tenant for the single-tenant scenario; and

WHEREAS, Both scenarios would potentially include 100 below-grade accessory parking spaces, widened sidewalks, various options for truck deliveries and pickups in response to the area's intensely busy traffic, and trees planted on 32nd Street; and

WHEREAS, The single tenant proposal includes a block through loading area and the multi-tenant proposal only includes a single-entry loading dock and neither proposal includes adequate measures to mitigate the small truck and black car traffic that will be generated at this site, and

WHEREAS, The design proposals for both development scenarios are by Pelli Clarke Pelli Architects and currently propose to incorporate green construction materials and systems with the goal to achieve or exceed LEED Silver certification; and

WHEREAS, The development site is located partly within a C6-6 zoning district and partly within a C6-4.5 zoning district that has a lower FAR requirement; it is also partially located within the Penn Center Subdistrict of the Special Midtown District; and

WHEREAS, current zoning would permit approximately 1.15 million square feet of floor space on the building lot and in order to build either scenario -- a single tenant at 2.83 million square feet or multiple tenants at 2.66 million square feet -- the applicants would move 245,542 square feet from the adjacent site through a zoning lot merger with the parcel they also own on 6th Avenue that is currently the location of Manhattan Mall. For additional floor area, the applicants are seeking to:

- By obtaining Zoning Map and Zoning Text Amendments, add 266,625 square feet from an upzoning from a C6-4.5, which permits 12 FAR, to a C6-6, which permits 15 FAR; and
- Obtain a Special Permit (ZR 81-541 and 74-634) that would give the project an additional 20 percent of additional floor area, adding 474,000 square feet in exchange for making various improvements to mass transit facilities at, or adjacent to, the development site; and

WHEREAS, The applicants must also obtain:

- Special permit (ZR 81-066 and 81-254) to modify the height and setback regulations of the Special Midtown District;
- Special permit (ZR 81-066) to modify the Mandatory District Plan elements pertaining to pedestrian circulation space, street wall continuity, retail continuity and major building entrances; and
- A Zoning text amendment to define the administrative process for obtaining approvals from the multiple transit operating entities in and around Penn station, and to provide that any bonus floor area for completed rail mass transit improvement that is not utilized in a development is vested and available for use elsewhere on the zoning lot;

WHEREAS, The development site shares its block with the 11-story Manhattan Mall and under both development scenarios, the development site and the Mall site will be merged into a single zoning lot and thus any approvals granted to this development proposal would apply to the merged zoning lot; and

WHEREAS, All the entities -- 401 Commercial LP, 401 Hotel REIT LLC and the Manhattan Mall site -- are controlled by Vornado Realty Trust which also controls 11 buildings and 8 million square feet in the area; and

WHEREAS, If the C6-4.5 to C6-6 upzoning is granted to this development proposal and if for any reason the applicants do not proceed with either of the proposed tenant scenarios, by dint of having merged the development site with the adjacent Manhattan Mall site, the upzoning FAR increase can be used for any future development that may take place on the merged lot; and

WHEREAS, As currently proposed, the project would take approximately 4 1/2 years to construct but no timetable has been set for construction to begin, absent confirmation as to which development scenario will be chosen; however any upzoning granted under this ULURP application would remain permanently in effect; and

WHEREAS, The applicant is requesting a 20 percent transit bonus in exchange for relocating and upgrading the existing subway entrances on West 32nd and West 33d Streets, adding a new street elevator at Seventh Avenue and 32nd Street, relocate two subway entrances at the Manhattan Mall site, add a new stairway from the mezzanine level to the IRT express train platform and making other transit improvements either to mitigate the impact of this development, accommodate the new workers coming to the new office tower, or to provide improvements and alternatives to help meet the significant demands on the existing transit infrastructure from the millions of MTA-NYCT, Port Authority Trans Hudson (PATH), Port Authority of New York and New Jersey, and Amtrak passengers and other residents, commuters and visitors who travel through this area daily; and

WHEREAS, With the granting of an easement to permit its widening, the applicants would renovate, including new public access to Manhattan Mall retail tenants, and reopen the pedestrian passageway, often referred to as the

Gimbel's Passageway, under the south side of 33rd Street along the length of the merged zoning lot/development site, originally built by the former Gimbel's Department Store; and

WHEREAS, The passageway would be accessed by a stairway from the mezzanine level of the IRT station under 7th Avenue or stairways from the street level and be only 16 feet wide and would likely only be used to avoid bad weather rather than a attractive new way to move from Herald Square to Pennsylvania Station; and

WHEREAS, New subway entrances on 7th Avenue would be required by an as-of-right development and new subway entrances would also be required for any future development on the 6th Avenue site, and

WHEREAS, In the already densely developed area surrounding Penn Station there are several locations where the Zoning Map pointedly designates lower FAR, one of which is at this development project site; Community Board Five is concerned that the upzoning requested in this application would not only violate the intention of the Zoning Map and burden the area with excessive density but also set a troubling precedent and tipping point for future development in the area; and

WHEREAS, The impact of the development of nearby Moynihan Station on the density of the surrounding area, including the sale of Farley Building commercial development rights, is not yet known but could be significant as well as concurrent with the building of 15 Penn Plaza; thus any upzoning at this development site is not only premature given the area's redevelopment future but also a threat to the area's environmental quality while producing no redeeming benefits to the community; and

WHEREAS, The only rationale offered for upzoning the mid-portion of this lot is that the developer would like the option of developing more office space and the Board does not believe this is a sound basis for making decisions on what the permitted density for an area should be; and

WHEREAS, Some of the proposed transit improvements for which the applicants would receive a 20 percent development bonus resemble repairs and maintenance associated with the applicants' own project and to their own benefit rather than added-value improvements meriting the bonus; and

WHEREAS, The biggest infrastructure problem in this area is the severe overcrowding of the sidewalks and, in particular, the entrance to Pennsylvania Station on 7th Avenue directly across the street from the development site, and

WHEREAS, The development of this site will be directly tied to Pennsylvania Station through a small entryway to the mezzanine under the 7th Avenue IRT and the applicant is proposing a much needed additional stairway from the mezzanine to the express train platform; and

WHEREAS, The development of such a large building on this site presents an opportunity for an additional major entrance to Pennsylvania Station which could lead directly to a single-level passageway to Herald Square and thus greatly improve accessibility to the station from the east and ease some of the existing overcrowding and additional traffic that will be generated by this and other planned developments in the area; and

WHEREAS, Community Board Five requests that additional improvements be made to mitigate the environmental impacts of this development such as better systems for truck deliveries, trash pick-up, tree plantings, public space, and other streetscape amenities, including, as a starting point, a block-through loading dock for any proposal; and

WHEREAS, By proposing what would be the third tallest building in New York City and a major addition to the city's skyline, Community Board Five is disappointed that the proposed building/s designs are bulky, uninspired, massive, and fail to seize this opportunity to add beauty and distinction to the New York City skyline and streetscape; and

WHEREAS, By building such an enormous building in this location the applicants will place significant burdens on the neighborhood's traffic, noise, infrastructure, air quality and other quality of life conditions and therefore the transit bonus and upzoning are only justifiable if there are also equally significant improvements to the transit infrastructure in the area, as well as to the community's ability to seek relief from any exceptional increase in density including but not limited to green space, arts facilities, and other public amenities; therefore be it

RESOLVED, That Community Board Five recommends **denial** of the application for a Zoning Map Amendment and various Zoning Text Amendments, Special Permit for a Floor Area Bonus, Special Permit to Modify Height

and Setback, and Acquisition of Easements to permit the development and construction of a new 2,052,667 office building on the current site of the Hotel Pennsylvania on Seventh Avenue between 32nd and 33rd Streets.

Thank you for the opportunity to comment on this matter.

Sincerely,

Vikki Barbero
Chair

Kevin Finnegan
Chair, Land Use and Zoning Committee

THE CITY OF NEW YORK
OFFICE OF THE PRESIDENT
BOROUGH OF MANHATTAN

SCOTT M. STRINGER
BOROUGH PRESIDENT

May 19, 2010

Recommendation on
15 Penn Plaza
Application Nos. C 100047 ZMM, N 100048 ZRM, C 100049 ZSM and C 100050 ZSM by 401 Hotel REIT, LLC/401 Commercial, L.P.; and C 100237 PQM by Department of Citywide Administrative Services

PROPOSED ACTIONS

401 Hotel REIT, LLC and 401 Commercial, L.P. ("Vornado")[1] seeks a zoning map amendment, zoning text amendments, and two special permits, to facilitate the development of a commercial office building on property located at 139 West 32nd Street in Manhattan Community District 5. The development site is located on a portion of a city block bounded by West 32nd Street, West 33rd Street, Sixth Avenue and Seventh Avenue, and is in the Special Midtown District ("MiD") and partially within the Penn Center Subdistrict ("PCS") of the MiD.

Vornado seeks approval of a **Zoning Map Amendment (C 100047 ZMM)** to change a portion of an existing C6-4.5 zoning district, mapped from a line 150 feet westerly of Sixth Avenue to a line 200 feet easterly of Seventh Avenue, to C6-6 zoning.

Vornado also seeks approval of **Zoning Text Amendments** (**N 100048 ZRM) to Sections 81-066 (Applicability of Article VII Provisions), 81-254 (Special Permit for Height and Setback Modifications), and 81-541 (Rail Mass Transit Facility Improvement) of the Zoning Resolution ("ZR")**. The proposed amendments to ZR §§ 81-066 and 81-254 would allow, through special permit, developments or enlargements on zoning lots with lot area of at least 60,000 square feet located wholly or partly in the PCS to modify height and setback regulations and certain Mandatory District Plan Elements of the MiD. The proposed amendment to ZR § 81-541 would: define the administrative process for obtaining approvals from the involved transit entities; allow the entire zoning lot to be eligible for the mass transit improvement bonus if the lot is partially within the PSC; permit the bonus floor area to be located anywhere on the zoning lot; and allow the transit bonus floor area to be retained for later use on the zoning lot, pending completion of transit improvements.

[1] 401 Hotel REIT, LLC and 401 Commercial, L.P. are subsidiaries of Vornado Realty Trust.

Vornado also seeks a **Special Permit (C 100049 ZSM) pursuant to ZR § 81-066(b) and ZR § 81-254 (amended)** to modify the height and setback regulations and certain Mandatory District Plan Elements of the MiD including: pedestrian circulation space, street wall continuity, retail continuity, and location of a major building entrance.

In order for the City Planning Commission ("CPC") to grant a special permit pursuant to the modified ZR §§ 81-066(b) and 81-254 (relating to the requested height, setback, and Mandatory District Plan Elements modifications), the application must meet the following findings: (1) the proposed modifications of Mandatory District Plan Elements result in a better site plan; (2) the design, scale, and location of the new buildings are compatible with the character of the surrounding area and existing buildings to remain on the zoning lot; (3) such modifications will not unduly obstruct the access of light and air to surrounding properties; (4) adverse impacts on retail continuity are minimized by a site plan that requires pedestrian-oriented uses; (5) the modifications are consistent with the basic strategy of the Special Midtown District and the purposes of the Mandatory District Plan Elements; (6) the improvements to the below-grade pedestrian circulation network provided by the development or enlargement significantly increase public accessibility to and from the subway and/or mass transit facilities in and around Pennsylvania Station; and (7) the modifications of height and setback regulations are necessary due to site constraints and will provide an appropriate distribution of bulk on the zoning lot with due consideration of the basic strategy of the MiD and the purpose of the District's height and setback regulations. In considering whether such distribution of bulk is appropriate, the CPC shall consider a complete daylight evaluation for the proposed design.

Further, it seeks a **Special Permit** (**C 100050 ZSM) pursuant to ZR §§ 81-541 and 74-634 (amended)** to allow a floor area bonus, no greater than 20 percent of the permitted zoning lot for subway and rail mass transit facility improvements.

In order for CPC to grant a special permit pursuant to the modified ZR §§ 81-541 and 74-643 (relating to the requested transit improvement bonus), the application must meet the following finding: In determining the amount of floor area bonus, the CPC shall consider the degree to which: (i) the general accessibility and security of subway station will be improved by the provision of new connections, additions, or reconfigurations of circulation space, including provision of escalators or elevators; and (ii) significant improvements to the station's environment by provision for direct daylight access, or improvements to noise control, air quality, lighting or rider orientation and satisfactory integration of the street level entryway into the development or enlargement will occur.[2]

In a related application, the Department of Citywide Administrative Services ("DCAS") seeks approval of the **acquisition of easements (C 100237 PQM)**, to facilitate the construction of transit entrances, a below-ground passageway, and other mass transit improvements. Section 197-c of the New York City Charter mandates that acquisition by the City of real property be subject to the Uniform Land Use Review Procedure. There are no findings that need to be met to make a property eligible for acquisition under Section 197-c.

[2] There are two other findings that are not applicable for the proposed development.

PROJECT DESCRIPTION

The Project Site

The proposed actions would facilitate the redevelopment of the current Hotel Pennsylvania site (Block 808, Lots 1001 and 1002), on Seventh Avenue between West 32nd Street and West 33rd Street, as a commercial office building. In order to have the flexibility to respond to changing market conditions, Vornado proposes two development scenarios – a "Single-Tenant Building" and a "Multi-Tenant Building."

The project site consists of the entire city block bounded by West 32nd Street, West 33rd Street, Sixth Avenue, and Seventh Avenue. The proposed office building would be constructed at the western end of the project site where the Hotel Pennsylvania currently stands ("development site"). The remainder of the project site is occupied by the Manhattan Mall (Block 808, Lot 40), a 14-story office and retail building of 1.1 million gross square feet ("GSF"). The applicant plans to merge the development site and the Manhattan Mall site into a single zoning lot.

The project site is located partially within two zoning districts, a C6-6 zoning district and a C6-4.5 zoning district. It is also located entirely in the Special Midtown District ("MiD") and partially within the PCS[3], both of which impose special use and bulk regulations on development within the underlying zoning districts. The C6-6 district is mapped along the avenues and has a maximum FAR of 15, which can be increased to 18 with a qualifying floor area bonus. The midblock portion of the project site is mapped C6-4.5 and has a maximum FAR of 12, which can be increased to 14.4 through a bonus. In addition, special FAR bonus provisions for transit improvements are available within the PCS.

The project site is located at the center of the 34th Street commercial corridor in the southern part of the Midtown Central Business District ("CBD"). The project site is almost entirely surrounded by high density commercial buildings, including One and Two Penn Plaza across the street to the west, and the Empire State Building one block to the east and north. Directly across the street is the Madison Square Garden Arena. Further west is the Special Hudson Yards District, which was created in 2005 to encourage high density transit-oriented development on sites adjacent to the No. 7- subway line extension. The Church of St. Francis of Assisi is located directly across from the development site on West 32nd Street. There are also a few residential buildings in the area, the closest of which is the 458-unit Epic, which also fronts on West 32nd Street.

The project site is between two regional transportation hubs – Penn Station and Herald Square. Penn Station serves the Long Island Rail Road, New Jersey Transit, and Amtrak, as well as the 1, 2, 3 and A, C, E subway lines. The completion of Moynihan Station, to be located in the Farley Post Office Building on Eighth Avenue between West 31st and 33rd streets, would increase the capacity of rail lines currently housed in Penn Station. The Herald Square transit complex serves the Port Authority Trans-Hudson ("PATH") rail service, as well as the B, D, F, N, Q, R, V, and

[3] The Penn Center Subdistrict is mapped generally to a depth of 100 feet along Seventh Avenue between West 31st Street and 100 feet north of West 34th Street.

W subway lines. The Access to the Region's Core rail station, another major regional commuter facility, will be located beneath West 34th Street between Sixth and Eighth avenues.

The project site includes the Gimbels Passageway, an underground pedestrian connection between Penn Station and Herald Square that has been closed to the public since the 1970s. Two entrances to the 1, 2, and 3 subway lines are currently located in the Hotel Pennsylvania lobby. Within the Manhattan Mall, two existing stair entrances and one ADA elevator serve PATH and all Sixth Avenue subway lines.

Building Descriptions

Both development scenarios – a Single-Tenant Building and a Multi-Tenant Building – would maintain the Manhattan Mall and result in the demolition of Hotel Pennsylvania. Either of the proposed office buildings will have, at minimum, a LEED Silver rating. The applicant proposes the same transit improvements for each development scenario.

The Single-Tenant Building, a 67-story building, contains a total of 2,052,667[4] zoning square feet ("ZSF") of floor area, with 11,126 ZSF of retail space, 310,180 ZSF of trading floors, and 1,731,361 ZSF of office space. The building consists of a 10-story podium, which would rise to a height of 218 feet, and a tower portion that would rise to height of 1,190 feet. The podium would contain retail uses, trading floors and a sky lobby. The building's podium would be set back 10 feet from the property line along West 32nd and West 33rd streets and 15 feet along Seventh Avenue. The ground floor would include the building's entrances (with the major entrance on Seventh Avenue), lobby space, elevators to the building's trading floors and sky lobby, retail uses, an entrance to a below-grade 100-space accessory parking garage, and a through lot truck loading dock. The tower of the building would be oriented on Seventh Avenue and would extent approximately 207 feet into the midblock.

The Multi-Tenant Building, a 68-story building, also contains a total of 2,052,667[5] ZSF, including 296,392 ZSF of retail and 1,756,275 ZSF of office space. The building consists of a six-story podium, which would rise to a height of 130 feet, and a tower portion that would rise to a height of 1,216 feet. The podium would be set back 7 feet from the property line along West 32nd and West 33rd streets and 15 feet along Seventh Avenue. The ground floor of the building would include the building's entrances (with the major entrance on Seventh Avenue), lobby and pedestrian circulation space, retail space, an entrance to a below-grade 100-space accessory parking garage, a loading dock for refuse and retail tenant loading on West 32nd Street, and an entrance to a below-grade truck loading facility on West 33rd Street for commercial loading.[6] Retail uses would be located one story below grade and on the first, second and third floors. The upper three floors within the podium could be used for retail or commercial office space. The

[4] The Single-Tenant Building will contain 2,821,000 GSF.
[5] The Multi-Tenant Building will contain 2,666,000 GSF.
[6] The proposed truck loading facility for commercial loading is accessed via two elevators on West 33rd Street. Trucks would enter head first and would be required to back out of the facility after loading/unloading. The proposed truck loading facility for retail tenant loading and for refuse requires trucks to back-in to the loading dock on West 32nd Street.

building's tower portion would be centered on the podium, setting back approximately 73 feet from Seventh Avenue.

Zoning Map Amendment (C 100047 ZMM)

The proposed map amendment would change zoning for the midblock portion of the proposed zoning lot, which encompasses the eastern portion of the development site and the western portion of the Manhattan Mall, from C6-4.5 zoning to a C6-6, thereby increasing the maximum FAR from 12 to 15. The Special Midtown District (in accordance with ZR § 74-634) permits a floor area bonus up to 20 percent of the base FAR for subway station improvements by special permit. However, in the PCS (in accordance with ZR § 81-541) rail mass transit facility improvements may also qualify for the bonus. In this case, the permitted maximum floor area bonus would be 3 FAR.

Text Amendment to ZR §§ 81-066 and 81-254 and related Special Permit (C 100049 ZSM)

The proposed text amendment would allow, by special permit, modification of height and setback regulations and certain Mandatory District Plan Elements for developments or enlargements on zoning lots at 60,000 SF located wholly or partly in the PCS which have been granted a floor area bonus for subway station and/or rail mass transit facility improvements pursuant to ZR § 81-541 (in accordance with ZR § 74-634). ZR § 81-066 does not currently permit the modification of height and setback regulations. The Mandatory District Plan Elements are mandatory planning and urban design elements, which are generally purposed towards the accommodation and well-being of pedestrians. The elements generally require retail continuity, streetwall continuity, maximum building setback allowance from the street line, and the relocation of subway entrances.

The requested special permit would allow certain modifications of height and setback regulations that are needed to facilitate the proposed office building and required due to certain site constraints. The proposed development, under either scenario, would not comply with the height and setback regulations of ZR § 81-27 (Daylight Evaluation). Daylight Evaluation is an alternative setback regulation, which generally describes sky visibility above a zoning lot. The applicant is retaining the Manhattan Mall, which is relatively low scale and therefore provides a significant amount of daylight on Sixth Avenue. However, the bulk of the proposed development has been redistributed towards Seventh Avenue and the side streets near Seventh Avenue. Both side streets, therefore, do not meet the daylight score requirements. Further, Seventh Avenue only meets the daylight score requirements for the Multi-Tenant Building, which has a recess on the avenue that is not found in the Single-Tenant design option. In order to meet daylight requirements, the bulk of proposed development would have to be more evenly distributed across the entire zoning lot.

In addition, the requested special permit would permit modification to certain Mandatory District Plan Elements proposed by the applicant:

- *Retail Continuity* – Pursuant to ZR § 81-42, ground floor uses are limited to retail[7] uses on Seventh Avenue and storefronts cannot be set back more then 10 feet from the street line. Additionally, any lobby space on Seventh Avenue is limited to 40 feet or 25 percent of the building's total street frontage. The proposed building will be set back on Seventh Avenue 15 feet from the property line, and the applicant proposes to have an office lobby of 57 feet, in order to accommodate the projected population of the proposed building.
- *Street Wall Continuity* – Pursuant to ZR § 81-43, the street wall is required to be within 10 feet of the street line; the proposed building would be set back 15 feet from the street line along Seventh Avenue in order to provide greater space for pedestrian circulation.
- *Pedestrian Circulation Space* – Pursuant to ZR § 81-45, developments or enlargement on a zoning lot having a full block frontage on a wide street, with a few exceptions, must provide a minimum of 50 percent of its required pedestrian circulation space on that wide street. The development would be required to provide 6,842 SF of pedestrian circulation space with 3,421 SF of this space on Seventh Avenue. Vornado proposes to provide 15, 252.5 SF of pedestrian circulation space, more than twice what is required in total, but only 2,962.5 of this space is on Seventh Avenue.
- *Design Standards for Pedestrian Circulation* – Pursuant to ZR § 37-53, a maximum permitted sidewalk widening is 10 feet and the sidewalk widening must extend along the entire length of the front lot line of the zoning lot. The proposed sidewalk widening along Seventh Avenue exceeds the maximum permitted width of 10 feet, and the sidewalk widenings on the West 33rd and West 32nd streets frontages are not continuous along the entire length of zoning lot lines.
- *Major Building Entrance* – Pursuant to ZR § 81-47, for zoning lots with full block frontage, a major entrance must be located on at least one narrow street, except if the zoning lot contains a permitted sidewalk widening with a width of 10 feet along a wide street. The proposed office building does not have a qualifying sidewalk widening on Seventh Avenue where the major office entrance will be located.

Text Amendment to ZR § 81-541 and related Special Permit (C 100050 ZSM)

The text amendment to ZR § 81-541 would define the administrative process for obtaining approvals from multiple transit entities involved in rail mass transit improvements in and around PCS; permit the bonus floor area to be located anywhere on the zoning lot; and provide that any transit-related bonus floor area may be vested and available for use elsewhere on the zoning lot, subject to application review and approval.

The requested special permit pursuant to ZR § 81-541 and in accordance with ZR § 74-634 would allow a floor area bonus, no greater than 20 percent of the permitted floor area for subway and rail mass transit facility improvements. Both development scenarios include a package of transit improvements that occur on, adjacent to, or in close proximity to the development site. All such improvements shall comply with all applicable design standards of the current station

[7] Personal services and amusement uses are also permitted. There are exceptions for lobby spaces or certain other uses.

planning guidelines of MTA/NYC Transit and four entrances will be designed to include glass blocks in the sidewalk, which will bring natural light to the stations. These improvements are:

- Reconstruction of and widening the Gimbels Passageway between Penn Station and the Herald Square transit complex;
- Widening the stair from the Seventh Avenue southbound local IRT platform (1 subway line) to the West 32nd Street underpass;
- Building a new stairway to the Seventh Avenue center IRT platform (2,3 subway lines) from the West 32nd Street/Seventh Avenue underpass;
- Widening a section of the Seventh Avenue northbound local IRT platform between West 32nd and West 33rd streets;
- Constructing a new street elevator at the Seventh Avenue and West 33rd Street entrance to the subway platform concourse;
- Widening the Sixth Avenue and West 32nd Street PATH entrance stairs to approximately nine feet and adding one escalator;
- Constructing a new subway entrance at Sixth Avenue and West 33rd Street in the Manhattan Mall that would include a nine-foot set of stairs and an escalator;
- Constructing a new 10-foot staircase from the PATH to the B, D, F and V platform near West 32nd Street and Sixth Avenue;
- Constructing a 15-foot staircase from the PATH to the B, D, F, and V platform near West 33rd Street and Sixth Avenue; and
- Reconfiguring the fare control area on Sixth Avenue near West 33rd Street to accommodate new stairs from the PATH to B, D, F, and V platforms.

Vornado is required to replace entrances and stairways that currently exist within Hotel Pennsylvania. The existing entrance on West 32nd Street is located 103 feet from the Seventh Avenue property line, and the existing entrance on West 33rd Street is located 87 feet from Seventh Avenue property line. In addition, there are two stairways located within the hotel's lobby. Vornado has proposed relocating the two subway entrances onto Seventh Avenue. These two new subway entrances, one at the corner of Seventh Avenue and West 32nd Street and one at the corner of Seventh Avenue and West 33rd Street, would each include a 10-foot wide set of stairs within the proposed building. The proposed entrances and stairways are proposed as expansions of the existing facilities. These improvements are beyond what would be required for replacement of existing facilities. For this reason, these improvements are considered within the purview of the bonus program and to be valued for 50 percent of their typical bonus value were they not replacement facilities.

Modification of both of these special permits is subject to CPC review and approval. The extent of review depends on the degree of the modification requested.

Acquisition of Easements (C 100237 PQM)

The proposed acquisition of transportation easements by DCAS will facilitate the construction of the proposed transit improvements. Specifically, the proposed easements are required for the reconstruction of Gimbels Passage; the widening of the uptown 1-train subway platform; as well as the new and widened subway stairs, escalators and elevators through the proposed building and in the Manhattan Mall.

COMMUNITY BOARD RECOMMENDATION

At its Full Board meeting on April 15, 2010, Manhattan Community Board 5 ("CB5") voted to **disapprove** the proposed actions by a vote of 36 in favor, 1 opposed, and 1 abstention. No conditions were stipulated. However, the Board cited several concerns, among them, including:

- the proposed buildings are too dense;
- the proposed transit improvements do not justify a 20 percent development bonus;
- the project would contribute to already overcrowded neighborhood conditions and it would place significant burdens on noise, infrastructure, air quality, traffic while providing no direct community benefits;
- the multi-tenant truck parking scheme presents challenges for truck deliveries and trash-pickup;
- no black car queuing measures are in place;
- proposing two building forms provides too little commitment to building design and construction and the zoning lot merger could permit future development on the Manhattan Mall site that is not a part of this application;
- the lack for a district-wide plan that coordinates area redevelopment and density; and
- the preservation of the Hotel Pennsylvania building.

BOROUGH PRESIDENT'S COMMENTS

General Comments

New York City's gross metropolitan product was $1.13 trillion in 2005. It is the largest financial center and the second largest CBD in the world. Midtown Manhattan, as the largest CBD in the United States, is inextricably linked to the economic health of not only the City but the nation.

Economic studies in recent years have highlighted the City's need for new Class A office space – particularly in Midtown – in order to maintain competitiveness both regionally and globally.[8] In light of such studies, the City has taken steps to encourage the expansion of Midtown's office base in areas such as the Hudson Yards Special District. As one of the few remaining areas within the CBD that has both significant development potential and rich access to transit, the middle portion of the 34th Street corridor represents a superb location for high density commercial growth.

[8] Senator Charles E. Schumer's June 2001 report, "Preparing for the Future: A Commercial Development Strategy for New York City," recommended an expansion of Midtown's CBD by at least 20 million square feet of new office space.

Vornado's proposed office building, situated between Penn Station and Herald Square, will have unparalleled connectivity to regional, long-distance and subway mass transportation and represents a unique opportunity for high-density transit oriented development. Regionally-accessible office space at the proposed site would minimize congestion in surrounding areas and across the City while adding significant office capacity. Additionally, the proposed development will contribute to the much needed improvement and maintenance of transportation infrastructure in and around Penn Station and Herald Square.

Further, the proposal will have a significant positive economic impact on New York City. During construction, the project will create 6,100 fulltime-equivalent jobs and add an additional $47.7 million in tax revenue for New York City. In the long term, the project will result in a net increase of 7,010 to 7,050 fulltime jobs on the site and result in an addition of approximately $42.8-50.2 million in tax revenue to New York City and $71.1-84.9 million in tax revenues to New York State. Additionally, both the construction and the new office space will have a significant positive impact on other areas of the economy in terms of indirectly creating or inducing new jobs and tax revenues.

Environmental and Community Concerns

While the potential benefit of Vornado's proposal to the City's economy and infrastructure is evident, sound planning requires that the proposed development respond to community concerns and potential adverse impacts on the surrounding area. The Draft Environmental Impact Statement ("DEIS") analyzed both the Single-Tenant Building and Multi-Tenant Building scenarios in comparison to a "No-Action" condition that consists of 1.1 million ZSF (at least 1.6 million GSF) commercial building with office and retail space, as well as a 100-space accessory parking garage. The DEIS identified significant adverse impacts on open space, traffic, transit and pedestrians, and local conditions during construction.

Open Space

The Midtown CBD contains limited open space as compared to other parts of the city. Though the proposed project will not eliminate any existing open space, it will contribute to greater use of already overtaxed local open space, in particular passive open spaces. It is anticipated that the open space ratio within a quarter-mile radius of the site will decrease by 3 percent. Consequently, the proposed development triggers a significant adverse impact on open space.

Potential mitigations were identified in the DEIS, which included funding for improvements, renovation or maintenance at existing open spaces or adding amenities to existing open spaces. The applicant has committed to working with Department of Parks and Recreation ("DPR") to explore the feasibility of these potential measures and to undertake some form of open space mitigation. Vornado has recently reaffirmed this commitment and conversations with DPR and DCP are on-going.

Vornado has also committed to create new outdoor open space on the podium roof in the Single-Tenant Building scenario. Even if only accessible to building tenants and users, this space would reduce the proposed project's impact on surrounding open space by providing alternative open spaces to the crowded open spaces in that area that are available to the general public.

Traffic

The DEIS identified significant adverse impacts on many intersections at various peak time periods. Mitigation measures will be implemented at all intersections with significant impacts. Mitigations include signal phases and timing, parking regulation changes, daylighting, intersection improvements, lane markings and signage, and/or prohibition of turns.

The Department of Transportation ("DOT") has proposed certain traffic initiatives that may significant affect the Midtown traffic system that were not considered in the traffic analysis of the DEIS. The Green Light for Midtown Project, a pedestrian mall along Broadway, was implemented last year and has since become permanent; consequently, the DEIS traffic analysis may need to be updated to reflect this permanent change, as was recommitted to by Vornado.

Additionally, DOT has proposed the 34th Street Transitway, a bus rapid transit program that may significantly affect the surrounding area's traffic patterns and regulations. Therefore, the proposed mitigations in the DEIS may need to be further revised in order to take into consideration any effects of the Transitway on local traffic conditions. As details have not yet been finalized, a quantitative analysis cannot be performed at this time. Vornado is currently in discussions with DOT and DCP to determine if an analysis of the cumulative impact of the proposed development and the new Transitway is necessary.

CB5 has raised concerns about increased taxi usage and potential idling and congestion issues related to black car queuing. While adjustments to an existing taxi stand across the street at Penn Plaza should accommodate any additional demands for taxis, the queuing of black cars could have a significant impact on local traffic. Vornado has committed to have a black car management plan for evening hours in place prior to tenancy, which would include queuing cars at an off-site location.

The community board also raised concerns about the impact of the Multi-Tenant Building's loading docks on traffic and congestion. In order to minimize disruption to pedestrian and vehicular traffic by vehicles entering and exiting the building's loading areas, Vornado has presented revised designs for the truck loading facility, which includes below-grade loading bays that allow all delivery vehicles to "head-in" and "head-out" of the building. This design change represents a significant improvement to the original proposal which required some vehicles to back out of the facility. However, the Multi-Tenant Building would still include a service dock on West 32nd Street, which will require sanitation trucks to back in, once a day, for garbage collection. Vornado has committed to having an on-site Dock Master to manage these facilities so as to minimize their potential impact on pedestrian flow, traffic and congestion.

Transit and Pedestrians

The DEIS indicated that the Single-Tenant Building would impact ten pedestrian elements (sidewalk and corners) and that the Multi-Tenant Building would impact 16 pedestrian elements. Proposed mitigations include creating corner bulb outs, widening crosswalks, and relocating certain sidewalk obstructions such as planters. With the proposed pedestrian improvements, it is anticipated that pedestrian impacts from the Single-Tenant Building will be fully mitigated and almost all the pedestrian impacts from the Multi-Tenant Building will be mitigated. It should be

noted that the DEIS considered DOT's "Green Light for Midtown Project," also known as "Herald Square Plaza," as a temporary plaza and, therefore, it was not fully considered in the DEIS's pedestrian analysis. As this plaza will now become permanent, its likely beneficial effect on pedestrian circulation will be considered as part of the Final Environmental Impact Statement.

Both building scenarios provide greater amounts of pedestrian circulation space than is currently required. The additional space is intended to allow for an acceptable level of service for pedestrians particularly during peak hours. Vornado has committed to work with DOT to widen crosswalks as much as is permitted and with the 34th Street Partnership to relocate sidewalk planters that have been identified as obstructions.

Construction Impacts

The DEIS indicated that construction activities would result in elevated noise levels at the Epic residences and the Church of St. Francis of Assisi. While some noise mitigation can often be provided to individual buildings, Epic Residences and the Church of St. Francis of Assisi already have double glazed windows and alternative ventilation. Therefore, the applicant has committed to implement path controls (e.g., placement of equipment, barriers and/or enclosures between equipment and sensitive receptors), to the extent feasible. Additional measures are currently being studied to reduce noise mitigation. This study will likely be concluded in mid-May.

Further, Vornado has committed to establish a construction task force to address and respond to construction impacts and issues, such as noise, pedestrian safety, truck staging, delivery of construction materials and equipment and other aspects of the construction process. The task force will meet regularly as required by the phasing and nature of construction, and will include representatives from the community board, the local council member's office, and other local stakeholders. Vornado has also committed to maintain a single point of contact for community members during the construction process.

Zoning Map Amendment (C 100047 ZMM)

The existing C6-4.5 and C6-6 districts are high density zoning districts mapped in the Midtown to encourage commercial development. The C6-4.5 zoning district is unique to the MiD and, though relatively high density, is intended to protect the traditionally lower-scale side streets of the Midtown South neighborhood. Lower density zoning in midblock areas is typical in many parts of the city. However, this area of Midtown does not have the typical midblock character found in more residential areas. While several midblock buildings are low scale, several others buildings rise to heights up to 26 stories.

Vornado proposes to extend the existing C6-6 districts, mapped along the avenues, through to the midblock areas. Through an as-of-right zoning lot merger (of the development site and the Manhattan Mall site) and the extension of the C6-6 zoning district[9], Vornado would be able distribute the floor area throughout the entire zoning lot. The proposed development scenarios and site planning for the entire block, however, result in massing that does in effect provide for a different treatment for the midblock area and for Seventh Avenue. Both the Multi-Tenant

[9] The existing split lot zoning imposes restrictions on the distribution of floor area on the block.

Building and the Single-Tenant Building have a podium base that maintains the existing dominant midblock character (6 to 10 stories respectively) defined by the existing Manhattan Mall and the varied scale of buildings directly to the north and south of the site.

Further, the density of the proposed development is consistent with other buildings within the 34th Street corridor, which includes One Penn Plaza (2.36 million ZSF) and Two Penn Plaza (1.56 million ZSF) across the street, Macy's department store (2.09 million ZSF) two blocks north of the site, and the Empire Statement Building (2.81 million ZSF) two blocks to the east of the site. High density commercial development is also planned further west, not only in the Special Hudson Yards District, which allows new development at densities up to 33 FAR, but also contemplated as part of the redevelopment of Farley Post Office as Moynihan Station.

While the proposed development would introduce a significant number of new workers into the area, additional density on this site is appropriate given this block's proximity to two major transportation hubs. In addition, the proposed buildings' designs address the impact of additional pedestrian volumes by setting the buildings back along their entire street frontage to provide more pedestrian circulation space. It is anticipated that the re-opening of the Gimbels Passageway would alleviate some of the pedestrian congestion at street-level. Vornado has also committed to working with DOT to address traffic and pedestrian congestion issues.

There are other examples of successful high density transit-oriented development in Manhattan, most notably, the Grand Central Subdistrict. It should be noted that the Grand Central Subdistrict allows up to a maximum density of 18 FAR, similar to the zoning proposed on this site, for transit improvements. Additional floor area (up to 21.6 FAR) can be achieved by purchasing air-rights from a landmarked building.[10] Neither Grand Central nor the anticipated Hudson Yards developments offer the level of regional transportation access and commuter capacity provided by Penn Station, which currently serves over 425,000 passengers a day, 300,000 more passengers than Grand Central**.**

Special Permit for Height, Setback, and Mandatory District Plan Element Waivers (C 100049 ZSM) and related text amendment

The proposed text amendment modifies an existing special permit, primarily to introduce height and setback waivers for developments and enlargements located on large sites in the Penn Center Subdistrict. The amendment also introduces additional findings pursuant to ZR §§ 81-254 and 81-066(b), including that the waivers are necessary to achieve a feasible building design, and that disadvantages in terms of light and air are more than offset by the advantage of new commercial development paired with improvement to mass transit and pedestrian infrastructure. The proposed text amendment would allow for better site planning considerations and flexibility as similarly provided for through the large-scale development special permitting process, which is not available for sites in the MiD.

[10] Sites eligible to receive a bonus for landmark air rights in the Grand Central Subdistrict must be at least 50 percent within the Subdistrict and front Lexington Avenue, Madison Avenue, or 42nd Street if the site is east of Lexington Avenue or west of Madison Avenue.

As proposed, the two development scenarios pair large scale commercial development with improvements to mass transportation and pedestrian infrastructure. Both scenarios require height and setback waivers to provide for more efficient building design, and both require similar modifications of Mandatory District Plan Elements.

Height and Setback Waiver

The DEIS demonstrates that shadows from either development scenario would not result in significant adverse impacts on light and air to neighborhood open spaces or historic structures. Further, bulk distribution in both scenarios, with a tower on or near the avenue and a lower-rise midblock form, respects conditions typical in the surrounding area and encouraged by the Special Midtown District. Additionally, the applicant has received letters of support for the project from the two residential buildings nearest the site.

Both development scenarios require waivers to the daylight height and setback regulations due to the proposed development program and site conditions. By retaining the Manhattan Mall, additional density on the zoning lot must be located towards the midblock and Seventh Avenue. While shifting the bulk reduces the amount of available sky and overall daylight scores, it has the positive benefit of preserving the amount of light on public open spaces at Herald Square and Greeley Square, and on the new Herald Square Plaza.

While the tower portion of the proposed Multi-Tenant Building is located towards the midblock and away from Seventh Avenue – creating compliance on Seventh Avenue but not on the side streets. This design takes into account the encroachment of rail tracks under the development site particularly near Seventh Avenue and terra firma in the midblock area. The Single-Tenant Building, however, cannot locate its bulk towards the midblock because the development program requires that the building's core not penetrate the trading floors. Because of these constraints, the Single-Tenant Building creates noncompliance on both the midblock and Seventh Avenue. While both development scenarios would result in disadvantages in terms of reduced light and air, these are offset by the proposed package of transit improvements and the optimal use of the site for high density commercial development. Therefore, the proposed height and setback waivers are necessary to achieve the proposed development program given site conditions, and meet the findings of ZR § 81-066(b).

Mandatory District Plan Elements Waivers

Many of the proposed waivers to the Mandatory District Plan Elements are minimal and are needed to increase space for pedestrian circulation around the proposed development. Such waivers will address heavy pedestrian flows around the building and Penn Station, and along cross-town streets traveling between the two transportation hubs. Further, while the proposed development scenarios reduce the amount of retail space along Seventh Avenue, both scenarios include retail along West 33rd and West 32nd streets, which are not required. This retail will not only enliven these streets but connect the avenue shopping corridors. As the design of the Single-Tenant Building reduces the amount of ground-floor space available for retail along West 32nd Street, the applicant has committed to incorporate street wall design elements such as artistic lighting or displays to enliven the pedestrian experience.

These proposed waivers are minimal and will still produce development that is consistent with the intent of the Mandatory District Plan Elements, which are in place to promote the well-being of pedestrians, adequate pedestrian circulation spaces and a generally positive pedestrian environment. Further, the proposed waivers will result in a better site plan by providing for more efficient programming of space, increasing pedestrian circulation space, and rationalizing building entryways. Therefore, the proposed development meets the findings for this special permit.

Additionally, sidewalk conditions prevent the applicant from fully complying with street tree planting requirements (only 24 out of 80 required street trees will be planted on site). Vornado has committed to working with the DPR and CB5 to identify 56 offsite planting locations for street trees. This will provide the local community with an opportunity to identify neighborhood locations that are most in need of greening and shade.

Special Permit for Subway and Rail Mass Transit Facility Improvements Bonus (C 100050 ZSM) and related text amendment

The Transit Improvement Bonus

The proposed package of transit improvements includes new or enhanced elements located on the development site, as well as in areas that are adjacent to and in close proximity to the development site. The proposed improvements would re-open and enhance Gimbels Passageway; expand and improve existing stations and station entrances; and create new vertical access points. In exchange for these improvements, the applicant seeks a 20 percent increase in total density. The proposed text amendment would allow improvements to rail mass transit and subway facilities as part of one special permit process. For the CPC to determine the appropriate amount of bonus floor area generated by the package of transit improvements, the special permit requires consideration of the improvements in light of general accessibility, circulation, environmental quality, rider orientation, and satisfactory integration of street level entrances.

The proposed transit improvements will enhance and expand existing access points to Penn Station and to the transit complex under Herald Square, create a new passage between these two transit hubs, and improve circulation within the Seventh Avenue IRT subway station. Newly relocated station entrances will improve rider access and orientation, and will be better integrated with the streetscape. By rehabilitating passageways, widening entryways, widening the IRT platform, and introducing direct daylight to the subway system, the proposed improvements will have a significant positive effect on the mass transit system. In fulfillment of ZR § 74-634 and 81-541, the MTA-NYC Transit has reviewed and determined the proposed improvements are feasible. Further, the proposed waivers' benefits are acknowledged by letters of support from the Regional Plan Association, New Jersey Transit, Tri-State Transportation Campaign, and the New York City Transit Riders Council.

Without the proposed development, the package of transit improvements, and the associated benefits, would not be realized. Under an as-of-right development scenario, only the two subway access points that currently exist within the Hotel Pennsylvania would be replaced. As the majority of the proposed improvements exist directly on the applicant's property, they would not be performed by any other private developer. Furthermore, even if the transit authorities

were willing to undertake the other improvements, many of them could not be achieved without complicated acquisition processes. The positive benefits of the transit improvements would not be achieved without the proposed development. The application meets the findings for this special permit.

The Text Amendment

The related proposed text amendment would allow the applicant to retain unused transit bonus floor area for use elsewhere on the zoning lot under a different future development scenario. The ability to vest this floor area serves an important purpose in that it ensures the completion of the proposed transit improvements even if the proposed development cannot advance as envisioned.

While Vornado anticipates a construction process for the proposed development of approximately 4-½ years, the project may not commence until the next development cycle. Consequently, the two building scenarios may require design modifications, possibly including reduced square footage, to accommodate the needs and demands of future tenant(s). As a result, new construction may not require the total density generated by the special permit. If density remains unused, the Manhattan Mall site, which is part of the same zoning lot, could be the recipient of this bonus floor area.

It is important that the development rights derived through the proposed special permit not be used unchecked. The special permit allowing bulk waivers (previously mentioned) requires that the proposed development be constructed substantially in accordance with application drawings which include the Manhattan Mall site. Any modification of the proposed development must require public review – including any changes to the Manhattan Mall site.

Acquisition of Transportation Easements (C 100237 PQM)

The proposed acquisition of transportation easements by DCAS will enable the proposed package of transit improvements to be realized. As a result, access to and between the transit hubs at Penn Station and Herald Square will be improved, ultimately providing significant public benefits. The proposed acquisition of the easements is necessary to facilitate the construction of these mass transit improvements and is an appropriate City acquisition.

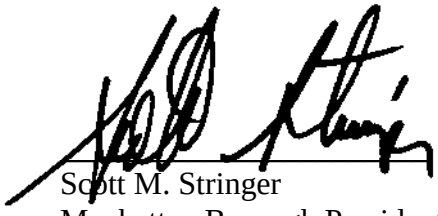
BOROUGH PRESIDENT'S RECOMMENDATION

The proposed development represents a unique opportunity to encourage high-density transit-oriented development, strengthen the nation's largest central business district, and improve local and regional mass-transit systems. The scale of the proposed project is consistent with buildings in the surrounding area and the City's development goals and policies, and is appropriate for the development site. The proposed development scenarios meet the findings for the special permits.

Therefore, the Manhattan Borough President recommends <u>conditional approval</u> of the Zoning Map Amendment (C 100047 ZMM); the Special Permit for waivers of Height, Setback and Mandatory District Plan Elements (C 100049 ZSM); the Special Permit for Subway and Rail Mass Transit Facility Improvements (C 100050 ZSM); and the

Acquisition of Easements (C 100237 PQM) provided that the applicant follows through on commitments relating to:

- **Open space by:**
  - Working with DCP and DPR to determine the appropriate form of mitigation for open space impacts; and
  - Providing accessible open space on the proposed building's podium to reduce impacts on nearby public open spaces;
- **Traffic by:**
  - Implementing the new off-street truck loading plan for the Multi-Tenant Building that will allow trucks to enter and exit head first;
  - Creating a black car management plan for the Single-Tenant Building;
  - Hiring a dock master to coordinate loading and unloading activities; and
  - Updating traffic studies to reflect new traffic initiatives in Midtown;
- **Pedestrian impacts by:**
  - Working with DOT to widen crosswalks and other pedestrian elements; and
  - Working with the 34th Street Partnership to relocate any planters which may serve as an obstruction to pedestrian movement;
- **Construction by:**
  - implementing path controls to address construction noise issues;
  - studying additional measures that may be undertaken to reduce noise impacts;
  - establishing a construction taskforce to address and respond to construction impacts and issues, which meets regularly as required by the phasing and nature of construction and includes representatives from the community board, local council member and other local stakeholders; and
  - having a single point of contact during construction to resolve any community concerns;
- **Improve sidewalk conditions by:**
  - working with CB5 and DPR to determine appropriate locations for the 56 street trees that cannot be planted at the perimeter of the development site; and
  - incorporating street wall design elements to the West 32nd Street façade of the Single-Tenant Building to enliven the pedestrian experience;



Scott M. Stringer
Manhattan Borough President

APPENDIX I.3
Vornado Correspondence

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888 Seventh Ave
44th Floor
New York, NY 10019
Tel 212-894-7000
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VORNADO
REALTY TRUST

MEMO

15 Penn Plaza: CPC public hearing questions (5/26/2010)

The following memo provides answers to some of the questions raised at the recent public hearing regarding the 15 Penn Plaza application:

1. *Certain questions were raised regarding the dimensions and the location of the rebuilt Gimbels' passageway.*
    - Due to adjacent infrastructure constraints along its length, the dimensions of the passageway vary between the 15 Penn site and the Manhattan Mall site. Along the 15 Penn site, the width of the new passageway is 16 feet; on the Manhattan Mall site, the width varies between 14'8" and 16'8'. The height of the passageway varies from just under10 feet, at the lot line between 15 Penn and Manhattan Mall and at the highest point of the passageway ramp running along the 15 Penn site, to 14'8", at the 6th Avenue PATH area, and to 13' feet, at the entrance to the 7th Avenue subway. Attachment 1(a) to this memo provides fully dimensioned passageway plans.
    - With respect to its elevation, the passageway cannot be lowered as at points it runs above the roof of the train shed that accommodates Amtrak and LIRR trains; any further lowering of the passageway would require a major interruption of those train operations. Further, lowering the passageway to the level of the Penn Station concourse would require pedestrians to travel two flights down from street level to access it – likely limiting its utilization, particularly by subway riders. Attachment 1(b) to this memo shows a section view of the passageway with the tracks beneath it.

2. *Questions were asked regarding plans for maintenance of the passageway and other subway improvements and security of the passageway.*
    - Vornado will be responsible for maintenance and repair of the passageway and other improvements. Two of the improvements, the express platform stair and the widened stair to Penn Station from the southbound IRT, are not on or adjacent to Vornado property; it is possible that New York City Transit (NYCT) could fold these into its existing maintenance routines and Vornado would reimburse NYCT for the cost of this work.
    - With respect to security in the passageway, Vornado will be responsible for providing and maintaining security cameras and related communications equipment as specified by the MTA and TA. Responsibility for monitoring and ensuring security in the passageway will be undertaken by the MTA, in conjunction with New York City Transit, NYPD and other city agencies

3. *The amount of mechanical space in the building seemed extensive, and a question was asked regarding how it compared to other financial service headquarters.*
    - State-of-the-art financial services firm headquarters, particularly those with large trading floors, require complete redundancy in systems and equipment to support their mission-critical trading and financial systems. This results in both increased air conditioning and electrical loads and significantly greater mechanical space.
    - The amount of mechanical space in the single-tenant building reflects the requirements of the financial services firm for which the building was initially designed. A summary of the mechanical infrastructure systems present in this design, put together by Jaros, Baum and Bolles (JB&B), is included as Attachment 3.
    - Because of the proximity of the train tracks directly below the 15 Penn site, nearly all of the mechanical equipment must be housed in the tower rising above the ground. This contrasts with other financial service headquarters, which are able to locate mechanical equipment underground.
    - The building that most resembles 15 Penn, in terms of the inability to use below-ground space for mechanical equipment due to its location over train tracks, is the former Bear Stearns headquarters at 383 Madison Avenue. Mechanical space above grade, including mechanical space on office floors, represents 20.4% of total above-grade gross square footage at that site; in the proposed single-tenant building, similar mechanical space represents 21.7% of the above-grade gross square footage.
    - In answer to a specific question raised at the hearing, all mechanical equipment areas serving data and IT centers are included within this percentage.

4. *Clarification was requested regarding the proposed outdoor roof garden on the podium of the single-tenant building.*
    - It is important to note that the proposed roof garden on the single-tenant building is not a mitigation measure (as would not be open to the public). Open-space mitigation associated with the project is being handled with NYC Department of Parks and Recreation directly, and will involve support for additional projects outside of the project site.
    - It should be noted that the proposed roof garden is subject to NYC Department of Buildings approval at the time of final design. In addition, it makes sense only for the single-tenant building, where it would be located adjacent to the sky-lobby and amenity floors. The configuration for the multi-tenant building does not offer an opportunity for a communal green space on the podium due to the direct descent configuration of the elevator system; only that tenant immediately adjacent to the podium roof would be able to access it.
    - The likely configuration of a podium-roof garden on the single-tenant building is shown in Attachment 4.

5. *A question was raised regarding floor-to-floor heights in both buildings.*
    - Attachment 5(a) shows the floor-to-floor heights at each level of the single-tenant building.
    - Attachment 5(b) shows the floor-to-floor heights at each level of the multi-tenant building.

6. *Some clarification of sidewalk widths may be helpful, in response to comments made at the hearing.*
    - Sidewalks on the single-tenant building were always proposed to be set back an additional ten feet beyond the existing 13-foot wide sidewalk.
    - The sidewalk widths of the multi-tenant building were recently proposed to be increased from seven to ten feet, to match the single-tenant setback.
    - This provides that both buildings will be set back 23 feet from the street, as shown in Attachment 6.
    - At this time, we do not know whether bollards will be required by either the tenant and/or the NYC Department of Transportation.
    - Should bollards be required, a three-foot wide zone along the curb for the bollards would still allow a clear path of 20 feet for sidewalk circulation adjacent to the building.

7. *The Commission requested some additional renderings of the 32nd Street building facade under the single-tenant scenario, where a bank of shuttle elevator cars rise to the trading floor.*
    - Some renderings of how the back of the elevator cars might be activated are shown in Attachments 7.
    - It should be noted that any scheme that involves pedestrians on the outside of the building being able to see the elevators moving vertically along the street wall would require tenant approval.
    - Should this option not prove feasible, a variety of types of media walls will be evaluated as an alternative.

8. *A question was raised regarding the need for eight executive floors in the multi-tenant building.*

    - The eight executive floors in the multi-tenant scheme are designed to accommodate up to eight major tenants in the building. They may be used as lobby or amenity floors, as well as executive floors.
    - The eight executive floors in this design have a floor-to-floor height of 17 feet; the remaining office floors have a floor-to-floor height of just over 14 feet.

9. *There was some concern that the existing PATH elevator along 6th Avenue at the Manhattan Mall would be removed.*

    - This elevator, which travels from the street to the PATH level, will remain in place.
    - A stairway adjacent to this elevator will be widened from six to nine feet.

10. *A question was raised about the potential activation of the south wall of the passageway along the Manhattan Mall portion.*

    - The south wall of the passageway, along the Manhattan Mall, is suitable only for those treatments that require little to no depth, as it abuts both tenant space (J.C. Penney) and significant building structure.
    - There are certain locations, however, where up to 12 inches in depth may be available and these would be activated by some combination of real-time train information screens, art (that would complement that on the north side of the passageway) and/or vitrines.



15 PENN PLAZA DEVELOPMENT

RESPONSE TO DCP
JUNE 2, 2010

VORNADO
REALTY TRUST

Pelli Clarke Pelli Architects

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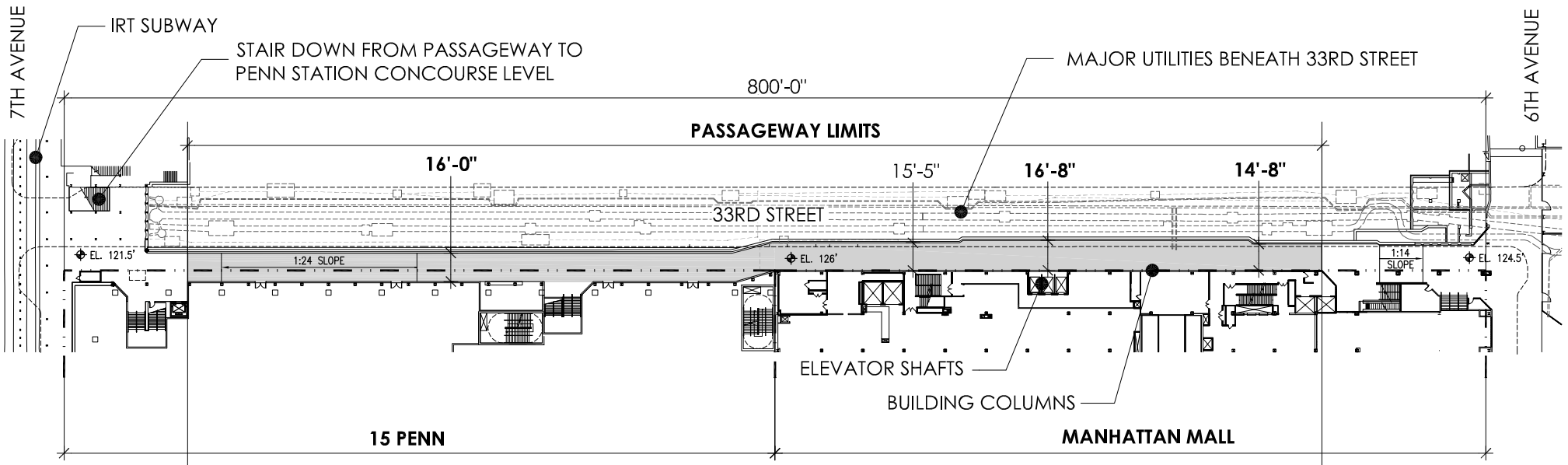
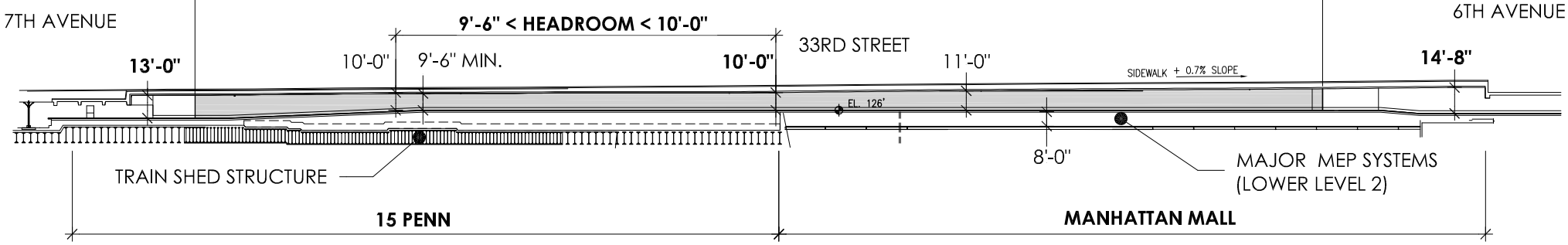


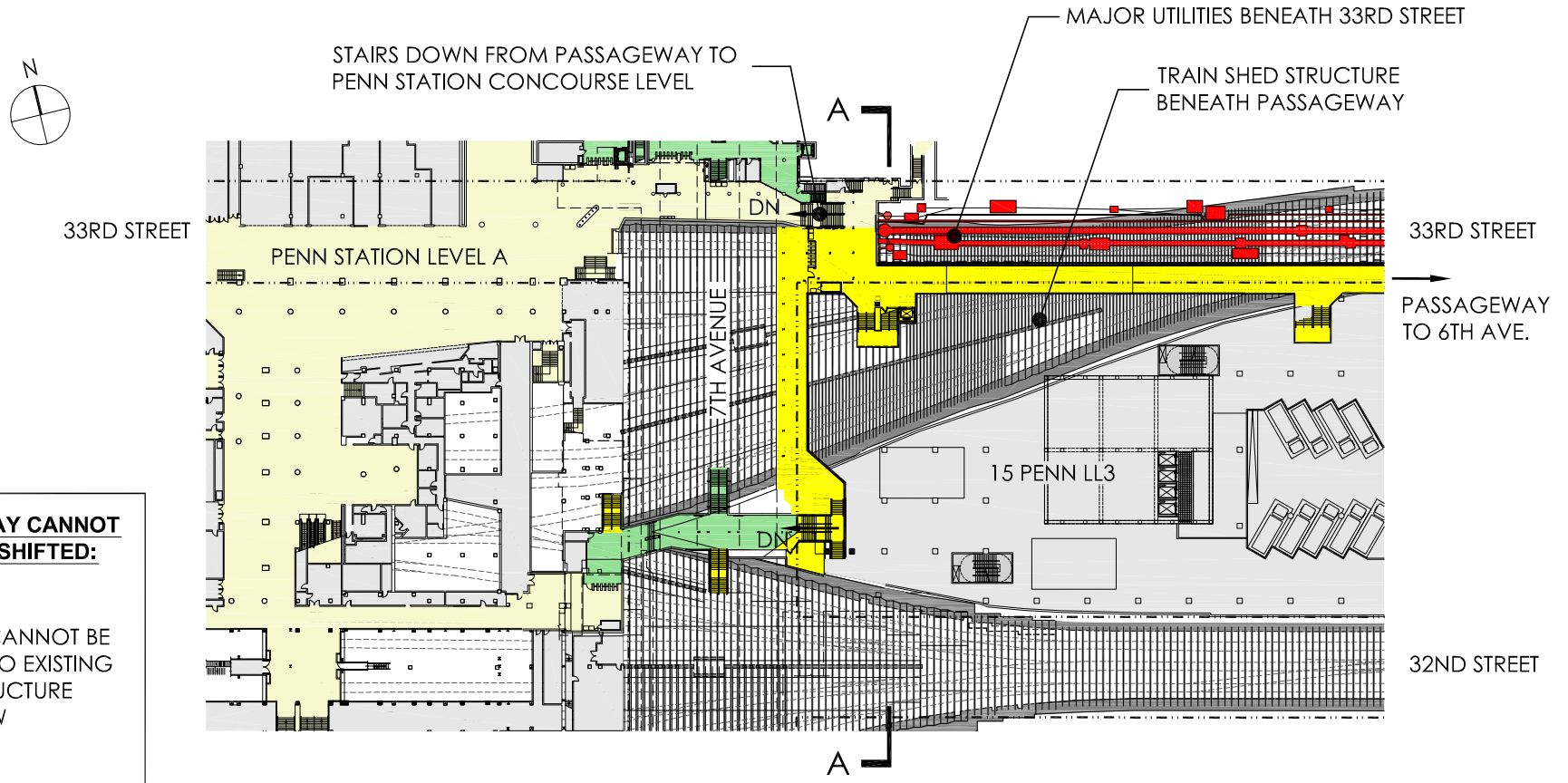
PLAN VIEW OF PASSAGEWAY



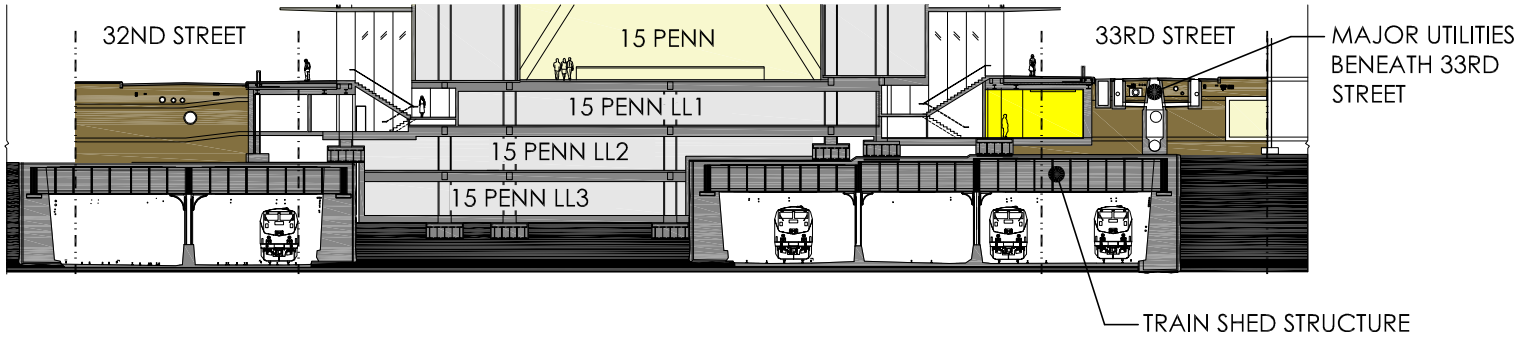
SECTION THRU PASSAGEWAY

WHY PASSAGEWAY CANNOT BE LOWERED OR SHIFTED:

- PASSAGEWAY CANNOT BE LOWERED DUE TO EXISTING TRAIN SHED STRUCTURE DIRECTLY BELOW PASSAGEWAY
- PASSAGEWAY CANNOT BE MOVED TO THE NORTH OF THE TRAIN SHED DUE TO MAJOR UTILITIES LOCATED BENEATH 33RD STREET



PLAN VIEW OF PASSAGEWAY



SECTION A-A THRU PASSAGEWAY

ATTACHMENT 3

JB&B

Jaros Baum & Bolles
Consulting Engineers

Christopher J. Prochner
Associate Partner
212.530.9335

MEP Systems Summary
15 Penn
New York, New York
Project No. 14292.A.000

June 23, 2009

MEMORANDUM

To: Mr. Doug Williams
Mr. Scott Milsom
Vornado Realty Trust

From: Mr. Christopher Prochner

Re: Mechanical, Electrical, Plumbing and Fire Protection Systems Summary

As requested, the following is a summary of the central mechanical infrastructure systems that were designed as part of the conceptual design efforts developed by our office in conjunction with Pelli Clarke Pelli's office in May 2007 for the subject building. The systems summary hereinbelow is based on a single occupancy financial services tenant model with a substantial trading population with its required mission-critical support systems, which was the basis of design for the concept drawings that were prepared in 2007.

1. Basic Incoming Utilities

   a. Interface points of entry with the local utility services occur on the first below-grade level within rooms that engage the foundation wall. Rooms and spaces have been allocated for the following services:

      1) Domestic Water Service: Two (2) dedicated Water Meter Rooms arranged in diverse locations that connect to the utility piping network in the street in two (2) diverse locations.

      2) Gas Service: One (1) Gas Meter Room for the metering of gas required for food preparation as required by the tenant food service program.

      3) Steam Service: One (1) Steam Metering and Pressure-Reducing Station Room. The room will contain required metering equipment and pressure-reducing valves for the reduction of the high pressure steam delivered by the utility for beneficial use by the mechanical systems in providing heat and domestic hot water for the building.

4) Sewer Discharge: Although a room is not required, space is required at the point where the pipes exit the foundation wall. All storm and sanitary effluent will exit the building at this level in two (2) diverse locations.

5) Electric Service: Although a room is not required, space is required at the point where the feeders enter the building at the foundation wall for access to electrical splice chambers. From this point, concrete-encased high voltage feeders will route horizontally to the building core and route vertically to the two (2) interior electric transformer vaults located at the base of the tower.

2. Mechanical Systems

a. Water-based Systems

1) Mission-Critical Podium Water-Cooled Chiller Plant: This plant is located on the first Mechanical Equipment Room (MER) level in the base of the tower stack. The plant serves the podium trading environment air conditioning loads and data processing environment critical cooling loads located within the podium stack. The plant consists of four (4) electric-drive centrifugal refrigeration machines sized at approximately 850 tons-refrigeration (TR). A total of five (5) chilled water and five (5) condenser water pumps will be provided (four [4] active pumps and one [1] standby pump of each type). In addition, four (4) plate-and-frame type water-to-water heat exchangers will be piped in series with each chiller to provide code-mandated free-cooling and partial free-cooling when weather conditions permit.

2) Mission-Critical Podium Air-Cooled Back-up Chiller Plant: This plant is located on the second MER level in the base of the tower stack and draws/discharges air through louvers in the façade of this level. The plant serves as a backup to critical data processing loads required to support the trading operations in the event of a failure of the water-cooled plant as described in Paragraph 2.a.1) above. This plant consists of sixteen (16) split air-cooled type electric screw-type compressor refrigeration machines sized at approximately 110 TR each. A total of four (4) chilled water pumps will be provided (three [3] active, one [1] standby). This system will be interconnected with the water-cooled plant in a 2N parallel configuration.

3) Secondary Chilled Water Plant: This plant is located on the first MER level in the base of the tower stack. This plant provides cooling to critical data processing and support environments, including the main Technology Room loads, UPS loads, IDF closet loads and other miscellaneous technology-related loads that support the trading environment. The plant

is connected to the water-cooled plant primary chilled water piping loop via three (3) plate-and-frame water-to-water type heat exchangers (two [2] active, one [1] standby) and secondary chilled water circulation pumps (two [2] active, one [1] standby).

4) A thermal storage system consisting of five (5) 10,000 gallon chilled water storage tanks will be provided to support the technology loads for a duration of approximately 15 minutes in the event of a catastrophic event(s) which cause(s) all mechanical cooling plants to fail.

5) Podium Water-Cooled Chiller Plant Cooling Towers: The cooling towers required to support the podium water-cooled chiller plant will be located at the high roof of the tower stack enclosed by architectural screening. The system will consist of multiple cells, sized for the installed refrigeration plant tonnage. Domestic water make-up will be injected into the suction side of the condenser water pumps. To add redundancy and reliability, a captive domestic water storage of 300,000 gallons is located below grade on Lower Level 3. This storage capacity will support the water-cooled chiller plant for approximately three (3) days at full load.

6) Tower Comfort Cooling Water-Cooled Chiller Plant: This plant is located on the fourth Mechanical Equipment Room (MER) level in the base of the tower stack. The plant serves the tower office environment air conditioning loads located within the tower stack. The plant consists of six (6) electric-drive centrifugal refrigeration machines sized at approximately 1200 tons-refrigeration (TR). A total of six (6) chilled water pumps and six (6) condenser water pumps will be provided (five [5] active pumps and [1] standby pump of each type). In addition, three (3) plate-and-frame type water-to-water heat exchangers will be piped in series with the refrigeration machines to provide code-mandated free-cooling and partial free-cooling when weather conditions permit.

7) Tower Water-Cooled Chiller Plant Cooling Towers: The cooling towers required to support the tower water-cooled chiller plant will be located at the high roof of the tower stack enclosed by architectural screening. The system will consist of multiple cells, sized for the installed refrigeration plant tonnage.

8) Building Heating System: The entire building will be heated via Con Ed steam. High pressure steam will enter the building at the first below-grade level where it will be metered and reduced to low pressure steam for use at shell-and-tube type steam-to-hot water type heat exchangers. Low, mid and high zone heating systems will be provided and will consist of steam-to-hot water type heat exchangers, hot water circulating pumps, and perimeter baseboard heating and/or overhead heating at perimeter zones.

A system of low pressure condensate return flowing by gravity and/or pumped return will be used for low grade pre-heating of domestic water and eventually cooled for reuse in other process cooling systems.

b. Air-Based Systems

1) Lower Level (Below-Grade) Supply Air Handling Systems: Multiple chilled water air handling units will be provided in local floor Machine Rooms to support the office and back-of-house type loads located on these floors. Due to the size and configuration of the below-grade floor plates, two (2) Air Handling Rooms will be required on Lower Level 1 and 2 and one (1) Air Handling Room will be required on Lower Level 3. The units located on these levels will be minimum outside air type systems. Ventilation air for these units will be drawn from louvers in the façade of the first MER level located in the tower stack, through a ventilation unit located on the same level, and ducted down to the Air Handling Rooms on the lower levels.

2) Lower Level (Below-Grade and Podium) Exhaust Systems: Multiple exhaust systems will be provided for the below-grade levels and podium floors. These systems include general exhaust, loading dock exhaust, Fuel Oil Tank Room exhaust, toilet/locker exhaust, Mail Room exhaust, Kitchen exhaust, dishwasher exhaust, below-grade smoke exhaust, and the like. Each of these systems will be ducted vertically to the first MER level located in the base of the stack and provided with dedicated exhaust fan systems ducted to exhaust louvers at the façade of the building.

3) Podium Supply Air Systems: Multiple central chilled-water type air handling units will be located on the first MER level in the base of the tower stack. These systems will serve the trading floors and amenities floors located within the podium stack. These systems will be arranged such that they will provide an air-side economizer cycle capable of 100% spill and 100% outside air intake. As such, the required return/spill fans associated with the supply air systems will be located on the second MER level located in the base of the tower stack. The return/spill fans for these systems will also serve as smoke exhaust for the podium floors.

4) Tower Supply Air Systems: Multiple central chilled-water type air handling units will be located at the seventh MER level at the base of the tower stack and on the ninth MER level at the top of the tower stack and draw air in from louvers located in the façade on these levels (arranged in a top-down/bottom-up configuration in an effort to minimize supply air shaft sizes). These systems serve the tower office floors located within the tower stack. These systems will be arranged such that they will provide an air-side economizer cycle capable of 100% spill and 100% outside air

intake. As such, the required return/spill fans associated with the supply air systems will be located on the sixth MER level at the base of the tower stack and tenth MER level located at the top of the tower stack and discharge air through louvers located in the façade on these levels. The return/spill fans for these systems will also serve as smoke exhaust for the tower floors.

5) Tower Exhaust Systems: Multiple exhaust systems will be provided for the tower floors. These systems include general exhaust and toilet exhaust. Each of these systems will be ducted vertically to the sixth and tenth MER levels located in the base and top of the tower stack respectively and provided with dedicated exhaust fan systems ducted to exhaust louvers at the façade of the building.

6) Podium Chiller Plant Ventilation and Exhaust System: A dedicated factory-assembled chilled water air handling unit and exhaust fan system will be provided to support the ventilation and exhaust requirements of the podium chiller plant.

7) Tower Chiller Plant Ventilation and Exhaust System: A dedicated factory-assembled chilled water air handling unit and exhaust fan system will be provided to support the ventilation and exhaust requirements of the tower chiller plant.

8) Stair Pressurization Systems: The interior stairs will be designed to resist smoke infiltration. Each of the interior stairs will be provided with a dedicated pressurization system consisting of supply air fans that draw air directly from atmosphere from dedicated louvers in the building façade and distribute the air vertically within the stair enclosure to discharge points located throughout the stair enclosure.

9) Miscellaneous Air Conditioning Systems: Miscellaneous air conditioning systems consisting of factory-assembled packaged chilled water type units will be located within a variety of load-intensive spaces as follows.

   a) UPS and Battery Room Air Conditioning Units.

   b) Switchgear Room Air Conditioning Units.

   c) Technology Room(s) Air Conditioning Units.

   d) Elevator Machine Room Air Conditioning Units.

c. Fuel Oil Systems:

1) A No. 2 fuel oil system will be provided for the tenant generator plant (which includes the required fuel storage for life safety loads). The fuel oil storage plant will consist of a total of approximately 70,000 gallons of fuel oil storage contained within multiple steel tanks in separate 3-hour fire-rated concrete vaults. The vaults will be located at the lowest level (Lower Level 3) of the building. Fuel Oil Transfer Pump Rooms will be located adjacent to the vaults for distribution to the emergency generators located in the building stack.

2) Each fuel oil tank will have an independent fill pipe and vent pipe. The fill pipes will terminate in a locking fill box in the sidewalk. The vent pipes will terminate at the façade of the building at the Ground Floor level.

3) A fuel oil cleaning and dewatering system will be provided. The system will include particulate filtration, dewatering tank, circulation pumps, and valved outlets for chemical additives.

3. Electrical Systems:

a. Normal Electric Service:

1) Consolidated Edison Company secondary service spot network designed for second contingency design for each of the two (2) spot networks, both of which will be located in the third and fourth mechanical levels in the base of the tower stack. These installations will be interior service vault installations, each consisting of six (6) transformers, six (6) network protection compartments, and associated service switchgear connections. Service voltage will be 265/460 volts, 3 phase, 4 wire.

2) Six (6) sets of two (2) primary feeders with a spare conduit in each set will be extended from six (6) interface splice chambers located on the first Lower Level at the foundation wall, separated by a minimum horizontal separation of 20 feet, up to the interior service vaults located at the base of the tower stack. The primary 13 kV feeders will be individual conductors in the horizontal and triplex armored cable in the vertical.

3) Service switchboards will consist of high pressure contact (HPC) fusible switches of suitable interrupting capacity. Distribution switchboards will consist of HPC fusible switches for all devices 1,200 amperes and larger and quick-make, quick-break fusible switches for all devices less than 1,200 amperes. Service switches 1000 amperes and larger will incorporate zero-sequence ground fault protection.

b. Standby Emergency Power System:

1) An on-site diesel engine-generator plant with associated paralleling and output distribution switchgear will be provided to serve all life safety and essential mission-critical electrical and mechanical loads associated with the Financial Service Tenant's occupancy. The emergency plant will be sized in an N+1 configuration, using five (5) 2000 kW engine-generators paralleled to a common output bus. The engine-generators and associated switchgear are located on the third mechanical level located in the base of the tower stack.

2) The generators will be located indoors and will draw air in from louvers in the building façade for ventilation and combustion purposes. The engine radiator discharge will be connected directly to exhaust louvers. Each engine will have a muffler for discharge at the façade of the building.

c. Uninterruptible Power System:

1) Multiple redundant Uninterruptable Power Supply (UPS) systems will be located on the fifth mechanical level located in the base of the tower stack to serve all mission critical electrical loads associated with the Financial Service Tenant's occupancy. The system will include space for all required UPS modules, input/output switchgear, automatic transfer switches and open wet cell batteries.

4. Plumbing and Fire Protection Systems:

a. Domestic Water

1) Two (2) domestic water services (located in rooms on the first lower level of the building) will be brought into the building from two (2) adjacent streets. Each service will be metered, provided with a backflow preventer, and cross-connected.

b. Sanitary Waste and Vent System

1) A complete soil, waste and vent system will be provided from plumbing fixtures, mechanical equipment, and floor drains. The system will be arranged for gravity flow to a point of connection with the City municipal sewer. Drainage below sewer level will be pumped out of the building by two (2) duplex ejectors.

c. Gas System

1) Gas service will be provided to the building from the Con Edison street main. Gas service will be metered to supply gas to all food service/cooking functions within the building.

d. Automatic Sprinkler and Fire Standpipe System

1) All areas will be protected by automatic sprinklers. Sprinklers will be supplied as required from one (1) of the standpipe risers located in the stairs. Sprinkler supply at each floor will be provided with a shut-off valve (pressure-reducing valve as required), flow switch and a drain/test connection to a drain riser. All sprinkler control valves and water flow devices will be supervised and connected to the building life safety system.

2) Each zone of the building will be supplied by a primary fire tank and an auxiliary automatic fire pump which will interface with intermediate fire reserve tanks located approximately every ten (10) floors of the building stack.

3) A dry pipe sprinkler system will be provided for the loading dock area.

4) A pre-action sprinkler system will be provided for all mission-critical Technology Rooms, the UPS Rooms, and Battery Rooms.

Should you have any questions or comments, please do not hesitate to contact our office.

CJP:geb
cc: (1) Ms. R. Sandberg
(1) Mr. A. A. DiGiacomo
(1) Mr. C. J. Prochner
(1) File
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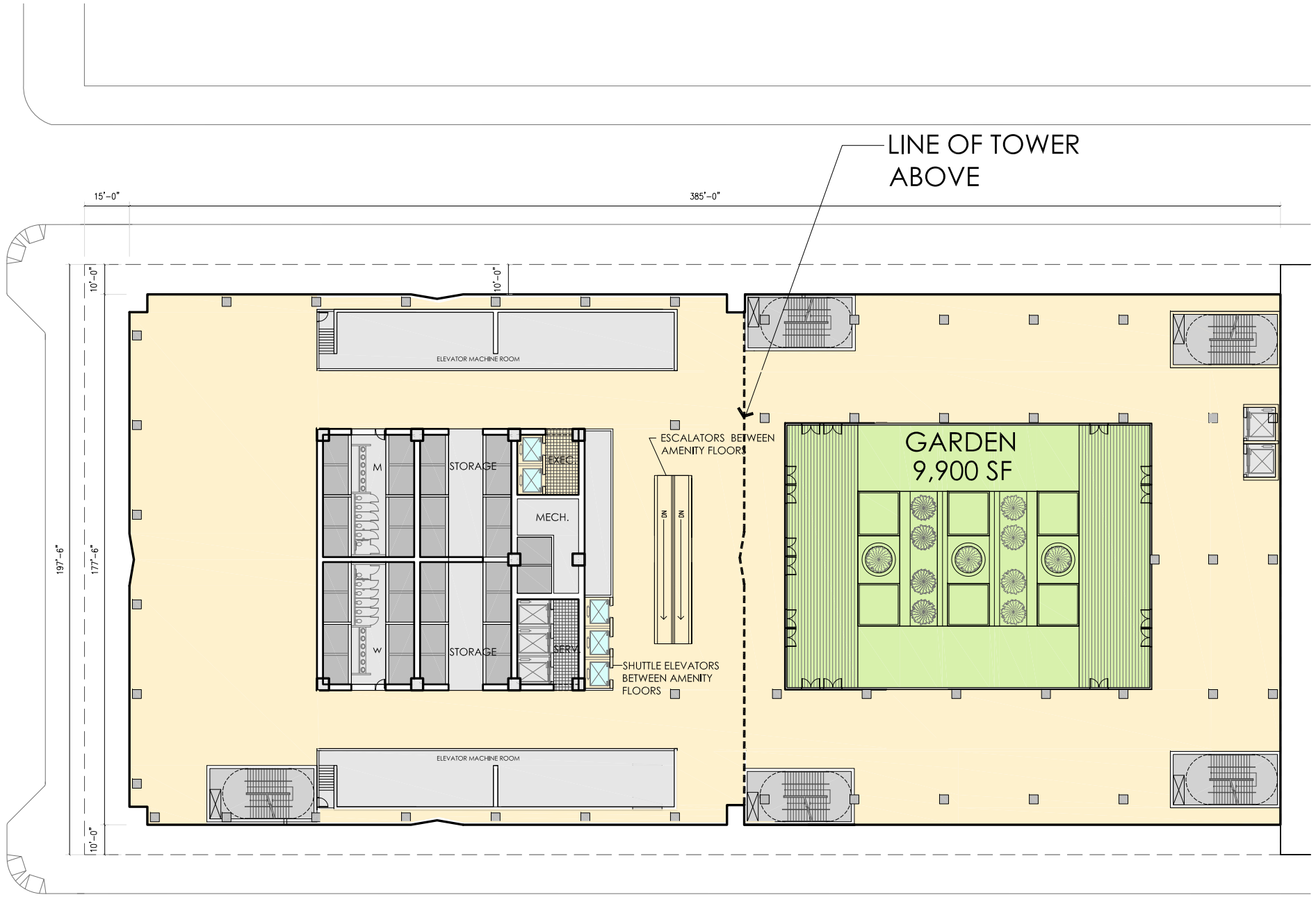
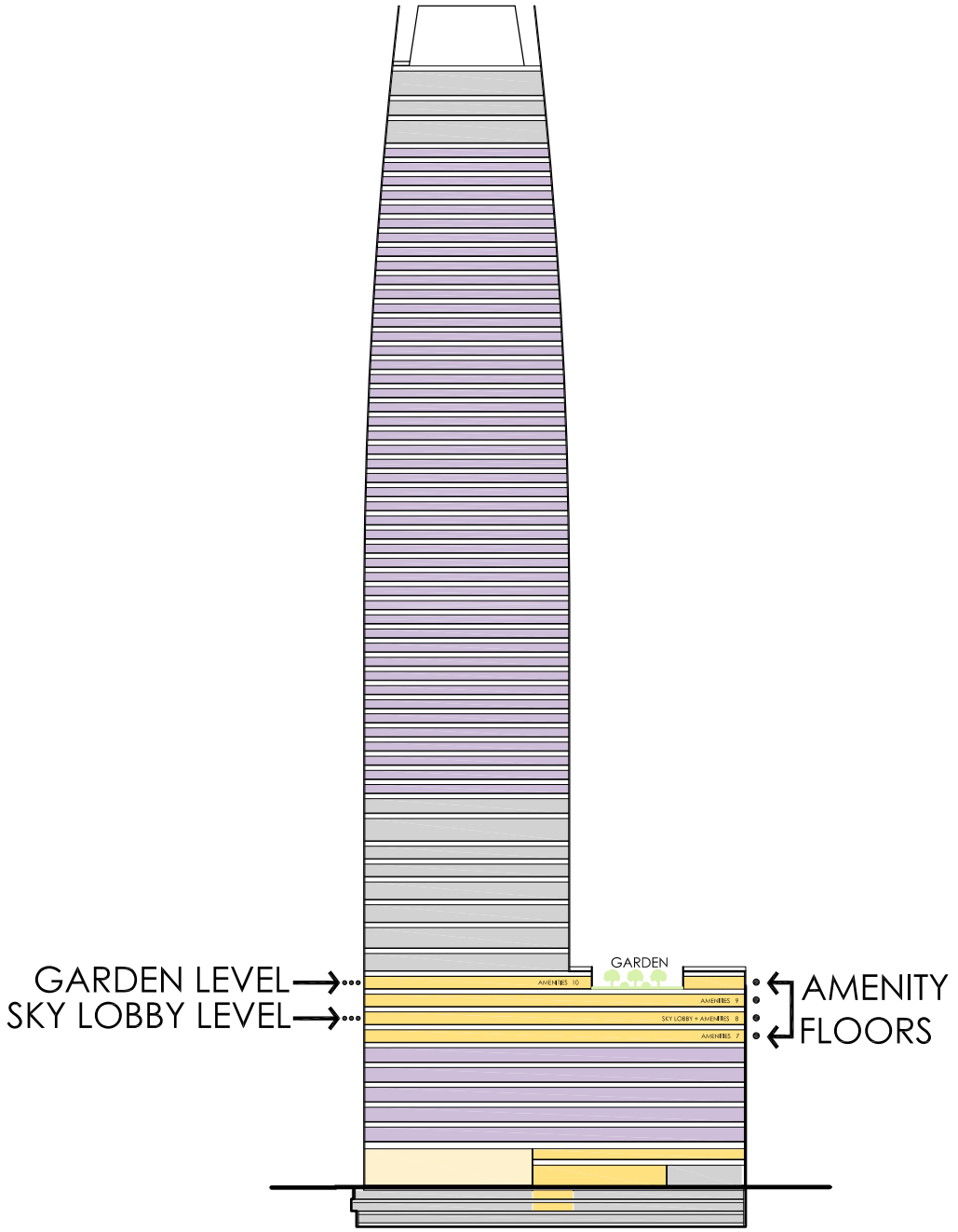


PLAN AT 10TH FLOOR



EAST/WEST SECTION

ATTACHMENT 4

NOTE : INTERIOR DIVISIONS ARE FOR ILLUSTRATIVE PURPOSES ONLY

15 PENN PLAZA DEVELOPMENT

VORNADO REALTY TRUST

SINGLE TENANT SCHEME
SHOWING GARDEN AT 10TH FLOOR

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MAY 27, 2010

0 20 40 60

Pelli Clarke Pelli Architects

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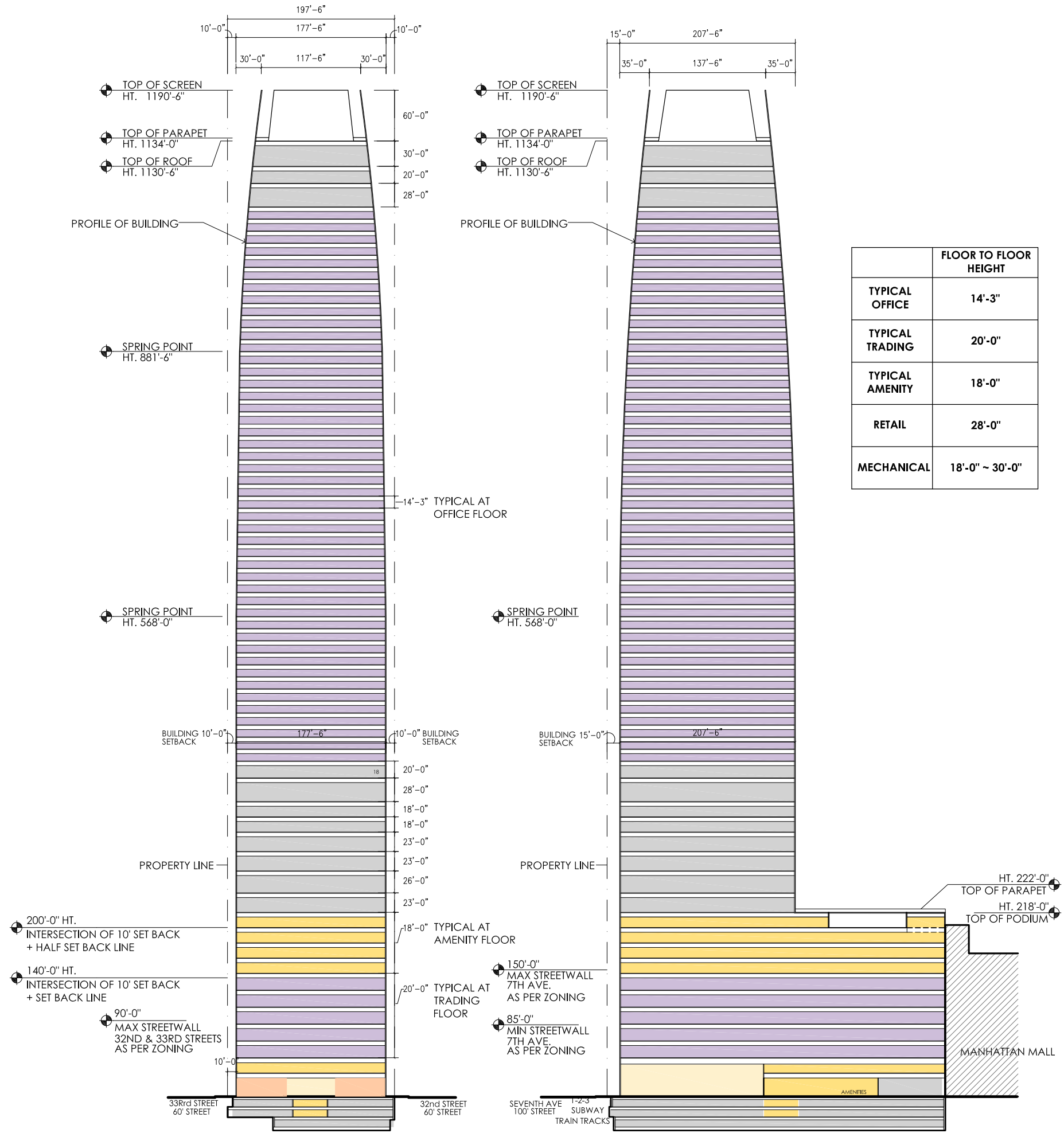

	FLOOR TO FLOOR HEIGHT
TYPICAL OFFICE	14'-3"
TYPICAL TRADING	20'-0"
TYPICAL AMENITY	18'-0"
RETAIL	28'-0"
MECHANICAL	18'-0" ~ 30'-0"

NORTH-SOUTH SECTION

EAST-WEST SECTION

PROGRAM KEY

- MECHNICAL
- OFFICE
- AMENITY
- RETAIL

PRELIMINARY

ATTACHMENT 5a

15 PENN PLAZA DEVELOPMENT

VORNADO REALTY TRUST

SECTION
SINGLE TENANT OFFICE

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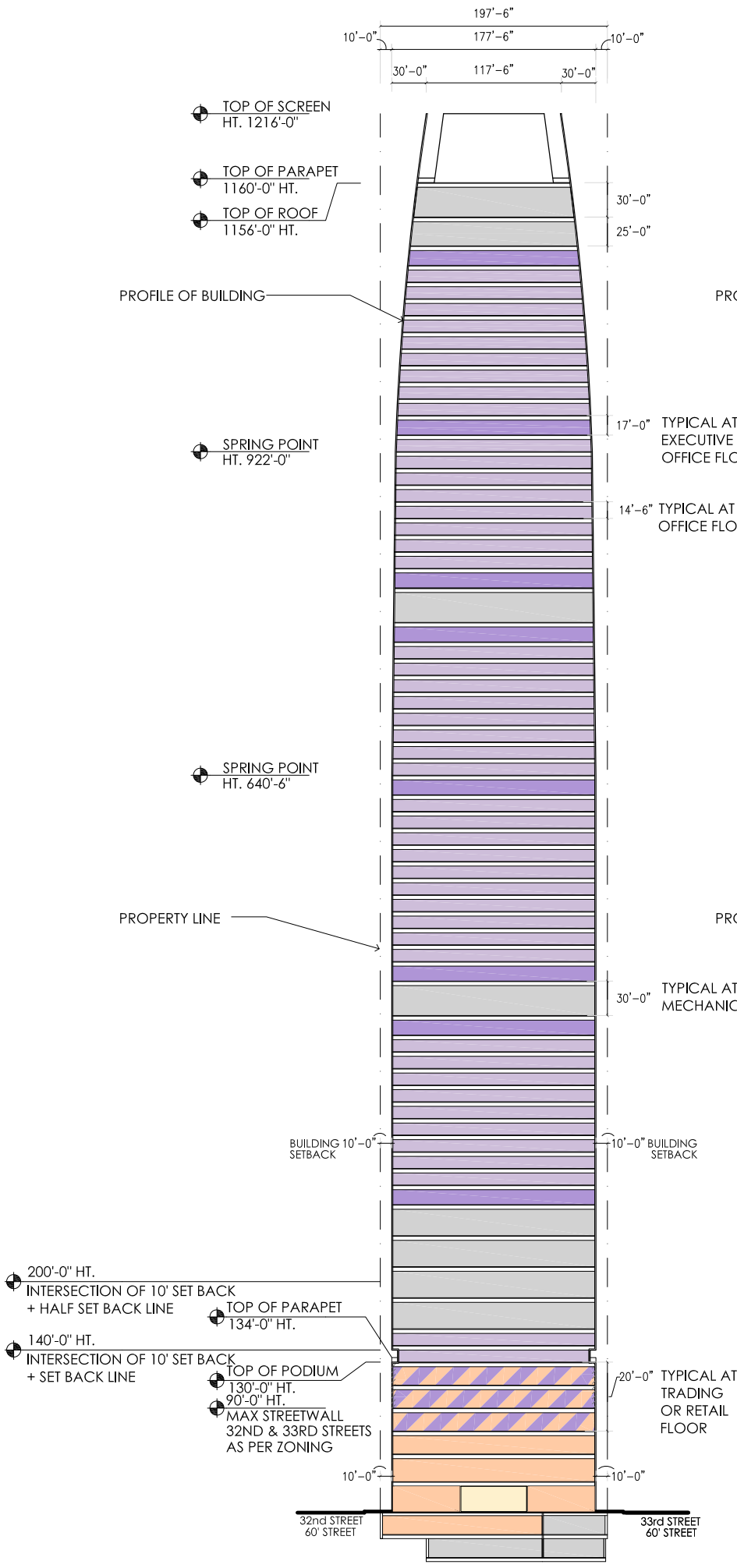

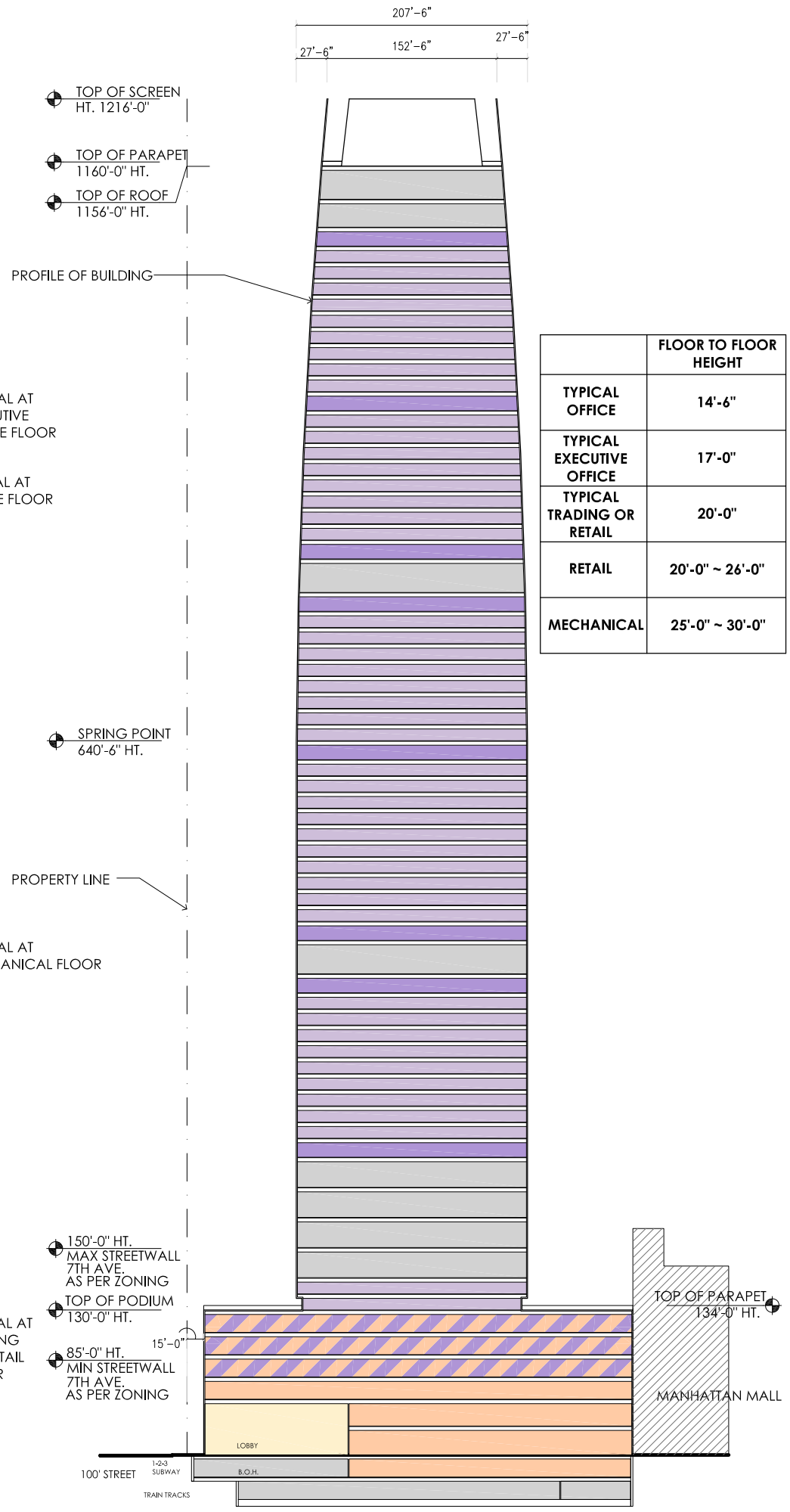

	FLOOR TO FLOOR HEIGHT
TYPICAL OFFICE	14'-6"
TYPICAL EXECUTIVE OFFICE	17'-0"
TYPICAL TRADING OR RETAIL	20'-0"
RETAIL	20'-0" ~ 26'-0"
MECHANICAL	25'-0" ~ 30'-0"

NORTH-SOUTH SECTION

EAST-WEST SECTION

PROGRAM KEY

- MECHANICAL
- OFFICE
- EXECUTIVE OFFICE
- TRADING OR RETAIL
- RETAIL

ATTACHMENT 5b

15 PENN PLAZA DEVELOPMENT

VORNADO REALTY TRUST

SECTION
MULTI TENANT OFFICE

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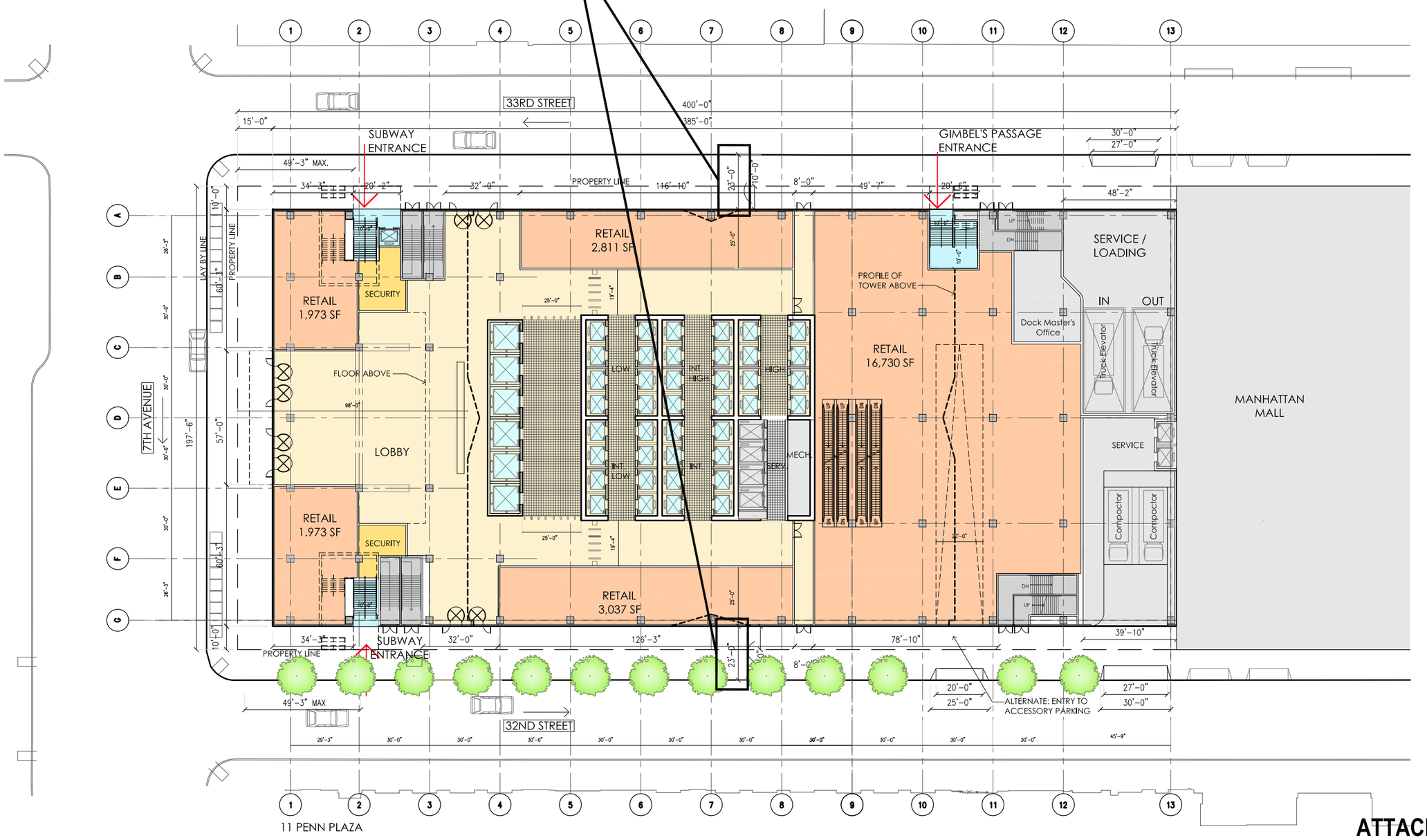
BUILDING SETBACK FROM PROPERTY LINE ON 32ND AND 33RD STREETS INCREASED FROM 7' TO 10', RESULTING IN A TOTAL SIDEWALK WIDTH OF 23'



ATTACHMENT 6

NOTE : INTERIOR DIVISIONS ARE FOR ILLUSTRATIVE PURPOSES ONLY

15 PENN PLAZA DEVELOPMENT

VORNADO REALTY TRUST

GROUND FLOOR PLAN SHOWING INCREASE IN SIDEWALK WIDTH AT SIDE STREETS
MULTI-TENANT OFFICE

N

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0 20 40 60

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Precedent: Minneapolis Public Library



ATTACHMENT 7

15 PENN PLAZA DEVELOPMENT

VORNADO
REALTY TRUST

VIEW OF 32ND STREET- SINGLE TENANT SCHEME
ARTISTIC CONCEPT AT ELEVATOR WALL

Pelli Clarke Pelli Architects
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New York, NY 10019
Tel 212-894-7000
Fax 212-894-7070

VORNADO
REALTY TRUST

MEMO

15 Penn Plaza: Response to CPC Questions (CPC Public Hearing: 5/26/2010)

The following memo and accompanying attachments further address questions raised at the May 26th Public Hearing and June 7th Review Session regarding the 15 Penn Plaza application. They incorporate several requested changes made to the initial passageway design, including the addition of ceiling lighting and the shifting of the passageway ramp to allow greater height in the passageway along the 15 Penn portion. They also incorporate further information about the activation of the south wall of the passageway along the Manhattan Mall site.

1. 33rd Street Passageway

As requested, a plan of the passageway is provided in Attachment 1. Elevations detailing the north wall and south wall are shown in Attachment 2. Attachments 3 and 4 are sections showing the existing and proposed configuration of the passageway at both 15 Penn and the Manhattan Mall respectively.

15 Penn Section

- Approximately 330 linear feet of passageway run alongside the 15 Penn site.
- The north wall of this section of the passageway will be activated by LED art installed as indicated on the elevation plans.
- Along the south wall, mechanical and circulation areas occupy approximately 65 feet of the 330 feet of linear footage.
- The remainder, approximately 265 linear feet, will be devoted to active retail uses.
- To achieve greater height in this section of the passageway, the ramp has been relocated to the Manhattan Mall section. This will allow us to increase the minimum height of the 15 Penn section of the passageway.
- In order to align the space adjacent to the passageway at this new depth for retail, this portion of the lower level of 15 Penn will need to be depressed three feet as well (resulting in unusable space on the floor below the retail area).
- As a result of this change, the minimum height along the 15 Penn section of the passageway will now be approximately 13 feet, with a maximum height of over 14 feet.
- The width of the passageway along this section remains 16 feet.

Manhattan Mall section

- The north wall of this section of the passageway will, similar to the 15 Penn section, be activated by LED artwork installed as indicated on the elevation plans.
- The south wall, which backs on to tenant space within the Manhattan Mall, will be activated in a series of ways:
    - A retail entrance could be located at the mid-portion of this section of passageway (entrance to be approved and coordinated with retail tenant)
    - On either side of this entrance, large LED boards (30'x 6') will contain real-time train information. Coming from the east, the order of these train boards could potentially be LIRR, NJT, Amtrak and PATH.
    - These boards will contain train departure information and could include streaming video with customer information or other types of feed.
    - The height of the passageway along this section will range from 11 feet to over 14 feet.
    - The minimum width of the passageway, at initial construction, will be over 14 feet. It will be widened to at least 16 feet, if and when the Manhattan Mall is replaced.

Lighting plan

Attachments 5 and 6 contain a reflected ceiling plan, identifying lighting within the passageway.

- The passageway will meet or exceed a minimum of 15 foot candles.
- As requested, lighting has been inserted along the passageway ceiling in a way that complements the LED artwork along the north wall.
- Cove lighting will be provided along the foot of the north wall, as previously illustrated.

Finishes

A finish plan and finish board are contained in Attachments 7, 8 and 9.

- Granite pavers and tile will be used for the floor and a lip at the top and bottom of the south wall.
- Ceramic tile will be used along the main portion of the south wall, framing the retail and the real-time train information boards.
- Glass-fiber reinforced gypsum panels will be used on the north (art) wall and on the ceiling, providing what would appear to be a continuous surface along the north wall and ceiling of the passageway.
- Stainless steel, with a brushed nickel finish, will be used at the base of the north wall and to accent the retail windows.
- Glass storefront will be used along the retail sections.

Artwork

The artwork, as envisioned by transit artist Ben Rubin, will consist of a dynamic, moving display which incorporates LED lighting. It could potentially include content related to activity at the adjacent transportation nodes.

2. 32nd Street streetwall elevation

As requested, we have removed the trees from the rendering presented earlier, as shown in Attachment 10. An elevation of the streetwall along 32nd Street is currently being completed.

3. Podium roof plans

As requested, podium roof plans for the two buildings are shown in Attachments 11 and 12.

- The single-tenant podium roof will incorporate a garden as a tenant amenity. It will include shade trees, seating (with tables) and landscaping that complies with the design requirements for public plazas (Section 37-70). A detailed landscaping plan of this roof-top garden will be available next week.
- The multi-tenant podium roof has two components. On the western side, green-roof technologies will be employed. The eastern section of the podium will be reserved for mechanical space, including potential stormwater retention equipment.



15 PENN PLAZA DEVELOPMENT

RESPONSE TO DCP
JUNE 10, 2010

VORNADO
REALTY TRUST

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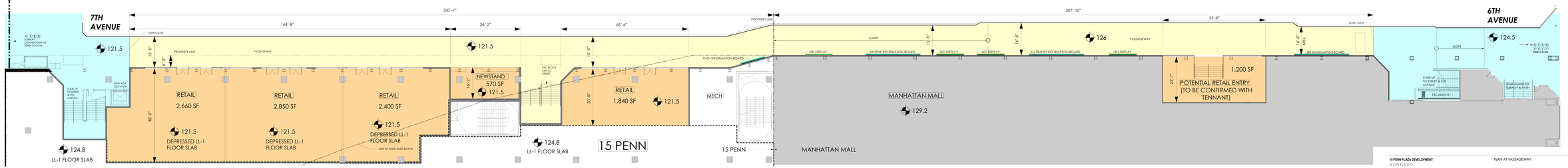


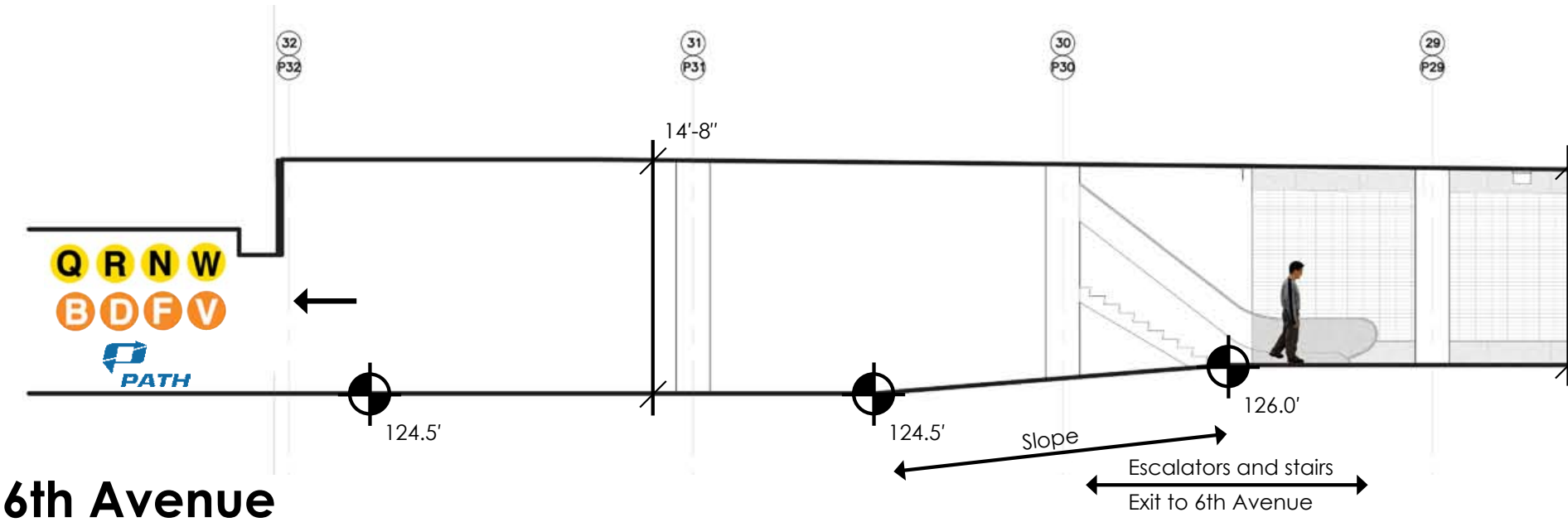
Attachment 1

15 PENN PLAZA DEVELOPMENT
VORNADO

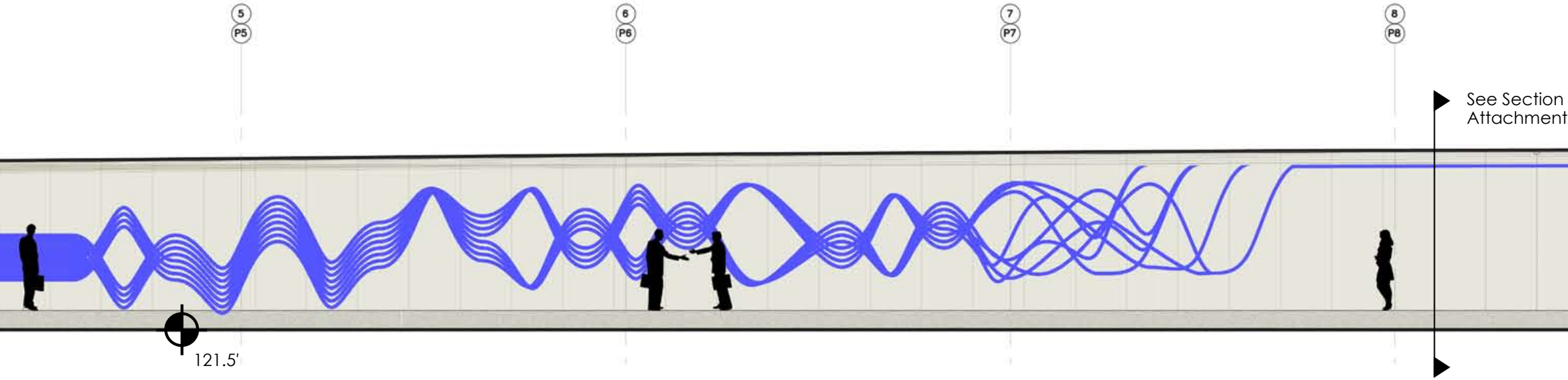
PLAN AT PASSAGEWAY

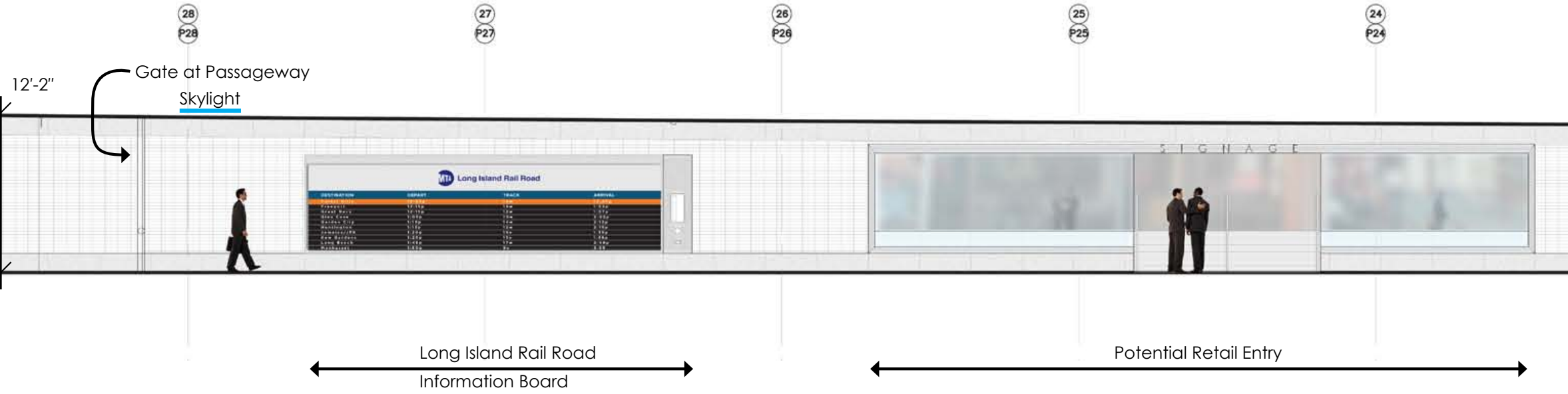

2
P2
3
P3
4
P4
Gate at Passageway
13'-0"
Connection to
Penn Station
1
2
3
121.5'

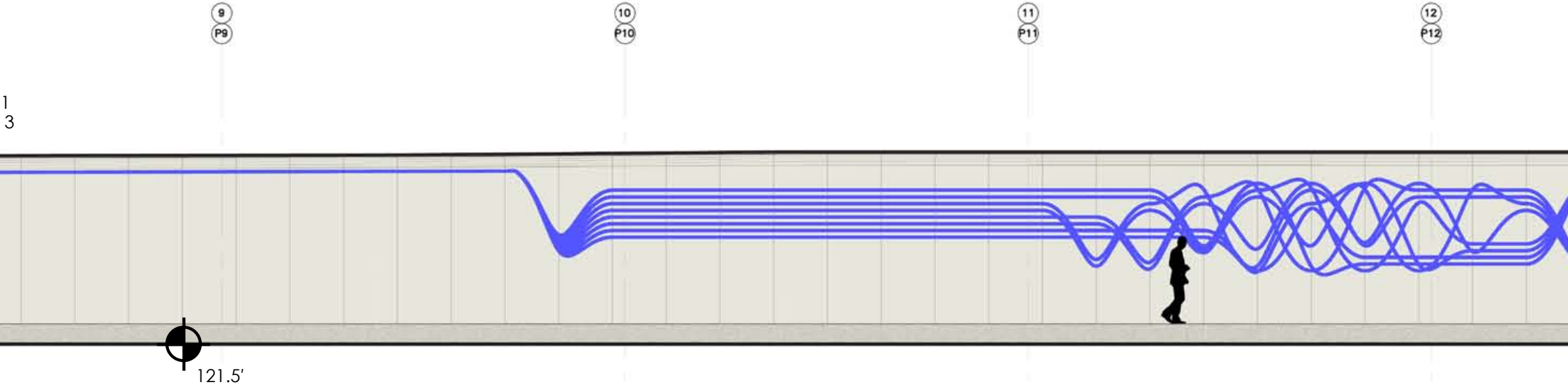
7th Avenue

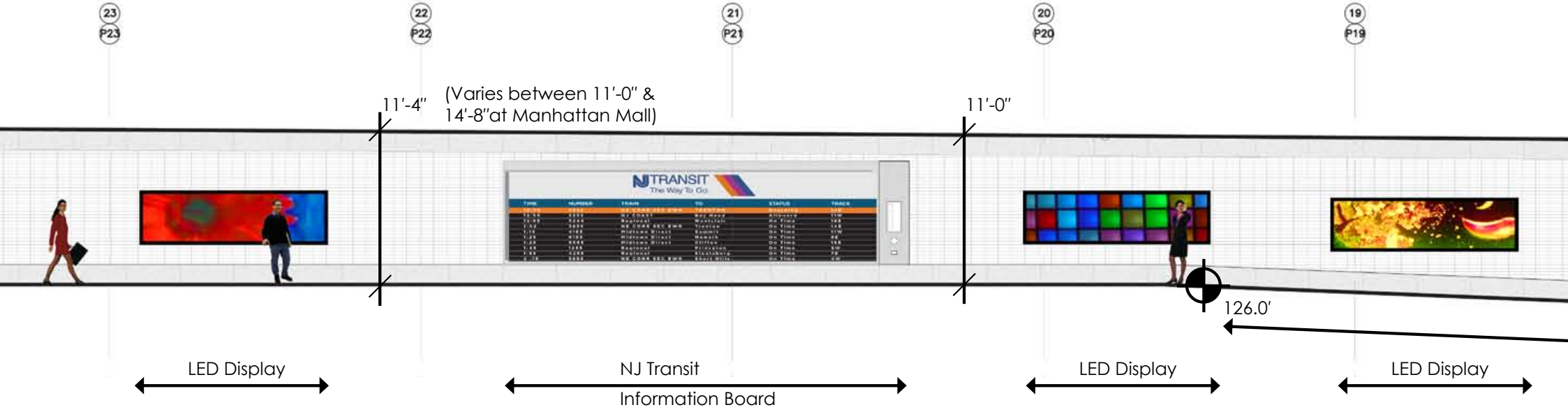

32
P32
31
P31
30
P30
29
P29
14'-8"
Q
R
N
W
B
D
F
V
PATH
124.5'
124.5'
126.0'
Slope
Escalators and stairs
Exit to 6th Avenue

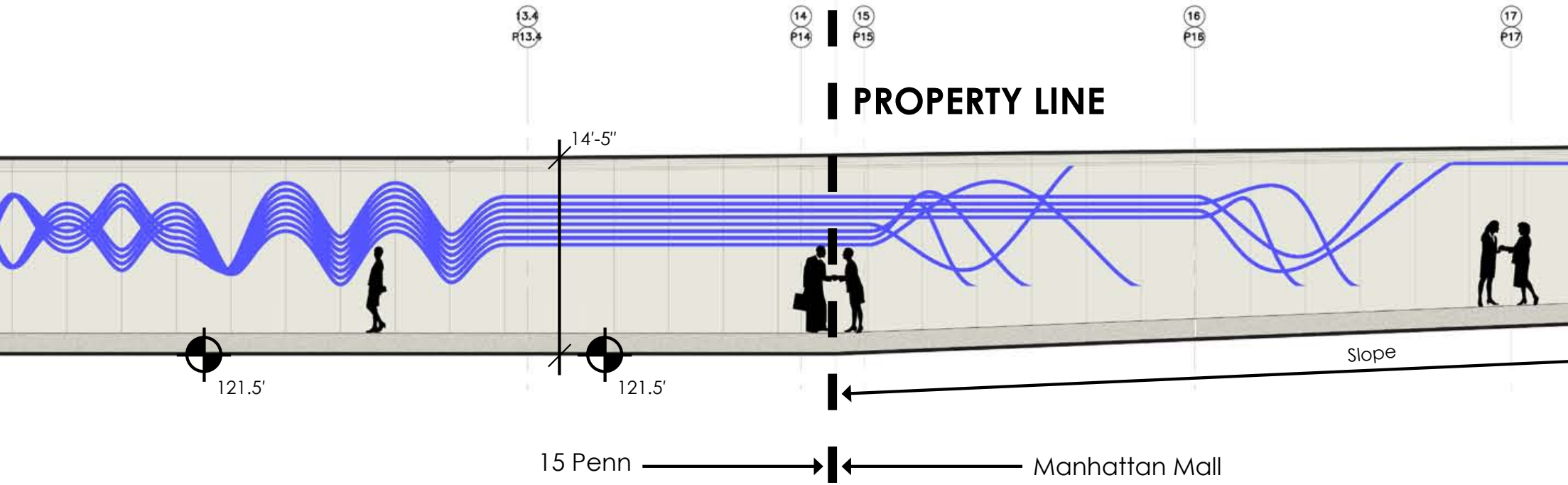
6th Avenue

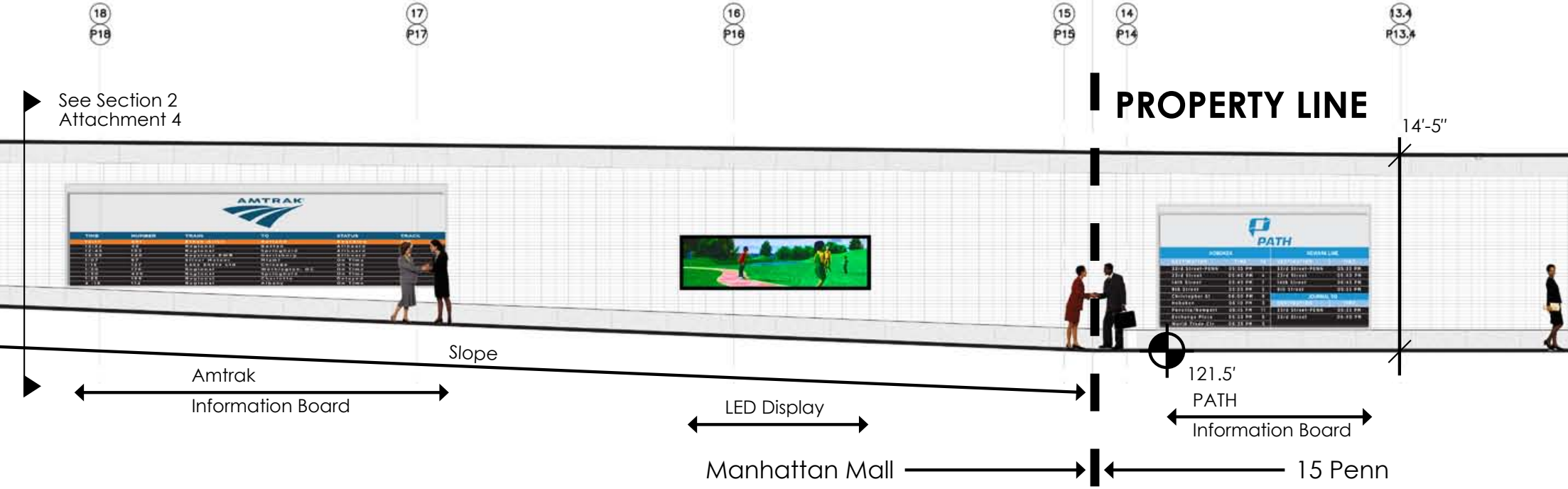

5
P5
6
P6
7
P7
8
P8
See Section
Attachment
121.5'

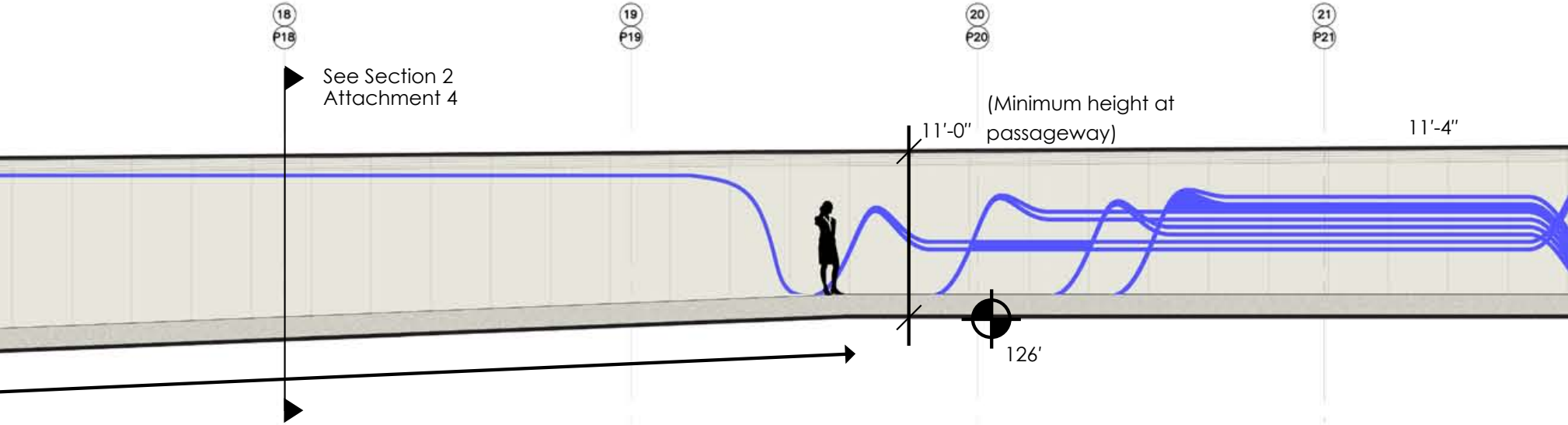

28
P28
27
P27
26
P26
25
P25
24
P24
12'-2"
Gate at Passageway
Skylight
Long Island Rail Road
SIGNAGE
Long Island Rail Road
Information Board
Potential Retail Entry

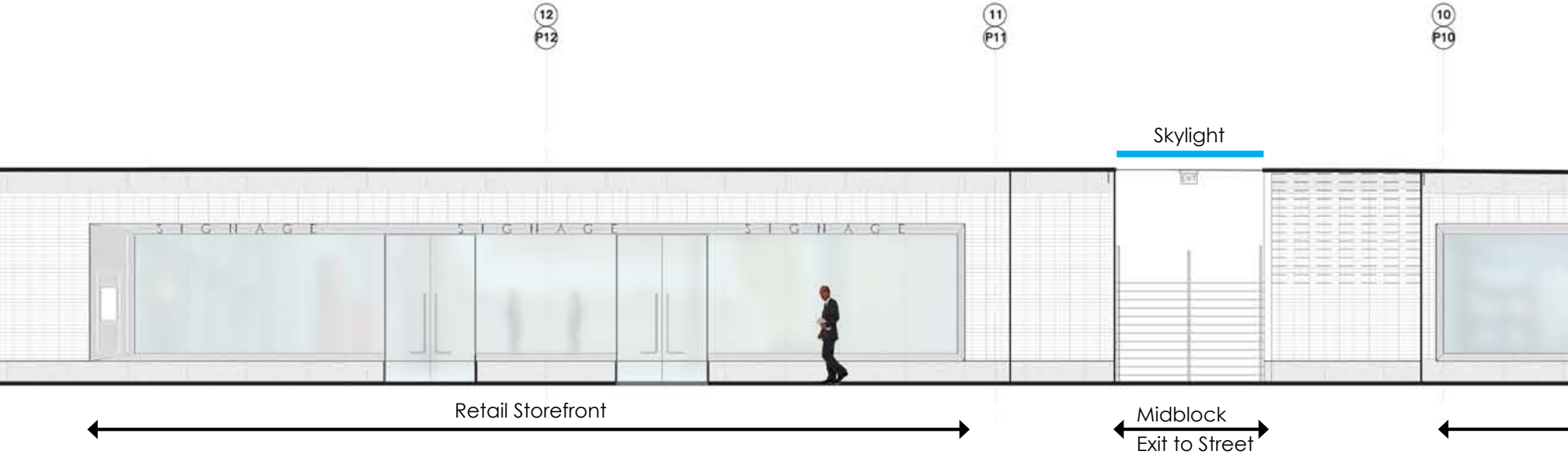

9
P9
10
P10
11
P11
12
P12
1
3
121.5'

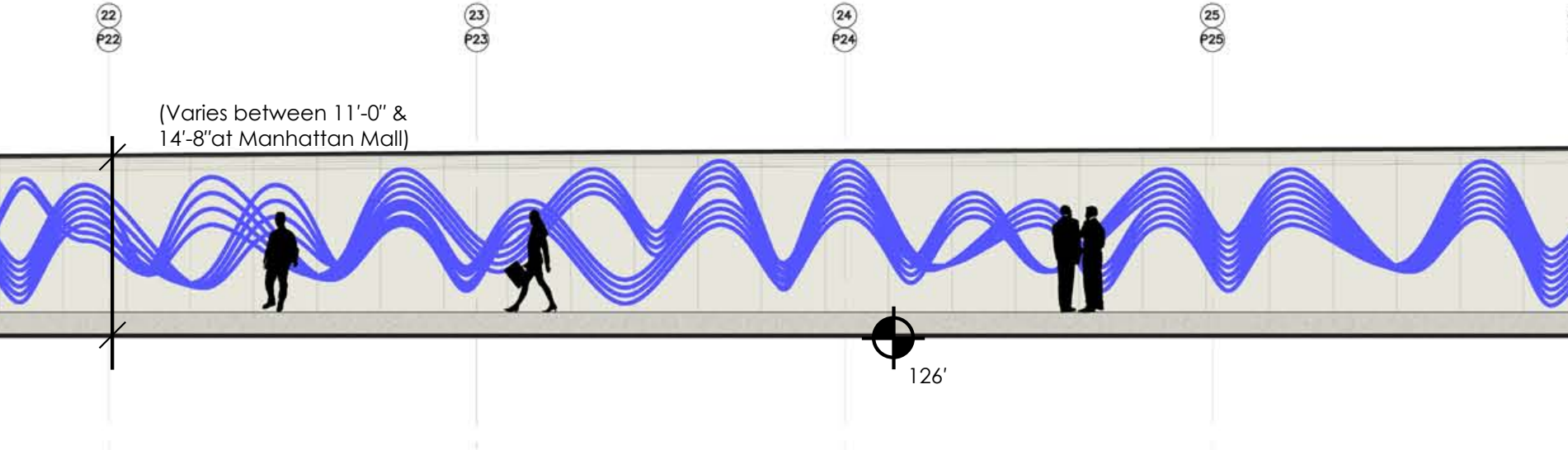

23
P23
22
P22
21
P21
20
P20
19
P19
11'-4"
(Varies between 11'-0" &
14'-8"at Manhattan Mall)
11'-0"
NJ TRANSIT
The Way To Go
126.0'
LED Display
NJ Transit
Information Board
LED Display
LED Display


13.4
P13.4
14
P14
15
P15
16
P16
17
P17
PROPERTY LINE
14'-5"
121.5'
121.5'
Slope
15 Penn
Manhattan Mall

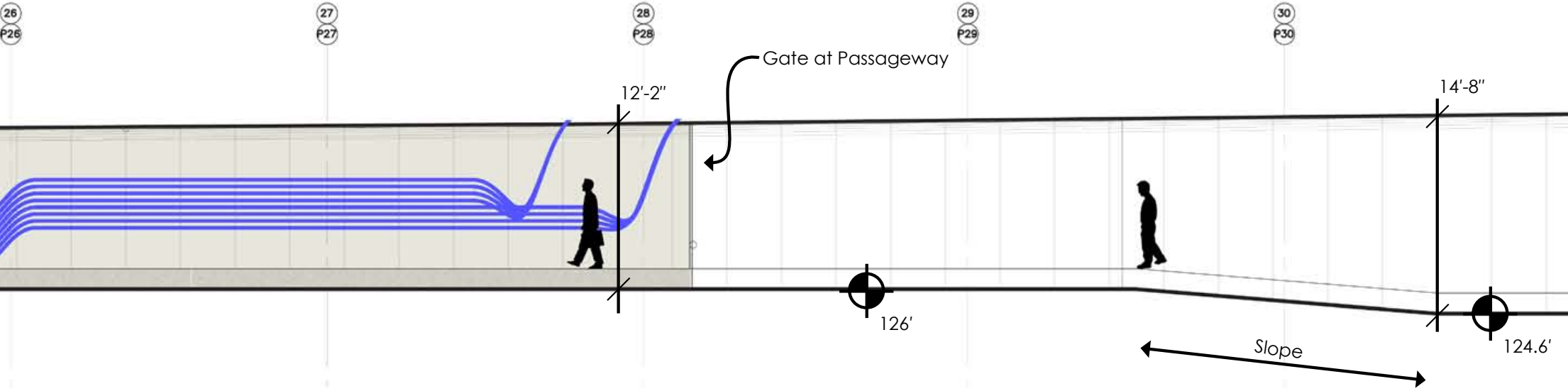

18
P18
17
P17
16
P16
15
P15
14
P14
13.4
P13.4
See Section 2
Attachment 4
PROPERTY LINE
14'-5"
AMTRAK
PATH
Slope
Amtrak
Information Board
LED Display
121.5'
PATH
Information Board
Manhattan Mall
15 Penn

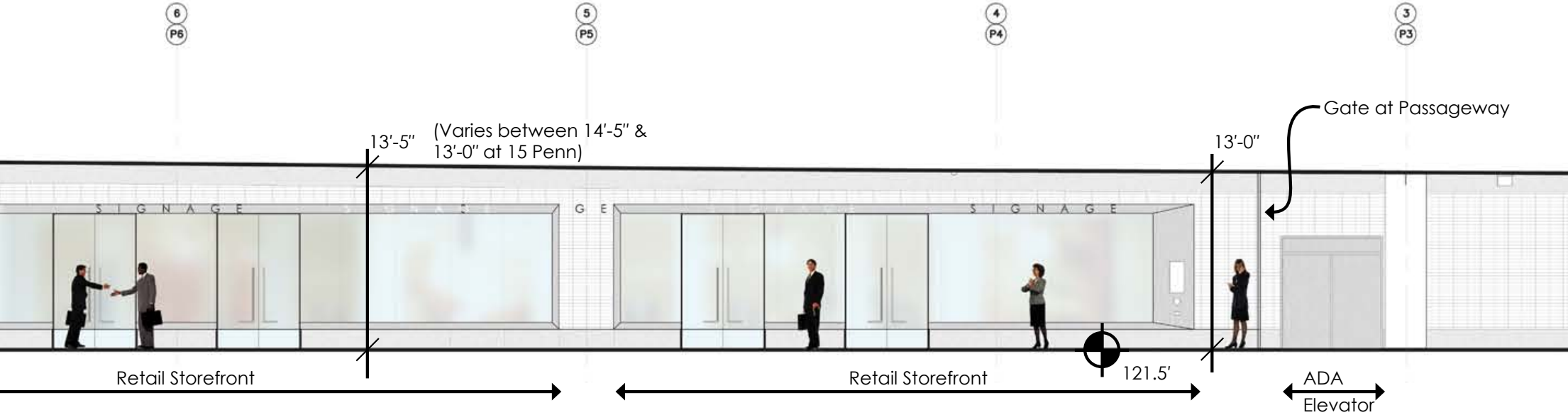

18
P18
19
P19
20
P20
21
P21
See Section 2
Attachment 4
11'-0"
(Minimum height at
passageway)
11'-4"
126'


12
P12
11
P11
10
P10
Skylight
SIGNAGE
SIGNAGE
SIGNAGE
Retail Storefront
Midblock
Exit to Street


22
P22
23
P23
24
P24
25
P25
(Varies between 11'-0" &
14'-8"at Manhattan Mall)
126'

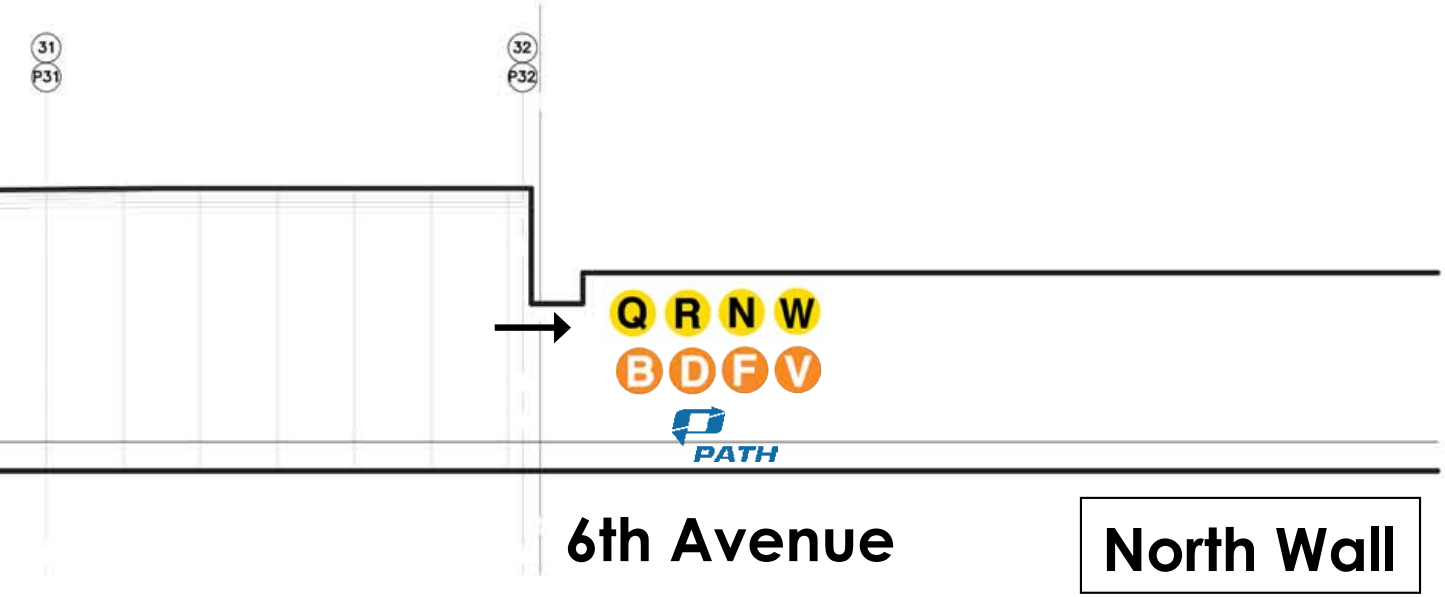

9
P9
8
P8
7
P7
See Section 1
Attachment 3
SIGNAGE
SIGNAGE
IG
Newsstand
Retail Storefront


26
P26
27
P27
28
P28
29
P29
30
P30
Gate at Passageway
12'-2"
14'-8"
126'
124.6'
Slope

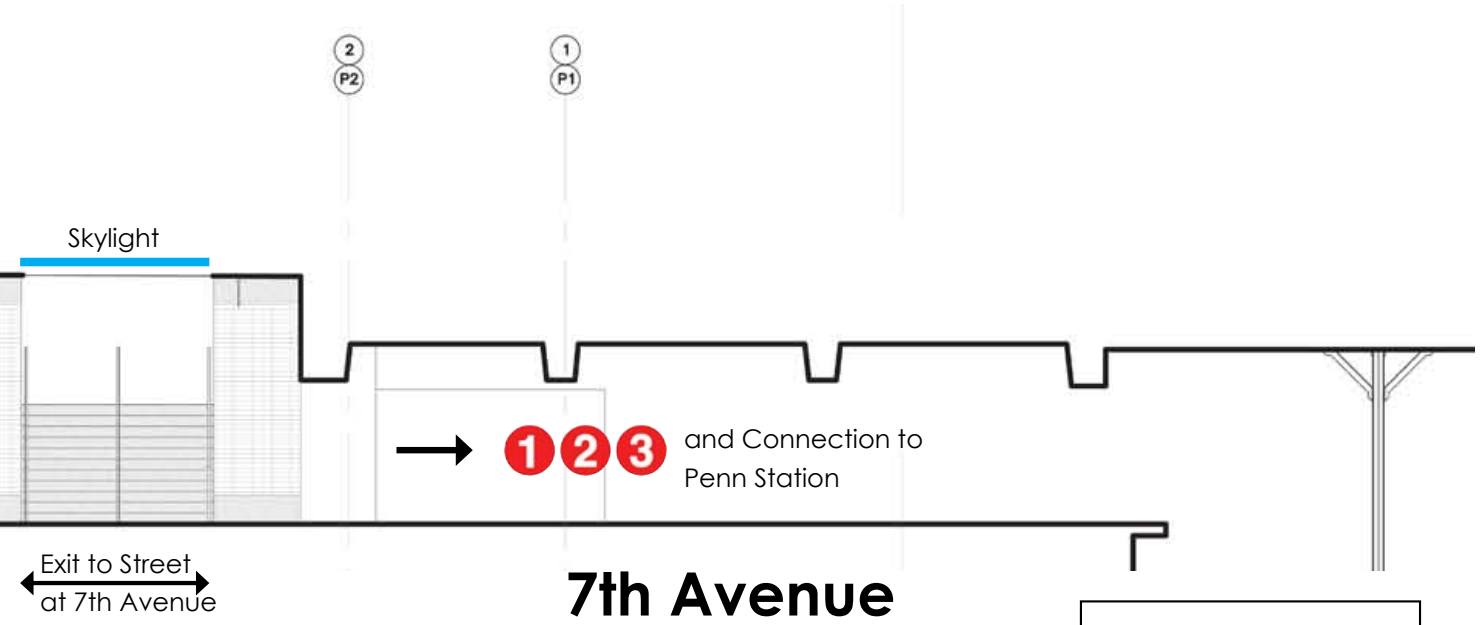

6
P6
5
P5
4
P4
3
P3
13'-5"
(Varies between 14'-5" &
13'-0" at 15 Penn)
Gate at Passageway
13'-0"
SIGNAGE
GE
SIGNAGE
121.5'
Retail Storefront
Retail Storefront
ADA
Elevator

15 PENN PLAZA DEVELOPMENT

VORNADO
REALTY TRUST


31
P31
32
P32
Q R N W
B D F V
PATH
6th Avenue

North Wall


2
P2
1
P1
Skylight
1 2 3
and Connection to
Penn Station
Exit to Street
at 7th Avenue
7th Avenue

South Wall

Attachment 2

Elevations at Passageway

SCALE: 1/8" = 1'-0" 0 2' 4' 8'

JUNE 10, 2010

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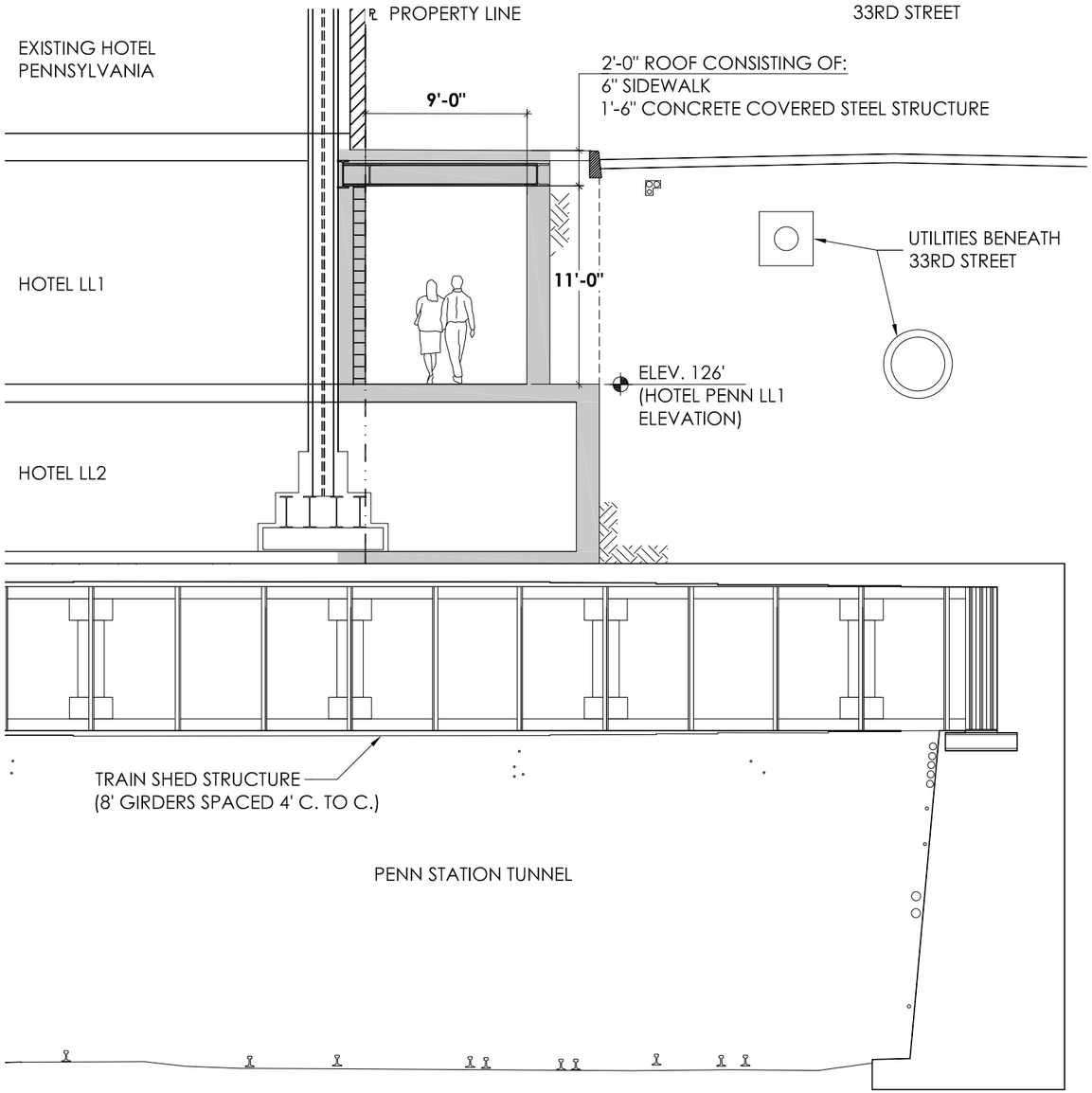
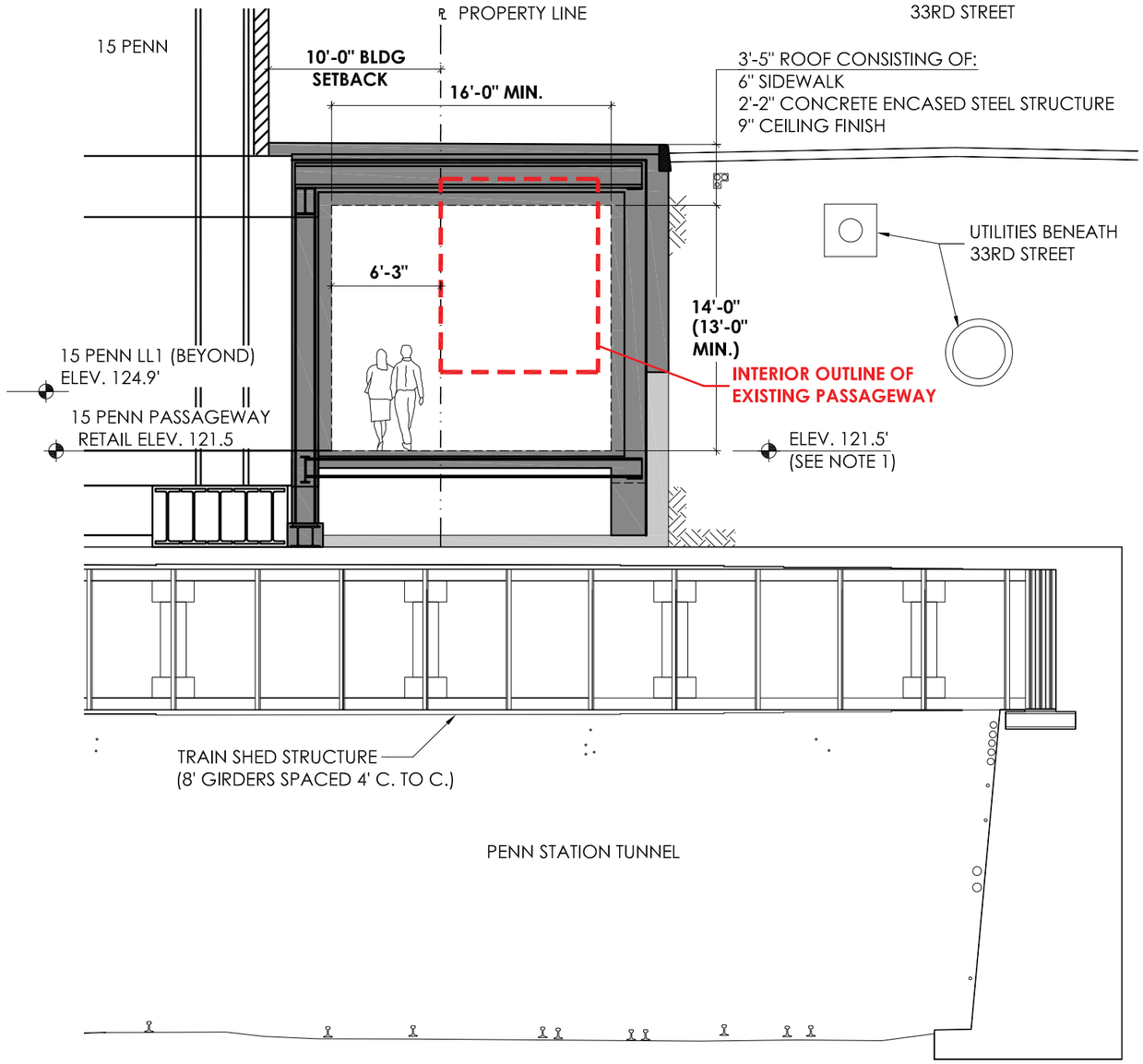


EXISTING 33RD STREET PASSAGEWAY
SECTION 1
(LOOKING WEST)



PROPOSED 33RD STREET PASSAGEWAY
SECTION 1
(LOOKING WEST)

LEGEND:

EXISTING PASSAGEWAY STRUCTURE

PROPOSED PASSAGEWAY STRUCTURE

NOTE:

1. ELEVATION DICTATED BY 7TH AVENUE IRT SUBWAY CONTROL AREA AND PLATFORM AT ELEV. 121.5'

3' 0' 3' 6' 9'

JUNE 10TH 2010

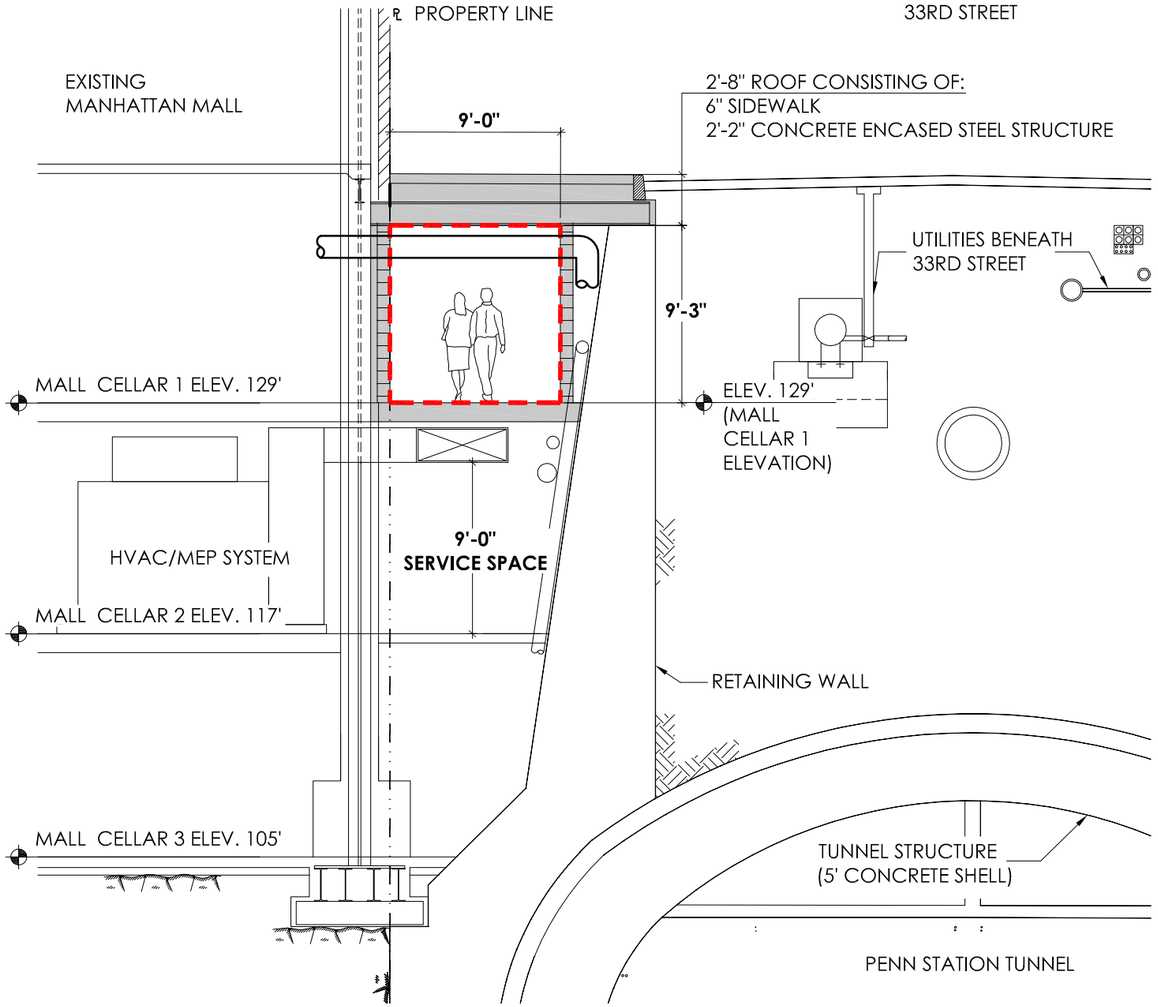
15 PENN PLAZA DEVELOPMENT

VORNADO REALTY TRUST

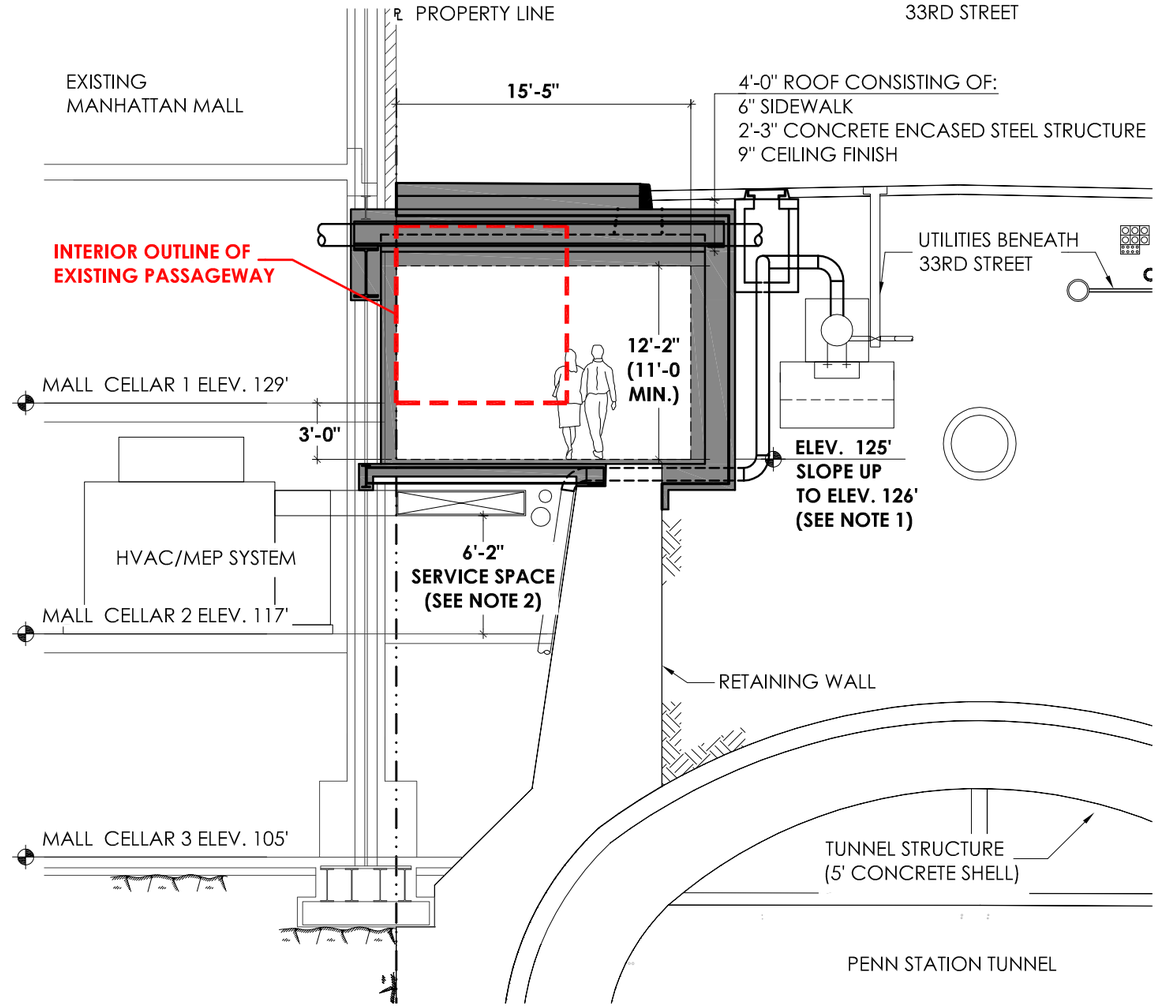
PASSAGEWAY ALONG 15 PENN

ATTACHMENT 3

Stantec



EXISTING 33RD STREET PASSAGEWAY
SECTION 2
(LOOKING WEST)



PROPOSED 33RD STREET PASSAGEWAY
SECTION 2
(LOOKING WEST)

LEGEND:

EXISTING PASSAGEWAY STRUCTURE

PROPOSED PASSAGEWAY STRUCTURE

NOTE:

1. ELEVATION DICTATED BY 6TH AVENUE & 33RD STREET ENTRANCE TO ACCOMODATE ESCALATOR RUN AND MINIMUM RESERVOIR SPACE
2. A MINIMUM HEADROOM IS REQUIRED WITHIN THE MALL CELLAR 2 BELOW THE PASSAGEWAY TO ACCOMODATE BUILDING HVAC/MEP SYSTEMS AND TO MAINTAIN SERVICE ACCESS

ATTACHMENT 4

3' 0' 3' 6' 9'

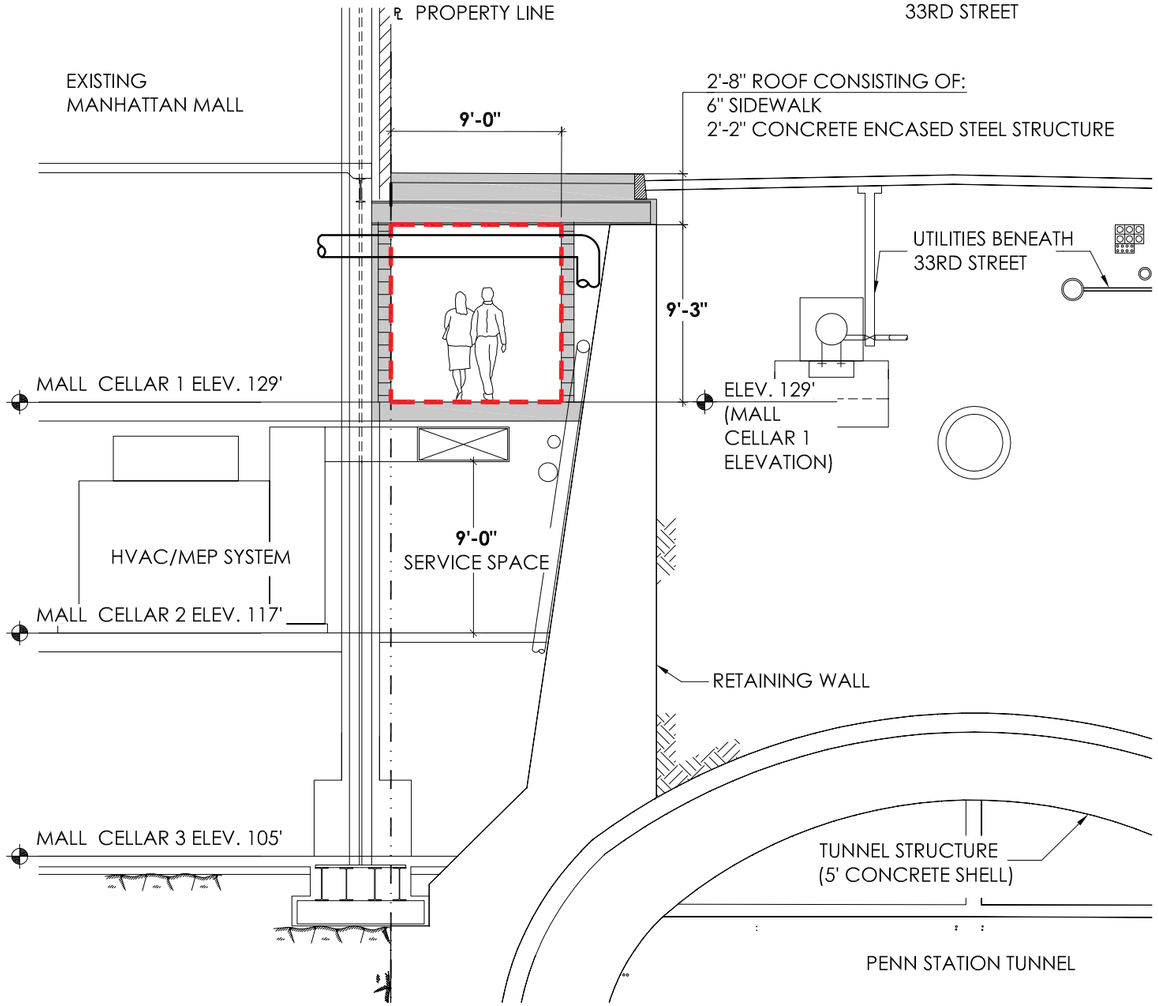
JUNE 10TH 2010

15 PENN PLAZA DEVELOPMENT

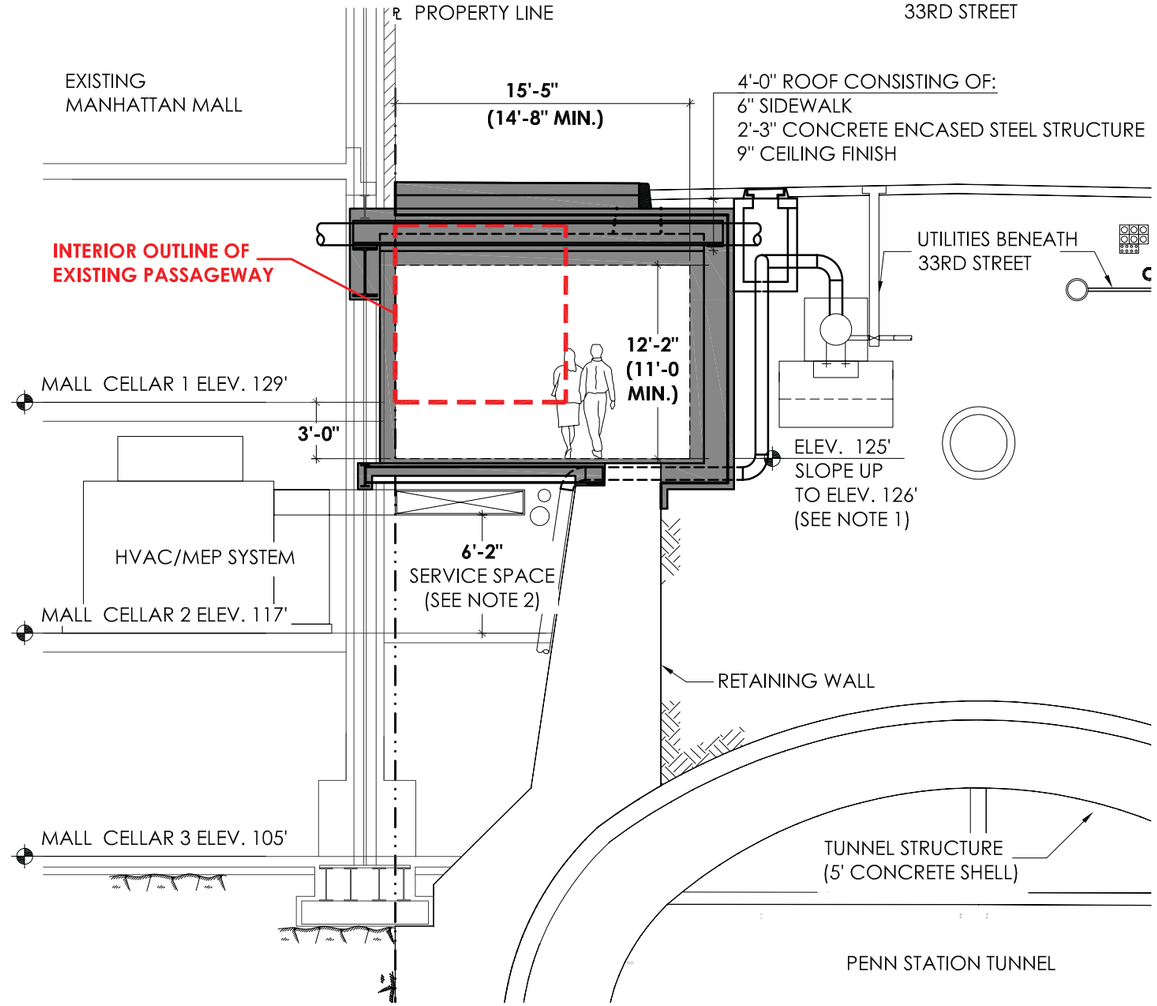
VORNADO REALTY TRUST

PASSAGEWAY ALONG MANHATTAN MALL

Stantec



EXISTING 33RD STREET PASSAGEWAY
SECTION 2
(LOOKING WEST)



PROPOSED 33RD STREET PASSAGEWAY
SECTION 2
(LOOKING WEST)

LEGEND:

EXISTING PASSAGEWAY STRUCTURE

PROPOSED PASSAGEWAY STRUCTURE

NOTE:

1. ELEVATION DICTATED BY 6TH AVENUE & 33RD STREET ENTRANCE TO ACCOMODATE ESCALATOR RUN AND MINIMUM RESERVOIR SPACE
2. A MINIMUM HEADROOM IS REQUIRED WITHIN THE MALL CELLAR 2 BELOW THE PASSAGEWAY TO ACCOMODATE BUILDING HVAC/MEP SYSTEMS AND TO MAINTAIN SERVICE ACCESS

3' 0' 3' 6' 9'

JUNE 10TH 2010

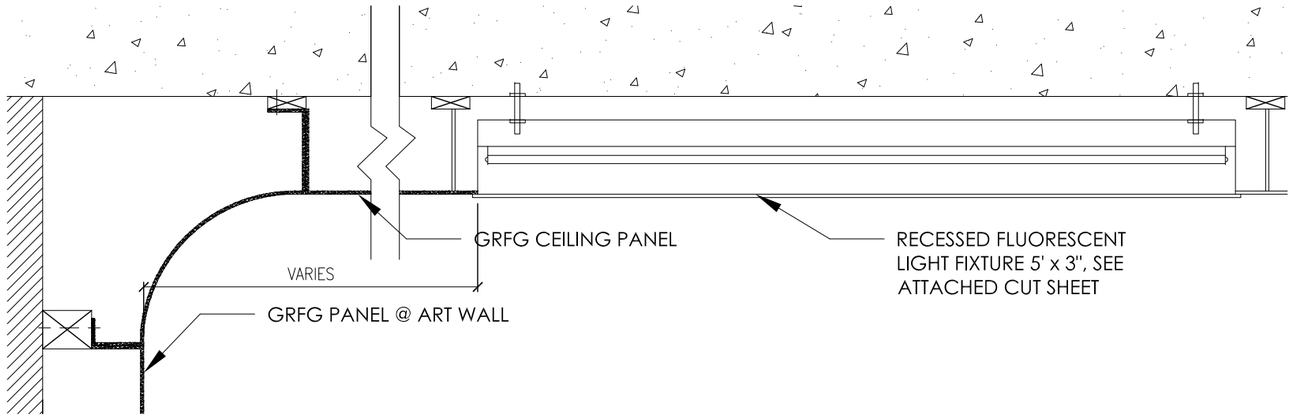
15 PENN PLAZA DEVELOPMENT

VORNADO REALTY TRUST

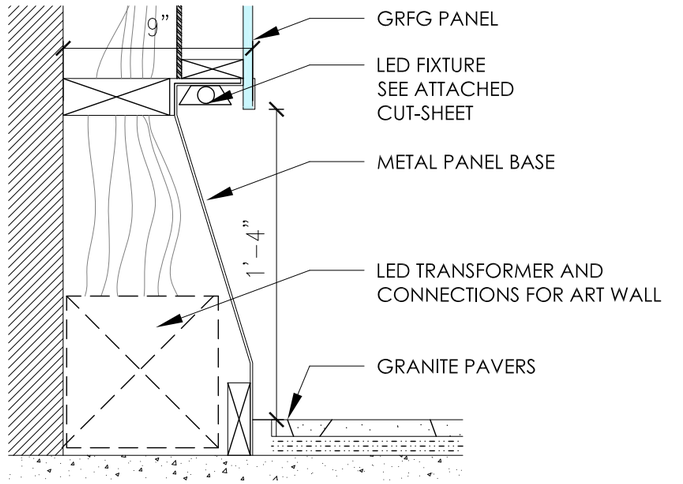
PASSAGEWAY ALONG MANHATTAN MALL

ATTACHMENT 4

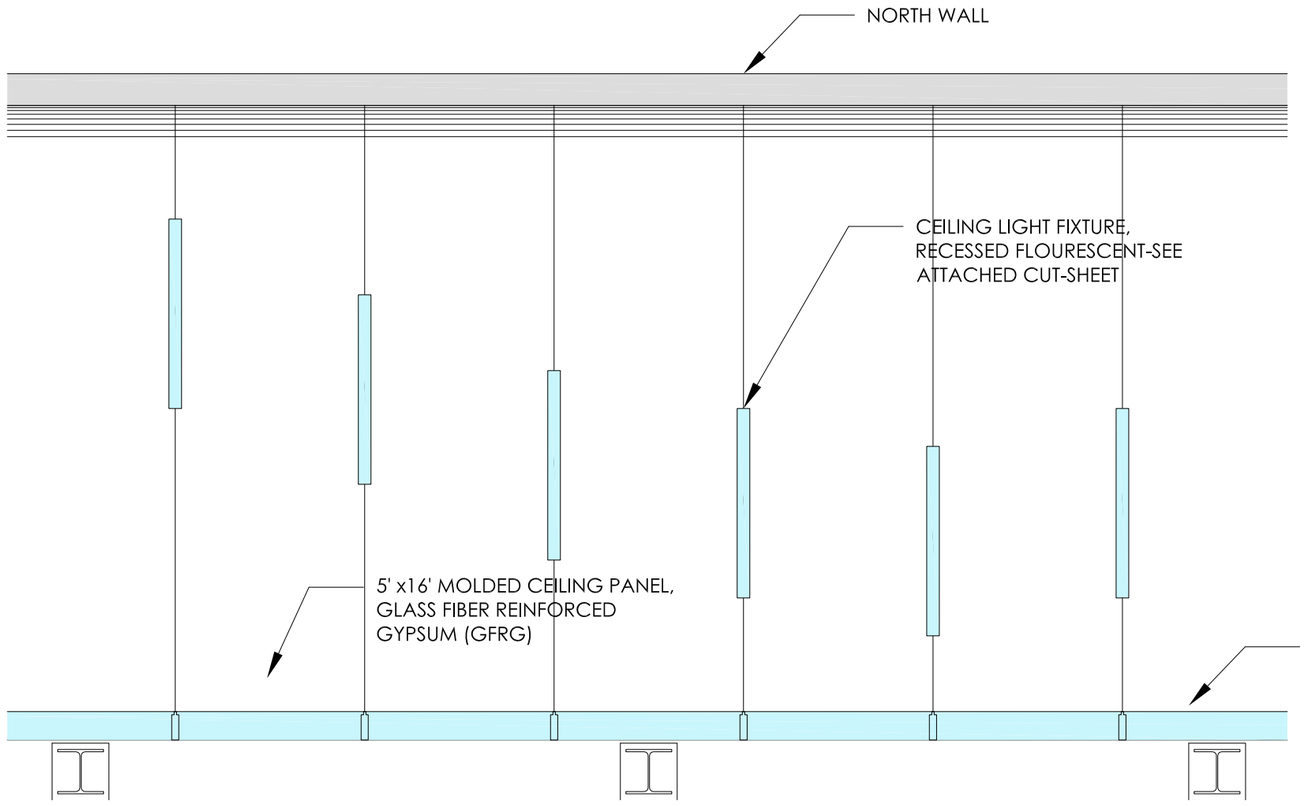
Stantec



1 DETAIL @ CEILING LIGHT FIXTURE
SCALE:1"=1'



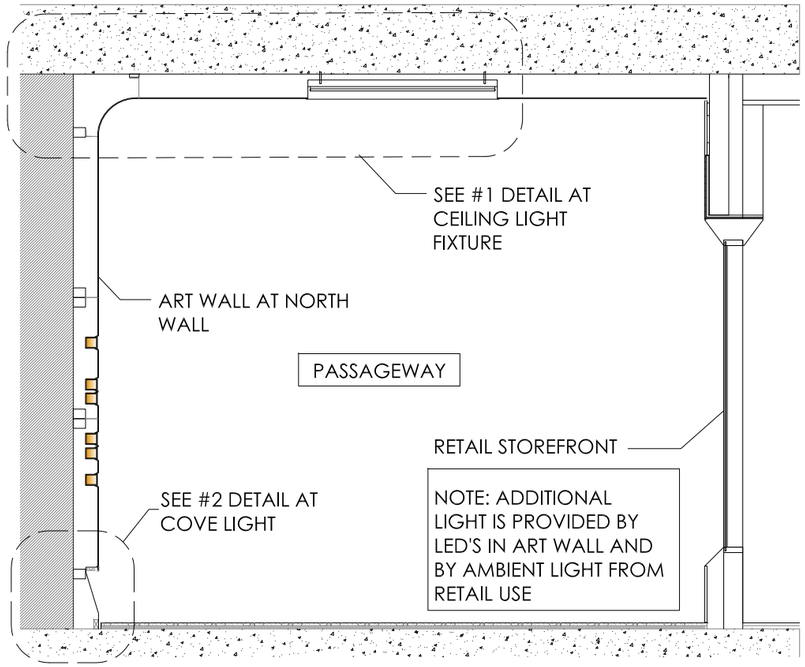
2 DETAIL @ COVE LIGHT
SCALE:1-1/2"=1'



NOTE: CEILING LIGHT FIXTURES PLACED PARALLEL ALONG PANEL JOINTS AT INCREMENTS OF 1' RELATIVE TO NORTH WALL.

MINIMUM 15 FC WILL BE PROVIDED

3 PARTIAL REFLECTED CEILING PLAN
SCALE:1/4"=1'



4 SECTION AT PASSAGEWAY SHOWING LIGHTING
SCALE:1/4"=1'

ATTACHMENT 5

15 PENN PLAZA DEVELOPMENT

VORNADO
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LIGHTING STRATEGIES AT
PASSAGEWAY

JUNE 10, 2010

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LightingScience®

Changing the way the world experiences light.







Corner

The Corner is a low profile, linear LED fixture that provides uniform and high quality white light well suited for display cases, showcases, exhibits, under shelves, cove, alcove and architectural applications.

Features

Lumen Output	
Warm White	240 (lm/ft, lm/305mm)
Neutral White	260 (lm/ft, lm/305mm)
Cool White	320 (lm/ft, lm/305mm)
Power Consumption[1]	
Warm White	7 (w/ft, w/305mm)
Neutral White	7 (w/ft, w/305mm)
Cool White	7 (w/ft, w/305mm)
Efficacy[1]	
Warm White	34 (lm/w)
Neutral White	37 (lm/w)
Cool White	46 (lm/w)
Color Temperature (CCT)	
Warm White	2950K
Neutral White	4100K
Cool White	5200K
Color Rendering Index (CRI)[2]	
Warm White	78
Neutral White	70
Cool White	70
Rated Life	50,000 Hours @ 70% Lumen Maintenance
Housing	
Standard	Natural Aluminum
Optional	Black
Mounting	All Options Included
Connections	Available with multiple series of fixtures
Lens	Diffused Acrylic
Beam Spread	45°
Operating Temperature	-40°C to +40°C
Voltage	20 Volts DC (24VDC Max.)
Warranty	3 Year Limited
Standards	UL48, UL2108
Certification	
Environment	

[1] Fixture power consumption for 24.0 VDC is 7 watts per foot max.
[2] Engineering data, pending photometric testing.

Benefits

Low Energy Consumption
- 7 (w/ft, w/305mm)

Free of UV and IR emission
- No product and packaging discoloration

Lower Maintenance Cost
- 50,000 hour life

Environmentally Friendly
- No mercury or other hazardous materials
- Fully Recyclable

CRD SP002
Dec 2008

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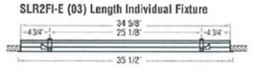
LIGHTING FIXTURE AT COVE - CONTINUOUS LED

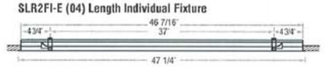
Side Views – Sheetrock Ceiling Installation

Individual Fixtures

SLR2FI-E (03) Length Individual Fixture



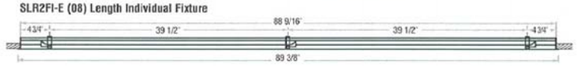
SLR2FI-E (04) Length Individual Fixture



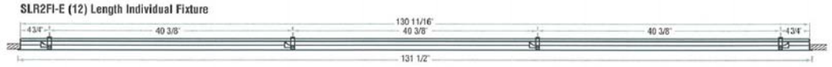
SLR2FI-E (05) Length Individual Fixture



SLR2FI-E (08) Length Individual Fixture



SLR2FI-E (12) Length Individual Fixture



Continuous Run Fixtures

SLR2FS-E Starter Fixtures (end flange not included)



Starter fixture includes an aluminum endcap. Geartray with Cap end designed to extend into next fixture. Supplied with installation screw installed in housing.

SLR2FM-E Mid Fixtures

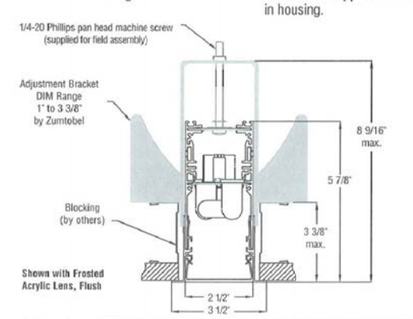


Mid fixture receives Start or Mid fixture on one end and End or Mid fixture on the other end. Quick connector with Plug end designed to extend into Start fixture and Cap end designed to extend into End fixture. Supplied with installation screws installed in housing.

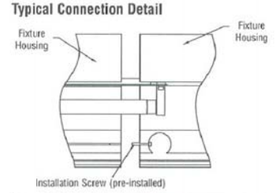
SLR2FE-E End Fixtures (end flange not included)



End fixture includes an aluminum endcap. Geartray with Plug end designed to extend into next fixture. Supplied with installation screw installed in housing.



Typical Connection Detail



NOT TO SCALE

Maximum length of fixture run per feed*:	(1) 28W T5	(1) 54W T5 HO
120V	172 ft.	88 ft.
277V	400 ft.	212 ft.

*All run lengths based on using ULT ballasts and drawing a maximum of 12 amps on the circuit.

Zumtobel Lighting Inc. ©2009
3300 Route 9W
Highland, NY 12528-2630

TEL (845) 691-6262
(800) 932-0633
FAX (845) 691-6289

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www.zumtobel.us

SL-7B

In a continuing effort to offer the best product possible we reserve the right to change, without notice, specifications or materials. Technical specification sheets that appear on www.zumtobel.us are the most recent version and supersede all other versions that exist in any other printed or electronic form.

ZUMTOBEL

LIGHTING FIXTURE AT CEILING - RECESSED FLUORESCENT TUBE

ATTACHMENT 6

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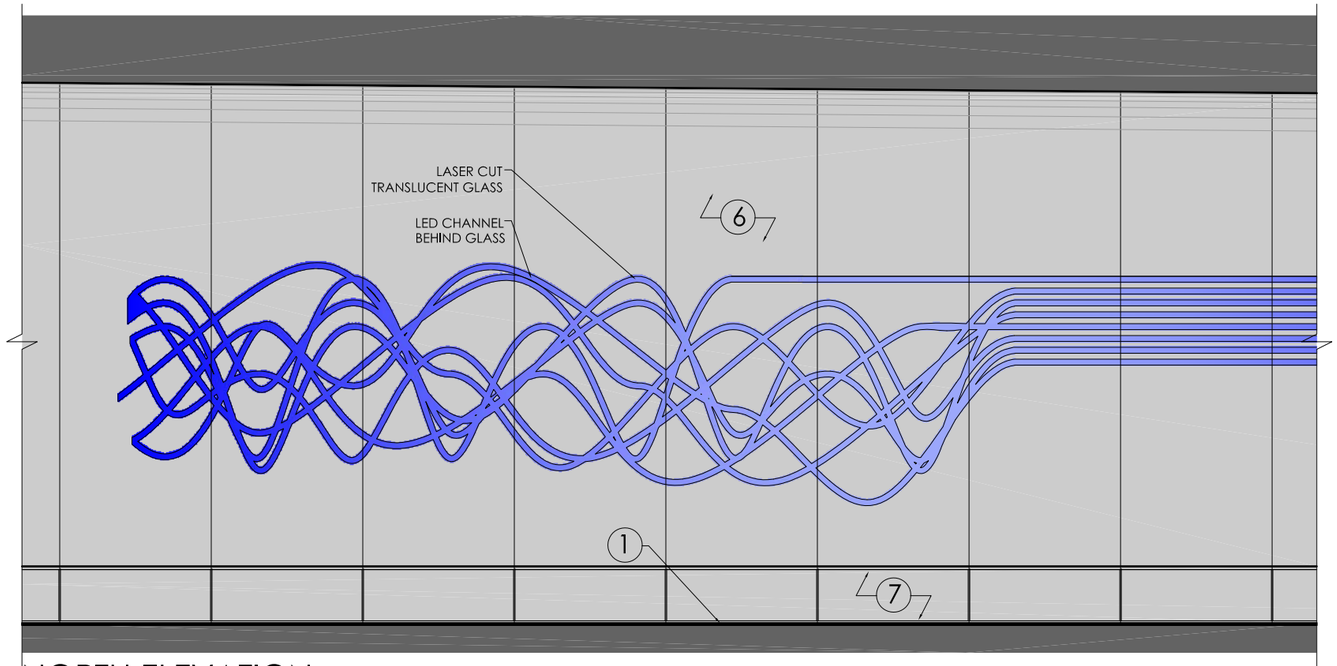
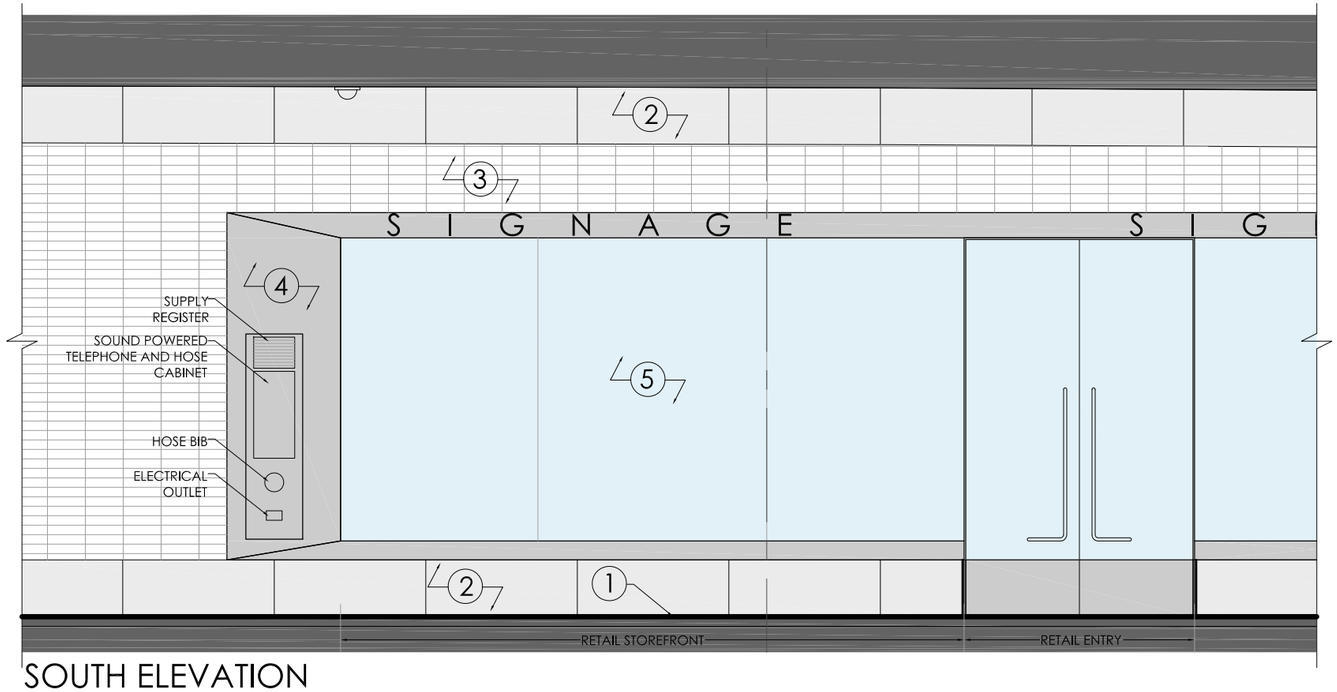


NORTH ELEVATION



SOUTH ELEVATION

LEGEND

1	Floor: Granite Pavers, 12"x12", Sierra White Granite with thermal finish
2	South Wall: Granite Tiles, 1'-6"x4'-0", Sierra White Granite with thermal finish
3	South Wall: Ceramic Tile: 2"x8", Daltile, Pearl White
4	South Wall: Metal Finish: Stainless steel with brushed nickel finish
5	South Wall: Glass at Storefront: 3/8" tempered clear glass
6	North Wall: Molded Panels at art wall, Glass fiber reinforced panel,s laser cut to follow artist's design, glass inserts with LED's in channel behind glass.
7	North Wall: Metal Base, stainless steel with brushed nickel finish
8	Ceiling: Molded panels to match north wall

ATTACHMENT 7

15 PENN PLAZA DEVELOPMENT

VORNADO REALTY TRUST

PASSAGEWAY
FINISH SCHEDULE

SCALE: 1/4" =1'-0" 0 1' 2' 4' 8'

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FINISH BOX

ATTACHMENT 9
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FINISH BOX

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Precedent: Minneapolis Public Library



ATTACHMENT 10

15 PENN PLAZA DEVELOPMENT

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VIEW OF 32ND STREET- SINGLE TENANT SCHEME
ARTISTIC CONCEPT AT ELEVATOR WALL
(TREES REMOVED FROM RENDERING)

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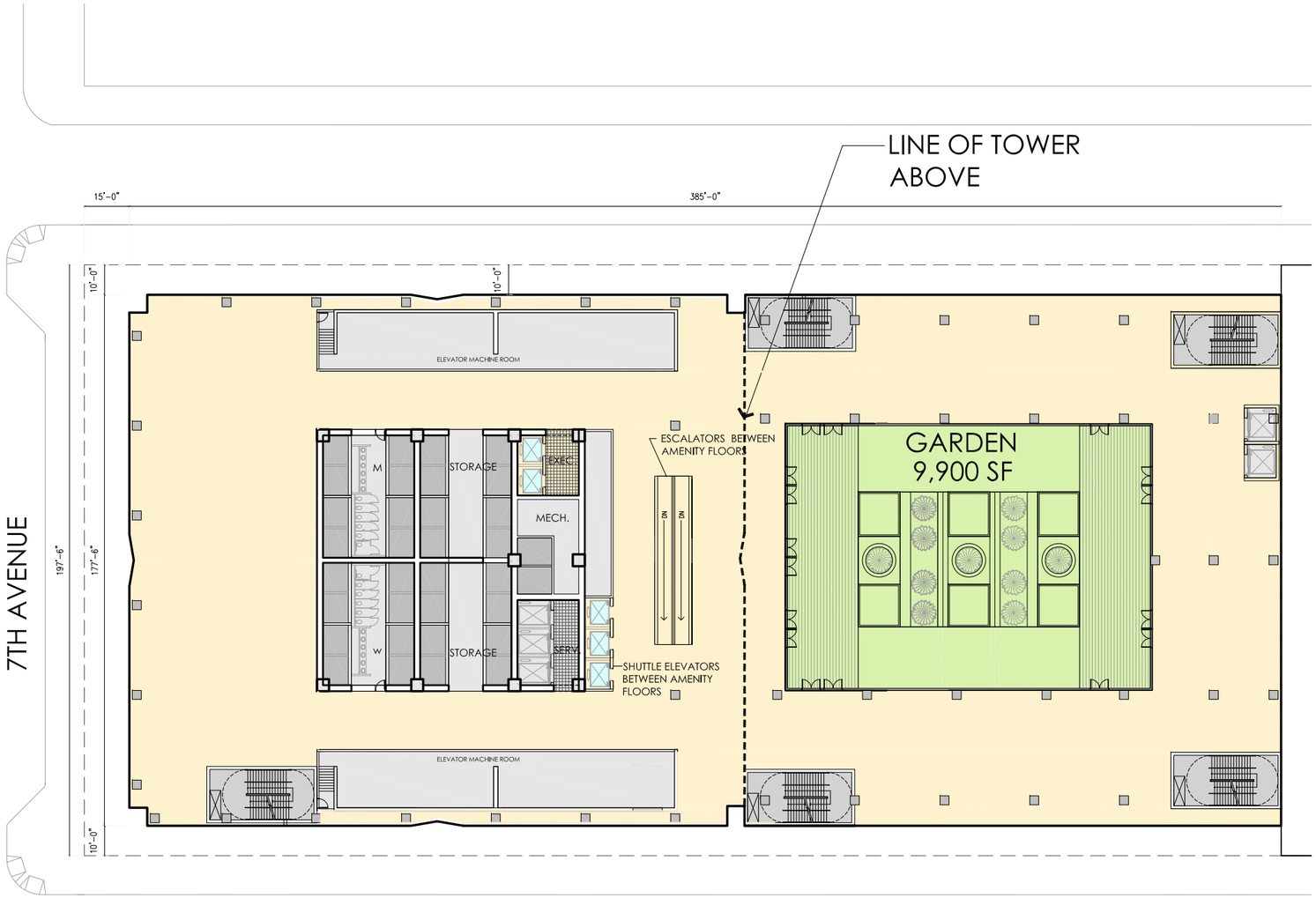
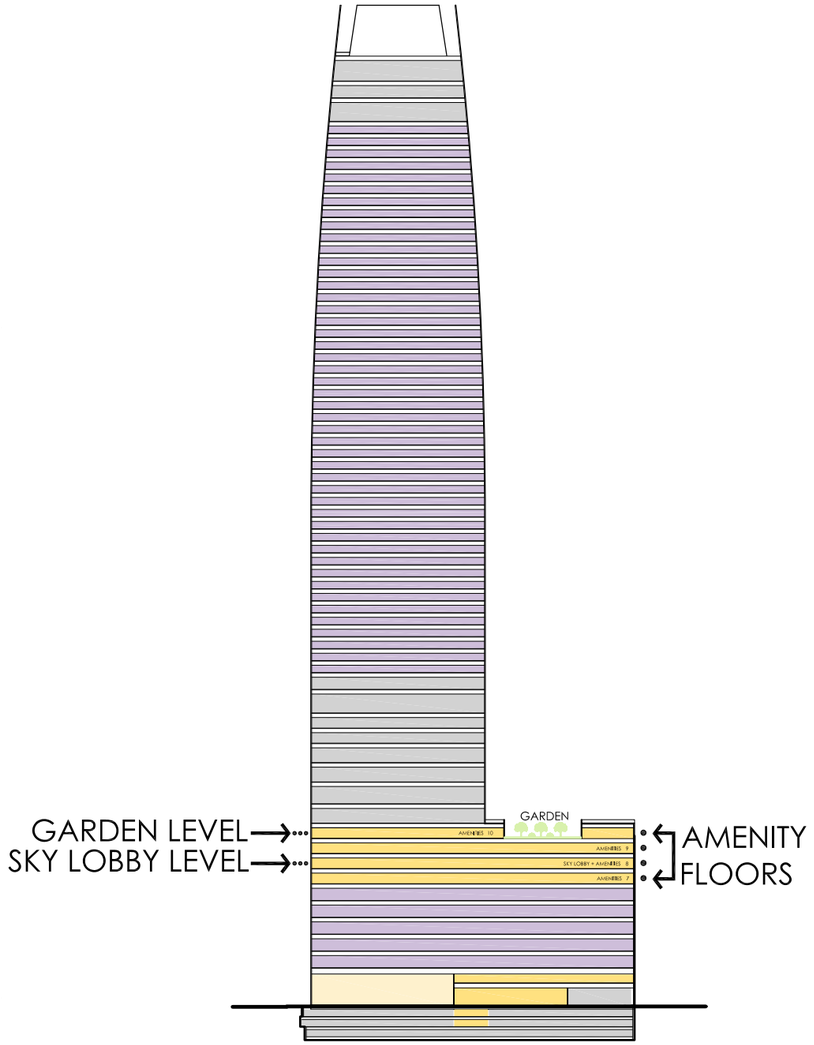


PLAN AT 10TH FLOOR



EAST/WEST SECTION

GARDEN TO CONTAIN SHADE TRELLIS SEATING WITH TABLES AND LANDSCAPING THAT COMPLIES WITH PUBLIC PLAZA DESIGN REQUIREMENTS (SECT 37-70).

DETAILED LANDSCAPING PLAN BEING COMPLETED.

ATTACHMENT 11

NOTE : INTERIOR DIVISIONS ARE FOR ILLUSTRATIVE PURPOSES ONLY

15 PENN PLAZA DEVELOPMENT

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SINGLE TENANT SCHEME
SHOWING GARDEN AT 10TH FLOOR

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0 20 40 60

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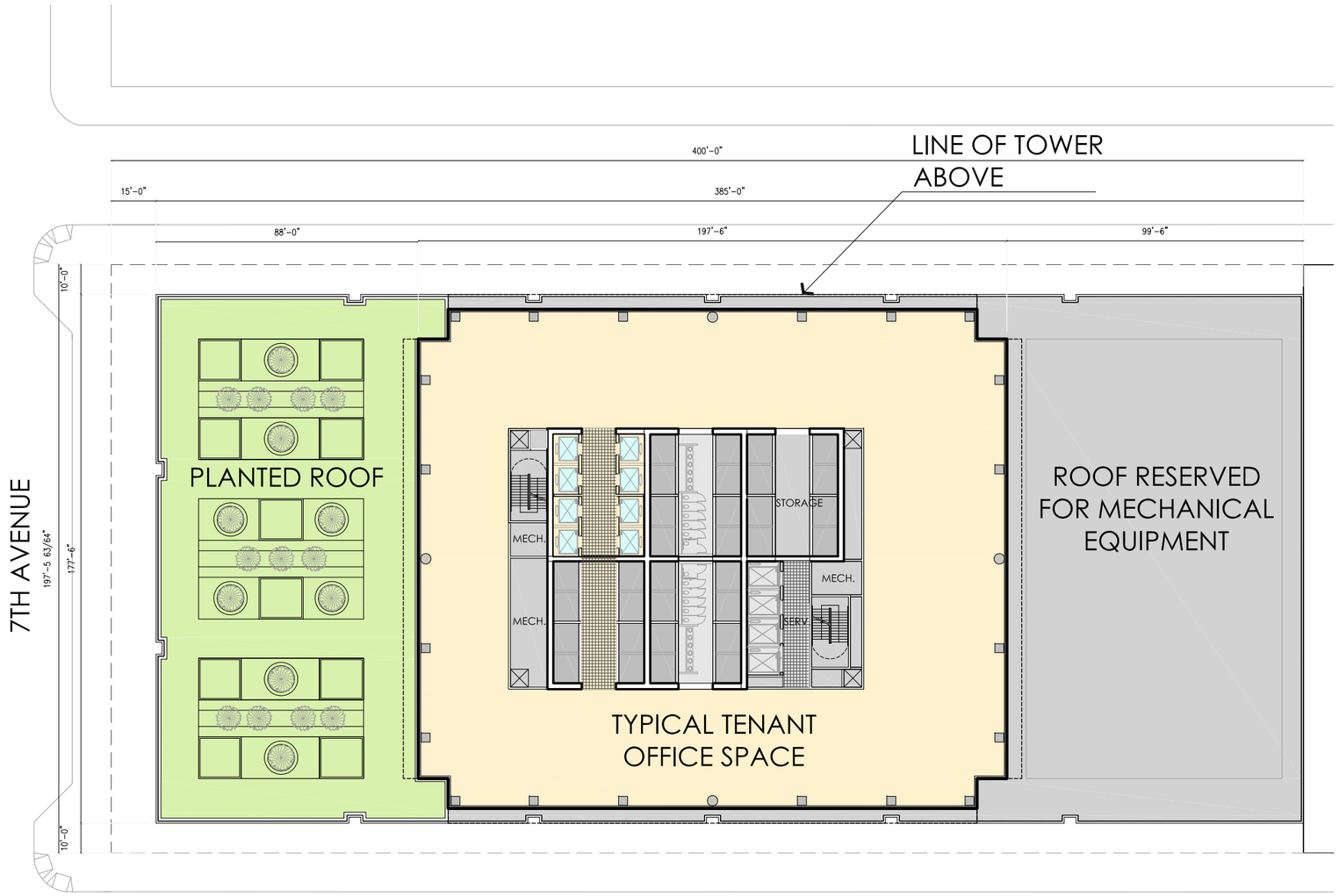
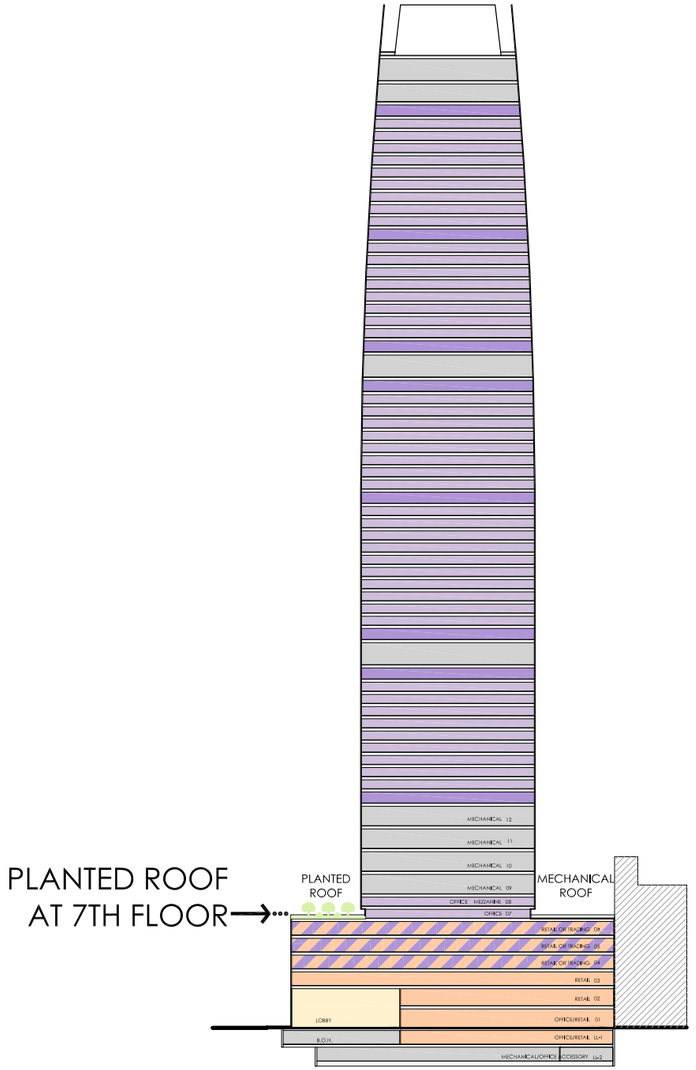


PLAN AT 7TH FLOOR



EAST/WEST SECTION

PLANTED GREEN ROOF NOT ACCESSIBLE TO TENANTS, FOR VISUAL INTEREST ONLY.

ATTACHMENT 12

NOTE : INTERIOR DIVISIONS ARE FOR ILLUSTRATIVE PURPOSES ONLY.

15 PENN PLAZA DEVELOPMENT

VORNADO REALTY TRUST

MULTI TENANT SCHEME
SHOWING PODIUM ROOF AT 7TH FLOOR

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