
Appendix B: Restrictive Declaration

RESTRICTIVE DECLARATION

**NEW YORK COUNTY
BLOCK 1280, LOT 30**

**RECORD AND RETURN TO:
Fried Frank Harris Shriver & Jacobson LLP
One New York Plaza
New York, New York 10004
Attention: David Karnovsky, Esq.**

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RESTRICTIVE DECLARATION

THIS RESTRICTIVE DECLARATION (“**Declaration**”), made as of the ___ day of _____, 202_¹, by COMMODORE OWNER LLC, a Delaware limited liability company having an address at c/o RXR Realty LLC, 625 RXR Plaza, Uniondale, New York 11556 (“**Declarant**”).

WITNESSETH:

1. Declarant is the ground-lessee for the ground lease (the “**Lease**”) for certain real property located in the Borough of Manhattan, City and State of New York, designated on the Tax Map of the City of New York as Lot 30 of Block 1280, excluding any and all property owned, leased, or in control of the MTA (defined below), as more particularly described in **Exhibit A** attached hereto (the “**Subject Property**”);
2. Declarant filed applications with the New York City Department of City Planning (“**DCP**”) for approval by the New York City Planning Commission (the “**Commission**”) of: (a) a special permit pursuant to Section 81-644 of the Zoning Resolution (defined below) for an increase in the maximum floor area ratio pursuant to the Special Permit for Transit Improvements (C 210414 ZSM) (the “**Transit Improvements Special Permit**”); (b) a special permit pursuant to Section 81-645 of the Zoning Resolution for an increase in the maximum floor area ratio and to modify loading regulations pursuant to the Special Permit for a Public Concourse (C 210415 ZSM) (the “**Public Concourse Special Permit**”); (c) a special permit pursuant to Section 81-621 of the Zoning Resolution to allow hotel use (C 210413 ZSM); and (d) a special permit pursuant to Section 81-685 of the Zoning Resolution to modify qualifying site, floor area, street wall, height and setback, mandatory district plan elements, publicly accessible space, and special permit term regulations (C 210412 ZSM) (collectively, the “**Special Permits**”);
3. Declarant filed applications with DCP requesting from the Chair of the Commission (the “**Chair**”) and the MTA (defined below) (a) a certification pursuant to Section 81-673(a) of the Zoning Resolution regarding the reconfiguration of existing transit easement volumes (N 210418 ZCM) and (b) a certification pursuant to Section 81-673(b) of the Zoning Resolution regarding a new transit easement volume (N 210419 ZCM) (collectively, the “**Certifications**”);
4. Declarant filed a related application with DCP for zoning text amendments (N 210416 ZRM) and the New York City Department of Citywide Administrative Services filed a related application with DCP for the disposition of City-owned real property with respect to the Subject Property (C 210417 PPM) (collectively, the “**Related Actions**”);
5. Declarant intends to develop the Subject Property pursuant to the Special Permits and Certifications with a new building utilizing up to 2,246,515 square feet of zoning floor area, containing a mix of office, retail, and hotel uses (the “**Proposed Building**”) as set forth in the

¹ **NTD**: This Declaration is not to be dated before the Closing/Lease signing date.

Building Drawings (defined below), and to undertake extensive improvements to the pedestrian and mass transit network within and in the vicinity of Grand Central Terminal;

6. The Proposed Building would utilize up to 611,616 square feet of zoning floor area pursuant to the Transit Improvements Special Permit and up to 259,224 square feet of zoning floor area pursuant to the Public Concourse Special Permit (collectively, the “**Bonus Floor Area**”);
7. As part of the application for the Transit Improvements Special Permit, Declarant has proposed to implement certain projects for the improvement of MTA facilities. Such projects include improvements to (i) the 42nd Street entrance of the Grand Central 42nd Street subway station, (ii) the mezzanine level of the Grand Central 42nd Street subway station, and (iii) connections between the Grand Central 42nd Street subway station and commuter railroads (each, a “**Transit Improvement**” and collectively, the “**Transit Improvements**”) and the MTA has issued the letter attached hereto as **Exhibit B-1** regarding such improvements in accordance with Sections 81-644 and 74-634(e)(2) of the Zoning Resolution;
8. As part of the application for the Public Concourse Special Permit, Declarant has proposed (i) a new Transit Hall connecting the Grand Central 42nd Street subway station to Grand Central Terminal and (ii) a project for the renovation of the Lexington Passage (each, a “**Transit-Related Public Concourse Improvement**” and collectively, the “**Transit-Related Public Concourse Improvements**”), and the MTA has issued the letter attached hereto as **Exhibit B-2** providing conceptual approval of the Transit-Related Public Concourse Improvements (Exhibit B-1 and Exhibit B-2, collectively, the “**MTA Letters**”);
9. As part of the application for the Public Concourse Special Permit, Declarant has also proposed new open-air publicly accessible spaces consisting of (a) the Grand Central Terrace and (b) the Graybar Terrace (each, a “**Bonused Terrace**” and collectively, the “**Bonused Terraces**”); each Transit-Related Public Concourse Improvement or Bonused Terrace is a “**Public Concourse Improvement**” and the Transit-Related Public Concourse Improvements together with the Bonused Terraces, collectively, the “**Public Concourse Improvements**”);
10. Sections 81-644 and 74-634 of the Zoning Resolution require applicants for the Transit Improvements Special Permit to execute an agreement setting forth the obligations of the owner, and its successors and assigns, to (a) construct the Transit Improvements; (b) provide for maintenance of the Transit Improvements; (c) establish a construction schedule for the Transit Improvements; and (d) provide security for performance of the Transit Improvements;
11. Section 81-645 of the Zoning Resolution requires applicants for the Public Concourse Special Permit to execute an agreement setting forth the obligations of the owner to construct, maintain, and provide public access to the Public Concourse Improvements;
12. The MTA has reviewed the terms of this Declaration pertaining to the Transit Improvements and Transit-Related Public Concourse Improvements;

13. The Commission conducted an environmental review of the Special Permits and Related Actions as lead agency pursuant to City Environmental Quality Review, Executive Order No. 91 of 1977, as amended, and the regulations promulgated thereunder at 62 RCNY § 5-01 et seq. (“**CEQR**”) and the State Environmental Quality Review Act, New York State Environmental Conservation Law § 8-0101 et seq. and the regulations promulgated thereunder at 6 NYCRR Part 617 (“**SEORA**”), and issued a Notice of Completion of the Final Environmental Impact Statement (“**FEIS**”) on May 17, 2021;
14. To ensure that the development of the Subject Property pursuant to the Special Permits is consistent with the analysis in the FEIS and incorporates (i) certain project components related to the environment (“**PCREs**”) that were material to the analysis of environmental impacts in the FEIS and (ii) certain measures (“**Mitigation Measures**”) identified in the FEIS to mitigate significant adverse transportation impacts, Declarant desires to restrict the manner in which the Subject Property may be developed, redeveloped, maintained, and operated now and in the future;
15. Pursuant to the certificate attached hereto as **Exhibit C** (the “**Certification of Parties-in-Interest**”), **Fidelity National Title Insurance Company** has certified that as of **[DATE]** Declarant, the City of New York, and **[OTHERS]** are the sole Parties-in-Interest (defined below) to the Subject Property; and
16. All Parties-in-Interest other than the City of New York have either executed this Declaration or waived their rights to execute this Declaration by written instrument, which instrument is intended to be recorded simultaneously with this Declaration.

NOW, THEREFORE, Declarant does hereby declare and agree that the Subject Property shall be held, sold, transferred, conveyed, and occupied subject to the restrictions, covenants, obligations, easements, and agreements of this Declaration, which shall run with the Subject Property and which shall be binding on Declarant and its successors and assigns.

ARTICLE I. CERTAIN DEFINITIONS

Section 1.01 Definitions. For purposes of this Declaration, the following terms shall have the following meanings:

“**AASHTO**” shall mean the American Association of State Highway Transportation Officials.

“**Alternative Environmental Measures**” shall have the meaning set forth in Section 5.04(a).

“**As-of-Right Building**” shall mean any building that can be developed and constructed on the Subject Property without utilizing the Special Permits.

“**Bonus Floor Area**” shall have the meaning set forth in the Recitals.

“**Bonused Terrace**” and, in the plural, “**Bonused Terraces**” shall have the meaning set forth in the Recitals.

“**Building Drawings**” shall have the meaning set forth in Section 2.02.

“**Building Permit**” shall mean a work permit issued by DOB under a “New Building” application authorizing the construction of above-grade portions of the Proposed Building, other than above-grade footings approved as part of a DOB foundation permit.

“**Business Days**” means any day other than a Saturday, Sunday, or other day on which banks in the State of New York are not open for business.

“**CEQR**” shall have the meaning set forth in the Recitals.

“**Certification of Parties-in-Interest**” shall have the meaning set forth in the Recitals.

“**Certifications**” shall have the meaning set forth in the Recitals.

“**Chair**” shall have the meaning set forth in the Recitals.

“**Chrysler Terrace**” shall mean the publicly accessible space required pursuant to Section 81-681(b) of the Zoning Resolution and shown on Z-701, Z-702, and Z-730 of the Building Drawings.

“**City**” shall mean the City of New York.

“**City Council**” shall mean the New York City Council.

“**Commission**” shall have the meaning set forth in the Recitals.

“**Completion Notice**” shall mean a notice to the Chair and/or the MTA, as applicable, that a Public Concourse Improvement is Substantially Complete or Finally Complete.

“**Completion Security**” shall have the meaning set forth in Section 9.04(b).

“**Construction Drawings**” shall have the meaning set forth in Section 3.02(a).

“**Core and Shell TCO**” shall mean a TCO for the core and shell of the Proposed Building. A Core and Shell TCO shall not include any certificate of occupancy that permits occupancy of the Proposed Building or portions thereof for office, retail, hotel, or other tenant uses.

“**DCP**” shall have the meaning set forth in the Recitals.

“**Declarant**” shall have the meaning set forth in the Preamble.

“**Declaration**” shall have the meaning set forth in the Preamble.

“**Default Notice**” shall have the meaning set forth in Section 9.01(a).

“**Delay Notice**” shall have the meaning set forth in Section 9.04(a).

“**Disposition Date**” shall mean the date of that certain amended and restated ground lease with respect to the Subject Property.

“**DOB**” shall mean the New York City Department of Buildings.

“**DOT**” shall mean the New York City Department of Transportation.

“**Elimination or Modification of an FEIS Obligation**” shall have the meaning set forth in Section 5.04(b).

“**FEIS**” shall have the meaning set forth in the Recitals.

“**Final Adverse Determination**” shall have the meaning set forth in Section 10.06.

“**Final Approval**” shall mean approval or approval with modifications of the Special Permits and Related Actions by the City Council, unless the City Council disapproves the decision of the Commission and the Mayor of the City of New York (the “**Mayor**”) files a written disapproval of the City Council’s action pursuant to New York City Charter Section 197-d(e), and the City Council does not override the Mayor’s disapproval, in which event “Final Approval” shall mean the Mayor’s written disapproval of the City Council’s action pursuant to such New York City Charter Section 197-d(e). Notwithstanding anything to the contrary contained in this Declaration, Final Approval shall not be deemed to have occurred for any purpose of this Declaration if the final action taken pursuant to New York City Charter Section 197-d is disapproval of the Special Permits or Related Actions.

“**Final Completion Determination**” shall mean a determination issued (or deemed to have been issued) in accordance with this Declaration by the Chair and/or issued by the MTA, as applicable, that a Transit Improvement or Public Concourse Improvement is Finally Complete.

“**Finally Complete**” shall mean the completion of all relevant items of work, including any so-called “punch-list” items, which remain to be completed upon Substantial Completion. Each Transit Improvement shall be considered Finally Complete when the MTA has issued a Final Completion Determination for such improvement in accordance with Section 6.01(a). Each Public Concourse Improvement shall be considered Finally Complete when the Chair has issued (or has been deemed to have issued) a Final Completion Determination for such improvement in accordance with Section 6.01(b) or Section 6.01(c), as applicable, provided that no Final Completion Determination for a Transit-Related Public Concourse Improvement issued (or deemed to have been issued) by the Chair shall be effective without the concurrence of the MTA.

“**Lease**” shall have the meaning set forth in the Recitals.

“**Mitigation Measures**” shall have the meaning set forth in the Recitals.

“**Mortgage**” shall mean a mortgage given as security for a loan in respect of all or any portion of the Subject Property.

“Mortgagee” shall mean the holder of a Mortgage.

“MTA” shall mean the Metropolitan Transportation Authority and any successor to its jurisdiction and also (i) with respect to any matters that are under the jurisdiction of New York City Transit Authority it shall mean New York City Transit Authority and any successor to its jurisdiction; (ii) with respect to any matters that are under the jurisdiction of Metro-North Commuter Railroad Company it shall mean Metro-North Commuter Railroad Company and any successor to its jurisdiction; and (iii) with respect to any matters under the jurisdiction of The Long Island Rail Road Company it shall mean The Long Island Rail Road Company or its designee and any successor to its jurisdiction.

“MTA Letters” shall have the meaning set forth in the Recitals.

“Named Mortgagee” shall have the meaning set forth in Section 10.01(d).

“Notice” shall have the meaning set forth in Section 10.01(a).

“O&M Agreement” shall have the meaning set forth in Section 3.04.

“Party-in-Interest” and, in the plural, **“Parties-in-Interest”** shall have the meaning set forth in subdivision (d) of the definition of the term “zoning lot” in Section 12-10 of the Zoning Resolution.

“PCO” shall mean a Permanent Certificate of Occupancy issued by DOB.

“PCREs” shall have the meaning set forth in the Recitals.

“Proposed Building” shall have the meaning set forth in the Recitals.

“Public Concourse Improvement” and, in the plural, **“Public Concourse Improvements”** shall have the meaning set forth in the Recitals.

“Public Concourse Special Permit” shall have the meaning set forth in the Recitals.

“Related Actions” shall have the meaning set forth in the Recitals.

“SEQRA” shall have the meaning set forth in the Recitals.

“Special Permit Election” shall have the meaning set forth in Section 2.01.

“Special Permits” shall have the meaning set forth in the Recitals.

“Subject Property” shall have the meaning set forth in the Recitals.

“Substantial Completion” or **“Substantially Complete”** shall mean that a Transit Improvement or a Public Concourse Improvement, as applicable, has been constructed substantially in accordance with the Transit Improvements Special Permit or Public Concourse Improvements Special Permit, as applicable, and that such Transit Improvement or Public Concourse Improvement, as applicable, is operational and usable by the public. An improvement

may be considered Substantially Complete notwithstanding that (a) minor or insubstantial items of construction, decoration, or mechanical adjustment remain to be performed or (b) if applicable, Declarant has not completed any planting or vegetation or tasks that must occur seasonally. Each Transit Improvement shall be considered Substantially Complete when the MTA has issued a Substantial Completion Determination for such improvement in accordance with Section 6.01(a). Each Public Concourse Improvement shall be considered Substantially Complete when the Chair has issued a Substantial Completion Determination for such improvement in accordance with Section 6.01(b) or Section 6.01(c), as applicable, provided that no Substantial Completion Determination for a Transit-Related Public Concourse Improvement issued by the Chair shall be effective without the concurrence of the MTA.

“Substantial Completion Determination” shall mean a determination issued (or deemed to have been issued) in accordance with this Declaration by the Chair and/or issued by the MTA, as applicable, that a Transit Improvement or Public Concourse Improvement is Substantially Complete.

“TCO” shall mean a Temporary Certificate of Occupancy issued by DOB, including an Interim Certificate of Occupancy issued by DOB as provided for in Section 28-118.15 of the Administrative Code of the City of New York.

“Terrace” and, in the plural, **“Terraces”** shall mean a Bonused Terrace or the Chrysler Terrace as applicable.

“Terrace Detail Drawings” shall mean all drawings necessary to demonstrate compliance with Section 4.02 of this Declaration and shall consist of a zoning lot site plan, a site plan indicating the area and dimensions of the Terraces and the location of the Proposed Building; and a detailed plan or plans prepared by a registered landscape architect, including but not limited to a furnishing plan, a planting plan, a signage plan, a lighting/photometric plan, and sections and elevations.

“Terrace Drawings” shall have the meaning set forth in Section 2.03(c).

“Terrace Event” and, in the plural, **“Terrace Events”** shall have the meaning set forth in Section 4.05(b).

“Transit Improvement” and, in the plural, **“Transit Improvements”** shall have the meaning set forth in the Recitals.

“Transit Improvement Agreement” shall have the meaning set forth in Section 3.01.

“Transit Improvement Drawings” shall have the meaning set forth in Section 2.03(a).

“Transit Improvements Special Permit” shall have the meaning set forth in the Recitals.

“Transit-Related Public Concourse Improvement” and, in the plural, **“Transit-Related Public Concourse Improvements”** shall have the meaning set forth in the Recitals.

“Transit-Related Public Concourse Improvement Drawings” shall have the meaning set forth in Section 2.03(b).

“Uncontrollable Circumstances” shall include the following elements: strike(s) or labor dispute(s); inability to obtain labor, equipment, supplies, or materials, or reasonable substitutes therefor, in the open market; acts of God; governmental restrictions, regulations, omissions, or controls; enemy or hostile government actions, war, hostilities, terrorism, explosion, invasion; civil commotion, riot, mob violence, malicious mischief, insurrection, revolution, or sabotage; a lockout; a flood, earthquake, or fire; inclement weather or field conditions of such a nature as to make performance or completion of the Transit Improvements or Public Concourse Improvements, as applicable, not feasible; a taking of the Subject Property, or a portion thereof, by condemnation or eminent domain; failure of a public utility to provide power, heat, or light; unusual delay in transportation; governmental actions with respect to construction projects in the vicinity of the Transit Improvements or Public Concourse Improvements that directly delay performance or completion of the Transit Improvements or Public Concourse Improvements; disruptions in subway services that impact the timely delivery of materials for the Transit Improvements or Transit-Related Public Concourse Improvements; inability to perform work due to transit-related accidents including property damage, repairs as a result thereof, or criminal investigations; inability to access the work area; inability to perform work during hours stipulated by the MTA for such work due to conditions outside of Declarant’s control, including, without limitation, the unavailability of MTA force account personnel; the pendency of litigation not initiated by Declarant or similar proceeding which results in an injunction or restraining order or similar relief prohibiting or otherwise delaying the commencement or continuation of the obligations of Declarant pursuant to this Declaration, provided that such litigation or proceeding was not instituted, financed or supported by Declarant or any of its affiliates; or other conditions similar in character to the foregoing which are beyond the control of Declarant and are of such a nature as to make performance or completion of the Transit Improvements or Public Concourse Improvements, as applicable, not feasible or to otherwise delay the commencement or continuation of the obligations of Declarant under this Declaration. In addition, “Uncontrollable Circumstances” may also include (i) material delays by the City, State or United States government, or any agency or instrumentality thereof, the MTA, or any utility company, in the performance of any work or processing or approval of any applications, or comment on architectural and engineering plans within a reasonable time period following receipt of such plans, unless due to any act or failure to act by Declarant; (ii) denial to Declarant by any owner, ground lessee or franchisee of an enforceable interest in adjoining real property, including any private fee owner or ground lessee of adjoining real property, or any agency of the City or State or any utility company having an enforceable interest in adjoining real property, including sidewalk or streets, of a right to access to such adjoining real property; and (iii) design changes required by the MTA which result in a material delay. With respect to the Transit Improvement known as the Short Loop improvement, if the MTA is required under the Transit Improvement Agreement to complete certain utility relocation work and other make-ready work, as set forth in the Transit Improvement Agreement, the failure of the MTA to complete such work under the schedule therefor as set forth in the Transit Improvement Agreement shall constitute Uncontrollable Circumstances, provided that such failure is of a nature that would delay the Substantial Completion of the Short Loop improvement as of the time that Declarant would otherwise be entitled to accept a TCO for a portion of the Building that utilizes Bonus Floor Area associated with the Short Loop improvement as set forth in **Exhibit I**. No event shall

constitute Uncontrollable Circumstances unless (i) the event is not due to an act or failure to act of Declarant, (ii) Declarant complies with the procedures set forth in Section 9.04, and (iii) the Chair has certified the existence of Uncontrollable Circumstances in accordance with the provisions of Section 9.04 or has failed to respond. There shall be no duplicative effect given to concurrent instances of Uncontrollable Circumstances, and no Uncontrollable Circumstances shall be deemed to occur if Declarant is otherwise concurrently delayed in its performance of the same obligation for reasons other than Uncontrollable Circumstances. Under no circumstances shall the non-payment of money or a failure attributable to a lack of funds or a delay due to Declarant’s financial condition or inability to obtain financing be deemed to be (or to have caused) Uncontrollable Circumstances.

“**Zoning Resolution**” shall mean the Zoning Resolution of the City of New York, effective December 15, 1961, as amended from time to time.

ARTICLE II. DEVELOPMENT OF THE SUBJECT PROPERTY

Section 2.01 Special Permit Election. The provisions of this ARTICLE II shall apply to the development of the Subject Property upon Declarant’s acceptance of a DOB foundation permit that includes a DOB zoning approval for the Proposed Building (the “**Special Permit Election**”).

Section 2.02 Proposed Building. Except as provided in Section 7.01, the Proposed Building shall be constructed substantially in accordance with the locations, dimensions, and specifications indicated on the following drawings, attached hereto as Exhibit D (collectively, the “**Building Drawings**”):

Drawing Number	Title	Last Revision Date
Z-002	ZONING CALCULATIONS	12/13/2021
Z-003	ZONING LOT SITE PLAN	12/13/2021
Z-201	ZONING WAIVER PLAN - GROUND FLOOR	12/13/2021
Z-202	ZONING WAIVER PLAN - LEVEL 2	12/13/2021
Z-250	ZONING WAIVER SECTIONS	12/13/2021
Z-300	DAYLIGHT EVALUATION	12/13/2021
Z-301	DAYLIGHT EVALUATION	12/13/2021
Z-302	DAYLIGHT EVALUATION	12/13/2021
Z-303	DAYLIGHT EVALUATION	12/13/2021
Z-304	DAYLIGHT EVALUATION	12/13/2021
Z-305	DAYLIGHT EVALUATION	12/13/2021
Z-306	DAYLIGHT EVALUATION	12/13/2021

Drawing Number	Title	Last Revision Date
Z-307	DAYLIGHT EVALUATION	12/13/2021
Z-701	PUBLICLY ACCESSIBLE SPACE - GROUND FLOOR	05/10/2021
Z-702	PUBLICLY ACCESSIBLE SPACE - LEVEL 2	10/08/2021
Z-730	PUBLICLY ACCESSIBLE SPACE - LANDSCAPE SECTIONS	10/08/2021

Section 2.03 Bonused Improvements. As a requirement for utilizing Bonus Floor Area, Declarant shall construct, at its sole cost and expense, except as may otherwise be expressly provided with respect to any utility relocation work and other make-ready work as provided in the Transit Improvement Agreement:

(a) The Transit Improvements as shown on the following plans, attached hereto as **Exhibit E** (collectively, the “**Transit Improvement Drawings**”):

Drawing Number	Title	Last Revision Date
TI-110	TRANSIT IMPROVEMENTS - R-238	05/10/2021
TI-120	TRANSIT IMPROVEMENTS - GIRDER REMOVAL	05/10/2021
TI-130	TRANSIT IMPROVEMENTS - SHORT LOOP	05/10/2021
TI-131	TRANSIT IMPROVEMENTS - SHORT LOOP	05/10/2021

(b) The Transit-Related Public Concourse Improvements as shown on the following plans, attached hereto as **Exhibit F-1** (collectively, the “**Transit-Related Public Concourse Improvement Drawings**”):

Drawing Number	Title	Last Revision Date
Z-500	LEXINGTON PASSAGE & TRANSIT HALL GROUND FLOOR	05/10/2021
Z-510	LEXINGTON PASSAGE & TRANSIT HALL SECTIONS	05/10/2021
Z-511	LEXINGTON PASSAGE & TRANSIT HALL SECTIONS	05/10/2021
Z-512	LEXINGTON PASSAGE & TRANSIT HALL SECTIONS	05/10/2021
Z-513	LEXINGTON PASSAGE & TRANSIT HALL SECTIONS	05/10/2021

(c) The Bonused Terraces as shown on the following plans, attached hereto as **Exhibit F-2** (collectively, the “**Terrace Drawings**”):

Drawing Number	Title	Last Revision Date
Z-601	PUBLIC CONCOURSE IMPROVEMENTS - GROUND FLOOR	05/10/2021
Z-602	PUBLIC CONCOURSE IMPROVEMENTS - LEVEL 2	10/08/2021
Z-603	PUBLIC CONCOURSE IMPROVEMENTS - LEVEL 3	10/08/2021
Z-620	PUBLIC CONCOURSE IMPROVEMENTS - SECTIONS	10/08/2021
Z-621	PUBLIC CONCOURSE IMPROVEMENTS - SECTIONS	10/08/2021

Section 2.04 Public Realm Improvement Fund. Declarant shall not accept a Building Permit for the Proposed Building until the occurrence of the following:

(a) Declarant has made a non-refundable contribution into the Public Realm Improvement Fund in an amount equal to the greater of (i) the sale price of the floor area distributed from the zoning lot that includes Grand Central Terminal for use in the Proposed Building or (ii) an amount equal to twenty (20) percent of the Public Realm Improvement Fund Development Rights Valuation, multiplied by the amount of the floor area distributed from the zoning lot that includes Grand Central Terminal for use in the Proposed Building. For the purposes of this Section 2.04(a), the terms “Public Realm Improvement Fund,” “sale price,” and “Public Realm Improvement Fund Development Rights Valuation” shall be defined as set forth in Section 81-613 the Zoning Resolution.

(b) Declarant has recorded in the Office of the City Register a notice of restrictions executed by the owner of Grand Central Terminal specifying the total amount of the floor area distributed from the zoning lot that includes Grand Central Terminal to the Subject Property; such document shall be recorded against the Subject Property and the zoning lot that includes Grand Central Terminal.

(c) The Chair has certified to DOB that:

(i) The Chair has received proof of recordation of the notice of restrictions required by Section 2.04(b);

(ii) The Chair has received documentation confirming the sale price (as defined in Section 81-613 of the Zoning Resolution) of the floor area distributed from the zoning lot that includes Grand Central Terminal for use in the Proposed Building; and

(iii) Declarant has made the contribution required by Section 2.04(a).

ARTICLE III. TRANSIT IMPROVEMENTS AND TRANSIT-RELATED PUBLIC CONCOURSE IMPROVEMENTS

Section 3.01 Building Permits. Declarant shall not accept a Building Permit until Declarant has entered into all necessary agreements with the MTA with respect to the design and

construction of the Transit Improvements and Transit-Related Public Concourse Improvements (collectively, the “**Transit Improvement Agreement**”) and the same has been recorded. Notwithstanding the foregoing, Declarant may file an application for a Building Permit with DOB solely for the purpose of seeking plan review prior to recordation of the Transit Improvement Agreement. In addition, Declarant may file for and accept demolition and excavation permits for the Proposed Building prior to execution or recordation of the Transit Improvement Agreement. Declarant may also file for and accept a foundation permit for the Proposed Building prior to recordation of the Transit Improvement Agreement only with the concurrence of the MTA that the proposed foundation plans are not inconsistent with the plans for the Transit Improvements and Transit-Related Public Concourse Improvements. Notwithstanding the foregoing, no work may proceed under any demolition, excavation, or foundation permits accepted by Declarant pursuant to this Section 3.01 until the Transit Improvement Agreement is executed and recorded or Declarant and the MTA have entered into an agreement governing the means, methods, and protocols for demolition, excavation, or construction of foundations, as applicable.

Section 3.02 Transit Improvement Agreement. It is anticipated that the Transit Improvement Agreement will supplement the provisions of this Declaration and include provisions related to, among other things, security, design, construction, schedule, uncontrollable circumstances, substantial completion, final completion, and procedures and timetables for MTA review and determinations (including the obligation to set forth with reasonable specificity the reasons for any objections) pursuant to Section 6.01, Section 8.02, and Section 9.01(c). The Transit Improvement Agreement shall incorporate the requirements of the MTA Letters and shall include but not be limited to the following terms:

(a) **Design Development**. Declarant shall prepare construction drawings for the various scopes of work comprising Transit Improvements and Transit-Related Public Concourse Improvements (the “**Construction Drawings**”) for approval by the MTA prior to the commencement of a given scope of work. The Construction Drawings shall be in substantial compliance with the Transit Improvement Drawings and Transit-Related Public Concourse Drawings.

(b) **Construction**. Declarant shall construct the Transit Improvements and Transit-Related Public Concourse Improvements in compliance with the Construction Drawings, as determined by the MTA.

(c) **Construction Schedule**. Declarant shall develop a construction schedule for the Transit Improvements and Transit-Related Public Concourse Improvements in consultation with the MTA describing the phasing of work and permitted work hours.

(d) **Security**. Prior to the commencement of construction of the Transit Improvements and Transit-Related Public Concourse Improvements, Declarant shall provide appropriate security satisfactory to the MTA for the performance of Declarant’s obligations relating to the Transit Improvements and Transit-Related Public Concourse Improvements and for compliance with Section 5 of Article 2 of the New York State Lien Law.

(e) **Successors and Assigns.** The Transit Improvement Agreement shall run with Declarant's interest in the Subject Property and be binding on Declarant and its successors and assigns.

Section 3.03 Easements. On or prior to the date of Substantial Completion of each of the Transit Improvements and Transit-Related Public Concourse Improvements, Declarant shall grant to the MTA easements, in a form satisfactory to the MTA, necessary for public access through any area of the Transit Improvements and Transit-Related Public Concourse Improvements that is under the control of Declarant.

Section 3.04 Operation and Maintenance Agreement. Prior to the Substantial Completion of the Transit Improvements and Transit-Related Public Concourse Improvements, Declarant shall enter into an agreement with the MTA with respect to the maintenance and operation of the Transit Improvements and Transit-Related Public Concourse Improvements (the "**O&M Agreement**"). The O&M Agreement shall incorporate the requirements of the MTA Letters and shall include but not be limited to the following terms:

(a) **Maintenance, Repair, and Replacement.** The O&M Agreement shall set forth, for each Transit Improvement and Transit-Related Public Concourse Improvement, the nature and scope of Declarant's responsibilities for operations, day-to-day maintenance (including capital maintenance), repair, and replacement, as applicable. Such terms of the O&M Agreement shall be consistent in all respects with the provisions of the MTA Letters relating to operations, maintenance, repair, and capital replacement.

(b) **Hours of Public Access.** The Transit-Related Public Concourse Improvements shall be open to the public at all times that Grand Central Terminal is open to the public or at such time as agreed to by Declarant and the MTA as set forth in the O&M Agreement. The Transit Improvements shall be open to the public during the hours determined by the MTA as set forth in the O&M Agreement.

ARTICLE IV. PUBLICLY ACCESSIBLE TERRACES

Section 4.01 Chair Certification. DOB shall not issue and Declarant shall not accept a Building Permit until:

(a) Declarant has submitted the Terrace Detail Drawings to DCP and the Chair has certified to DOB that the Terrace Detail Drawings comply with the provisions of Section 4.02; and

(b) A Notice of Restrictions in a form satisfactory to the Chair and attaching the Terrace Detail Drawings has been executed and recorded in the Office of the City Register against the Subject Property.

Section 4.02 Design Requirements.

(a) The Terrace Detail Drawings for the Bonused Terraces shall be designed in accordance with the Terrace Drawings. Notwithstanding the foregoing, such Terrace Detail

Drawings may vary from the Terrace Drawings, provided that the Chair determines that (i) any relocation of an amenity within a zone as designated on **Exhibit G-1** or **Exhibit G-2**, as applicable, is consistent with the General Purposes and Site Plan Requirements set forth in **Exhibit G-3** or **Exhibit G-4**, respectively, or is necessary to comply with Public Design Commission approval conditions; (ii) any relocation of an amenity from one zone to another zone is necessary to accommodate structural or engineering considerations and such relocation would not conflict with the applicable General Purposes and Site Plan Requirements for the new zone location; and (iii) the Terrace Detail Drawings comply with the Additional Design Requirements set forth in **Exhibit G-3** and **Exhibit G-4**, as applicable.

(b) The Terrace Detail Drawings for the Chrysler Terrace shall be designed in accordance with Z-701 and Z-702 prepared by Skidmore, Owings & Merrill and James Corner Field Operations, respectively, and last revised May 10, 2021 and October 8, 2021, respectively. Notwithstanding the foregoing, such Terrace Detail Drawings may vary from Z-701 and Z-702, provided that the Chair determines that (i) any relocation of an amenity within a zone as designated on **Exhibit G-5** is generally consistent with the intent of the plaza regulations set forth in Section 37-70, inclusive, of the Zoning Resolution or is necessary to comply with Public Design Commission approval conditions; (ii) any relocation of an amenity from one zone to another zone is necessary to accommodate structural or engineering considerations and such relocation would not conflict with the intent of the plaza regulations set forth in Section 37-70, inclusive, of the Zoning Resolution; and (iii) the Terrace Detail Drawings comply with the Additional Design Requirements set forth in **Exhibit G-6**.

Section 4.03 Construction. Declarant shall construct the Terraces in substantial compliance with the Terrace Detail Drawings.

Section 4.04 Maintenance. Declarant or its designee shall be responsible for the maintenance of the Terraces for the life of the Proposed Building.

Section 4.05 Hours of Public Access. The Terraces shall remain open to the public seven days per week from 6:00 a.m. to 1:00 a.m.

(a) **Terrace Closures.** Notwithstanding the foregoing, Declarant may close one or more of the Terraces to the public and use such space (i) for private functions six (6) times per calendar year and (ii) for local community or not-for-profit functions or events without expense to such community or not-for-profit organizations except for the actual costs of such function to Declarant six (6) times per calendar year, for a total of twelve (12) such closures per year, each time for not more than a nineteen (19)-hour period commencing at 6:00 a.m., provided that (x) Declarant shall provide written notice to the Department of City Planning, Attention: General Counsel at least seven (7) days prior to such closing, indicating the date, time, and duration of such closing and indicating whether such closing is for a private function or for a community or not-for-profit function or event, (y) for each such closing Declarant shall, for the seven (7) days immediately preceding the closing, post a sign at each entrance to the Terraces, giving notice of such closing; and (z) each Terrace shall be restored to its approved condition as shown on the Terrace Detail Drawings by 6:00 a.m. of the day following any Terrace closure pursuant to this **Section 4.05(a)**.

(b) **Terrace Events.** Events including, but not limited to, concerts, performances, art exhibitions, and cultural exhibitions (each, a “**Terrace Event**” and collectively, “**Terrace Events**”) are permitted on one or more Terraces subject to the requirements of this Section 4.05(b).

(i) All Terrace Events shall be open to the public free of charge. If tickets are required for entry to a Terrace Event, tickets shall be made available to the public on a first-come, first-served basis.

(ii) The use of amplified sound for any Terrace Event shall be permitted only between the hours of 9:00 a.m. and 10:00 p.m.

(iii) The Terraces shall continue to remain publicly accessible as required under this Declaration for the duration of each Terrace Event.

(iv) Terrace Events may be held no more than ten (10) days per calendar month and no more than sixty (60) days in any twelve (12)-month period. The maximum duration of any single Terrace Event shall be seven (7) consecutive days.

(v) Amenities and/or equipment provided within any Terrace in connection with any Terrace Event shall be considered temporary permitted obstructions within such Terrace(s), provided that sufficient circulation pathways are maintained to all points of entry and exit from the Terraces. The storage of equipment or materials shall not be permitted within the Terraces outside of the scheduled hours of a Terrace Event (excluding time required for set up and clean up before and after each Terrace Event).

(vi) Each Terrace shall be restored to its approved condition as shown on the Terrace Detail Drawings no later than 24 hours following the conclusion of any Terrace Event.

(vii) Art installations, including, but not limited to, sculptures or lighting installations, shall be considered Terrace Events subject to the requirements of this Section 4.05(b) only if and to the extent such installations are located within the area of the Terraces that is unobstructed as shown on the Terrace Detail Drawings. The installation of artwork within any area that is a permitted obstruction as shown on the Terrace Detail Drawings shall not be subject to the requirements of this Section 4.05(b).

(c) **Modification of Terrace Hours of Public Access.** After Declarant has submitted a Completion Notice with respect to the Terraces pursuant to Section 6.01(c), Declarant may apply to the Chair to modify the hours of public access to the Terraces. The Chair may approve modified hours of public access, provided that the Chair determines that (i) there are documented operational or safety issues with the existing hours of public access and (ii) a modification of the hours of public access would facilitate the maintenance of the Terraces in a first-class manner or enhance public safety, as applicable. In addition, the Chair may approve the installation of design elements to limit nighttime public access, provided that such elements comply with the standards of Section 37-727(e) of the Zoning Resolution. Such modifications shall be deemed a minor modification of this Declaration pursuant to Section 8.02(b).

**ARTICLE V.PROJECT COMPONENTS RELATING TO THE ENVIRONMENT AND
MITIGATION MEASURES**

Section 5.01 Project Components Related to the Environment. In addition to complying with applicable laws, statutes, ordinances, and the orders, rules, regulations, interpretations, directives, and requirements of any governmental agency, whether now or hereafter in effect, Declarant shall implement the following PCREs:

(a) **Hazardous Materials.** Declarant shall implement the Remedial Action Plan and Construction Health and Safety Plan prepared by Roux Environmental Engineering and Geology, D.P.C. and conditionally approved by the New York City Department of Environmental Protection in correspondence to the lead agency dated April 27, 2021, as the same may be updated and amended subject to approval by the New York City Department of Environmental Protection.

(b) **Air Quality.**

(i) Construction of the Proposed Building shall minimize the use of diesel engines and use electric engines, hoists, compressors, lifts, etc. to the extent practicable.

(ii) Construction of the Proposed Building shall either utilize equipment meeting Tier 4 standards for diesel engines (model years 2011/12 and beyond) or Tier 3 standards for diesel engines, provided that equipment of 100 to 600 horsepower meeting Tier 3 emission standards for diesel engines shall be retrofitted with diesel particulate filters.

(c) **Noise.** A perimeter shed with a height of 16 feet shall be erected along East 42nd Street and Lexington Avenue during the demolition, excavation, foundation, and superstructure phases of the construction of the Proposed Building.

Section 5.02 Mitigation Measures.

(a) **Traffic and Pedestrian Mitigation Measures.** Declarant shall notify DOT in writing not later than six (6) months before the commencement of demolition of the existing improvements on the Subject Property and request that DOT determine whether to implement Traffic Mitigation Measures described in the FEIS and set forth in **Exhibit H** attached hereto. In addition, Declarant shall notify DOT in writing not later than six (6) months before the completion and full occupancy of the Proposed Building and request that DOT determine whether to implement Traffic Mitigation Measures and Pedestrian Mitigation Measures described in the FEIS and set forth in **Exhibit H** attached hereto. Declarant shall have no obligations with respect to any mitigation measures that DOT determines not to implement.

(i) If DOT advises Declarant in writing of its determination to implement Pedestrian Mitigation Measures for crosswalks after the Proposed Building is fully occupied, Declarant shall submit to DOT for review and approval all required drawings/designs as per AASHTO and DOT specifications. Declarant shall implement such measures or pay DOT for the ordinary and customary costs of the Pedestrian Mitigation Measures that DOT implements, in either case as directed by DOT.

(ii) If DOT advises Declarant in writing of its determination to implement Pedestrian Mitigation Measures for corners after the Proposed Building is fully occupied, Declarant shall coordinate with the Grand Central Partnership to implement such measures.

(b) **Transit Mitigation Measures.** Declarant shall notify the MTA in writing six (6) months before the completion and full occupancy of the Proposed Building and request that the MTA determine whether to implement the Transit Mitigation Measures described in the FEIS and set forth in **Exhibit H** attached hereto.

Section 5.03 Uncontrollable Circumstances Involving a PCRE or Mitigation Measure. Notwithstanding any provision of this Declaration to the contrary, if Declarant is unable to perform a PCRE or Mitigation Measure set forth in this **ARTICLE V** by reason of the occurrence of Uncontrollable Circumstances, Declarant shall not be excused from performing such obligation unless the failure to implement the obligation during the period of Uncontrollable Circumstances, or implementing an alternative proposed by Declarant, would not result in any new or different significant environmental impact not addressed in the FEIS.

Section 5.04 Innovation and Alternatives; Modifications Based on Further Assessments.

(a) **Innovation and Alternatives.** In complying with any obligation set forth in this **ARTICLE V**, Declarant may, at its election, implement innovations, technologies, or alternatives now or hereafter available, including replacing any equipment, technology, material, operating system, or other measure previously located on the Subject Property or used within the Proposed Building, provided that Declarant demonstrates to the satisfaction of DCP that such alternative measures would result in equal or better methods of achieving the relevant obligation than those set forth in this Declaration (such measures, “**Alternative Environmental Measures**”), in each case subject to approval by DCP.

(b) **Modifications Based on Further Assessments.** In the event that Declarant believes, in good faith, based on changed conditions, that an obligation under this **ARTICLE V** should not apply or could be modified without diminishment of the environmental standards which would be achieved by implementation of the obligation, it shall set forth the basis for such belief in an analysis submitted to DCP. In the event that, based upon review of such analysis, DCP determines that the relevant PCRE or Mitigation Measure should not apply or could be modified without diminishment of the environmental standards which would be achieved by implementation of the obligation, Declarant may eliminate or modify the PCRE or Mitigation Measure consistent with the DCP determination (“**Elimination or Modification of an FEIS Obligation**”).

(c) **Notice.** If Declarant implements any Alternative Environmental Measures or an Elimination or Modification of an FEIS Obligation, a notice of such change may be recorded in the Office of the City Register against the Subject Property in lieu of modification to this Declaration.

ARTICLE VI. CERTIFICATES OF OCCUPANCY

Section 6.01 Completion Notice.

(a) **Transit Improvements.** Declarant's obligations to notify the MTA of the completion of a Transit Improvement, the conditions for MTA's issuance of a Substantial Completion Determination or Final Completion Determination, as applicable, and MTA's obligations to respond to Declarant's request for a Substantial Completion Determination or Final Completion Determination, as applicable, shall be in accordance with the Transit Improvement Agreement.

(b) **Transit-Related Public Concourse Improvements.** With respect to Transit-Related Public Concourse Improvements, Declarant shall submit a Completion Notice to the Chair and the MTA certifying that a Transit-Related Public Concourse Improvement is Substantially Complete (or in the case of a PCO, Finally Complete). MTA shall thereafter determine whether to concur in the issuance by the Chair of a Substantial Completion Determination or Final Completion Determination, as applicable, for such Public Concourse Improvement, or set forth with reasonable specificity the reasons for declining to concur. Within ten (10) Business Days of receipt of MTA's notification that it concurs that a Transit-Related Public Concourse Improvement is Substantially Complete or Finally Complete, as applicable, the Chair shall (i) issue a Substantial Completion Determination or Final Completion Determination, as applicable, or (ii) notify Declarant in writing that such Public Concourse Improvement is not Substantially Complete or Finally Complete, as applicable, and set forth with specificity the reasons therefor. Declarant and the Chair shall meet within five (5) Business Days of the issuance of any written notice pursuant to (ii) above to review the claimed omission or failure and develop any measures required to respond to such claim. Declarant shall take all steps necessary to remedy such omission or failure, including providing additional information in writing as may be reasonably requested by the Chair to verify whether such Public Concourse Improvement is Substantially Complete or Finally Complete, as applicable. Notwithstanding the foregoing, in the event that the Chair has failed to (x) respond in writing to Declarant within ten (10) Business Days of receipt of the MTA's notification that it concurs that a Transit-Related Public Concourse Improvement is Substantially Complete, or Finally Complete, as applicable; (y) meet with Declarant within ten (10) Business Days of the issuance of any written notice in (ii) above; or (z) respond in writing to Declarant within ten (10) Business Days of receipt of any additional materials reasonably requested by the Chair to verify whether – following receipt of the MTA's notification that it concurs that a Transit-Related Public Concourse Improvement is Substantially Complete or Finally Complete, as applicable – a Public Concourse Improvement is Substantially Complete or Finally Complete, as applicable, then the Chair shall be deemed to have issued the Substantial Completion Determination or Final Completion Determination, as applicable, for such Public Concourse Improvement and Declarant shall be entitled to accept the TCO or PCO, as applicable.

(c) **Public Concourse Improvements other than Transit-Related Public Concourse Improvements.** With respect to Public Concourse Improvements other than Transit-Related Public Concourse Improvements Declarant shall submit a Completion Notice to the Chair certifying that such Public Concourse Improvement is Substantially Complete (or in the case of a PCO, Finally Complete). Within ten (10) Business Days of receipt of a Completion

Notice, the Chair shall (i) issue a Substantial Completion Determination or Final Completion Determination, as applicable, or (ii) notify Declarant in writing that such Public Concourse Improvement is not Substantially Complete or Finally Complete, as applicable, and set forth with specificity the reasons therefor. Declarant and the Chair shall meet within five (5) Business Days of the issuance of any written notice pursuant to (ii) above to review the claimed omission or failure and develop any measures required to respond to such claim. Declarant shall take all steps necessary to remedy such omission or failure, including providing additional information in writing as may be reasonably requested by the Chair to verify whether such Public Concourse Improvement is Substantially Complete or Finally Complete, as applicable. Notwithstanding the foregoing, in the event that the Chair has failed to (x) respond in writing to Declarant within ten (10) Business Days of receipt of the Completion Notice; (y) meet with Declarant within ten (10) Business Days of the issuance of any written notice in (ii) above; or (z) respond in writing to Declarant within ten (10) Business Days of receipt of any additional materials reasonably requested by the Chair to verify whether such Public Concourse Improvement is Substantially Complete or Finally Complete, as applicable, then the Chair shall be deemed to have issued the Substantial Completion Determination or Final Completion Determination, as applicable, for such Public Concourse Improvement and Declarant shall be entitled to accept the TCO or PCO, as applicable.

Section 6.02 Temporary Certificate of Occupancy. Declarant shall not accept a TCO for any portion of the Proposed Building that would utilize Bonus Floor Area unless Declarant certifies to the Chair that such TCO would not permit or result in the occupancy of more Bonus Floor Area than the amount of Bonus Floor Area associated with Transit Improvement(s) and Public Concourse Improvement(s), as set forth in **Exhibit I**, that are Substantially Complete in accordance with Section 6.01 as of such date. Notwithstanding the foregoing, Declarant may apply for and accept a Core and Shell TCO prior to the Substantial Completion of any Transit Improvement or Public Concourse Improvement.

Section 6.03 Permanent Certificates of Occupancy. Declarant shall not accept a PCO for any portion of the Proposed Building that would utilize Bonus Floor Area unless Declarant certifies to the Chair that such PCO would not permit or result in the occupancy of more Bonus Floor Area than the amount of Bonus Floor Area associated with Transit Improvement(s) and Public Concourse Improvement(s), as set forth in **Exhibit I**, that are Finally Complete in accordance with Section 6.01 as of such date. Declarant shall not accept a PCO for any portion of the Proposed Building until the MTA has issued a Final Completion Determination for the relocation and expansion of the R-239 subway entrance (including an accessible elevator) in accordance with Section 6.01.

ARTICLE VII. AS-OF-RIGHT BUILDING

Section 7.01 As-of-Right Building. Absent the Special Permit Election, Declarant may develop an As-of-Right Building, in which case the provisions of ARTICLE II through ARTICLE VI of this Declaration shall not apply.

Section 7.02 Demolition- and Excavation-Related PCREs. Notwithstanding anything to the contrary in Section 7.01, the provisions of ARTICLE V relating to demolition and excavation shall apply to the development of an As-of-Right Building unless, prior to demolition

or excavation, Declarant has cancelled this Declaration such that Declarant can no longer make a Special Permit Election.

ARTICLE VIII.EFFECTIVE DATE; AMENDMENT AND CANCELLATION

Section 8.01 Effective Date.

(a) **Effective Date.** This Declaration and the provisions and covenants hereof shall become effective upon the Disposition Date, but Declarant's obligations hereunder shall be postponed until: (A) the latest to occur of the following dates: (i) the date on which the right to seek judicial review of the Special Permits and Related Actions has expired; (ii) the date on which the time to appeal from an order of any court of competent jurisdiction upholding or affirming the Special Permits and Related Actions has expired; and (iii) the date on which a final order upholding or affirming the Special Permits and Related Actions is entered pursuant to a decision by a court of competent jurisdiction from which no appeal can be taken; or (B) at any time prior to the latest to occur of the dates set forth in (A) above, such earlier date upon the occurrence of the Special Permit Election.

(b) **Recordation.** Promptly, and no later than ten (10) days after the Disposition Date, Declarant shall file and record this Declaration and any related waivers executed by Mortgagees or other Parties-in-Interest that are required to be recorded, in the Office of the City Register, indexing them against the Subject Property. Declarant shall deliver to the Commission a copy of all such documents as recorded promptly upon receipt of such documents from the Office of the City Register. If Declarant fails to so record such documents within ten (10) days after the Disposition Date, then the City may record duplicate originals of such documents. However, all fees paid or payable for the purpose of recording such documents, whether undertaken by Declarant or by the City, shall be borne by Declarant.

Section 8.02 Amendment and Cancellation.

(a) **Amendment and Cancellation.** Except as otherwise provided in Section 5.04, Section 8.02(b), or Section 8.02(c), this Declaration may be amended or cancelled only upon application by Declarant and subject to the express written approval of the Commission or an agency succeeding to the Commission's jurisdiction, provided that, insofar as the same relates to the Transit Improvements, the Transit-Related Public Concourse Improvements, or would otherwise reasonably be expected to have a material impact on MTA facilities and/or operations, such approval from the Commission (or successor agency) may be granted only with the concurrence of MTA. No other approval or consent shall be required for such amendment or cancellation from any public body, private person, or legal entity of any kind, including, without limitation, any other present Party-in-Interest or future Party-in-Interest who is not a successor of Declarant. Any amendment of this Declaration pursuant to this Section 8.02(a) shall be executed and recorded in the same manner as provided in Section 8.01(b).

(b) **Amendment by the Chair.** Notwithstanding anything to the contrary contained in Section 8.02(a), any change to this Declaration proposed by Declarant that the Chair deems to be a minor modification of this Declaration may by express written consent be approved administratively by the Chair and no other approval or consent shall be required from

any public body, private person or legal entity of any kind, including, without limitation, any present or future Party-in-Interest, provided that, insofar as the same relates to the Transit Improvements, the Transit-Related Public Concourse Improvements, or would otherwise reasonably be expected to have a material impact on MTA facilities and/or operations, such consent by the Chair may be granted only with the concurrence of MTA. Such minor modifications shall not be deemed amendments requiring the approval of the Commission. In the event that a minor modification results in a modification of the Building Drawings, Transit Improvement Drawings, Transit-Related Public Concourse Improvement Drawings, Terrace Drawings, or a modification pursuant to Section 4.05(c), a notice indicating such modification shall be recorded in the Office of the City Register, in lieu of a modification of this Declaration.

(c) **Cancellation.** Notwithstanding anything to the contrary contained in this Declaration, if any Final Approval is declared invalid or otherwise voided by a judgment of any court of competent jurisdiction from which no appeal can be taken or for which no appeal has been taken within the applicable statutory period provided for such appeal, then, upon entry of said judgment or the expiration of the applicable statutory period for such appeal, this Declaration shall be cancelled and shall be of no further force or effect and an instrument discharging it may be recorded. Prior to the recordation of an instrument discharging this Declaration, Declarant shall notify the Chair of Declarant's intent to cancel and terminate this Declaration and request the Chair's approval, which approval shall be limited to insuring that such cancellation and termination is in proper form. The Chair shall respond to such notice and request within thirty (30) days of receipt by the Chair of such notice, and shall at Declarant's request execute an instrument in recordable form consenting to the discharge of Declarant's obligations hereunder. The failure of the Chair to respond within such thirty (30) day period shall be deemed an approval by the Chair of the cancellation of the Declaration. Upon recordation of such instrument, Declarant shall provide a copy thereof to the Commission.

ARTICLE IX.COMPLIANCE; DEFAULTS; REMEDIES

Section 9.01 Default.

(a) The City shall give written notice (each, a "**Default Notice**") of any alleged breach of the provisions of this Declaration to Declarant. Upon receipt of a Default Notice, Declarant shall effect a cure within forty-five (45) days thereof. Alternatively, if the violation is not capable of cure within such forty-five (45) day period, Declarant shall promptly initiate and diligently pursue any steps required to cure such breach and, if Declarant thereafter proceeds diligently toward the effectuation of such cure, the aforesaid forty-five (45) day period shall be deemed extended for so long as Declarant continues to proceed diligently with the effectuation of such cure. Declarant shall have the right, in its sole discretion, to determine the manner in which a breach of this Declaration will be cured, provided that such cure is in compliance with this Declaration. The forty-five (45) day period for curing any breach of this Declaration by Declarant (as such may be extended in accordance with this Section 9.01) shall be subject to further extension for Uncontrollable Circumstances, provided that Declarant shall have taken the steps required by Section 9.04.

(b) The City retains all remedies at law and in equity and via administrative enforcement to enforce this Declaration.

(c) The City, with the concurrence of the MTA with respect to provisions related to the Transit Improvements or Transit-Related Public Concourse Improvements, retains the right to resolve any dispute regarding the provisions of this Declaration by an alternate dispute resolution acceptable to Declarant, before resorting to litigation or administrative enforcement.

(d) In the case of an alleged breach of, or other dispute regarding the provisions of, this Declaration, both Declarant and the City may (but shall not be obligated to) agree that the same shall be resolved by arbitration in a manner to be agreed upon, provided that nothing herein shall be construed to limit the provisions of Section 9.01(b).

(e) A Named Mortgagee shall have the right to cure a breach on behalf of Declarant within the applicable notice and cure period provided in this ARTICLE IX.

Section 9.02 Enforcement of Declaration.

(a) The obligations of Declarant under this Declaration shall be enforceable solely by the City. No person or entity other than the City shall be entitled to enforce, or assert any claim arising out of or in connection with, this Declaration. This Declaration shall not create any enforceable interest or right in any person or entity other than the City.

(b) Notwithstanding anything to the contrary contained in this Declaration, the City will look solely to the fee or ground-lease estate and interest of Declarant in the Subject Property, on an in rem basis only, for the collection of any money judgment recovered against Declarant, and no other property of Declarant shall be subject to levy, execution, or other enforcement procedure for the satisfaction of the remedies of the City or any other person or entity with respect to this Declaration, and Declarant shall have no personal liability under this Declaration. For the purposes of this Section 9.02(b), “Declarant” shall include any principals, disclosed or undisclosed, partners, affiliates, officers, employees, shareholders or directors of Declarant.

(c) The restrictions, covenants, and agreements set forth in this Declaration shall be binding upon Declarant only for the period during which such party is the holder of a fee or ground-lease interest in or is a Party-in-Interest of the Subject Property and only to the extent of such fee or ground-lease interest or the interest rendering such party a Party-in-Interest. At such time as Declarant has no further fee or ground-lease interest in the Subject Property or portion thereof, and is no longer a Party-in-Interest of the Subject Property, or portion thereof, such party’s obligations and liability with respect to this Declaration shall wholly cease and terminate as to the portion conveyed from and after the conveyance of such party’s interest. Such party’s successor-in-interest in the Subject Property, or portion thereof, by acceptance of such conveyance automatically shall be deemed to assume such party’s obligations and liabilities hereunder to the extent of such successor-in-interest’s interest.

(d) Notwithstanding the foregoing, nothing herein shall be deemed to preclude, qualify, limit, or prevent any of the City’s governmental rights, powers, or remedies, including, without limitation, with respect to the satisfaction of the remedies of the City under any laws, statutes, codes, or ordinances.

Section 9.03 Certain Remedies.

(a) Declarant hereby agrees that failure to comply with conditions or restrictions in this Declaration shall constitute a violation of the Zoning Resolution, and such failure to comply may constitute the basis for denial or revocation of Building Permit(s) or certificate(s) of occupancy.

(b) In any application for an amendment or modification of this Declaration, Declarant shall verify that it has complied with each of the material conditions of the Declaration applicable at the time of such application.

(c) In the event that Declarant has not complied with the material conditions of this Declaration, such non-compliance may constitute grounds for the Commission to disapprove any application for amendment or modification of the Declaration.

(d) For purposes of this Section 9.03, Declarant shall not be deemed to have failed to comply under any of paragraphs (a), (b), or (c) unless and until Declarant or a Named Mortgagee, as the case may be, has failed to remedy or cure the event or occurrence which is the basis of any allegation of a failure to comply in accordance with the procedure as set forth in Section 9.01 of this Declaration with respect to alleged default(s), including all applicable notice and cure periods afforded Declarant and Named Mortgagee(s) therein.

Section 9.04 Uncontrollable Circumstances.

(a) In the event that, as the result of Uncontrollable Circumstances, Declarant is or believes it will be unable to perform or complete any obligation required to be performed hereunder prior to accepting a Building Permit, TCO, or PCO for Bonus Floor Area, Declarant shall promptly after it has actual knowledge of such Uncontrollable Circumstances so notify the Chair in writing (such notice, the “**Delay Notice**”). Any Delay Notice shall include a description of the Uncontrollable Circumstances and, if known to Declarant, their cause and estimated impact on performance of the obligation in question. The Chair shall thereafter determine whether the Uncontrollable Circumstances exist, acting in consultation with the MTA with respect to Transit Improvements and Transit-Related Public Concourse Improvements, and, upon written notice to Declarant no later than ten (10) days of receipt of the Delay Notice, certify whether the Uncontrollable Circumstances exist. If the Chair certifies that Uncontrollable Circumstances exist, the Chair shall, either concurrently with such certification or no later than ten (10) days thereafter, grant Declarant relief, including, if appropriate, notifying DOB that a Building Permit, TCO, or PCO for the Bonus Floor Area, or a portion thereof (as applicable) may be issued. If the Chair certifies that Uncontrollable Circumstances do not exist, the Chair shall set forth with specificity in the certification the reasons therefor. Declarant and DCP shall meet within five (5) Business Days of the issuance of any written notice certifying that Uncontrollable Circumstances do not exist to review the basis for such determination. Declarant shall take all steps necessary to respond, including providing additional information in writing as may be reasonably requested by the Chair to determine whether Uncontrollable Circumstances exist. Notwithstanding the foregoing, in the event that the Chair has failed to (x) respond in writing to Declarant within ten (10) days of receipt of the Delay Notice; (y) cause DCP to meet with Declarant within five (5) Business Days of the issuance of any written notice certifying that

Uncontrollable Circumstances do not exist; or (z) respond in writing to Declarant within ten (10) Business Days of receipt of any additional materials reasonably requested by the Chair to determine whether Uncontrollable Circumstances exist, then the Chair shall be deemed to have made a finding of Uncontrollable Circumstances.

(b) Any delay caused as the result of Uncontrollable Circumstances shall be deemed to continue only as long as the Uncontrollable Circumstances continue. Upon cessation of the Uncontrollable Circumstance causing such delay, Declarant shall promptly recommence the work or implement the measure needed to complete the obligation, in accordance with any applicable directive of the Chair, unless an alternative is specified and agreed to by the Chair, acting in consultation with the MTA with respect to Transit Improvements and Transit-Related Public Concourse Improvements. As a further condition to granting relief as aforesaid, the Chair may also require that Declarant post security acceptable to the Chair (the “**Completion Security**”), in a form reasonably acceptable to the Chair and naming the City and/or the MTA as beneficiary, as applicable, to secure Declarant’s obligation to complete the obligation upon cessation of the Uncontrollable Circumstances, provided that no Completion Security shall be required to the extent that Declarant has previously provided (i) security acceptable to the MTA with respect to any Transit Improvement or Transit-Related Public Concourse Improvement or (ii) a completion guaranty acceptable to the City of New York with respect to any Transit Improvement or Public Concourse Improvement. If Declarant fails to resume performance of such work upon cessation of the Uncontrollable Circumstances, such failure shall be deemed an alleged breach of this Declaration subject to the provisions of Section 9.01; if Declarant fails to cure the breach in accordance with such Section 9.01, then the City may undertake the performance of such work. Upon completion of the obligation, whether by Declarant or the City, the City shall promptly return the Completion Security it is holding to Declarant. Notwithstanding the foregoing, MTA’s rights to require additional security acceptable to the MTA and Declarant’s rights to the return of any security posted with the MTA, as between the MTA and Declarant, shall be as set forth in the Transit Improvement Agreement.

Section 9.05 Representation. Declarant hereby represents and warrants that (a) there is no restriction of record on the development, enlargement, or use of the Subject Property, nor any present or presently existing estate or interest in the Subject Property, nor any existing lien, obligation, covenant, easement, limitation, or encumbrance of any kind that shall preclude the enforcement of the obligations and restrictions as set forth herein; and (b) the Parties-in-Interest listed in the Certification of Party-in-Interest are the only known Parties-in-Interest to the Subject Property as of the date hereof.

Section 9.06 Reservation of the MTA’s Rights. The MTA is not a party to this Declaration, and Declarant acknowledges that: (i) nothing contained herein nor any waiver of its rights hereto as a Party-in-Interest shall affect, modify, amend, limit, or abrogate (or be construed to affect, modify amend, limit, or abrogate) any of the MTA’s rights under law or any deed, agreement, lease, easement, or other instrument as the same exists as of [date of approval of the Special Permits] (or as may be modified, amended, supplemented and/or restated on or after [date of approval of the Special Permits]) relating to Block 1280, Lot 30 or any property adjacent thereto, including, without limitation, Grand Central Terminal and the Grand Central 42nd Street subway station, whether with Declarant or any other party; and (ii) no action taken pursuant to

this Declaration by the MTA, Declarant, or any other party shall be deemed to modify any such rights.

Section 9.07 Compliance with Lease. Notwithstanding anything to the contrary contained in this Declaration, Declarant acknowledges and represents that any actions by Declarant hereunder shall comport with the requirements under the Lease (as such Lease may be modified, amended, supplemented, and/or restated), including obtaining any required consents thereunder, and nothing contained herein shall affect, modify, amend, limit, or abrogate (or be construed to affect, modify, amend, limit, or abrogate) any of the City's rights under the Lease (as such Lease may be modified, amended, supplemented, and/or restated).

ARTICLE X.MISCELLANEOUS

Section 10.01 Notices.

(a) Except as set forth in Section 10.01(f), all notices, demands, requests, consents, approvals, or other communications (each of which is hereinafter referred to as "**Notice**"), which may be or are permitted, desirable, or required to be given, served, or sent hereunder shall be effective only if in writing and (i) mailed to the party for which it is intended by certified or registered mail, return receipt requested, (ii) sent via nationally recognized overnight courier service, or (iii) personally delivered, addressed as follows:

If to Declarant:

Commodore Owner LLC
c/o RXR Realty
75 Rockefeller Plaza, Suite 1400
New York, New York 10019
Attention: Jeffrey Nelson

Commodore Owner LLC
c/o RXR Realty
625 RXR Plaza
Uniondale, New York 11556
Attention: General Counsel

Commodore Owner LLC
c/o TF Cornerstone
387 Park Avenue South
New York, New York 10016
Attention: Jacob Elghanayan

Commodore Owner LLC
c/o TF Cornerstone
387 Park Avenue South
New York, New York 10016
Attention: General Counsel

with a copy to:

Fried, Frank, Harris, Shriver & Jacobson LLP
One New York Plaza
New York, New York 10004
Attention: David Karnovsky, Esq.

and

New York City Economic Development Corporation
One Liberty Plaza
New York, New York 10006
Attention: Executive Vice President Real Estate Transaction Services

If to the City:

New York City Department of City Planning
120 Broadway, 31st Floor
New York, New York 10271
Attention: General Counsel

and

New York City Economic Development Corporation
One Liberty Plaza
New York, New York 10006
Attention: Executive Vice President Real Estate Transaction Services

(b) Any recipient of a Notice may from time to time by Notice designate a new or additional related entity or person or address for receipt of Notices.

(c) Notice shall be deemed given five (5) days after mailing, two (2) Business Days after sending by nationally recognized overnight courier service, or upon personal delivery after receipt, except that a Notice providing for change of Notice name or address shall only be effective upon receipt and except as set forth in Section 10.01(f).

(d) A copy of all Notices to Declarant shall be simultaneously given to any Mortgagee of all or a portion of the Subject Property of which the City has been given Notice (any such Mortgagee, a "**Named Mortgagee**").

(e) In the event that there is more than one Declarant at any time, any Notice from the City or the Commission shall be provided to all Declarants of whom the Commission has notice.

(f) Any Notice to be sent by Declarant to the MTA under this Declaration shall be sent and deemed given in accordance with the Transit Improvement Agreement.

Section 10.02 Certificates. The City will at any time and from time to time upon not less than fifteen (15) days' prior notice by Declarant or a Named Mortgagee execute, acknowledge and deliver to Declarant or such Named Mortgagee, as the case may be, a statement in writing certifying (a) that this Declaration is unmodified and in full force and effect (or if there have been modifications or supplements that the same is in full force and effect, as modified or supplemented, and stating the modifications and supplements), (b) whether or not to the best knowledge of the signer of such certificate Declarant is in default in the performance of any obligation contained in this Declaration, and, if so, specifying each such default of which the signer may have knowledge, and (c) as to such further matters as Declarant or such Named Mortgagee may reasonably request.

Section 10.03 Successors of Declarant. References in this Declaration to "Declarant" shall be deemed to include any successor to or assign of Declarant. Notwithstanding anything to the contrary contained in this Declaration, no holder of a mortgage or other lien in the Subject Property shall be deemed to be a Declarant for any purpose, unless and until such holder obtains either a fee interest in the Subject Property or any portion thereof or a lessee's estate in a ground lease of all or substantially all the Subject Property, and provided further that the holder of any such mortgage or lien shall not be liable for any obligations of Declarant as the "Declarant" hereunder unless such holder commences to develop the Subject Property or has acquired its interest from a party who has done so.

Section 10.04 Parties-in-Interest. Declarant shall cause any individual, business organization, or other entity which, between the date hereof and the effective and recording date and time of this Declaration, becomes a Party-in-Interest in the Subject Property or portion thereof to subordinate its interest in the Subject Property to this Declaration. Any and all mortgages or other liens encumbering the Subject Property after the recording date of this Declaration shall be subject and subordinate hereto. Notwithstanding anything to the contrary contained in this Declaration, if a portion of the Subject Property is held in condominium ownership, the board of managers of the condominium association shall be deemed to be the sole Party-in-Interest with respect to the premises held in condominium ownership, and the owner of any unit in such condominium, the holder of a lien encumbering any such condominium unit, and the holder of any other occupancy or other interest in such condominium unit shall not be deemed to be a Party-in-Interest.

Section 10.05 Governing Law. This Declaration shall be governed and construed by the laws of the State of New York, without regard to principles of conflicts of law.

Section 10.06 Severability. In the event that any provision of this Declaration shall be deemed, decreed, adjudged, or determined to be invalid or unlawful by a court of competent jurisdiction, and an appeal therefrom is either not available or unsuccessful after Declarant has taken all actions necessary to pursue such an appeal (a "**Final Adverse Determination**"), such provision shall be severed and the remainder of this Declaration shall continue to be of full force and effect. In the event that a Public Concourse Improvement other than a Transit-Related Public Concourse Improvement provided for under this Declaration is the subject of such Final Adverse Determination, the Bonus Floor Area permitted to be utilized by the Proposed Building shall be reduced by the amount associated with such Public Concourse Improvement, as set forth in

Exhibit I, and the Building Drawings or Terrace Drawings, as applicable, shall be modified to reflect such Final Adverse Determination accordingly.

Section 10.07 Applications. Declarant shall include a copy of this Declaration as part of any application pertaining to the Subject Property submitted to DOB or any other interested governmental agency or department having jurisdiction over the Subject Property.

Section 10.08 Incorporation by Reference. Any and all exhibits, appendices and attachments referred to herein are hereby incorporated fully and made an integral part of this Declaration by reference.

[Signature Appears on Following Page]

IN WITNESS WHEREOF, Declarant has executed this Declaration as of the date first above written.

COMMODORE OWNER LLC

By: _____
Name:
Title:

ACKNOWLEDGMENT

State of New York }
 }
County of New York } ss.

On the __ day of _____, in the year 202_ before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

SCHEDULE OF EXHIBITS

<u>EXHIBIT A</u>	Metes and Bounds Description of the Subject Property
<u>EXHIBIT B-1</u>	MTA Letter Regarding Transit Improvements
<u>EXHIBIT B-2</u>	MTA Letter Regarding Transit-Related Public Concourse Improvements
<u>EXHIBIT C</u>	Certification of Parties-in-Interest
<u>EXHIBIT D</u>	Building Drawings
<u>EXHIBIT E</u>	Transit Improvements Drawings
<u>EXHIBIT F-1</u>	Transit-Related Public Concourse Improvements Drawings
<u>EXHIBIT F-2</u>	Terrace Drawings
<u>EXHIBIT G-1</u>	Grand Central Terrace Zone Drawing
<u>EXHIBIT G-2</u>	Graybar Terrace Zone Drawing
<u>EXHIBIT G-3</u>	Grand Central Terrace Purposes and Requirements
<u>EXHIBIT G-4</u>	Graybar Terrace Purposes and Requirements
<u>EXHIBIT G-5</u>	Chrysler Terrace Zone Drawing
<u>EXHIBIT G-6</u>	Chrysler Terrace Requirements
<u>EXHIBIT H</u>	Mitigation Measures
<u>EXHIBIT I</u>	Bonus Floor Area

EXHIBIT A

Metes and Bounds Description of the Subject Property

ALL that certain parcel of real property located and situated in the Borough of Manhattan, City, County and State of New York, bounded and described as follows:

BEGINNING at the corner formed by the intersection of the northerly line of East 42nd Street with the westerly line of Lexington Avenue;

RUNNING THENCE westerly, along the northerly line of East 42nd Street 275 feet;

THENCE northerly, parallel with the westerly line of Lexington Avenue 208 feet 4 inches;

THENCE easterly, parallel with the northerly line of East 42nd Street, 275 feet to a point in the westerly line of Lexington Avenue;

THENCE southerly, along the westerly line of Lexington Avenue, 208 feet 4 inches to the point or place of BEGINNING.

EXCEPTING AND EXCLUDING therefrom the following:

The “Retained Property” as set forth and described in Schedule II of deed made by Robert W. Blanchette, Richard C. Bond and John H. McArthur, Trustees of the Property of Penn Central Transportation Company, Debtor, as Grantor and UDC/Commodore Redevelopment Corporation, and The City of New York, as Grantee, dated December 19, 1977, and recorded May 25, 1978 in Reel 439 Page 1381.

The “Appropriated Premises” acquired by the People of the State of New York for the Metropolitan Transportation Authority’s use and possession of a portion of the Ground-Leased basement space of the Grand Hyatt Hotel, pursuant to an Appropriation Map filed in Proceeding 7783 by the Commissioner of Transportation of the State of New York on May 16, 1983, Map No. 4167, excepting the unused portions of said Appropriated Premises returned to the Ground Lessee by the People of the State of New York and the Metropolitan Transportation Authority pursuant to an Indenture dated as of June 16, 1998, and recorded May 24, 1999 in Reel 2879 Page 1753.

The “Acquired Premises” conveyed by UDC/Commodore Redevelopment Corporation to Metropolitan Transportation Authority (joined in by Hyatt Equities, L.L.C.) dated as of December 19, 2017, and recorded January 12, 2018 as CRFN 2018000000723.

EXHIBIT B-1

MTA Letter Regarding Transit Improvements

[Attached]

EXHIBIT B-2

MTA Letter Regarding Transit-Related Public Concourse Improvements

[Attached]

EXHIBIT C

Certification of Parties-in-Interest

[To be attached at the time of execution]

EXHIBIT D

Building Drawings

[Attached]

EXHIBIT E

Transit Improvements Drawings

[Attached]

EXHIBIT F-1

Transit-Related Public Concourse Improvements Drawings

[Attached]

EXHIBIT F-2

Terrace Drawings

[Attached]

EXHIBIT G-1

Grand Central Terrace Zone Drawing

[Attached]

EXHIBIT G-2

Graybar Terrace Zone Drawing

[Attached]

EXHIBIT G-3

Grand Central Terrace Purposes and Requirements

1. General Purposes

The Grand Central Terrace is intended to serve the following purposes:

- Provide the public with different opportunities to view the eastern façade of Grand Central Terminal, with viewing and seating areas generally located along the western edge of the terrace;
- Provide natural light to the Transit Hall below;
- Provide the public with opportunities to view other surrounding historic landmarks along East 42nd Street;
- Provide various options for the location of public art. Specific siting of artwork shall be coordinated when artwork is selected. Artwork placement shall not conflict with circulation and other terrace amenities including seating; and
- Promote public circulation and facilitate social interaction.

2. Site Plan Requirements

The Grand Central Terrace shall be comprised of seven areas arranged as shown on the drawing attached hereto as Exhibit G-1.

- Area A shall include the sidewalk that lines the existing elevated roadway adjacent to Grand Central Terrace. This area shall include paving improvements that complement paving types proposed for Grand Central Terrace as well as security bollards. The sidewalk shall provide circulation space between the ADA-compliant elevator in Area E and other areas of the Grand Central Terrace, and allow the public opportunities to view surrounding historic landmarks along East 42nd Street and the Grand Central Terminal building's façade.
- Area B shall include an ADA-compliant elevator along its northern edge to provide access between the Grand Central Terrace and the Graybar Terrace situated one level above. Area B's western edge shall be lined with plantings or a similar screening feature that will screen this portion of the terrace from the adjacent service road to the west, which slopes down to the terrace level as it connects to former Depew Place. Area B shall also include two skylights – one flush to grade and one extruded – that will provide daylight to the Grand Central Terminal Transit Hall that sits below the terrace. The extruded skylight shall provide views of Grand Central Terminal's eastern façade and will be lined by a raised planter that may incorporate a seat wall. The area surrounding the flush skylight shall remain flexible to accommodate a small grouping of moveable tables and chairs.

- Area C shall remain free of seating and planting to allow for clear circulation between the building and Area A. Area C shall be characterized by a flush-to-grade skylight that will provide daylight to the Grand Central Terminal Transit Hall below.
- Area D shall include a seating area and greenery, including planters and several large-scale trees.
- Area E shall contain the ADA-compliant elevator that will provide access between the East 42nd Street sidewalk and the Grand Central Terrace. The elevator shall be surrounded by plantings that are visible to pedestrians at street level, creating a visual signal of the public nature of the Grand Central Terrace.
- Area F shall include a continuous, unobstructed pedestrian circulation path with a minimum clear width of eight feet, adjacent to or near the building façade for the full length of the Grand Central Terrace. Area F shall also contain the stair that will provide access between Graybar Terrace and the Grand Central Terrace.
- Area G shall include the stair that will provide access between street level and the level of Grand Central Terrace. The stair shall have a minimum width of eight feet and shall include generous landings that will provide visitors with opportunities to pause and view historic landmarks along 42nd Street.

3. Additional Design Requirements

- Minimum Dimensions: The Grand Central Terrace shall have the minimum dimensions shown on Z-601 and Z-602 and a minimum aggregate area of 7,368 square feet.
- Obstructions:
 - Permitted obstructions as defined in ZR Section 37-726(a) may occupy up to 40 percent of the area of the Grand Central Terrace.
 - Flush-to-grade skylights shall not be considered an obstruction, and the extruded skylight shall be a permitted obstruction. Building portions extending above the Grand Central Terrace shall not be considered obstructions.
 - The Grand Central Terrace shall comply with the permitted obstructions standards of ZR Section 37-726(c) and 37-726(d).
- Skylights: The Grand Central Terrace shall provide two flush-to-grade skylights and one extruded skylight. The flush-to-grade skylights shall be translucent. The extruded skylight shall be transparent, arranged to provide views of Grand Central Terminal's eastern façade, and have minimum dimensions in plan of four feet by six feet and maximum dimensions in plan of nine feet by 12 feet.
- Seating
 - The Grand Central Terrace shall include a minimum of 100 linear feet of seating, including a maximum of 40 linear feet of moveable seating and a mix of fixed seating with and without backs.

- Required seating on the Grand Central Terrace shall comply with the minimum and maximum dimensional standards of paragraphs (1) through (3) of ZR Section 37-741.
- At least one moveable table shall be provided for every four moveable chairs.
- Planting: The Grand Central Terrace shall include a minimum of 420 square feet of planting and at least two trees, at least one of which shall be planted flush-to-grade. Terrace planting shall be subject to the planting bed requirements of ZR Section 37-742. The bounding walls of Grand Central Terrace planted areas shall not exceed six inches above the adjacent walking surface, except for planted areas around the extruded skylight or that incorporate seating.
- Public art: The Grand Central Terrace shall be available for public art installations, which shall be located in a manner that invites public exploration of the terrace and adjacent terraces.
- Transparency: At least 35 percent of the surface area of building walls, including walls fronting on the civic stair portion of the Grand Central Terrace, between the terrace level and 14 feet above the terrace level shall be treated with glass.
- Signage:
 - The Grand Central Terrace shall include at least one public space sign complying with Title 62, Section 11-04 of the Rules of the City of New York. Such sign or separate, additional signs shall also include a way-finding signage system.
 - Up to 39 square feet of accessory signage may front on the Grand Central Terrace.
- Other:
 - The Grand Central Terrace shall include at least two litter receptacles, which may include receptacles for recycling.
 - The Grand Central Terrace shall comply with the paving standards of ZR Section 37-718.
 - The Grand Central Terrace shall comply with the accessibility standards of ZR Section 37-728.
 - Collectively, the Terraces shall include a variety of lighting types such as seat lighting, stair lighting, accent lighting, and down lighting with a minimum average level of illumination of 1.5 foot candles throughout walkable and sitting areas.
 - The Grand Central Terrace shall comply with the electrical outlet standards of ZR Section 37-743.

EXHIBIT G-4

Graybar Terrace Purposes and Requirements

1. General Purposes

The Graybar Terrace is intended to serve the following purposes:

- Provide an elevated public space that serves as a dynamic connector between the Grand Central Terrace and the Chrysler Terrace;
- Provide the public with different opportunities to view the eastern façade of Grand Central Terminal and to view the Lexington Avenue and East 43rd Street corridors;
- Offer flexible spaces that can accommodate public programming including cultural events and areas to incorporate public art; and
- Provide generous pedestrian circulation space and facilitate social interaction.

2. Site Plan Requirements

The Graybar Terrace shall comprise six areas arranged as shown on the drawing in Exhibit G-2.

- Area A shall include a continuous, unobstructed pedestrian circulation path with a minimum clear width of eight feet, adjacent to or near the building façade. To the west, Area A shall contain the stair and ADA-compliant elevator that will provide access between the Graybar Terrace and the Grand Central Terrace situated one level below. To the east, Area A shall adjoin the stair that will provide access to the Chrysler Terrace. Moveable tables and chairs, litter receptacles, and one drinking fountain with a bottle filler shall be provided within or adjacent to Area A.
- Area B shall provide a flexible layout, generally clear of large, fixed elements, so that it can accommodate public programming that includes cultural events as well as large-scale public art. Area B's northern edge shall be lined with a planting bed that will screen this portion of the terrace from the loading docks below. Fixed benches shall be located near the western edge of Area B and incorporated into the southern edge of the planting bed. Area B shall also contain a large grouping of moveable tables and chairs.
- Area C shall include a minimum 500-square-foot pavilion.
- Area D shall include a planting bed along its northern edge with one fixed bench incorporated into the southern edge of the planter. Area D shall also include a grouping of moveable tables and chairs.
- Area E shall provide a large-scale, fixed communal table as its focal point. Area E's northern edge shall be lined with a planting bed contiguous with the Area D planting bed.
- Area F shall include a widened slab set at counter-height on its southern edge, providing opportunities for seating overlooking the Chrysler Terrace. Area F shall also include an ADA-compliant elevator on its northeast corner that will provide access to the Chrysler Terrace and Lexington Avenue.

3. Additional Design Requirements

- Minimum Dimensions: The Graybar Terrace shall have the minimum dimensions shown on Z-603 and a minimum aggregate area of 8,053 square feet.
- Obstructions:
 - Permitted obstructions as defined in ZR Section 37-726(a) may occupy up to 65 percent of the area of the Graybar Terrace.
 - Building portions extending above the Graybar Terrace shall not be considered obstructions.
 - The Graybar Terrace shall comply with the permitted obstructions standards of ZR Section 37-726(c) and 37-726(d).
- Pavilion: The Graybar Terrace shall provide a pavilion open to the public with an area of up to 850 square feet for food service, cultural, educational, or community-related uses.
- Seating
 - The Graybar Terrace shall include a minimum of 275 linear feet of seating, including a maximum of 232 linear feet of moveable seating and a mix of fixed seating with and without backs.
 - Required seating on the Graybar Terrace shall comply with the minimum and maximum dimensional standards of paragraphs (1) through (3) of ZR Section 37-741.
 - At least one moveable table shall be provided for every four moveable chairs, other than counter-height chairs and chairs associated with the communal table.
- Planting: The Graybar Terrace shall include a minimum of 975 square feet of planting. Terrace planting shall be subject to the planting bed requirements of ZR Section 37-742, except that the soil depth for multi-stemmed trees may be reduced to three feet on the Graybar Terrace. The bounding walls of Graybar Terrace planted areas shall not exceed six inches above the adjacent walking surface, except for planted areas that incorporate seating.
- Public art: The Graybar Terrace shall be available for public art installations, which shall be located in a manner that invites public exploration of the terrace and adjacent terraces.
- Transparency: At least 20 percent of the surface area of building walls, including the walls of the pavilion, between the terrace level and 14 feet above the terrace level shall be treated with glass.
- Signage:
 - The Graybar Terrace shall include at least one public space sign complying with Title 62, Section 11-04 of the Rules of the City of New York. Such sign or separate, additional signs shall also include a way-finding signage system.
 - Up to 22.5 square feet of accessory signage may front on the Graybar Terrace.

- Other:
 - The Graybar Terrace shall include at least two litter receptacles, which may include receptacles for recycling.
 - The Graybar Terrace shall include at least one drinking fountain with a bottle filler.
 - The Graybar Terrace shall comply with the paving standards of ZR Section 37-718.
 - The Graybar Terrace shall comply with the accessibility standards of ZR Section 37-728.
 - Collectively, the Terraces shall include a variety of lighting types such as seat lighting, stair lighting, accent lighting, and down lighting with a minimum average level of illumination of 1.5 foot candles throughout walkable and sitting areas.
 - The Graybar Terrace shall comply with the electrical outlet standards of ZR Section 37-743.

EXHIBIT G-5

Chrysler Terrace Zone Drawing

[Attached]

EXHIBIT G-6

Chrysler Terrace Requirements

- **Minimum Dimensions:** The Chrysler Terrace shall have the minimum dimensions shown on Z-701 and Z-702 and a minimum aggregate area of 10,000 square feet.
- **Obstructions:**
 - Permitted obstructions as defined in ZR Section 37-726(a) may occupy up to 40 percent of the area of the Chrysler Terrace.
 - Building portions extending above the Chrysler Terrace shall not be considered obstructions.
 - The Chrysler Terrace shall comply with the permitted obstructions standards of ZR Section 37-726(c) and 37-726(d).
- **Water Feature:** The Chrysler Terrace shall provide a water feature with dimensions of approximately 15 feet by 15 feet that is aligned with the Lexington Avenue entrance of the Chrysler Building.
- **Seating**
 - The Chrysler Terrace shall include a minimum of 150 linear feet of seating, including a maximum of 68 linear feet of moveable seating and a mix of fixed seating with and without backs.
 - Required seating on the Chrysler Terrace shall comply with the minimum and maximum dimensional standards of paragraphs (1) through (3) of ZR Section 37-741.
 - At least one moveable table shall be provided for every four moveable chairs.
 - Seating shall include social seating and seating arranged to provide for views to the Chrysler Building.
- **Planting:** The Chrysler Terrace shall include a minimum of 1,275 square feet of planting and 14 trees, at least six of which shall be planted flush-to-grade. Terrace planting shall be subject to the planting bed requirements of ZR Section 37-742. The bounding walls of Chrysler Terrace planted areas shall not exceed six inches above the adjacent walking surface, except for planted areas that incorporate seating.
- **Public art:** The Chrysler Terrace shall be available for public art installations, which shall be located in a manner that invites public exploration of the terrace and adjacent terraces.
- **Transparency:** At least 30 percent of the surface area of building walls, including the walls fronting on the civic stair portion of the Chrysler Terrace, between the terrace level and 14 feet above the terrace level shall be treated with glass.

- Signage:
 - The Chrysler Terrace shall include at least one public space sign complying with Title 62, Section 11-04 of the Rules of the City of New York. Such sign or separate, additional signs shall also include a way-finding signage system.
 - Up to 59 square feet of accessory signage may front on the Chrysler Terrace.
- Other:
 - The Chrysler Terrace shall include at least three litter receptacles, which may include receptacles for recycling.
 - The Chrysler Terrace shall comply with the paving standards of ZR Section 37-718.
 - The Chrysler Terrace shall comply with the accessibility standards of ZR Section 37-728.
 - Collectively, the Terraces shall include a variety of lighting types such as seat lighting, stair lighting, accent lighting, and down lighting with a minimum average level of illumination of 1.5 foot candles throughout walkable and sitting areas.
 - The Chrysler Terrace shall comply with the electrical outlet standards of ZR Section 37-743.

EXHIBIT H

Mitigation Measures

Traffic Mitigation Measures

Modify signal timing at:

- Second Avenue and East 40th Street: Shift 1 sec of green time from EB phase to SB phase during the AM peak hour.
- Lexington Avenue and East 40th Street: Shift 1 sec of green time from EBT lead phase to EB phase during the PM peak hour.
- Lexington Avenue and East 43rd Street: Shift 2 sec of green time from WB phase to SB phase during the AM peak hour.
- Lexington Avenue and East 44th Street: Shift 2 sec of green time from Ped phase to SB phase during the AM peak hour.
- Lexington Avenue and East 45th Street: Shift 2 sec of green time from WB phase to SB phase during the AM peak hour.
- Broadway and West 42nd Street: Shift 2 sec of green time from EB lead phase to EB/WB phase during the AM peak hour, midday peak hour, and PM peak hour.

Transit Mitigation Measures

Increase Flushing line escalator operating speed from 90 feet per minute to 100 feet per minute.

Pedestrian Mitigation Measures

Crosswalks (Lexington Avenue and East 42nd Street)

- Restripe the north crosswalk from its existing width of 20 feet to 21 feet.
- Restripe the east crosswalk from its existing width of 13 feet to 14 feet.
- Restripe the west crosswalk from its existing width of 12 feet to 14 feet.

Corners (Lexington Avenue and East 42nd Street)

- Relocate an existing garbage bin from the southwest corner to an adjacent sidewalk.

EXHIBIT I

Bonus Floor Area

- **Short Loop Improvement**: 200,000 square feet of floor area as defined in the Zoning Resolution
- **Transit Improvements other than the Short Loop Improvement**: 411,616 square feet of floor area as defined in the Zoning Resolution
- **Grand Central Terrace (Lot 30 portion)**: 60,840 square feet of floor area as defined in the Zoning Resolution
- **Grand Central Terrace (Lot 1 portion)**: 12,840 square feet of floor area as defined in the Zoning Resolution
- **Graybar Terrace**: 80,530 square feet of floor area as defined in the Zoning Resolution
- **Lexington Passage**: 35,750 square feet of floor area as defined in the Zoning Resolution
- **Transit Hall**: 69,264 square feet of floor area as defined in the Zoning Resolution

SCHEDULE OF EXHIBITS

<u>EXHIBIT A</u>	Metes and Bounds Description of the Subject Property
<u>EXHIBIT B-1</u>	MTA Letter Regarding Transit Improvements
<u>EXHIBIT B-2</u>	MTA Letter Regarding Transit-Related Public Concourse Improvements
<u>EXHIBIT C</u>	Certification of Parties-in-Interest
<u>EXHIBIT D</u>	Building Drawings
<u>EXHIBIT E</u>	Transit Improvements Drawings
<u>EXHIBIT F-1</u>	Transit-Related Public Concourse Improvements Drawings
<u>EXHIBIT F-2</u>	Terrace Drawings
<u>EXHIBIT G-1</u>	Grand Central Terrace Zone Drawing
<u>EXHIBIT G-2</u>	Graybar Terrace Zone Drawing
<u>EXHIBIT G-3</u>	Grand Central Terrace Purposes and Requirements
<u>EXHIBIT G-4</u>	Graybar Terrace Purposes and Requirements
<u>EXHIBIT G-5</u>	Chrysler Terrace Zone Drawing
<u>EXHIBIT G-6</u>	Chrysler Terrace Requirements
<u>EXHIBIT H</u>	Mitigation Measures
<u>EXHIBIT I</u>	Bonus Floor Area

EXHIBIT A

Metes and Bounds Description of the Subject Property

ALL that certain parcel of real property located and situated in the Borough of Manhattan, City, County and State of New York, bounded and described as follows:

BEGINNING at the corner formed by the intersection of the northerly line of East 42nd Street with the westerly line of Lexington Avenue;

RUNNING THENCE westerly, along the northerly line of East 42nd Street 275 feet;

THENCE northerly, parallel with the westerly line of Lexington Avenue 208 feet 4 inches;

THENCE easterly, parallel with the northerly line of East 42nd Street, 275 feet to a point in the westerly line of Lexington Avenue;

THENCE southerly, along the westerly line of Lexington Avenue, 208 feet 4 inches to the point or place of BEGINNING.

EXCEPTING AND EXCLUDING therefrom the following:

The “Retained Property” as set forth and described in Schedule II of deed made by Robert W. Blanchette, Richard C. Bond and John H. McArthur, Trustees of the Property of Penn Central Transportation Company, Debtor, as Grantor and UDC/Commodore Redevelopment Corporation, and The City of New York, as Grantee, dated December 19, 1977, and recorded May 25, 1978 in Reel 439 Page 1381.

The “Appropriated Premises” acquired by the People of the State of New York for the Metropolitan Transportation Authority’s use and possession of a portion of the Ground-Leased basement space of the Grand Hyatt Hotel, pursuant to an Appropriation Map filed in Proceeding 7783 by the Commissioner of Transportation of the State of New York on May 16, 1983, Map No. 4167, excepting the unused portions of said Appropriated Premises returned to the Ground Lessee by the People of the State of New York and the Metropolitan Transportation Authority pursuant to an Indenture dated as of June 16, 1998, and recorded May 24, 1999 in Reel 2879 Page 1753.

The “Acquired Premises” conveyed by UDC/Commodore Redevelopment Corporation to Metropolitan Transportation Authority (joined in by Hyatt Equities, L.L.C.) dated as of December 19, 2017, and recorded January 12, 2018 as CRFN 2018000000723.

EXHIBIT B-1

MTA Letter Regarding Transit Improvements

[Attached]



May 10, 2021

The Honorable Marisa Lago
Chairperson
New York City Planning Commission
120 Broadway, 31st Floor
New York, NY 10271

Re: Project Commodore Transit Improvements

Dear Chair Lago:

The Metropolitan Transportation Authority (together with its constituent agencies, the “MTA”) is in receipt of the attached revised conceptual drawings for Proposed Transit Improvements (defined below), dated May 6, 2021 (collectively, the “Drawings”).

The Drawings depict a program of mass transit improvements that Commodore Owner LLC (the “Developer”) would undertake to generate a zoning floor area bonus for a proposed development at the northwest corner of East 42nd Street and Lexington Avenue (the “Development”). Such improvements (the “Proposed Transit Improvements”), to be made on a qualifying site comprised of Manhattan Block 1280, Lots 1, 30, 54, and 154, are further described in the table below:

Item	Station / Location	Description
1	Grand Central-42nd Street	Expanded R-238 circulation area with fare arrays at street level, including the introduction of natural light into the new entrance.
2	Grand Central-42nd Street	New ADA elevator between street level and mezzanine level to replace existing elevator located within one of the historic entrance bays. The historic entrance bay will be restored to match the other bays.
3	Grand Central-42nd Street	New 14-foot-wide stair between street level and mezzanine level.
4	Grand Central-42nd Street	Relocated stair between street level and mezzanine level.
5	Grand Central-42nd Street	Hyatt North - Removal of girders as shown in the Drawings. Areas impacted by girder removal will be restored to match the newly renovated mezzanine.
6	Grand Central-42nd Street	Hyatt Core - Removal of girders as shown in the Drawings. Areas impacted by girder removal will be restored to match the newly renovated mezzanine.

Item	Station / Location	Description
7	Grand Central Terminal and Grand Central-42nd Street	New “Short Loop” access from the subway station mezzanine to commuter railroads.
8	Grand Central Terminal (MNR) and Grand Central-42nd Street	New “Short Loop” intermodal connection circulation area between Metro-North lower level platforms and subway station mezzanine level.
9	Grand Central Terminal (ESA) and Grand Central-42nd Street	New “Short Loop” intermodal connection circulation area between Long Island Railroad / East Side Access concourse and subway station mezzanine level.
10	Grand Central Terminal and Grand Central-42nd Street	New “Short Loop” ADA elevator between Metro-North lower level platforms and subway station mezzanine level ADA elevator to be accessible by both Metro-North and Long Island Railroad / East Side Access.

The MTA has reviewed the Drawings. This letter supersedes and replaces MTA’s conceptual approval letter dated February 18, 2021 and shall serve as the MTA’s conceptual approval of the Proposed Transit Improvements pursuant to Sections 81-644 and 74-634 of the Zoning Resolution of the City of New York. The transit improvements construction agreements to be entered into between the MTA and the Developer shall contain customary provisions governing the further design development and construction of the Proposed Transit Improvements in a manner consistent with the Drawings and all applicable laws, including with respect to the following:

- Interior horizontal and vertical circulation elements associated with the Proposed Transit Improvements within Metro-North-controlled spaces below grade and MTA-controlled spaces at grade are to be designed with finishes that harmonize with existing finishes in Grand Central Terminal (“GCT”). Finishes and other design elements associated with the Proposed Transit Improvements within the New York City Transit (“NYCT”) mezzanine spaces are to be consistent with 2020 Enhanced Station Initiative standards.
- Specification, location, and design of signage, lighting, communications and life safety equipment, and elevators associated with the Proposed Transit Improvements;
- Adjustment of GCT retail affected by the Development including configuration, dimensions, MEP design, and storefronts;
- Feasibility studies, design development, and final working plans and specifications for each improvement must be coordinated with and acceptable to the MTA;
- Submission of a phasing plan for the improvements to be agreed to by MTA, NYCT, and Metro-North;
- Metes and bounds descriptions must be developed for modified easement areas;
- Operations and maintenance obligations shall be as set forth on the Drawings; and
- Delineation of location of any utilities to be relocated.
- Cooperation with respect to force account costs related to Proposed Transit Improvements.

In addition to any transit and public realm improvements being designed, constructed and funded by the Developer, the Developer must replace any artwork or other design elements that are impacted, changed or otherwise affected by the Development and Proposed Transit Improvements, including but not limited to the artwork on the wall of the R-238 entrance that was commissioned by Jim Hodges for the MTA (collectively, the “Artwork”).

In the event that the removal of the Artwork is required: (i) the removal must be performed under the direction and supervision of both the MTA and the artist, and the Artwork must be crated, shipped and insured by an authorized art handler to the location designated and approved by the MTA, all at the sole expense of the Developer; and (ii) upon completion of the reconstruction at the R-238 entrance, the Developer shall promptly install replacement Artwork in the newly created R-238 area as directed and commissioned by the MTA of equal scope as the original Artwork, with all costs and fees associated with replacement Artwork, including the commissioning costs and installation costs, paid for by the Developer.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Paley', written in a cursive style.

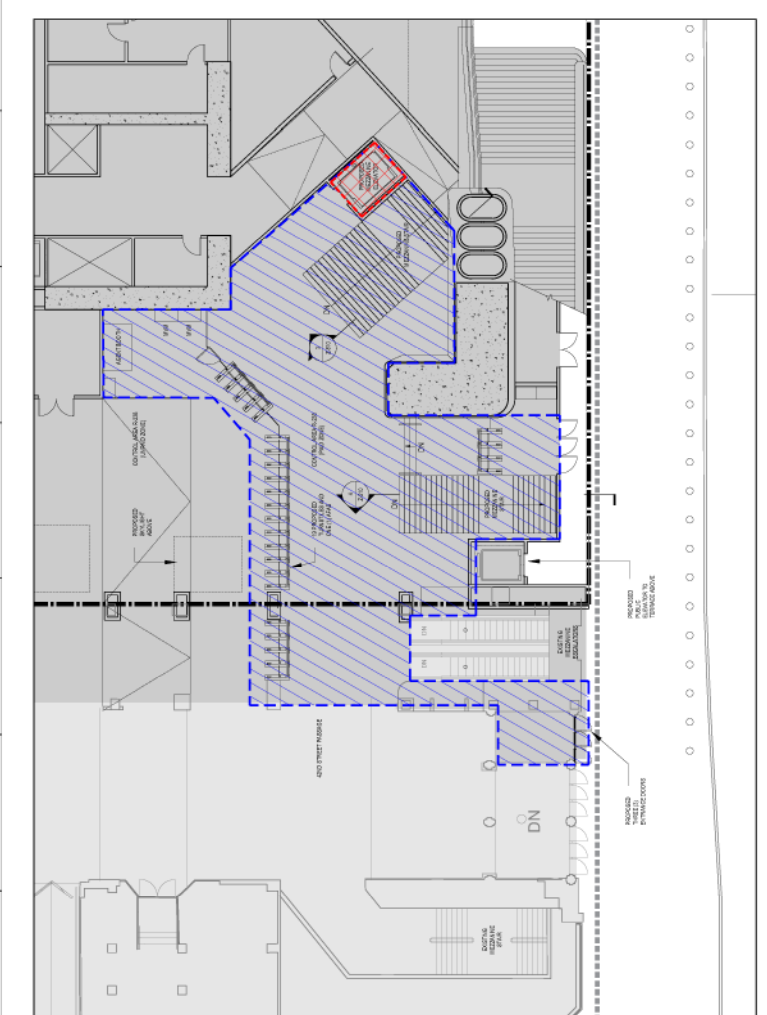
Robert Paley, Director, TOD
Metropolitan Transportation Authority

Cc: NYCDCP: Ezra Moser
MTA: Helene Cinque, Andrea Ascher
MNR: Susan Sarch, George Monasterio
ESA: Neal Forester, Judith Kunoff
Paul Weiss: Meredith Kane
Bryan Cave: Judith Gallent
Commodore Owner LLC: Jake Elghanayan, Jeffrey Nelson
Fried Frank: David Karnovsky, Tal Golomb

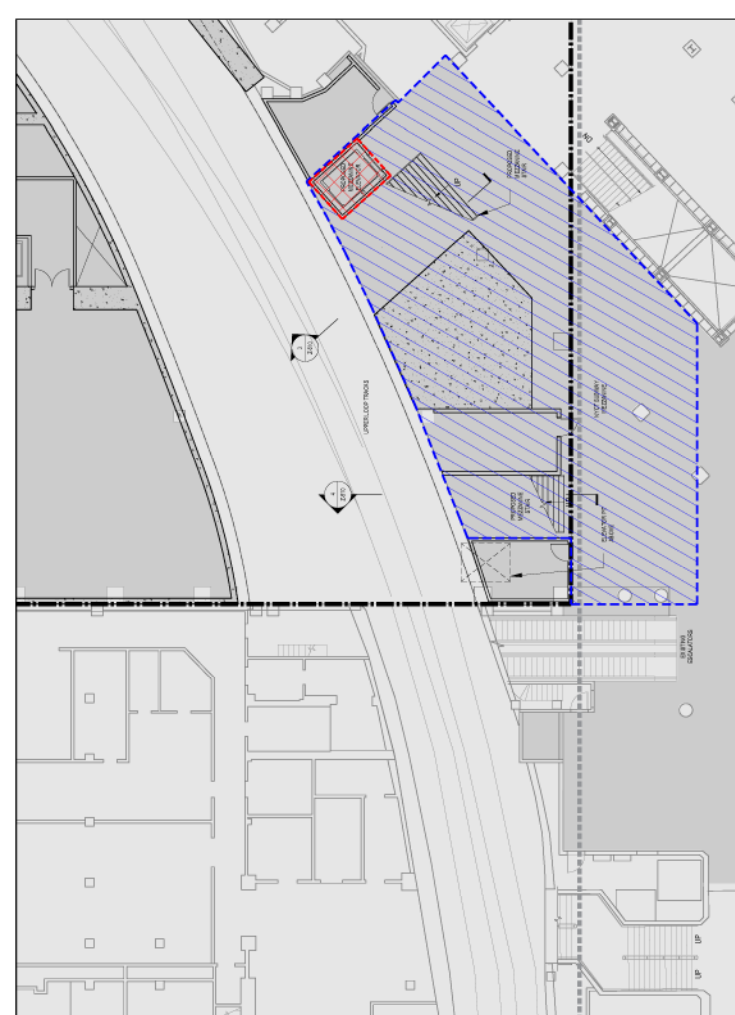
Attachment: Project Commodore Proposed Transit Improvements, dated May 6, 2021

NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NYC DEPARTMENT OF BUILDINGS (DOB) REGULATIONS AND THE NYC DEPARTMENT OF ENVIRONMENTAL CONSERVATION (DEC) REGULATIONS.
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6. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NYC DEPARTMENT OF ENVIRONMENTAL CONSERVATION (DEC) REGULATIONS AND THE NYC DEPARTMENT OF BUILDINGS (DOB) REGULATIONS.



2 IR-238 - GROUND FLOOR PLAN
SCALE: 1/8" = 1'-0"



1 IR-238 - CELLAR FLOOR PLAN
SCALE: 1/8" = 1'-0"

NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NYC DEPARTMENT OF BUILDINGS (DOB) REGULATIONS AND THE NYC DEPARTMENT OF ENVIRONMENTAL CONSERVATION (DEC) REGULATIONS.
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LEGEND

- EXISTING FLOOR FINISH
- PROPOSED FLOOR FINISH
- EXISTING WALL
- PROPOSED WALL
- EXISTING DOOR
- PROPOSED DOOR
- EXISTING WINDOW
- PROPOSED WINDOW
- EXISTING STAIR
- PROPOSED STAIR
- EXISTING ELEVATOR
- PROPOSED ELEVATOR
- EXISTING MECHANICAL ROOM
- PROPOSED MECHANICAL ROOM
- EXISTING ELECTRICAL ROOM
- PROPOSED ELECTRICAL ROOM
- EXISTING PLUMBING ROOM
- PROPOSED PLUMBING ROOM
- EXISTING STAIRWELL
- PROPOSED STAIRWELL
- EXISTING ELEVATOR SHAFT
- PROPOSED ELEVATOR SHAFT
- EXISTING MECHANICAL SHAFT
- PROPOSED MECHANICAL SHAFT
- EXISTING ELECTRICAL SHAFT
- PROPOSED ELECTRICAL SHAFT
- EXISTING PLUMBING SHAFT
- PROPOSED PLUMBING SHAFT
- EXISTING STAIRWELL ENCLOSURE
- PROPOSED STAIRWELL ENCLOSURE
- EXISTING ELEVATOR ENCLOSURE
- PROPOSED ELEVATOR ENCLOSURE
- EXISTING MECHANICAL ENCLOSURE
- PROPOSED MECHANICAL ENCLOSURE
- EXISTING ELECTRICAL ENCLOSURE
- PROPOSED ELECTRICAL ENCLOSURE
- EXISTING PLUMBING ENCLOSURE
- PROPOSED PLUMBING ENCLOSURE
- EXISTING STAIRWELL ENCLOSURE
- PROPOSED STAIRWELL ENCLOSURE
- EXISTING ELEVATOR ENCLOSURE
- PROPOSED ELEVATOR ENCLOSURE
- EXISTING MECHANICAL ENCLOSURE
- PROPOSED MECHANICAL ENCLOSURE
- EXISTING ELECTRICAL ENCLOSURE
- PROPOSED ELECTRICAL ENCLOSURE
- EXISTING PLUMBING ENCLOSURE
- PROPOSED PLUMBING ENCLOSURE

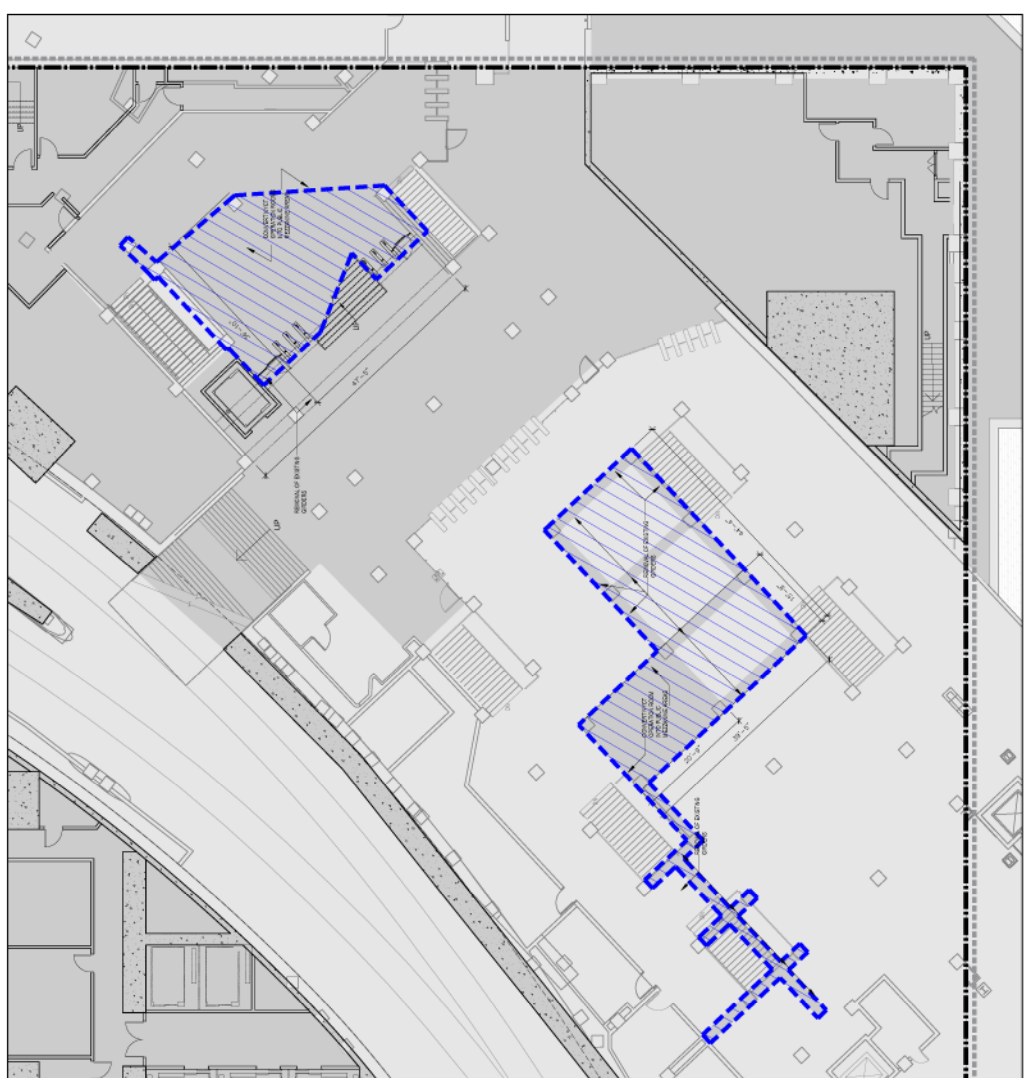
NOT FOR CONSTRUCTION

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1. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF ALL APPLICABLE CODES AND REGULATIONS.
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10. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF ALL APPLICABLE CODES AND REGULATIONS.

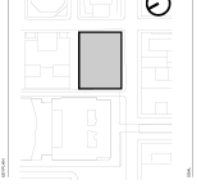
LEGEND

- EXISTING GIRDER FOOTING
- PROPOSED GIRDER FOOTING
- EXISTING GIRDER
- PROPOSED GIRDER
- EXISTING GIRDER SUPPORT
- PROPOSED GIRDER SUPPORT
- EXISTING GIRDER BRACE
- PROPOSED GIRDER BRACE
- EXISTING GIRDER CONNECTION
- PROPOSED GIRDER CONNECTION



1 | CELLAR PLAN - HYATT CORE & NORTH AREAS - PROPOSED

- SOM**
SKIDMORE OWINGS & MERRILL LLP
ARCHITECTS
300 PARK AVENUE
NEW YORK, NY 10022
- WSP**
ONE PENN PLAZA, 28 FLOOR, 100 WALL STREET, NEW YORK, NY 10039
ARCHITECTS
- JACOBS, BAUM & BOLLER CONSULTING ENGINEERS, LLP**
100 WALL STREET, 10TH FLOOR
NEW YORK, NY 10039
- EDGEETT WILLIAMS CONSULTING GROUP**
100 WALL STREET, 10TH FLOOR, SUITE 1010, NEW YORK, NY 10039
- CODE CONSULTANTS, INC.**
200 WEST 41ST STREET, 10TH FLOOR, NEW YORK, NY 10018
- LANSHAN**
2700 AVENUE 20, SUITE 1000, NEW YORK, NY 10001
- THORNTON TOMASETTI**
FREDERICK STREET, NEW YORK, NY 10037
- STANTEC**
400 WEST 111TH STREET, NEW YORK, NY 10035
- ALCO FUNK**
100 WEST 42ND STREET, NEW YORK, NY 10018
- WJB**
ONE PENN PLAZA, 28 FLOOR, NEW YORK, NY 10039
- HEINTGES**
400 WEST 111TH STREET, NEW YORK, NY 10035
- STEVEN WINTER ASSOCIATES, INC.**
30 WEST 42ND STREET, NEW YORK, NY 10018
- JAMES CORNER FIELD OPERATIONS**
400 WEST 111TH STREET, NEW YORK, NY 10035



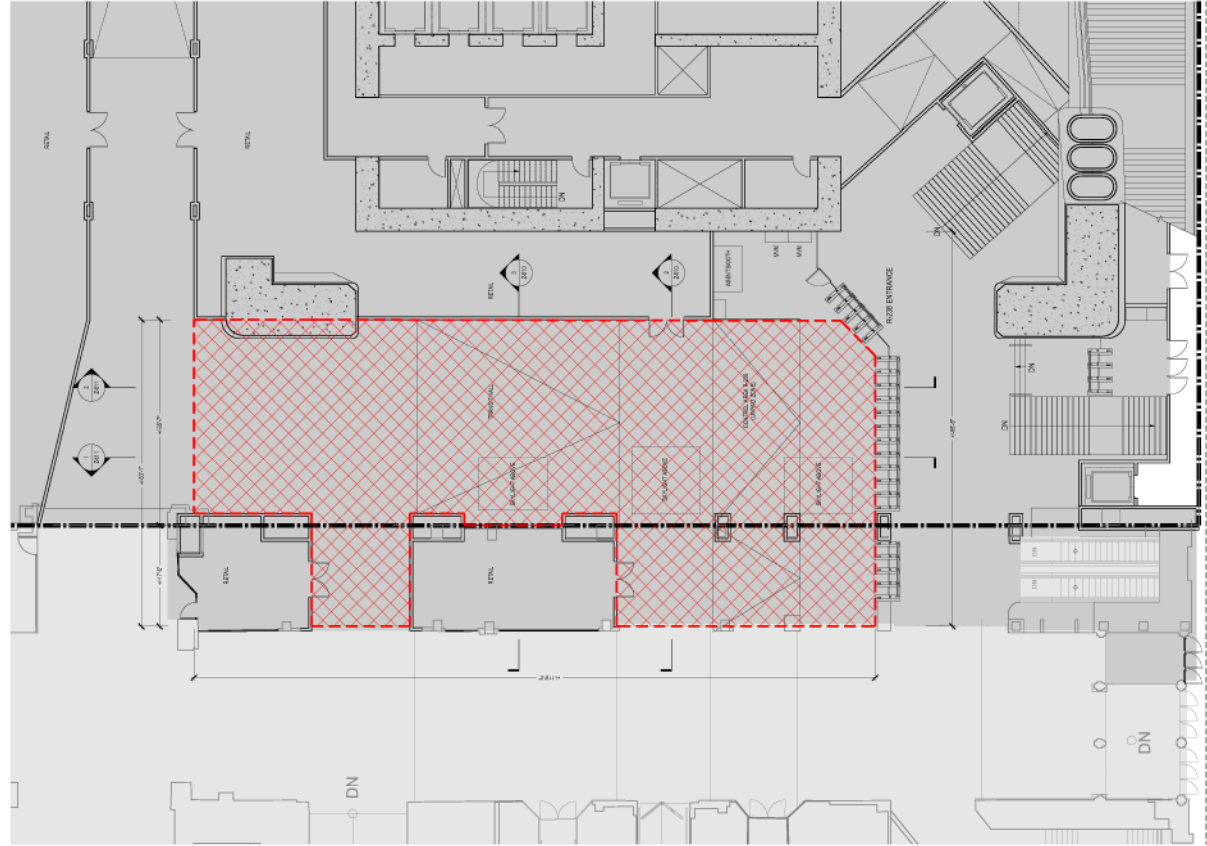
NOT FOR CONSTRUCTION

LEGEND

- EXISTING FLOOR FOOTPRINT
- PROPOSED HALL FOOTPRINT
- MAINTAINED FOOTCOURSE
- TOILET TOILET
- STAIR/ELECTRICAL
- GLASS FINISH LINE

NOTES

1. ALL DIMENSIONS ARE FOR THE PROPOSED HALL FOOTPRINT.
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1 | TRANSIT HALL PLAN
SCALE: 1/8" = 1'-0"

- SOM**
SKIDMORE OWINGS & MERRILL LLP
ARCHITECTS
300 MADISON AVENUE, 6TH FLOOR
NEW YORK, NY 10017
TEL: 212 512 2000
WWW.SOM.COM
- WSP**
ONE PENN PLAZE, 28TH FLOOR, NEW YORK, NY 10001
TEL: 212 512 2000
WWW.WSP.COM
- JACOBS, BAUM & BOLLER CONSULTING ENGINEERS, LLP**
100 WEST 30TH STREET, NEW YORK, NY 10001
TEL: 212 512 2000
WWW.JACOBS.COM
- EDGETT WILLIAMS CONSULTING GROUP**
100 WEST 30TH STREET, NEW YORK, NY 10001
TEL: 212 512 2000
WWW.EDGETTWILLIAMS.COM
- CODE CONSULTANTS, INC.**
200 WEST 57TH STREET, NEW YORK, NY 10019
TEL: 212 512 2000
WWW.CODECONSULTANTS.COM
- LANSAN**
270 WEST 42ND STREET, NEW YORK, NY 10018
TEL: 212 512 2000
WWW.LANSAN.COM
- THORNTON TOMASETTI**
FLOORING CONTRACTOR
100 WEST 30TH STREET, NEW YORK, NY 10001
TEL: 212 512 2000
WWW.TTCONTRACTORS.COM
- STANTEC**
100 WEST 30TH STREET, NEW YORK, NY 10001
TEL: 212 512 2000
WWW.STANTEC.COM
- ALCO FUNK**
100 WEST 30TH STREET, NEW YORK, NY 10001
TEL: 212 512 2000
WWW.ALCOFUNK.COM
- VIB**
ONE PENN PLAZE, 28TH FLOOR, NEW YORK, NY 10001
TEL: 212 512 2000
WWW.VIB.COM
- HEINTGES**
400 MADISON AVENUE, 10TH FLOOR, NEW YORK, NY 10017
TEL: 212 512 2000
WWW.HEINTGES.COM
- STEVEN WINTER ASSOCIATES, INC.**
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TEL: 212 512 2000
WWW.SWASSOCIATES.COM
- JAMES CORNER FIELD OPERATIONS**
400 WEST 30TH STREET, NEW YORK, NY 10001
TEL: 212 512 2000
WWW.JCFOPERATIONS.COM

NOTES

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LEGEND

- EXISTING SLAB FOOTING
- PROPOSED SLAB FOOTING
- EXISTING WALLS
- PROPOSED WALLS
- EXISTING FLOORING
- PROPOSED FLOORING
- EXISTING CEILING
- PROPOSED CEILING
- EXISTING ROOFING
- PROPOSED ROOFING
- EXISTING MECHANICAL
- PROPOSED MECHANICAL
- EXISTING ELECTRICAL
- PROPOSED ELECTRICAL
- EXISTING PLUMBING
- PROPOSED PLUMBING
- EXISTING FIRE PROTECTION
- PROPOSED FIRE PROTECTION

NOT FOR CONSTRUCTION

PUBLIC CONCOURSE IMPROVEMENTS - LEXINGTON PASSAGE

ASK-029
05/06/2021

NOT FOR CONSTRUCTION



PUBLIC ACCESSIBLE SPACE - CHRYSLER TERRACE

ASK-029
05/06/2021

© 2021 SOM. ALL RIGHTS RESERVED.

NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NYC DEPARTMENT OF BUILDINGS (DOB) REGULATIONS AND THE 2020 NYC ENERGY CONSERVATION CODE (ECC).
2. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NYC DEPARTMENT OF BUILDINGS (DOB) REGULATIONS AND THE 2020 NYC ENERGY CONSERVATION CODE (ECC).
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LEGEND

- EXISTING FLOOR FINISH
- PROPOSED FLOOR FINISH
- EXISTING WALL
- PROPOSED WALL
- EXISTING DOOR
- PROPOSED DOOR
- EXISTING WINDOW
- PROPOSED WINDOW
- EXISTING STAIR
- PROPOSED STAIR
- EXISTING ELEVATOR
- PROPOSED ELEVATOR
- EXISTING MECHANICAL
- PROPOSED MECHANICAL
- EXISTING ELECTRICAL
- PROPOSED ELECTRICAL
- EXISTING PLUMBING
- PROPOSED PLUMBING
- EXISTING STRUCTURE
- PROPOSED STRUCTURE
- EXISTING LANDSCAPE
- PROPOSED LANDSCAPE

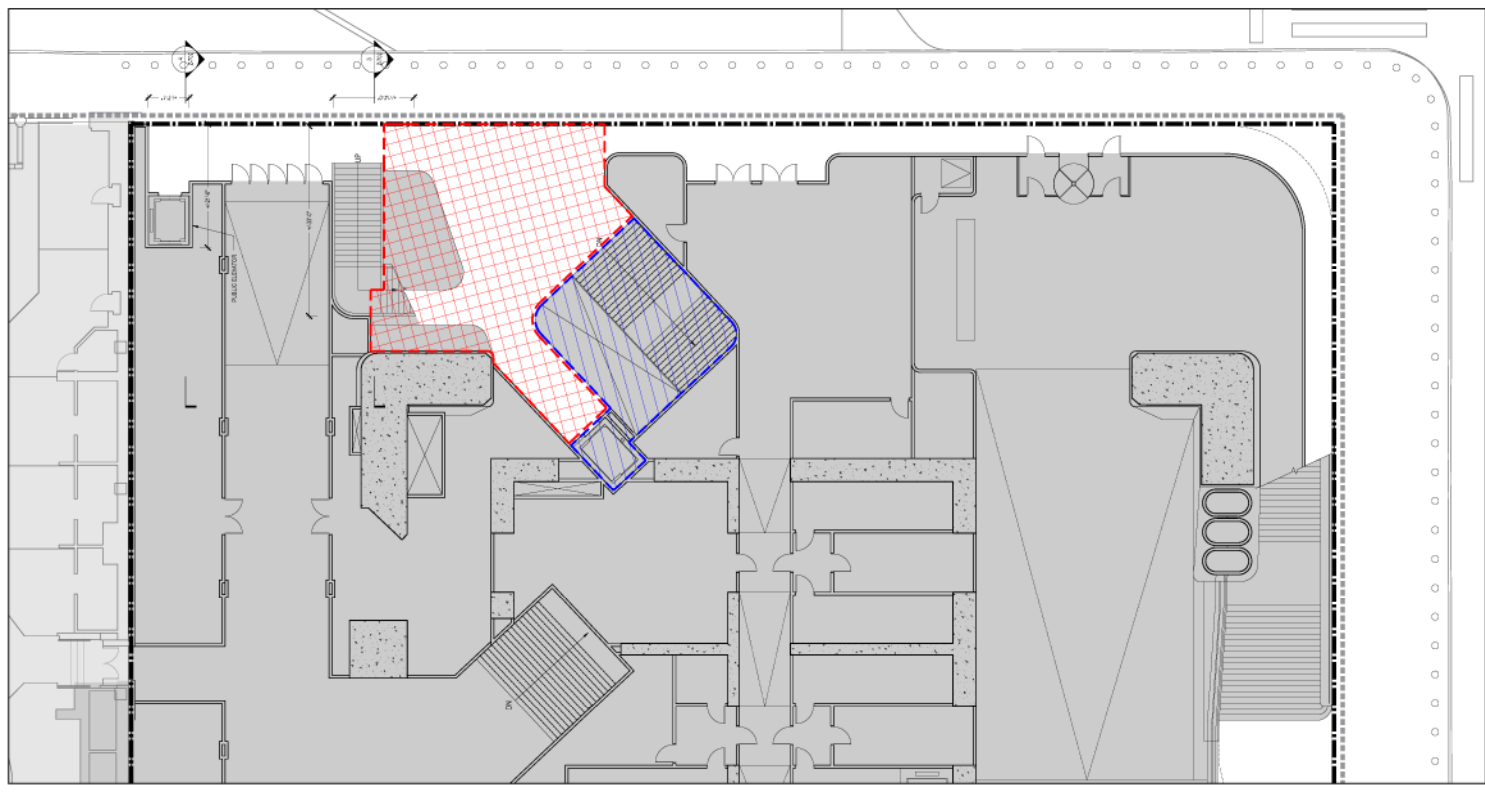


EXHIBIT B-2

MTA Letter Regarding Transit-Related Public Concourse Improvements

[Attached]



May 10, 2021

The Honorable Marisa Lago
Chairperson
New York City Planning Commission
120 Broadway, 31st Floor
New York, NY 10271

Re: Project Commodore – Transit-Related Public Concourse Improvements

Dear Chair Lago:

The Metropolitan Transportation Authority (together with its constituent agencies, the “MTA”) is in receipt of the attached conceptual drawings for Proposed Improvements (defined below), dated May 6, 2021 (collectively, the “Drawings”).

The Drawings depict certain of the “public concourse improvements” (the “Proposed Improvements”) that Commodore Owner LLC (the “Developer”) would undertake to generate a zoning floor area bonus pursuant to Section 81-645 of the Zoning Resolution for a proposed development at the northwest corner of East 42nd Street and Lexington Avenue (the “Development”) to be made on a qualifying site comprised of Manhattan Block 1280, Lots 1, 30, 54, and 154. The Proposed Improvements are of importance to the MTA as they would function as part of or interconnect with the transit network at Grand Central Terminal (“GCT”). These are as follows:

Item	Station / Location	Description
1	Ground floor on the west side of the Development	Transit Hall connecting the Lexington Passage, the R-238 subway entrance, and the 42nd Street Passage. Transit Hall to include new retail spaces along its eastern side as well as retail between the existing 42nd Street Passageway and new Transit Hall. The Transit Hall will also have skylights providing natural light and offering views of the eastern façade of Grand Central. The Transit Hall would be subject to a public access easement granted to the MTA.
2	Lexington Passageway	Renovated and restored passageway between Lexington Avenue and Grand Central Terminal. Passageway to include new retail stores on both sides of the passageway, increased ceiling heights, as well as access to the Grand Central Market.

Item	Station / Location	Description
3	Grand Central-42nd Street	Relocated and expanded R-239 subway entrance including an ADA elevator. The new entrance will also bring natural light into the subway mezzanine and the impacted area will be renovated to match existing mezzanine finishes.

The MTA has reviewed the Drawings. This letter supersedes and replaces MTA’s conceptual approval letter dated February 18, 2021 and shall serve as the MTA’s conceptual approval of the Proposed Improvements. The improvements construction agreements to be entered into between the MTA and the Developer shall contain customary provisions governing the further design development and construction of the Proposed Improvements in a manner consistent with the Drawings and all applicable laws, including with respect to the following:

- Interior circulation elements associated with the Proposed Improvements are to be designed with finishes that harmonize with existing finishes in GCT;
- Specification, location, and design of signage, lighting, and communications and life safety equipment associated with the Proposed Improvements;
- Adjustment of GCT retail affected by the Development including configuration, dimensions, MEP design, and storefronts;
- Feasibility studies, design development, and final working plans and specifications for each improvement must be coordinated with and acceptable to the MTA;
- Submission of a phasing plan for the improvements to be agreed to by MTA, NYCT, and Metro-North;
- Metes and bounds descriptions must be developed for modified easement areas; and
- Delineation of location of any utilities to be relocated.
- Cooperation with respect to force account costs related to the Proposed Improvements.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Paley', written in a cursive style.

Robert Paley, Director, TOD
Metropolitan Transportation Authority

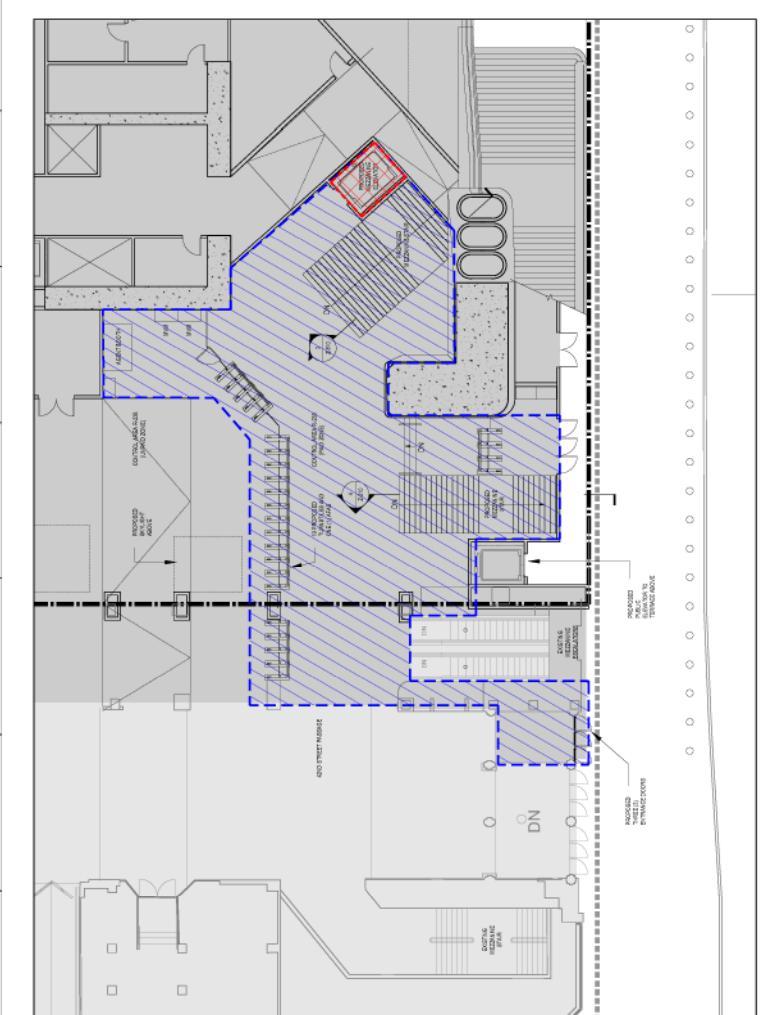
Cc:

NYCDPCP: Ezra Moser
MTA: Helene Cinque, Andrea Ascher
MNR: Susan Sarch, George Monasterio
Paul Weiss: Meredith Kane
Bryan Cave: Judith Gallent
Commodore Owner LLC: Jake Elghanayan, Jeffrey Nelson
Fried Frank: David Karnovsky, Tal Golomb

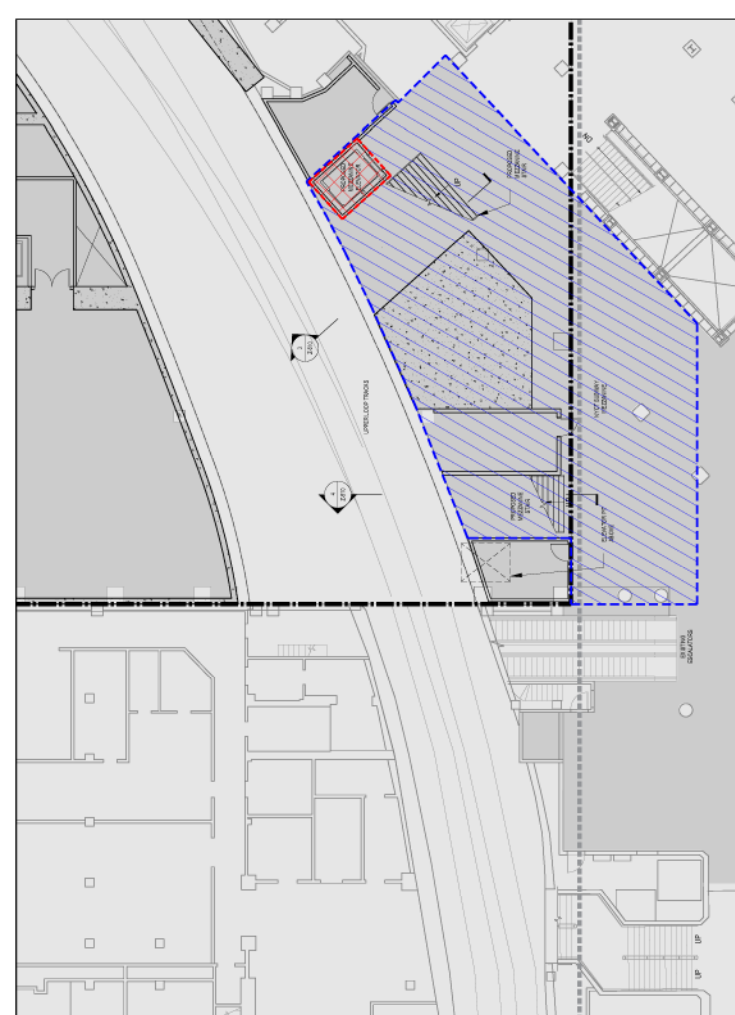
Attachment: Project Commodore Proposed Improvements, dated May 6, 2021

NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NYC DEPARTMENT OF BUILDINGS (DOB) REGULATIONS AND THE NYC DEPARTMENT OF ENVIRONMENTAL CONSERVATION (DEC) REGULATIONS.
2. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NYC DEPARTMENT OF BUILDINGS (DOB) REGULATIONS AND THE NYC DEPARTMENT OF ENVIRONMENTAL CONSERVATION (DEC) REGULATIONS.
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2 | 1R-238 - GROUND FLOOR PLAN
SCALE: 1/8" = 1'-0"



1 | 1R-238 - CELLAR FLOOR PLAN
SCALE: 1/8" = 1'-0"

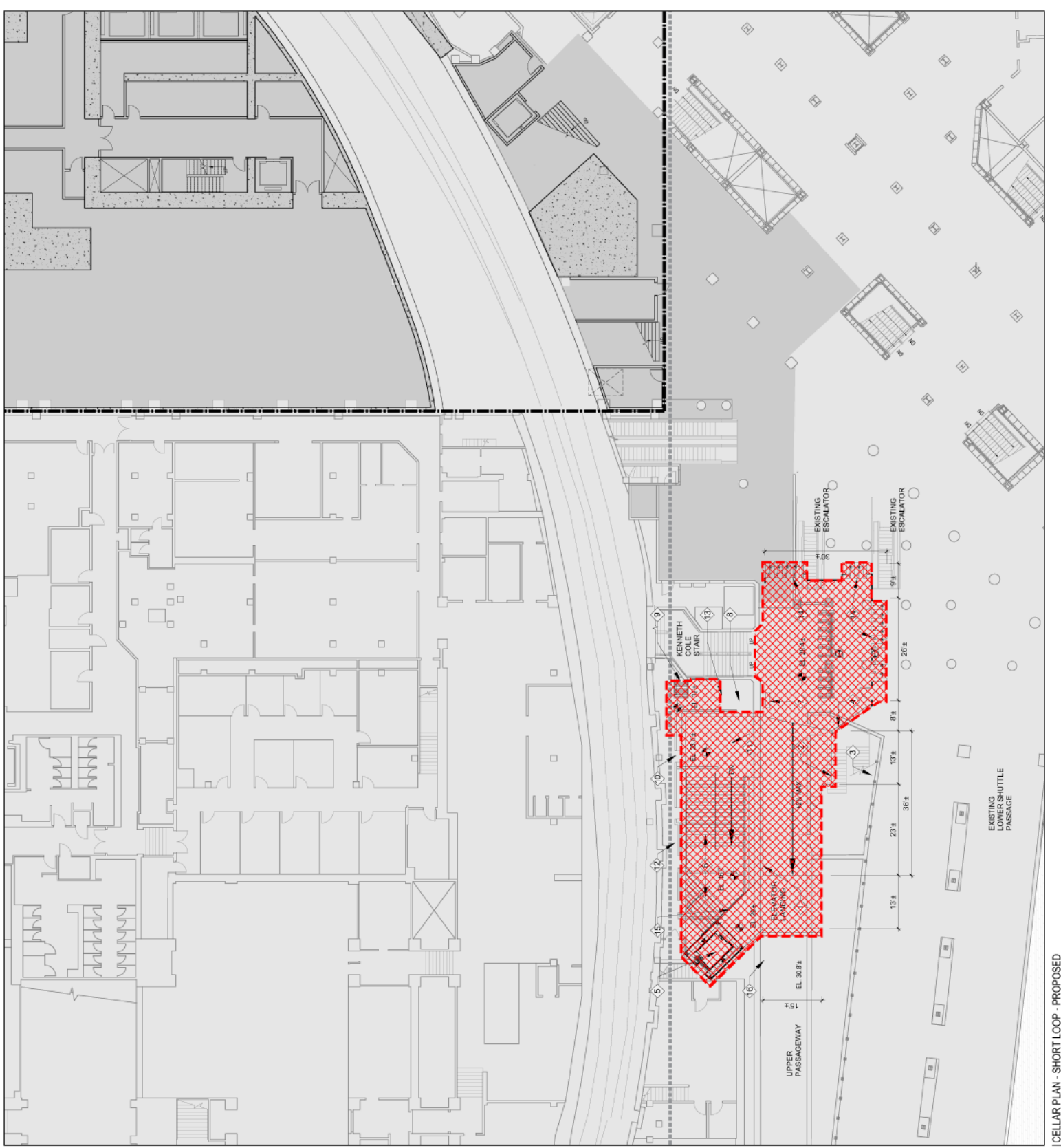
NOT FOR CONSTRUCTION

NOTES

- 1 STRUCTURE AND WALL TO REMAIN.
- 2 EXISTING FLOOR SLAB TO BE LOWERED AS FEASIBLE TO ACCOMMODATE EXISTING PASSAGEWAY STRUCTURE.
- 3 EXISTING EGRESS/STAIRS TO REMAIN.
- 4 EXISTING VERSION OF STRUCTURE TO REMAIN. (SEE LAYOUT FOR EXISTING STRUCTURE).
- 5 PROPOSED ADA ELEVATOR TO BE RELOCATED IN R208 TO GET LOWER LOOP LEVEL.
- 6 EXISTING STAIRS TO GET LOWER LOOP LEVEL.
- 7 EXISTING FIRE ALARM CONTROL PANEL (FACP) TO BE RELOCATED TO EAST BEYOND NEW STAIR OPENING.
- 8 ADRIC DRAINAGE PIPE, ALL EXISTING AND NEW, TO REMAIN PROTECTED AND UNOCCUPIED. SEE BELOW AND ABOVE NEW STAIR LANDING.
- 9 LADDER MAY BE REQUIRED TO MAINTAIN ACCESS TO MAINTAIN EXISTING DAMAGE PIPES TO BE REROUTED AROUND EXISTING STRUCTURE SOUTH OF LOOP TRACK.
- 10 SPRINKLER LINE BEYOND LOWER STAIRS LANDING HEADROOM TO BE MAINTAINED TO 7'0" TO MAINTAIN RAMP TO OTHER PIPES.
- 11 LADDER MAY BE REQUIRED TO MAINTAIN ACCESS TO MAINTAIN DAMAGE PIPES TO BE REROUTED AROUND EXISTING STRUCTURE SOUTH OF LOOP TRACK.
- 12 LADDER MAY BE REQUIRED TO MAINTAIN ACCESS TO MAINTAIN DAMAGE PIPES TO BE REROUTED AROUND EXISTING STRUCTURE SOUTH OF LOOP TRACK.
- 13 LADDER MAY BE REQUIRED TO MAINTAIN ACCESS TO MAINTAIN DAMAGE PIPES TO BE REROUTED AROUND EXISTING STRUCTURE SOUTH OF LOOP TRACK.
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- 15 LADDER MAY BE REQUIRED TO MAINTAIN ACCESS TO MAINTAIN DAMAGE PIPES TO BE REROUTED AROUND EXISTING STRUCTURE SOUTH OF LOOP TRACK.
- 16 ACCESS PATHS TO BE RELOCATED.

LEGEND

- EXISTING FLOOR FINISH
- PROPOSED FLOOR FINISH
- EXISTING WALL
- PROPOSED WALL
- EXISTING DOOR
- PROPOSED DOOR
- EXISTING WINDOW
- PROPOSED WINDOW
- EXISTING STAIR
- PROPOSED STAIR
- EXISTING ESCALATOR
- PROPOSED ESCALATOR
- EXISTING ELEVATOR
- PROPOSED ELEVATOR
- EXISTING MECHANICAL
- PROPOSED MECHANICAL
- EXISTING ELECTRICAL
- PROPOSED ELECTRICAL
- EXISTING PLUMBING
- PROPOSED PLUMBING
- EXISTING STRUCTURE
- PROPOSED STRUCTURE
- EXISTING SITE
- PROPOSED SITE

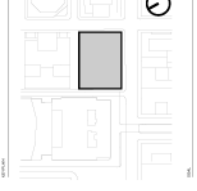


1 CELLAR PLAN - SHORT LOOP - PROPOSED

NOT FOR CONSTRUCTION

TRANSIT IMPROVEMENTS - SHORT LOOP

- SOM**
SKIDMORE OWINGS & MERRILL LLP
ARCHITECTS
300 PARK AVENUE
NEW YORK, NY 10022
- WSP**
ONE PENN PLAZA, 28 FLOOR, 100 N. ZEEB ST., NEW YORK, NY 10019
- JACOBS, BAUM & BOLLER CONSULTING ENGINEERS, LLP**
100 WEST 30TH STREET, NEW YORK, NY 10001
- EDGEETT WILLIAMS CONSULTING GROUP**
100 WEST 30TH STREET, NEW YORK, NY 10001
- CODE CONSULTANTS, INC.**
200 WEST 41ST STREET, NEW YORK, NY 10018
- LANSHAN**
2700 AVENUE 20, NEW YORK, NY 10001
- THORNTON TOMASETTI**
100 WEST 30TH STREET, NEW YORK, NY 10001
- STANTEC**
400 WEST 30TH STREET, NEW YORK, NY 10001
- ALCO FUNK**
100 WEST 30TH STREET, NEW YORK, NY 10001
- WJB**
100 WEST 30TH STREET, NEW YORK, NY 10001
- HEINTGES**
400 WEST 30TH STREET, NEW YORK, NY 10001
- STEVEN WINTER ASSOCIATES, INC.**
30 WEST 41ST STREET, NEW YORK, NY 10018
- JAMES CORNER FIELD OPERATIONS**
400 WEST 30TH STREET, NEW YORK, NY 10001



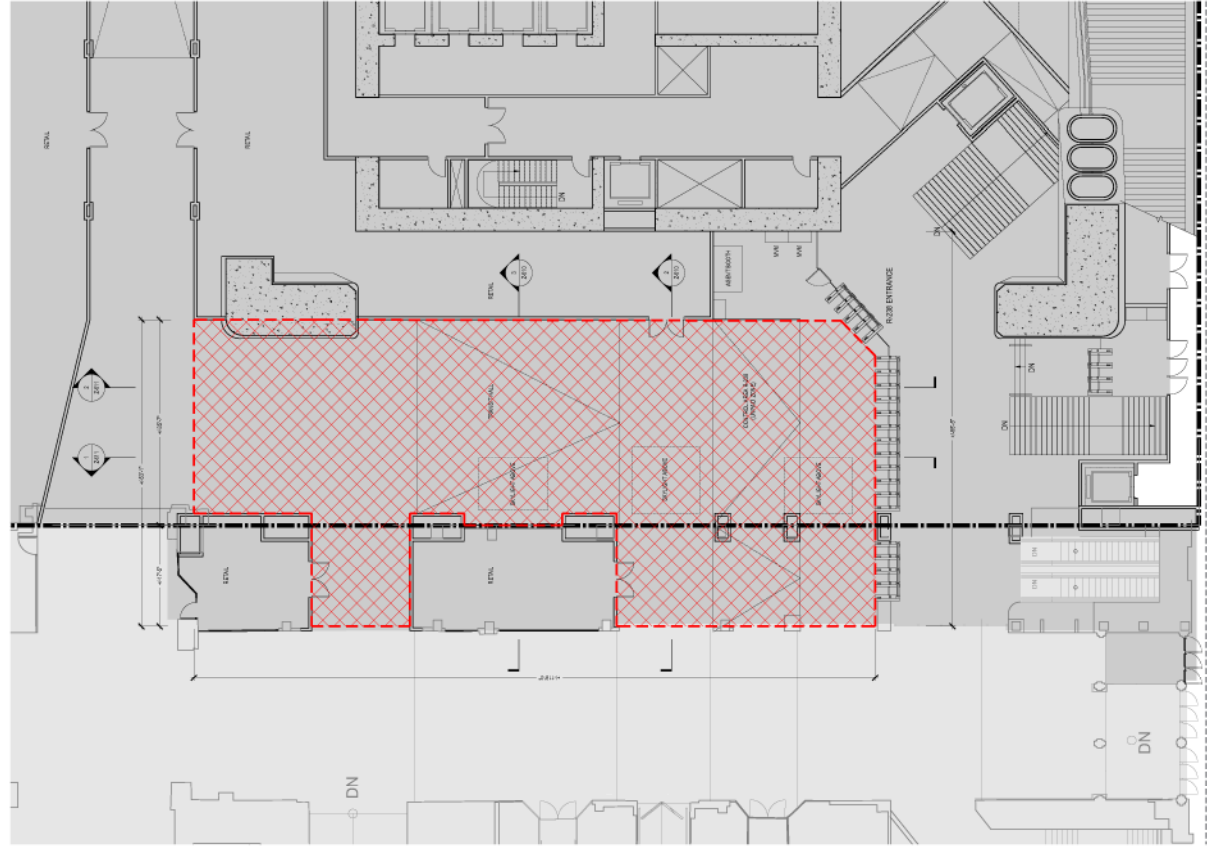
NOT FOR CONSTRUCTION

LEGEND

- EXISTING FLOOR FINISH
- PROPOSED FLOOR FINISH
- MAINTENANCE CONCOURSE
- TOILET
- STAIR
- ELEVATOR
- GLASS RAILING

NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NYC DEPARTMENT OF BUILDINGS (DOB) REGULATIONS AND THE NYC DEPARTMENT OF TRANSPORTATION (DOT) REGULATIONS.
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1 | TRANSIT HALL PLAN
SCALE: 1/8" = 1'-0"

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DATE: 05/06/2021

NOT FOR CONSTRUCTION

PUBLIC CONCOURSE IMPROVEMENTS - LEXINGTON PASSAGE

ASK-029

05/06/2021

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1 | LEXINGTON PASSAGE PLAN
SCALE: 1/8" = 1'-0"

EXHIBIT C

Certification of Parties-in-Interest

[To be attached at the time of execution]

EXHIBIT D

Building Drawings

[Attached]

List of Required Actions	
1.	A CPC special permit pursuant to ZR Section 81-621 to allow hotel use
2.	A CPC special permit pursuant to ZR Section 81-644 to permit an increase in floor area for the provision of transit improvements
3.	A CPC special permit pursuant to ZR Section 81-645 to permit an increase in floor area for the provision of public concourse improvements and to modify loading regulations
4.	A CPC special permit pursuant to ZR Section 81-685 to modify qualifying site, floor area, street wall, height and setback, district plan elements, publicly accessible space, and special permit term regulations
5.	Joint certifications from the CPC Chairperson and the MTA pursuant to ZR Section 81-673 regarding requirements for transit easement volumes
6.	Zoning text amendments to amend ZR Sections 81-613, 81-644, 81-645, and 81-685
7.	Disposition of City-owned real property pursuant to Section 197-c of the New York City Charter with respect to the Development Site Zoning Lot

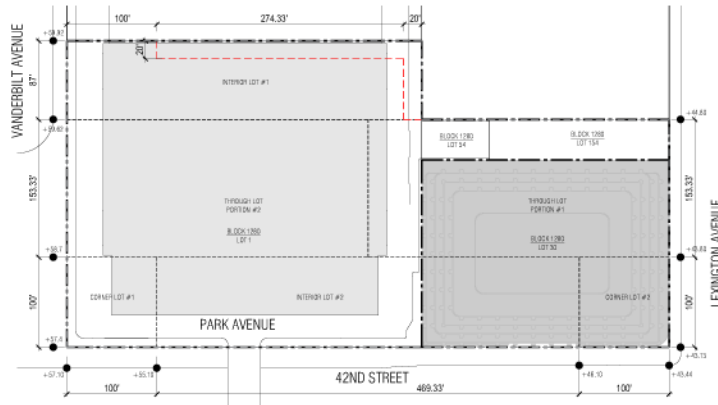
5 LIST OF REQUIRED ACTIONS
NOT TO SCALE

Use	Lots 1, 54, 154 (Grand Central Zoning Lot 2)	Lot 30 (Development Site Zoning Lot / Zoning Lot 1)	Qualifying Site
	Existing to Remain	Proposed New	Total
Retail		** 10,000 ZSF	
Office		** 1,830,515 ZSF	
Hotel		** 406,000 ZSF	
Total	* 422,664 ZSF	** 2,246,515 ZSF	2,669,179 ZSF

* Does not include floor area previously transferred from Zoning Lot 2.

** Floor area allocations by use are illustrative, but in no event shall Zoning Lot 1's retail floor area exceed 40,000 ZSF, office floor area exceed 2,229,000 ZSF, hotel or residential floor area exceed 406,000 ZSF, or total floor area exceed 2,246,515 ZSF. As-of-right uses under zoning are permitted.

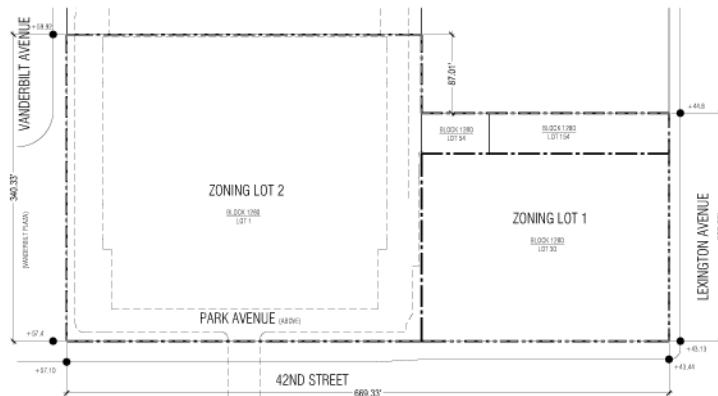
4 FLOOR AREA SCHEDULE
NOT TO SCALE



AVERAGE CURB LEVEL CALCULATION

CORNER LOT #1 (CURB LEVEL I)	$\frac{172.10 + 55.10(2) + 64.29 + 57.49(2)}{2} = A.C.L. = +97.00'$
CORNER LOT #2 (CURB LEVEL II)	$\frac{143.80 + 43.33(2) + 66.93 + 43.49(2)}{2} = A.C.L. = +44.10'$
THROUGH LOT PORTION #1 (CURB LEVEL III)	$\frac{44.87 + 43.87}{2} = A.C.L. = +44.30'$
THROUGH LOT PORTION #2 (CURB LEVEL IV)	$\frac{55.82 + 55.77}{2} = A.C.L. = +55.79'$
INTERIOR LOT #1 (CURB LEVEL V)	$\frac{55.82 + 55.77}{2} = A.C.L. = +55.77'$
INTERIOR LOT #2 (CURB LEVEL VI)	$\frac{45.97 + 55.17}{2} = A.C.L. = +50.50'$

3 AVERAGE CURB LEVEL OF THE QUALIFYING SITE FOR YARDS
SCALE: 1" = 64'-0"



AVERAGE CURB LEVEL BY WEIGHTED AVERAGE FOR HEIGHT AND SETBACK

	CURB LEVEL	FRONTAGE		
Vanderbilt Ave.	$\frac{55.92 + 57.4 + 112.32 + 59.60}{2}$	240.32'	26.90%	$14.44 + 26.90\% = 11.840$
East 42nd Street	$\frac{57.10 + 43.44 + 50.54 + 50.27}{2}$	689.33'	51.06%	$14.27 + 51.06\% = 26.543$
Lexington Ave.	$\frac{43.13 + 48.18 + 67.53 + 43.94(2)}{2}$	253.33'	20.05%	$43.945 + 20.05\% = 8.815$
Total		1,283.00'	100%	51.20

ELEVATION (SL) REFERS TO NAVD83

HEIGHT (HT) IS MEASURED ABOVE AVERAGE CURB LEVEL (ACL)

$ACL = HT - 6' = EL - 45.27'$

2 WEIGHTED AVERAGE CURB LEVEL
SCALE: 1" = 64'-0"

ADDRESS	175 Park Ave
BOROUGH/BLOCK/LOT	Development GCT Zoning L Qualifying Site
ZONING MAP	Id
ZONING DISTRICT	C5-3, Special
LOT AREA	Development GCT Zoning L Qualifying Site

ZONING CALCULATIONS

ZR Section(s)	Subject	Permitted / R
32-10, 81-62	USES	Use Groups 1
81-64	FLOOR AREA	Base FAR: 15 203,672 SF x Transit Improv Bonus Provis Public Conco Bonus Provis Maximum FA
81-26, 81-27, 81-66	HEIGHT AND SETBACK	Compliance w Daylight Eval Section 81-66
33-26, 33-281, 33-301	REAR YARDS	A rear yard w lot line except No rear yards
81-42	RETAIL CONTINUITY	Except for job station improv warded, relocat to rail mass tr must be allocat uses permitte uses in Use C automobile sh equipment sh
81-43, 81-671	STREET WALL CONTINUITY	42nd Street 80 percent of rise without so buildings need 669.33' x 80% Zoning Lot 2 entire length 120 feet above Recesses - No recesses - Recesses u the street wall - Recesses u the street wall - No limit on r Lexington Ave street line for front lot line at curb level. (Ex calculations.) 253.33' x 80% Zoning Lot 2 least 300.67' 10 feet of the Recesses - No recesses - Recesses u the street wall - Recesses u the street wall - No limit on r
81-44, 81-675	CURB CUTS	Curb cuts are
81-45, 37-50, 81-676	PEDESTRIAN CIRCULATION SPACE	1 SF of pedes 2,246,515 SF
81-47	MAJOR BUILDING ENTRANCES	The major bu clear opening
81-674(b)	GROUND FLOOR USE PROVISIONS	One building required on ea frontages
81-674(b), 37-53(b)	BUILDING ENTRANCE ACCESS AREAS	Each require and no additi Each building and a depth o
81-30, 13-10	ACCESSORY OFF-STREET PARKING	No accessory Core.
81-30, 36-62	OFF-STREET LOADING	For office use For retail use 9 berths req
36-711, 36-73	ENCLOSED BICYCLE PARKING SPACES	For office use For hotel use 15 SF of park DOB certifi
81-681(b)	PUBLICLY ACCESSIBLE SPACE	A publicly acc least 10,000 qualifying site except that ZR
26-41, 33-03	STREET TREES	1 street tree p 42nd Street p Lexington Ave 19 street tree

1 ZONING COMPLIANCE MA
NOT TO SCALE

ADDRESS	175 Park Avenue, Manhattan
BOOUGH/BLOCK/LOT	Development Site Zoning Lot (Zoning Lot 1) Manhattan Block 1280, Lot 30
GCT Zoning Lot (Zoning Lot 2)	Manhattan Block 1280, Lots 1, 54, 154, 8154, 8254, 9001, and 9154
Qualifying Site	Manhattan Block 1280, Lots 1, 30, 54, 154, 8154, 8254, 9001, and 9154
MAP	80
DISTRICT	C5-3 Special Midtown District, East Midtown Subdistrict, Grand Central Core Area, Grand Central Transit Improvement Zone Subarea
AREA	Development Site Zoning Lot (Zoning Lot 1): 57,292 SF GCT Zoning Lot (Zoning Lot 2): 146,580 SF Qualifying Site: 203,872 SF

Section(s)	Subject	Permitted / Required	Proposed	Compliance
81-62	USES	Use Groups 1-4, 6, and 9-11	Office, retail, and service uses, and "transient hotel use (Use Group 5); and residential use units under hotel management and operation that may be occupied on a non-transient basis)	*Special permit pursuant to ZR Section 81-621 to permit transient hotel use (Use Group 5)
	FLOOR AREA	Base FAR: 15.0 FAR (3,058,080 SF) 203,872 SF x 15.0 = 3,058,080 SF Transit Improvements Bonus: Up to 3.0 FAR (611,616 SF) Bonus Provided: 3.0 FAR (611,616 SF) Public Concourse Improvements Bonus: Up to 3.0 FAR (611,616 SF) Bonus Provided: 1.27 FAR (259,224 SF) Maximum FAR: 19.27 FAR (3,928,920 SF)	Existing to Remain on Zoning Lot 2: 322,664 SF (1.58 FAR) - MTA Reserved Development Rights: 100,000 SF (0.49 FAR) - Development Rights Transferred from Zoning Lot 2: 1,157,791 SF (5.68 FAR) Proposed New - Proposed Improvements on Zoning Lot 1: 2,245,516 SF (11.02 FAR) Total: 18.77 FAR (3,826,970 SF)	Special permits pursuant to ZR Sections 81-644 and 81-645 for floor area bonuses and ZR Section 81-685 to modify ZR Sections 81-613 and 81-64 Base floor area need not be utilized prior to the use of floor area granted pursuant to special permits. Unused base floor area may be transferred to a different zoning lot in accordance with the Zoning Resolution, including pursuant to Sections 74-79, 81-632, and 81-642.
81-27, 81-	HEIGHT AND SETBACK	Compliance with Daylight Compensation (ZR Section 81-26) or Daylight Evaluation (ZR Section 81-27) regulations, as modified by ZR Section 81-66, is required.	Non-compliant with Daylight Evaluation regulations, as modified by ZR Section 81-66	Special permit pursuant to ZR Section 81-685 to modify ZR Sections 81-27 and 81-66
33-29, 1	REAR YARDS	A rear yard with a minimum depth of 20' must be provided at every rear lot line except as otherwise provided. No rear yards are required for corner or through-lot portions.	Existing non-compliance to remain on Zoning Lot 2 No rear yards for corner or through-lot portions	Existing non-compliance to remain on Zoning Lot 2 Complies
	RETAIL CONTINUITY	Except for lobby/entrance space, entrance areas to bonused subway station improvements where street wall continuity restrictions have been waived, relocated subway stairs, and off-street improvement of access to rail mass transit facilities, the building's ground-floor street frontage must be allocated exclusively to retail, personal service, or amusement uses permitted by the underlying zoning district regulations (except uses in Use Groups 6B, 6E, 7C, 7D, 8C, 8D, 9B, 10B, 11, and 12D, automobile showrooms, and plumbing, heating, or ventilating equipment showrooms) as well as museums and libraries. The street frontage occupied by lobby space, entrance space, or a building entrance recess area must not exceed the lesser of 40 feet or 25 percent of the building's street frontage (exclusive of frontage occupied by entrance areas to bonused subway station improvements, relocated subway stairs, and off-street improvement of access to rail mass transit facilities). 42nd Street: 275' - 31.92' = 243.08' Non-Excluded Frontage x 25% = 60.77' = 40' maximum Lexington Avenue: 208.33' - 24' = 184.33' Non-Excluded Frontage x 25% = 46.08' = 40' maximum Storefronts for permitted ground-floor uses shall be not more than 10 feet from the street line. Access to each retail, personal service, or amusement establishment shall be provided directly from the street. At least 50% of the street wall surface of each retail, personal service, or amusement establishment shall be glazed with clear unadorned transparent material (measured from the floor to the height of the ceiling or 14 feet above grade, whichever is less). Not more than 50% of such transparent surface shall be painted or obstructed with signs.	Street frontage to be allocated to permitted and non-permitted uses: entrances to publicly accessible space, bonused subway station improvements, lobby/entrance spaces that exceed the maximum frontage permitted, and a relocated subway stair. 42nd Street: 133.12' of total lobby/entrance length Lexington Avenue: 140.58' of total lobby/entrance length No retail uses are provided at the ground floor	Special permit pursuant to ZR Section 81-685 to modify ZR Section 81-42 Special permit pursuant to ZR Section 81-685 to modify ZR Section 81-42 Not applicable
81-671	STREET WALL CONTINUITY	42nd Street: The street wall shall be located at the street line for at least 80 percent of the length of the Qualifying Site's front lot line and shall rise without setback to at least 120 feet above curb level. (Existing buildings need not comply, but are included in the calculations.) 669.37' x 80% = 535.47' Zoning Lot 2's existing building street wall does not comply; Zoning Lot 1's street wall must be located at the street line for the entire length of the Zoning Lot 1 front lot line (275') up to at least 120 feet above curb level. Recesses - No recesses greater than 10 feet deep are permitted - Recesses up to 10 feet deep are limited to 30 percent of the area of the street wall below 120 feet above curb level - Recesses up to two feet deep are limited to 20 percent of the area of the street wall below 120 feet above curb level - No limit on recesses up to one-foot deep Lexington Avenue: The street wall shall be located within 10 feet of the street line for at least 80 percent of the length of the Qualifying Site's front lot line and shall rise without setback to at least 120 feet above curb level. (Existing buildings need not comply, but are included in the calculations.) 283.33' x 80% = 202.67' Zoning Lot 2's existing building street wall does not comply; at least 202.67' of Zoning Lot 1's street wall must be located within 10 feet of the street line up to at least 120 feet above curb level. Recesses - No recesses greater than 15 feet deep are permitted - Recesses up to 15 feet deep are limited to 30 percent of the area of the street wall below 120 feet above curb level - Recesses up to 12 feet deep are limited to 20 percent of the area of the street wall below 120 feet above curb level - No limit on recesses up to 10-foot deep	42nd Street: Zoning Lot 1's street wall is not located at the street line below 120 feet above curb level. Portions of the street wall exceed the permitted area of recesses and are recessed greater than 10-foot deep. Lexington Avenue: Zoning Lot 1's street wall is located beyond 10 feet of the street line below 120 feet above curb level. Portions of the street wall exceed the permitted area of recesses and are recessed greater than 15-foot deep.	Special permit pursuant to ZR Section 81-685 to modify ZR Sections 81-43 and 81-671
81-675	CURB CUTS	Curb cuts are not permitted on 42nd Street or Lexington Avenue.	No curb cuts	Complies
37-50, 81-	PEDESTRIAN CIRCULATION SPACE	1 SF of pedestrian circulation space per 300 SF of new floor area 2,246,516 SF / 300 = 7,489 SF of PCS required	At least 7,489 (7585) SF of PCS including: - 1,030 SF of building entrance recess areas (ZR Section 37-53(b)) - 1,305 SF associated with the relocation of a subway stair (ZR Section 37-53(e)) - 2,250 SF associated with subway station improvements (ZR Section 37-53(g)) - 3,000 SF associated with the publicly accessible space (ZR Section 81-681)	Complies PCS areas are subject to change provided that the total PCS provided is not less than 1 SF of PCS per 300 SF of floor area
	MAJOR BUILDING ENTRANCES	The major building entrance (which has the greater aggregate width of clear openings) may be located on 42nd Street or Lexington Avenue.	Major building entrance to be located on 42nd Street	Complies
4(b)	GROUND FLOOR USE PROVISIONS	One building lobby entrance leading directly to a building lobby is required on each of the 42nd Street and Lexington Avenue street frontages.	One building lobby entrance leading directly to a building lobby to be provided on each of the 42nd Street and Lexington Avenue street frontages.	Complies
4(b), 37-	BUILDING ENTRANCE RECESS AREAS	Each required entrance must include a building entrance recess area and no additional building entrance recess areas are permitted. Each building entrance recess area must have a width of 15-40 feet and a depth of 10-15 feet measured from the street line.	Each required building lobby entrance to have a building entrance recess area *42nd Street: Building entrance recess area is 56'2" wide and 20'2" deep Lexington Avenue: Building entrance recess area is 15' wide and 10' deep	Complies *Special permit pursuant to ZR Section 81-685 to modify ZR Sections 81-45, 81-674(b), and 37-53(b)
13-10	ACCESSORY OFF-STREET PARKING	No accessory off-street parking spaces are required in the Manhattan Core.	No accessory off-street parking spaces	Complies
36-62	OFF-STREET LOADING	For office and hotel uses: 8 berths For retail uses: 1 berth 9 berths required	7 berths, located on Zoning Lot 1 and Zoning Lot 2 on the same block in accordance with ZR Section 36-67	Special permit pursuant to ZR Section 81-645 to modify ZR Section 36-62
1, 36-73	ENCLOSED BICYCLE PARKING SPACES	For office uses: 1 space per 7,500 SF For hotel and retail uses: 1 space per 10,000 SF 15 SF of parking area per space, or 6 SF of parking area per space by DOB certification pursuant to ZR Section 36-73	Bicycle parking spaces to be provided in accordance with the Zoning Resolution Bicycle parking area to be provided in accordance with the Zoning Resolution	Complies
1(b)	PUBLICLY ACCESSIBLE SPACE	A publicly accessible space that is open to the sky with an area of at least 10,000 SF must be provided across the through-lot portion of the qualifying site and designed in accordance with ZR Section 37-70, except that ZR Section 37-73 does not apply.	Publicly accessible space with an area of at least 10,000 SF is non-compliant with ZR Section 37-70	Special permit pursuant to ZR Section 81-685 to modify ZR Section 81-681(b)
33-03	STREET TREES	1 street tree per 25 feet of zoning lot street frontage 42nd Street frontage: 275' / 25 = 11 trees Lexington Avenue frontage: 208.33' / 25 = 8.33 trees 19 street trees required	0 street trees	0 trees provided on-site. 19 trees to be paid into a fund or provided off-site as approved by DPR pursuant to ZR Section 26-41 (subject to change pursuant to ZR Section 26-41)

NOTES

175 PARK AVENUE

175 PARK AVENUE, NEW YORK, NY 10017

Commodore Owner LLC

60 PARK REALTY LLC
62 PARK PLAZA, LINDENHOLE, NEW YORK, NY 10066



SKIDMORE, OWINGS & MERRILL LLP
270 PARK AVENUE, NEW YORK, NY 10022

WSP
ONE PENN PLAZA, 28 WEST 34TH STREET, NEW YORK, NY 10018

JAROS, BAUM & BOLLES CONSULTING ENGINEERS, LLP
80 PINE STREET, NEW YORK, NY 10005

EDGETT WILLIAMS CONSULTING GROUP
102 EAST 127TH AVENUE, SUITE 1, MILL VALLEY, CA 94541

CODE CONSULTANTS, INC
210 WEST 40TH STREET, 18TH FLOOR, NEW YORK, NY 10018

LANGAN
21 PENN PLAZA, 3RD WEST 61ST STREET, 8TH FLOOR, NEW YORK, NY 10011

THORNTON TOMASETTI
51 MADISON AVENUE, NEW YORK, NY 10022

STANTEC
475 FIFTH AVENUE, 12TH FLOOR, NEW YORK, NY 10017-3209

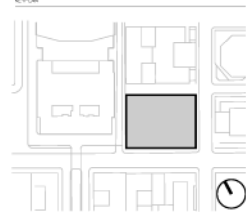
FRIED FRANK
1 NEW YORK PLAZA, 1 FDR DR, NEW YORK, NY 10004

VHB
ONE PENN PLAZA, 3RD WEST 61ST STREET, NEW YORK, NY 10011

HEINTGES
40 PARK AVENUE SOUTH, 15TH FLOOR, NEW YORK, NY 10016

STEVEN WINTER ASSOCIATES, INC.
307 SEVENTH AVE, SUITE 1701, NEW YORK, NY 10001

JAMES CORNER FIELD OPERATIONS
475 10TH AVENUE, 8TH FLOOR, NEW YORK, NY 10018



NOT FOR CONSTRUCTION

LEGEND

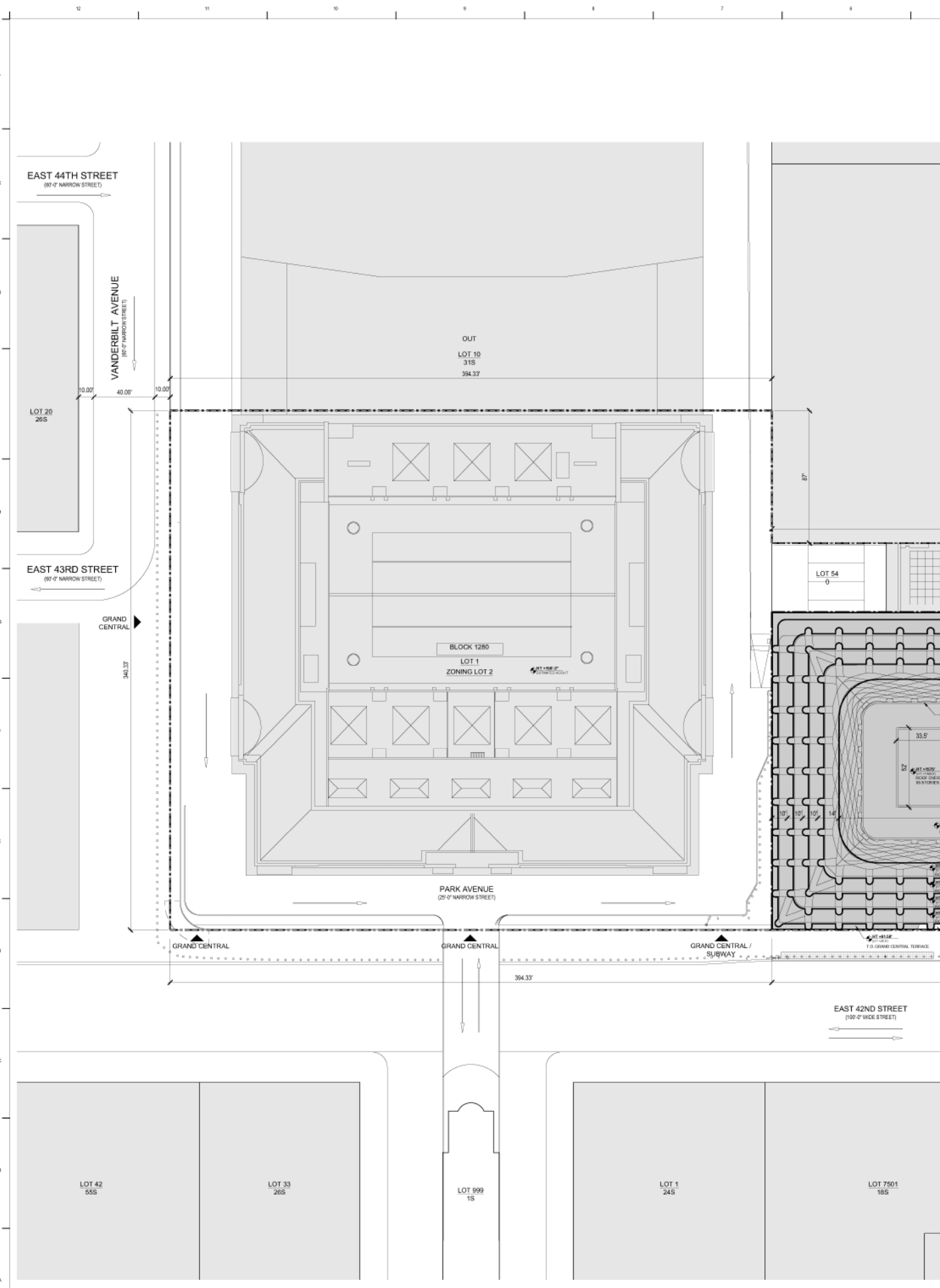
- ZONING LOT LINE
- QUALIFYING SITE
- EXISTING BUILDING FOOTPRINT
- PROPOSED BUILDING FOOTPRINT
- EXISTING REAR YARD NON-COMPLIANCE

ZONING CALCULATIONS

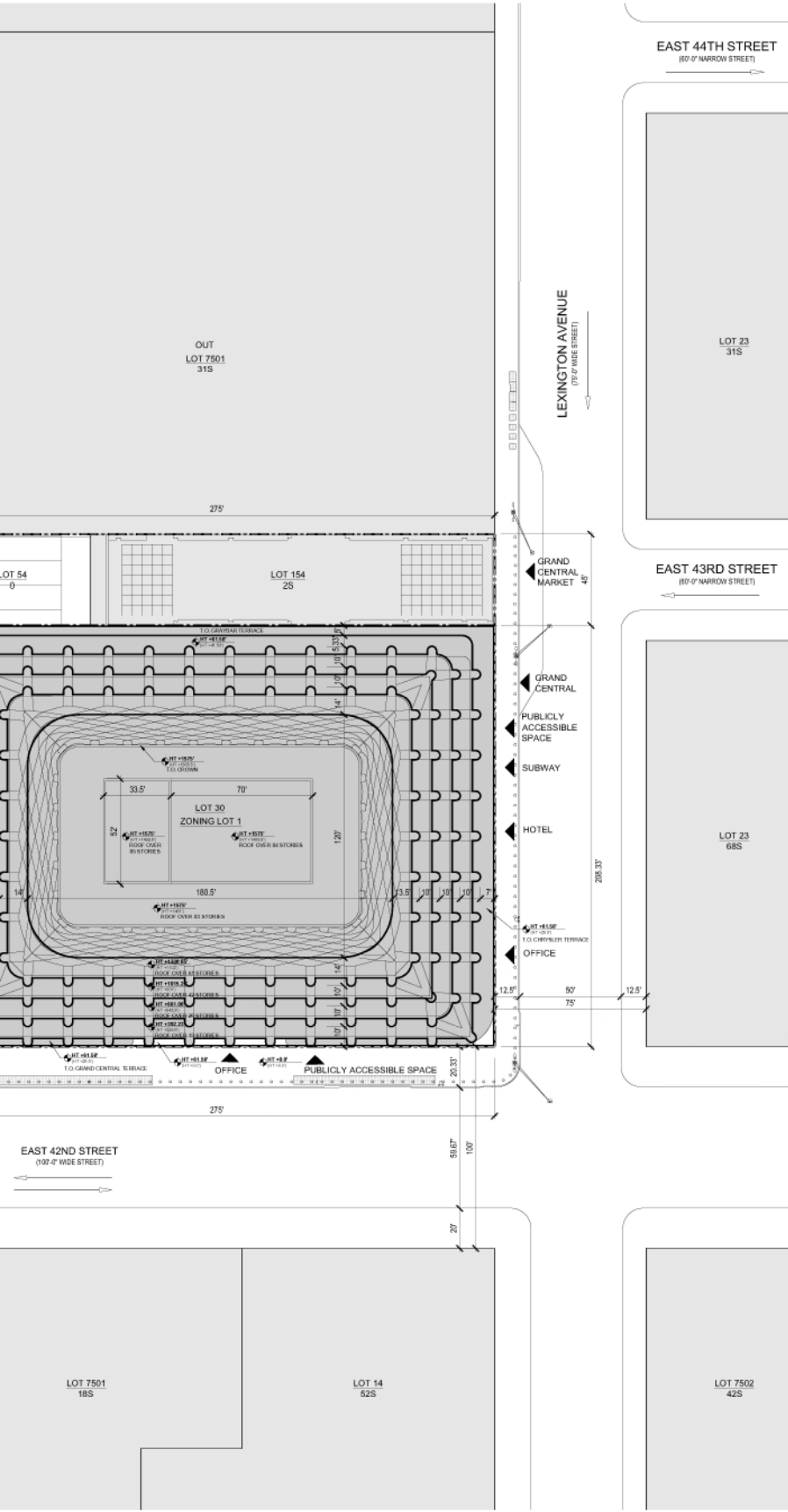
Z-002

COMPLIANCE MATRIX

TO SCALE



1 | ROOF
SCALE: 1" = 25'-0"



NOTES

1. APPLICANT'S STAMP AND SEAL CORRESPONDS TO THE INFORMATION REGARDING ZONING LOT 1 AND RELATED CURB CUTS. INFORMATION REGARDING THE SUBORDINATE PROPERTIES IS FOR ILLUSTRATIVE PURPOSES ONLY.
2. ELEVATIONS SHOWN ARE DIMENSIONED TO THE MAXIMUM BUILDING ENVELOPE.
3. THE BUILDING WITHIN THE MAXIMUM BUILDING ENVELOPE IS SHOWN FOR ILLUSTRATIVE PURPOSES ONLY AND IS SUBJECT TO CHANGE.
4. THE BUILDING ENTRANCES ARE SHOWN FOR ILLUSTRATIVE PURPOSES ONLY.
5. EXISTING SITE ELEMENTS ARE SHOWN FOR ILLUSTRATIVE PURPOSES ONLY.

175 PARK AVENUE

175 PARK AVENUE, NEW YORK, NY 10017

CLIENT
Commodore Owner LLC

CO FOR REALTY LLC
625 RIV PLAZA, LONGDALE, NEW YORK 11558

ARCHITECT
SOM

SKIDMORE, OWINGS & MERRILL LLP
200 GREENWICH STREET, NEW YORK, NY 10037

WSP
ONE PENN PLAZA, 289 WEST 34TH STREET, NEW YORK, NY 10019

JAROS, BAUM & BOLLES CONSULTING ENGINEERS, LLP
80 PINE STREET, NEW YORK, NY 10005

EDGETT WILLIAMS CONSULTING GROUP
102 EAST BULFHEAD AVENUE, SUITE 1, MILL VALLEY, CA 94541

CODE CONSULTANTS, INC.
210 WEST 40TH STREET, 18TH FLOOR, NEW YORK, NY 10018

LANGAN
21 PENN PLAZA, 380 WEST 31ST STREET, 8TH FLOOR, NEW YORK, NY 10001

THORNTON TOMASETTI
51 MADISON AVE, NEW YORK, NY 10036

STANTEC
475 FIFTH AVENUE, 12TH FLOOR, NEW YORK, NY 10017-3239

FRIED FRANK
1 NEW YORK PLAZA, 1 FDR DR, NEW YORK, NY 10004

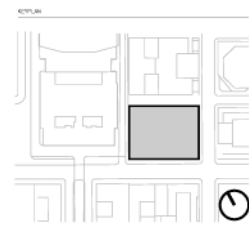
VHB
ONE PENN PLAZA, 289 WEST 34TH STREET, NEW YORK, NY 10019

HEINTGES
40 PARK AVENUE SOUTH, 15TH FLOOR, NEW YORK, NY 10016

STEVEN WINTER ASSOCIATES, INC.
307 SEVENTH AVE, SUITE 1701, NEW YORK, NY 10001

JAMES CORNER FIELD OPERATIONS
475 FIFTH AVENUE, 8TH FLOOR, NEW YORK, NY 10018

KEY PLAN



NOT FOR CONSTRUCTION

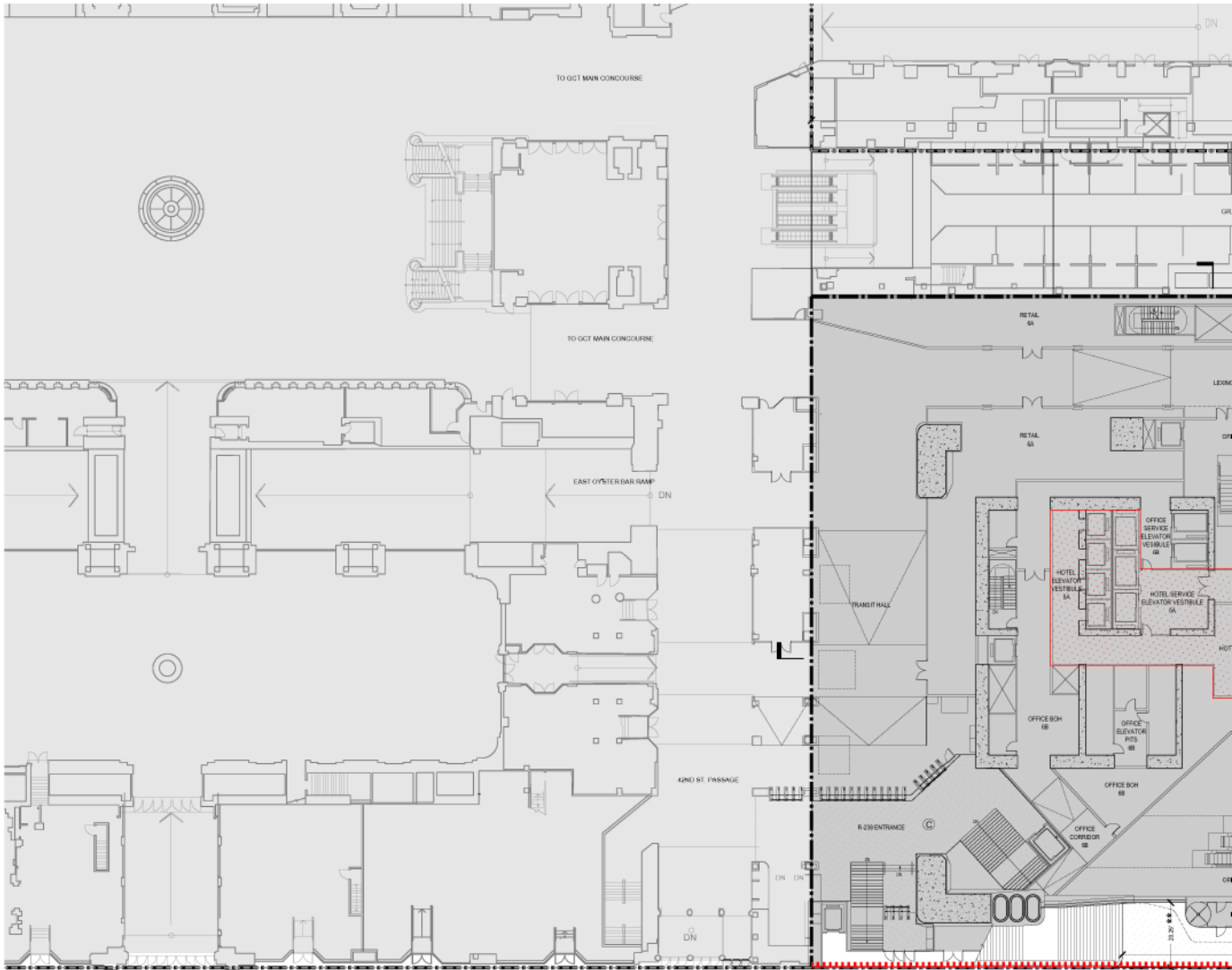
LEGEND

- ZONING LOT LINE
- QUALIFYING SITE
- ILLUSTRATIVE BUILDING LINE
- PROPOSED MAXIMUM BUILDING ENVELOPE
- MAX. DEVELOPMENT ENVELOPE HEIGHT
- ILLUSTRATIVE BUILDING HEIGHT
- EXISTING BUILDING FOOTPRINT
- PROPOSED BUILDING FOOTPRINT
- EXISTING STREET VENT GRILL
- ENTRY
- EXISTING TRAFFIC LIGHT
- EXISTING STREET LAMP
- EXISTING BOLLARD
- EXISTING FIRE HYDRANT
- EXISTING STREET SIGN
- DIRECTION OF TRAFFIC

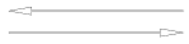
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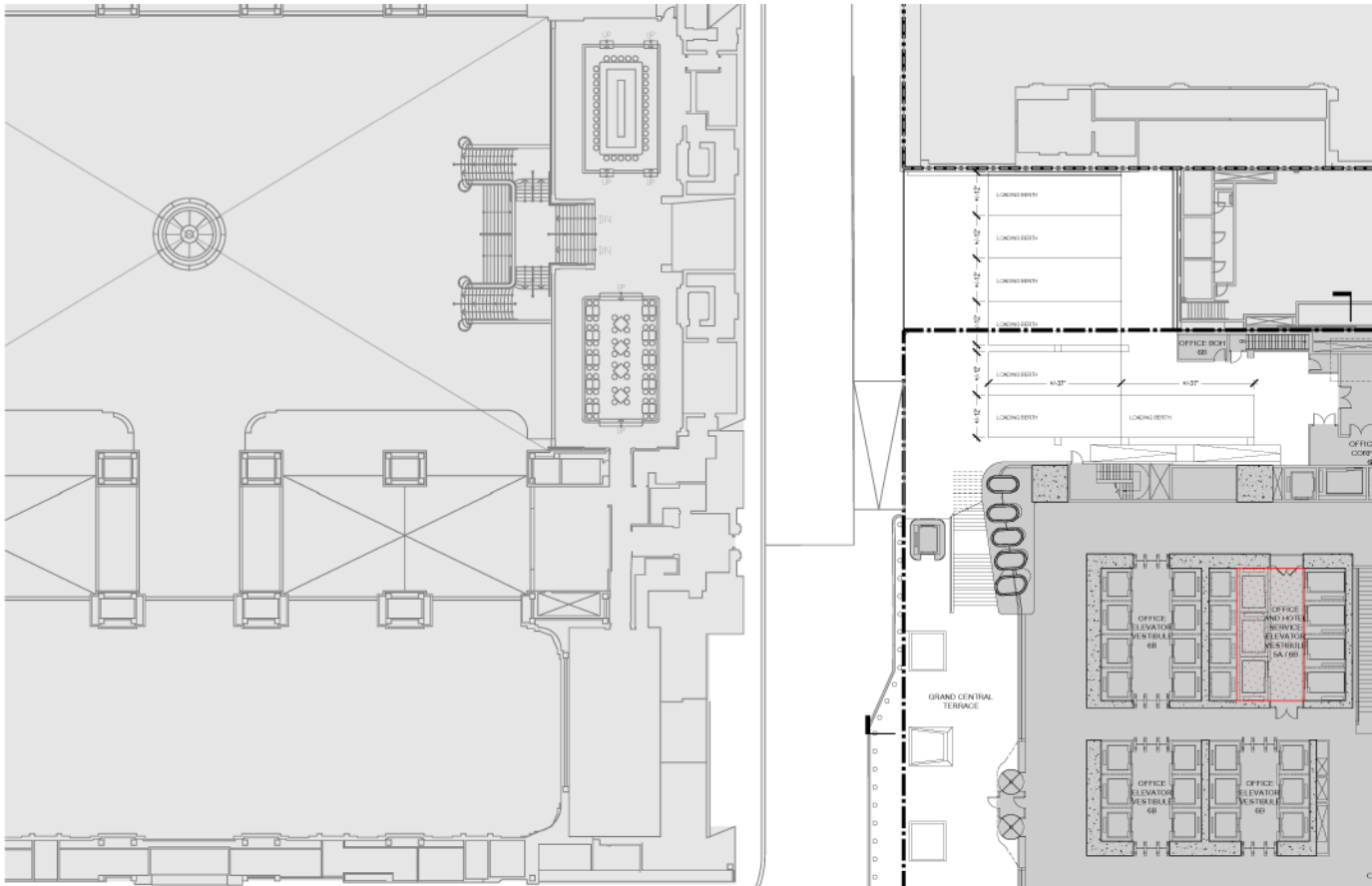
ZONING LOT SITE PLAN

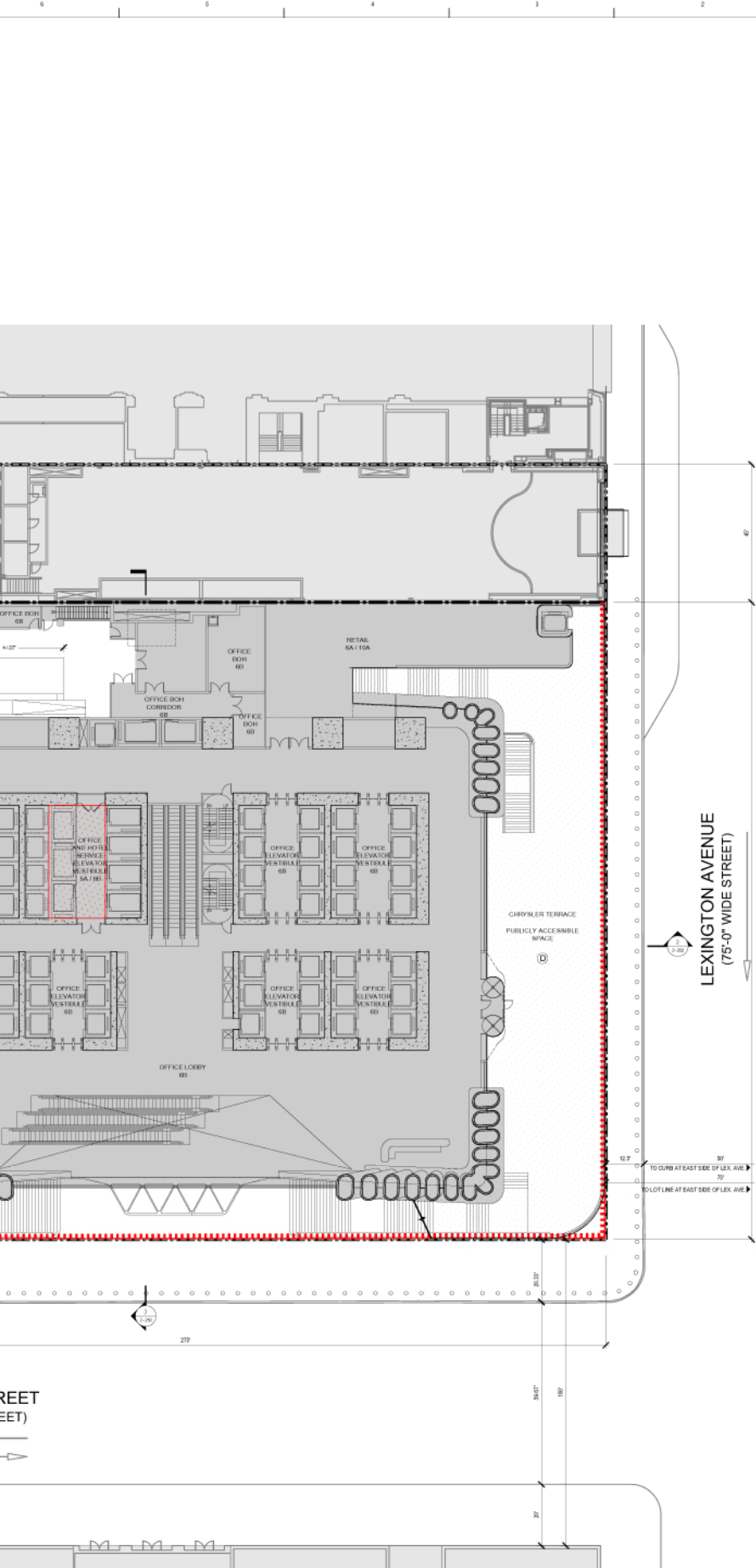
Z-003



EAST 42ND STREET
(107'-0" WIDE STREET)







NOTES

1. APPLICANT'S STAMP AND SEAL CORRESPONDS TO THE INFORMATION REGARDING ZONING LOT 1 AND RELATED CURB CUTS. INFORMATION REGARDING THE SUBJECT AND ADJACENT PROPERTIES IS FOR ILLUSTRATIVE PURPOSES ONLY.
2. ELEVATIONS SHOWN ARE DIMENSIONED TO THE MAXIMUM BUILDING ENVELOPE.
3. THE BUILDING WITHIN THE MAXIMUM BUILDING ENVELOPE IS SHOWN FOR ILLUSTRATIVE PURPOSES ONLY AND IS SUBJECT TO CHANGE.
4. THE BUILDING ENTRANCES ARE SHOWN FOR ILLUSTRATIVE PURPOSES ONLY.
5. EXISTING SITE ELEMENTS ARE SHOWN FOR ILLUSTRATIVE PURPOSES ONLY.
6. INTERIOR PARTITIONS AND USES WITHIN GROUND LEVEL ARE SHOWN FOR ILLUSTRATIVE PURPOSES ONLY.

175 PARK AVENUE

175 PARK AVENUE, NEW YORK, NY 10017

Commodore Owner LLC

CO FOR REALTY LLC
625 RIVER PLAZA LINDENHOLE, NEW YORK, NY 10066

SOM

SKIDMORE, OWINGS & MERRILL LLP
200 WEDGEMAN STREET, NEW YORK, NY 10037

WSP
ONE PENN PLAZA, 289 WEST 34TH STREET, NEW YORK, NY 10019

JAROS, BAUM & BOLLES CONSULTING ENGINEERS, LLP
80 PINE STREET, NEW YORK, NY 10005

EDGETT WILLIAMS CONSULTING GROUP
102 EAST 81ST STREET, SUITE 1, HILL VALLEY, CA 94041

CODE CONSULTANTS, INC
210 WEST 40TH STREET, 18TH FLOOR, NEW YORK, NY 10018

LANGAN
21 PENN PLAZA, 380 WEST 3 ST STREET, 8TH FLOOR, NEW YORK, NY 10001

WAIVER LEGEND

USES
SPECIAL PERMIT PURSUANT TO 28 SECTIONS 610 TO PERMIT TRANSIENT HOTEL USE (JG 9) (AREA AND CONFIGURATION OF HOTEL USE SUBJECT TO CHANGE)

STREET WALL CONTINUITY
42ND STREET
REQUIRED: STREET WALL LOCATED ON THE STREET LINE NO RECESSES GREATER THAN 9' DEEP
PROPOSED: STREET WALL NOT LOCATED ON THE STREET LINE RECESSES GREATER THAN 9' DEEP

LEXINGTON AVENUE
REQUIRED: STREET WALL LOCATED WITHIN 10' OF THE STREET LINE AND RECESSES GREATER THAN 9' DEEP
PROPOSED: STREET WALL LOCATED BEYOND 10' OF STREET LINE RECESSES GREATER THAN 9' DEEP

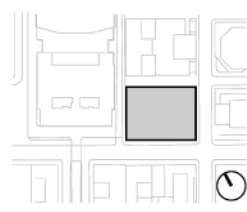
PEDESTRIAN CIRCULATION SPACE
SPECIAL PERMIT PURSUANT TO 28 SECTIONS 610 TO MODIFY 28 SECTIONS 61-63 AND 64-67 AND BAUVE THE STREET WALL LOCATION AND RECESS REQUIREMENTS

- (A) BUILDING ENTRANCE RECESS AREAS 1,000 SF
- (B) DELEGATED SUBWAY STAIR (R-20R) 1,300 SF
- (C) SUBWAY STATION IMPROVEMENTS # 20R 2,200 SF
- (D) PUBLICLY ACCESSIBLE SPACE 1,000 SF

PCS AREAS ARE SUBJECT TO CHANGE PROVIDED THAT THE TOTAL PCS PROVIDED IS NOT LESS THAN 1 SF OF PCS PER 100 SF OF FLOOR AREA

LEGEND

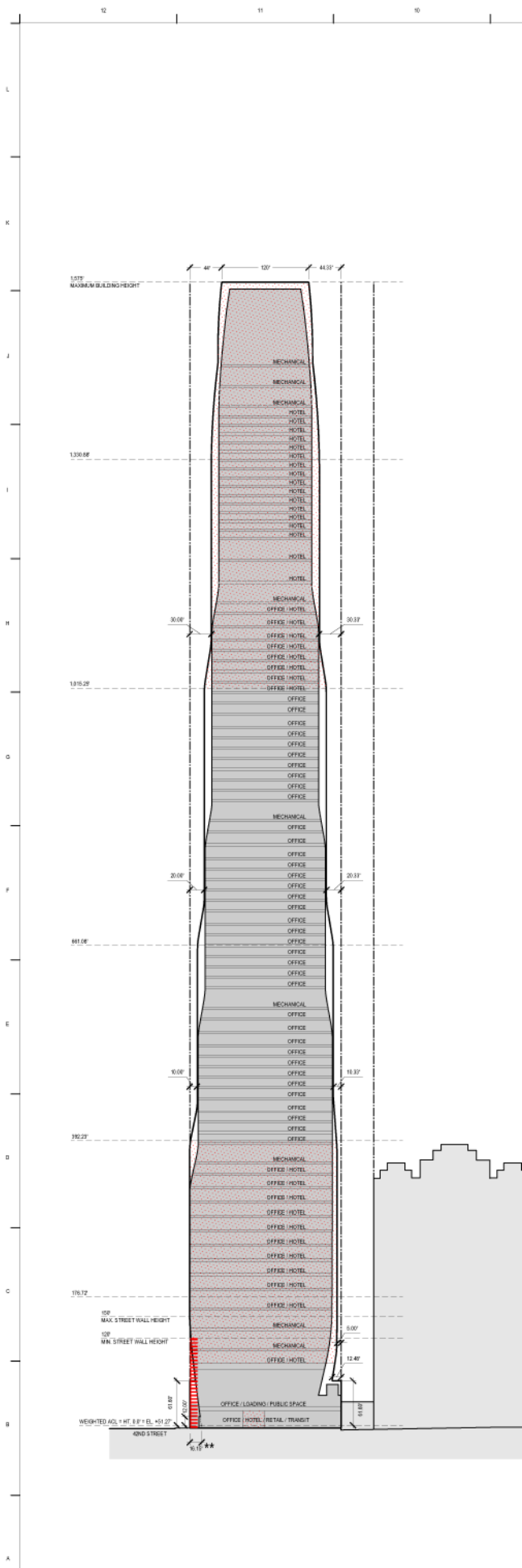
- QUALIFYING SITE
- ZONING LOT LINE
- EXISTING BUILDING FOOTPRINT
- PROPOSED BUILDING FOOTPRINT



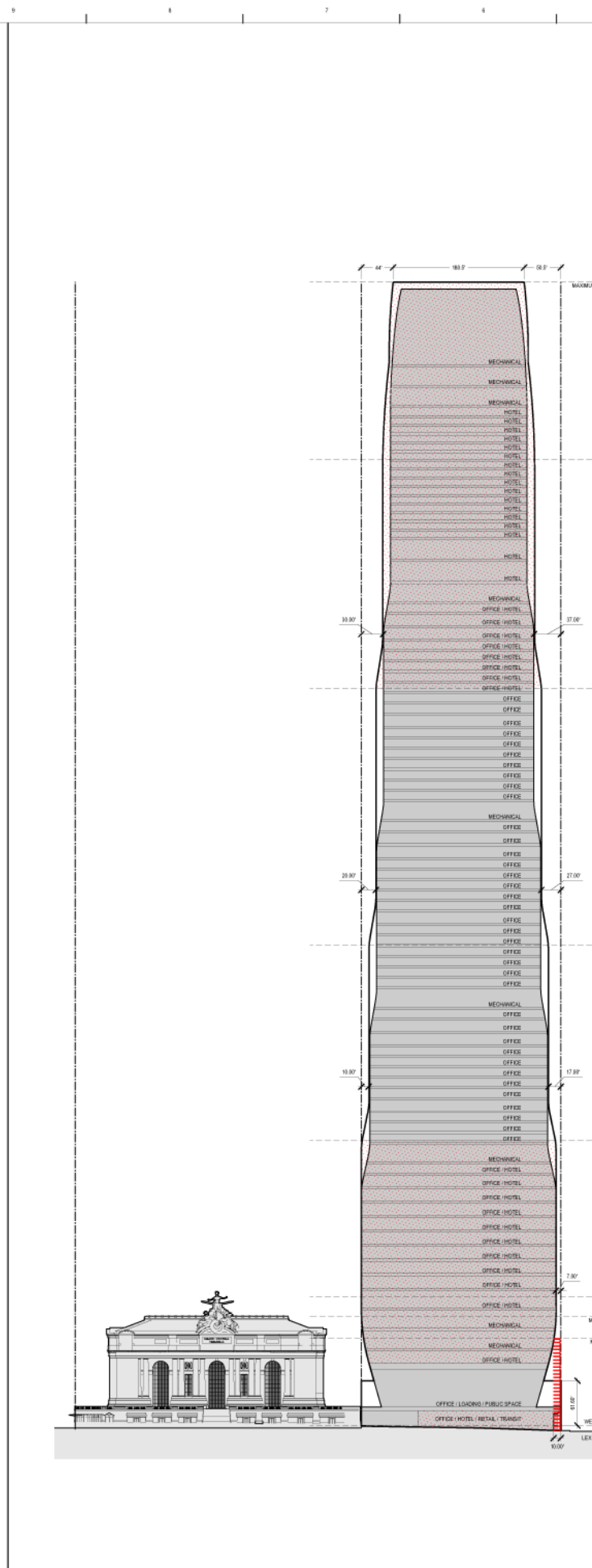
NOT FOR CONSTRUCTION

ZONING WAIVER PLAN - LEVEL 2

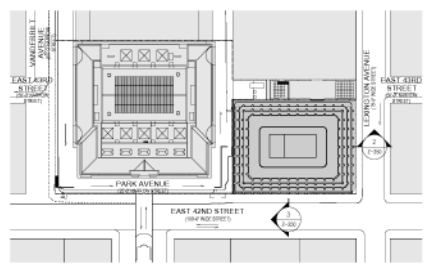
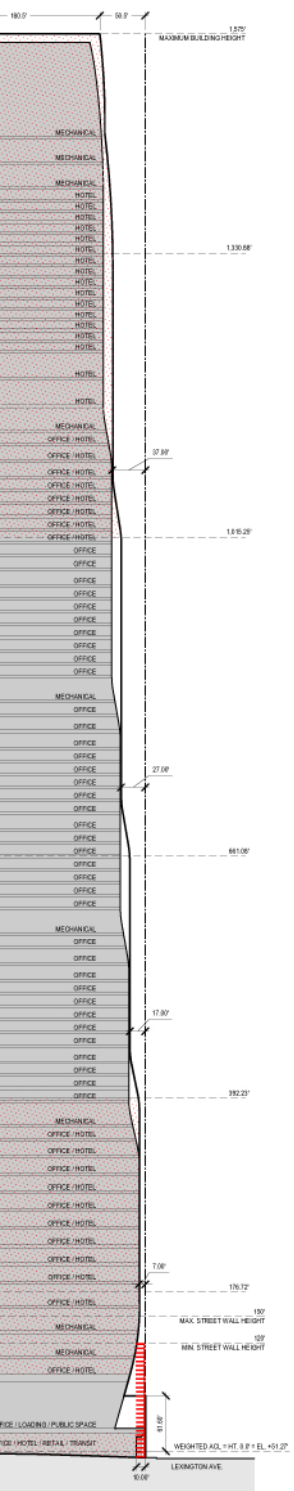
Z-202



3 | N-S SECTION LOOKING WEST
SCALE: 1/8" = 1'-0"



2 | E-W SECTION LOOKING NORTH
SCALE: 1/8" = 1'-0"



1 SITE KEYPLAN
SCALE: 1/128" = 1'-0"

NOTES

1. APPLICANT'S STAMP AND SEAL CORRESPONDS TO THE INFORMATION REGARDING ZONING LOT 1 AND RELATED CURB CUTS. INFORMATION REGARDING THE SUBSEQUENT PROPERTIES IS FOR ILLUSTRATIVE PURPOSES ONLY.
2. ELEVATIONS SHOWN ARE DIMENSIONED TO THE MAXIMUM BUILDING SCOPE.
3. THE BUILDING WITHIN THE MAXIMUM BUILDING SCOPE IS SHOWN FOR ILLUSTRATIVE PURPOSES ONLY AND IS SUBJECT TO CHANGE.
4. THE BUILDING ENTRANCES ARE SHOWN FOR ILLUSTRATIVE PURPOSES ONLY.
5. EXISTING SITE ELEMENTS ARE SHOWN FOR ILLUSTRATIVE PURPOSES ONLY.
6. FLOOR-TO-FLOOR HEIGHTS AND LEVELS AND USES ARE SHOWN FOR ILLUSTRATIVE PURPOSES ONLY.

175 PARK AVENUE

175 PARK AVENUE, NEW YORK, NY 10017

CLIENT
Commodore Owner LLC

CO FOR REALTY LLC
625 RIVER PLAZA, LINDENHOLE, NEW YORK 10056

ARCHITECT
SOM
SKIDMORE, OWINGS & MERRILL LLP
200 GREENWICH STREET, NEW YORK, NY 10037
475 LEXINGTON AVENUE

WSP
ONE PENN PLAZA, 289 WEST 14TH STREET, NEW YORK, NY 10019

MECHANICAL ENGINEER
JAROS, BAUM & BOLLES CONSULTING ENGINEERS, LLP
80 PINE STREET, NEW YORK, NY 10005

VERTICAL TRANSPORTATION
EDGETT WILLIAMS CONSULTING GROUP
102 EAST BULTHELM AVE, SUITE 1, MILL VALLEY, CA 94541

CODE CONSULTING
CODE CONSULTANTS, INC
210 WEST 40TH STREET, 18TH FLOOR, NEW YORK, NY 10018

SECTIONAL AND ENVIRONMENTAL CONSULTING
LANGAN
21 PENN PLAZA, 380 WEST 131ST STREET, 8TH FLOOR, NEW YORK, NY 10001

SCULPTURE CONSULTANT
THORNTON TOMASETTI
51 MADISON AVE, NEW YORK, NY 10036

TRANSIT CONSULTANT
STANTEC
475 FIFTH AVENUE 12TH FLOOR, NEW YORK, NY 10017-3239

LAND USE CONSULTANT
FRIED FRANK
1 NEW YORK PLAZA, 1 FDR DR, NEW YORK, NY 10004

ENVIRONMENTAL SERVICE
VHB
ONE PENN PLAZA, 380 WEST 131ST STREET, NEW YORK, NY 10001

ENCLOSURE CONSULTANT
HEINTGES
40 PARK AVENUE SOUTH, 15TH FLOOR, NEW YORK, NY 10016

OWNER AND DEVELOPMENT CONSULTANT
STEVEN WINTER ASSOCIATES, INC.
307 SEVENTH AVENUE, SUITE 1701, NEW YORK, NY 10001

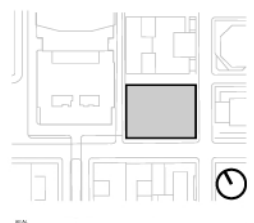
LANDSCAPE ARCHITECT
JAMES CORNER FIELD OPERATIONS
475 FIFTH AVENUE, 8TH FLOOR, NEW YORK, NY 10018

WAIVER LEGEND

- USES**
- SPECIAL PERMIT PURSUANT TO 21 SECTION § 1421 TO PERMIT TRANSPARENT HOTEL USES. AREA AND CONFIGURATION OF HOTEL USE SUBJECT TO CHANGE, PROVIDED THAT THE TOTAL AREA IS NOT MORE THAN 40,000 SF.
- STREET WALL CONTINUED**
- 42ND STREET**
REQUIRED: STREET WALL LOCATED ON THE STREET LINE, NO RECESSES GREATER THAN 10' DEEP.
PROPOSED: STREET WALL NOT LOCATED ON THE STREET LINE, RECESSES GREATER THAN 10' DEEP.
 - LEXINGTON AVENUE**
REQUIRED: STREET WALL LOCATED WITHIN 10' OF THE STREET LINE, NO RECESSES GREATER THAN 10' DEEP.
PROPOSED: STREET WALL LOCATED BEYOND 10' OF STREET LINE, RECESSES GREATER THAN 10' DEEP.
- BUILDING ENTRANCE RECESS AREAS**
- REQUIRED WIDTH: MIN. 10' AND MAX. 47'
PROPOSED WIDTH: 9'-05.20'
 - REQUIRED DEPTH: MIN. 10' AND MAX. 10'
PROPOSED DEPTH: 10' - 23.30'
- ** SPECIAL PERMIT PURSUANT TO 21 SECTION § 1485 TO MODIFY 21 SECTIONS § 1485, § 1474 AND § 1475 TO MODIFY BUILDING ENTRANCE RECESS AREA DESIGN STANDARDS AND TO SATISFY PCS REQUIREMENTS THROUGH SPACE THAT IS NOT IN ACCORDANCE WITH 21 SECTION § 1474(b).**

LEGEND

- PROPOSED MAXIMUM BUILDING ENVELOPE
- ZONING LOT LINE
- EXISTING BUILDING FOOTPRINT
- PROPOSED BUILDING FOOTPRINT
- QUALIFYING SITE



NOT FOR CONSTRUCTION

ZONING WAIVER SECTIONS

PLANNING NUMBER
Z-250

DAYLIGHT EVALUATION SCORING SUMMARY

VANTAGE POINT 1 SCORING SUMMARY

81-274 (b)	Squares above 70" blocked:	54.00
81-274 (c)	Squares below 70" open:	4.64
81-274 (d)	Profile encroachment penalty: (not used)	
	Total blockage:	-52.67
81-274 (e)	Available daylight squares:	101.30
81-274 (f)	Remaining daylight:	48.63
81-274 (g)	DAYLIGHT SCORE:	48.01

SEE ALSO: 81-663 (a), Daylight evaluation modifications for qualifying sites (8/9/17)

VANTAGE POINT 2 SCORING SUMMARY

81-274 (b)	Squares above 70" blocked:	63.10
81-274 (c)	Squares below 70" open:	1.38
81-274 (d)	Profile encroachment penalty: (not used)	
	Total blockage:	-62.69
81-274 (e)	Available daylight squares:	101.30
81-274 (f)	Remaining daylight:	38.61
81-274 (g)	DAYLIGHT SCORE:	38.12

SEE ALSO: 81-663 (a), Daylight evaluation modifications for qualifying sites (8/9/17)

VANTAGE POINT 3 SCORING SUMMARY

81-274 (b)	Squares above 70" blocked:	0.00
81-274 (c)	Squares below 70" open:	17.31
81-274 (d)	Profile encroachment penalty: (not used)	
	Total blockage:	5.19
81-274 (e)	Available daylight squares:	100.00
81-274 (f)	Remaining daylight:	105.19
81-274 (g)	DAYLIGHT SCORE:	105.19

SEE ALSO: 81-663 (a), Daylight evaluation modifications for qualifying sites (8/9/17)

VANTAGE POINT 4 SCORING SUMMARY

81-274 (b)	Squares above 70" blocked:	29.80
81-274 (c)	Squares below 70" open:	3.50
81-274 (d)	Profile encroachment penalty: (not used)	
	Total blockage:	-28.75
81-274 (e)	Available daylight squares:	91.70
81-274 (f)	Remaining daylight:	62.95
81-274 (g)	DAYLIGHT SCORE:	68.65

SEE ALSO: 81-663 (a), Daylight evaluation modifications for qualifying sites (8/9/17)

VANTAGE POINT 5 SCORING SUMMARY

81-274 (b)	Squares above 70" blocked:	75.70
81-274 (c)	Squares below 70" open:	0.60
81-274 (d)	Profile encroachment penalty: (not used)	
	Total blockage:	-75.52
81-274 (e)	Available daylight squares:	100.00
81-274 (f)	Remaining daylight:	24.48
81-274 (g)	DAYLIGHT SCORE:	24.48

SEE ALSO: 81-663 (a), Daylight evaluation modifications for qualifying sites (8/9/17)

VANTAGE POINT 6 SCORING SUMMARY

81-274 (b)	Squares above 70" blocked:	0.40
81-274 (c)	Squares below 70" open:	24.63
81-274 (d)	Profile encroachment penalty: (not used)	
	Total blockage:	6.99
81-274 (e)	Available daylight squares:	136.10
81-274 (f)	Remaining daylight:	143.09
81-274 (g)	DAYLIGHT SCORE:	105.14

SEE ALSO: 81-663 (a), Daylight evaluation modifications for qualifying sites (8/9/17)

VANTAGE POINT 7 SCORING SUMMARY

81-274 (b)	Squares above 70" blocked:	0.60
81-274 (c)	Squares below 70" open:	24.96
81-274 (d)	Profile encroachment penalty: (not used)	
	Total blockage:	6.89
81-274 (e)	Available daylight squares:	136.10
81-274 (f)	Remaining daylight:	142.99
81-274 (g)	DAYLIGHT SCORE:	105.06

SEE ALSO: 81-663 (a), Daylight evaluation modifications for qualifying sites (8/9/17)

SCORING SUMMARY

MAX ENVELOPE (1575'), 12/6/2021		Lexington	Lexington	E 42 St	E 42 St	E 42 St	Vanderbilt	Vanderbilt
		VP1	VP2	VP3	VP4	VP5	VP6	VP7
81-274 (b)	Squares above 70" blocked:	A	54.00	63.10	0.00	29.80	75.70	0.40
81-274 (c)	Squares below 70" open:	B	4.44	1.38	17.31	3.50	0.60	24.63
81-274 (d)	Profile encroachment penalty: (not used)							
	Total blockage:	C = -A + (0.3 * B)	-52.67	-62.69	5.19	-28.75	-75.52	6.99
81-274 (e)	Available daylight squares:	D	101.30	101.30	100.00	91.70	100.00	136.10
81-274 (f)	Remaining daylight:	E = D + C	48.63	38.61	105.19	62.95	24.48	143.09
81-274 (g)	DAYLIGHT SCORE:	F = E / D	48.01	38.12	105.19	68.65	24.48	105.14
SEE ALSO: 81-663 (a), Daylight evaluation modifications for qualifying sites (8/9/17)								
	street scores:	43.06		66.11			105.10	
								70.52 OVERALL SCORE
								(weighted average)
	STREET FRONT LENGTHS							
	Lexington Avenue	253.33						
	E 42nd Street	726.40						
	Vanderbilt Avenue	340.33						
		3366.53						

PROPOSED DEVELOPMENT DOES NOT ACHIEVE A PASSING SCORE OF 66 ON LEXINGTON AVENUE.

COORDINATES CHART CORNER POINTS

POINTS	X	Y	Z
1	-7.00	5.00	176.80
2	-12.00	0.00	176.80
3	-27.00	0.00	176.80
4	-27.00	5.00	176.80
5	-27.00	10.00	176.80
6	-27.00	20.00	176.80
7	-12.00	20.00	176.80
8	-7.00	19.75	176.80
9	-7.00	9.00	351.58
10	-12.00	0.00	351.58
11	-27.00	0.00	351.58
12	-27.00	5.00	351.58
13	-27.00	10.00	351.58
14	-27.00	20.00	351.58
15	-12.00	20.00	351.58
16	-7.00	19.75	351.58
17	-7.00	15.00	443.93
18	-22.50	10.50	443.93
19	-22.50	15.00	443.93
20	-22.50	15.00	443.93
21	-22.50	19.50	443.93
22	-22.50	19.50	443.93
23	-22.50	19.50	443.93
24	-17.50	19.50	443.93
25	-17.50	15.00	651.06
26	-22.50	10.50	651.06
27	-22.50	15.00	651.06
28	-22.50	15.00	651.06
29	-22.50	19.50	651.06
30	-22.50	19.50	651.06
31	-22.50	19.50	651.06
32	-17.50	19.50	651.06
33	-17.50	15.00	858.20
34	-22.50	10.50	858.20
35	-22.50	15.00	858.20
36	-22.50	15.00	858.20
37	-22.50	19.50	858.20
38	-22.50	19.50	858.20
39	-22.50	19.50	858.20
40	-17.50	19.50	858.20
41	-17.50	15.00	1065.34
42	-22.50	10.50	1065.34
43	-22.50	15.00	1065.34
44	-22.50	15.00	1065.34
45	-22.50	19.50	1065.34
46	-22.50	19.50	1065.34
47	-22.50	19.50	1065.34
48	-17.50	19.50	1065.34
49	-17.50	15.00	1272.48
50	-22.50	10.50	1272.48
51	-22.50	15.00	1272.48
52	-22.50	15.00	1272.48
53	-22.50	19.50	1272.48
54	-22.50	19.50	1272.48
55	-22.50	19.50	1272.48
56	-17.50	19.50	1272.48
57	-17.50	15.00	1479.62
58	-22.50	10.50	1479.62
59	-22.50	15.00	1479.62
60	-22.50	15.00	1479.62
61	-22.50	19.50	1479.62
62	-22.50	19.50	1479.62
63	-22.50	19.50	1479.62
64	-17.50	19.50	1479.62
65	-17.50	15.00	1686.76
66	-22.50	10.50	1686.76
67	-22.50	15.00	1686.76
68	-22.50	15.00	1686.76
69	-22.50	19.50	1686.76
70	-22.50	19.50	1686.76
71	-22.50	19.50	1686.76
72	-17.50	19.50	1686.76
73	-17.50	15.00	1893.90
74	-22.50	10.50	1893.90
75	-22.50	15.00	1893.90
76	-22.50	15.00	1893.90
77	-22.50	19.50	1893.90
78	-22.50	19.50	1893.90
79	-22.50	19.50	1893.90
80	-17.50	19.50	1893.90
81	-17.50	15.00	2101.04
82	-22.50	10.50	2101.04
83	-22.50	15.00	2101.04
84	-22.50	15.00	2101.04
85	-22.50	19.50	2101.04
86	-22.50	19.50	2101.04
87	-22.50	19.50	2101.04
88	-17.50	19.50	2101.04
89	-17.50	15.00	2308.18
90	-22.50	10.50	2308.18
91	-22.50	15.00	2308.18
92	-22.50	15.00	2308.18
93	-22.50	19.50	2308.18
94	-22.50	19.50	2308.18
95	-22.50	19.50	2308.18
96	-17.50	19.50	2308.18

ELEVATIONS ARE MEASURED FROM WEIGHTED A.C.L.: +51.27' DATUM: 0.0'

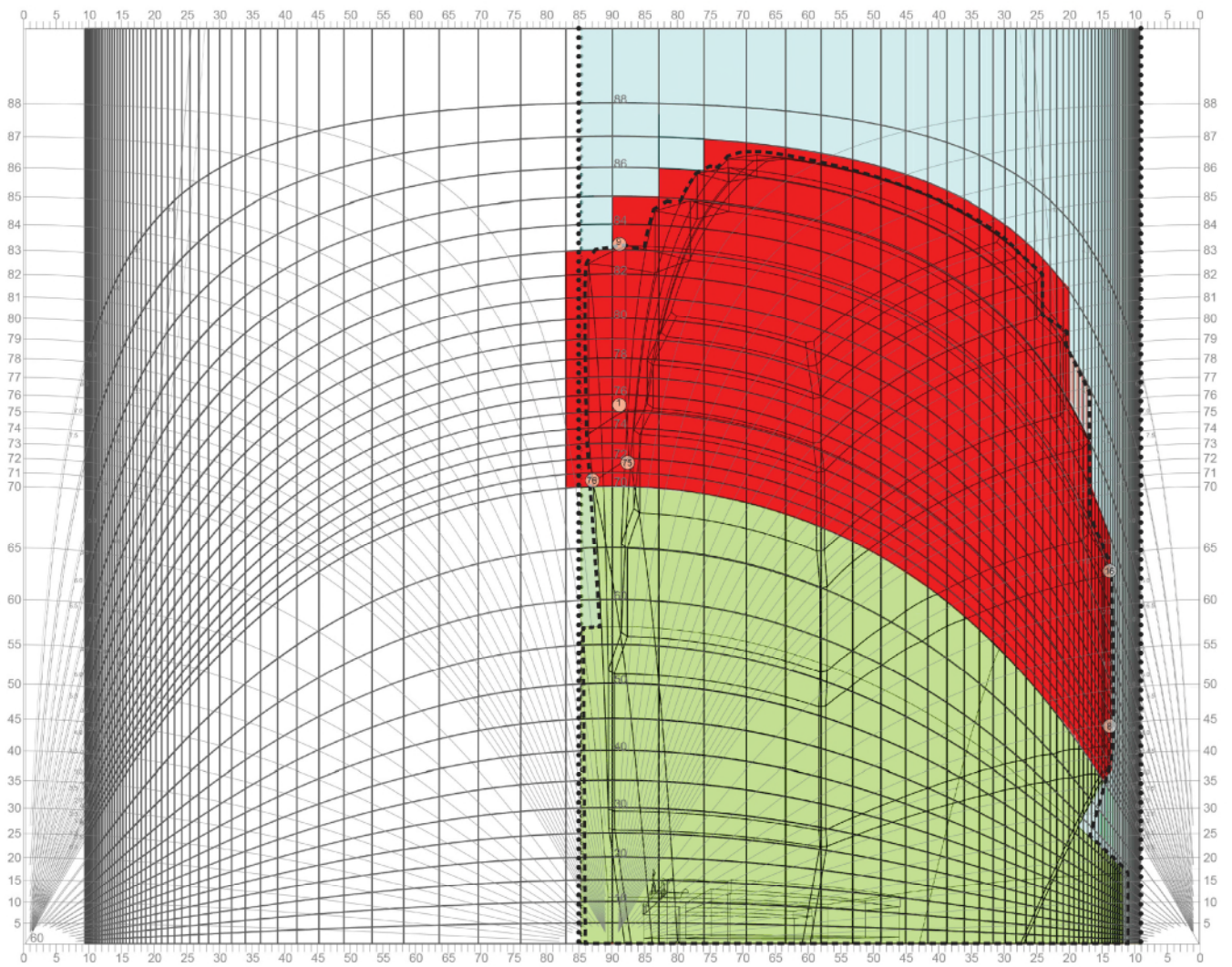
COORDINATE VANTAGE POINTS

VANTAGE POINTS	X	Y
VP1	40.00	
VP2	40.00	
VP3	-479.33	
VP4	-364.63	
VP5	-250.00	
VP6	-759.33	
VP7	-759.33	

DAYLIGHT EVALUATION CHART
VANTAGE POINT 1 SCORING SUMMARY

81-274 (b)	Squares above 70° blocked:	54.00
81-274 (c)	Squares below 70° open:	4.44
81-274 (d)	Profile encroachment penalty:	(not used)
	Total blockage:	-52.67
81-274 (e)	Available daylight squares:	101.30
81-274 (f)	Remaining daylight:	48.63
81-274 (g)	DAYLIGHT SCORE:	48.01

SEE ALSO: 81-663 (a), Daylight evaluation modifications for qualifying sites (8/9/17)



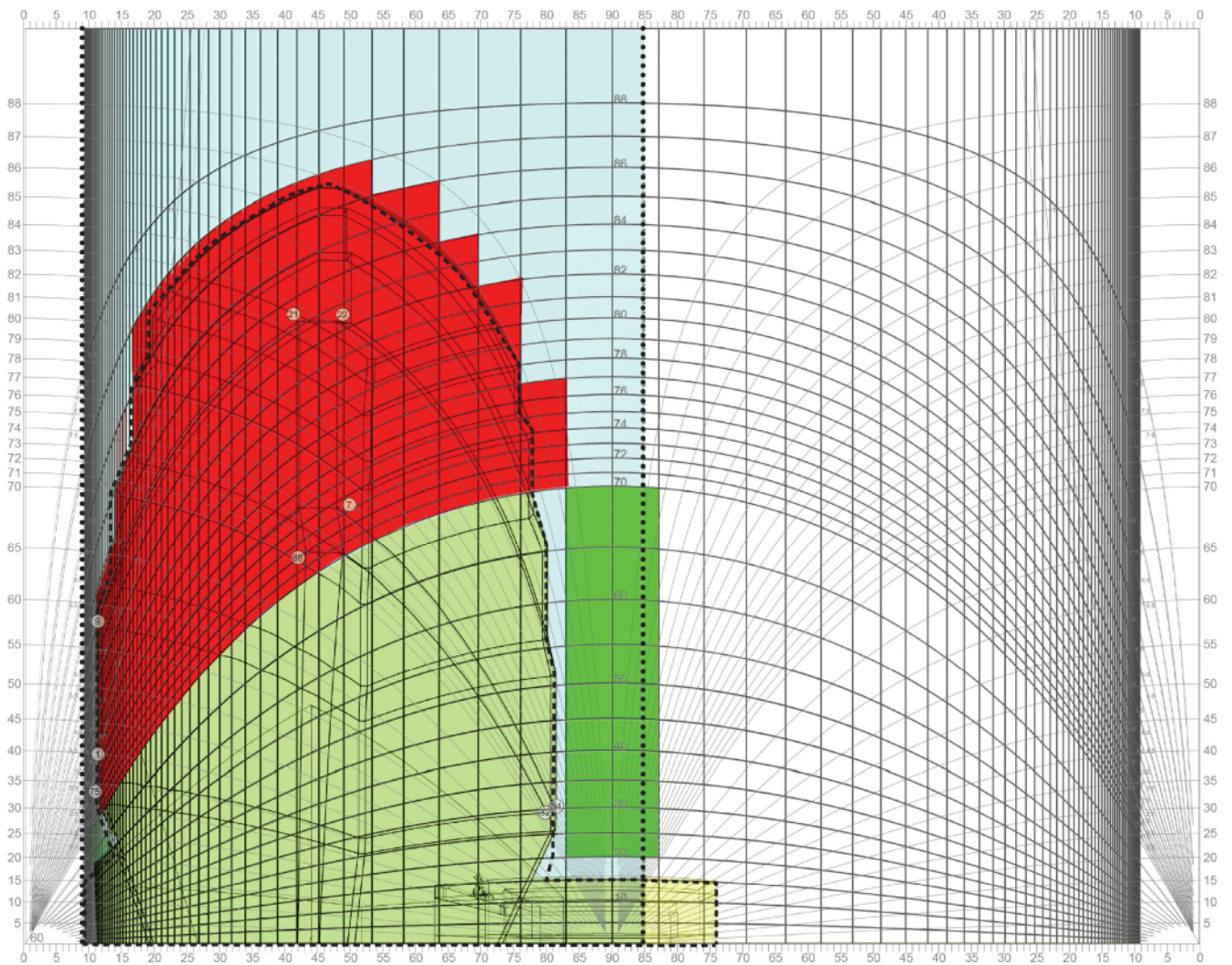
VP 1
Lexington Avenue
75' wide street (using 80' chart, per 81-272)

Model: 12/06/2021 11h

DAYLIGHT EVALUATION CHART
 VANTAGE POINT 2 SCORING SUMMARY

81-274 (b)	Squares above 70° blocked:	63.10
81-274 (c)	Squares below 70° open:	1.38
81-274 (d)	Profile encroachment penalty:	(not used)
	Total blockage:	-62.69
81-274 (e)	Available daylight squares:	101.30
81-274 (f)	Remaining daylight:	38.61
81-274 (g)	DAYLIGHT SCORE:	38.12

SEE ALSO: 81-663 (a), Daylight evaluation modifications for qualifying sites (8/9/17)



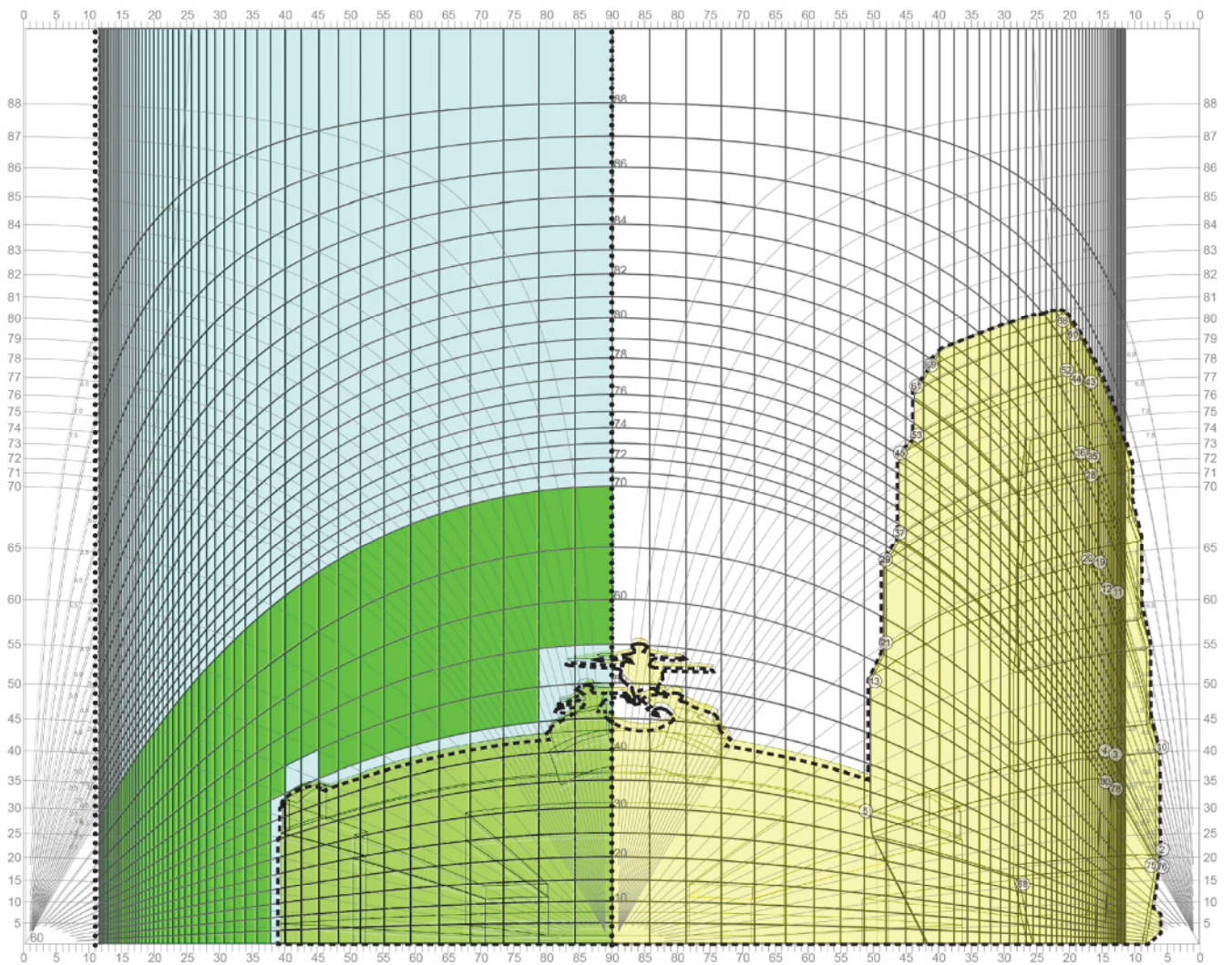
VP 2
 Lexington Avenue
 75' wide street (using 80' chart, per 81-272)

Model: 12/06/2021 11h

DAYLIGHT EVALUATION CHART
 VANTAGE POINT 3 SCORING SUMMARY

81-274 (b)	Squares above 70° blocked:	0.00
81-274 (c)	Squares below 70° open:	17.31
81-274 (d)	Profile encroachment penalty:	(not used)
	Total blockage:	5.19
81-274 (e)	Available daylight squares:	100.00
81-274 (f)	Remaining daylight:	105.19
81-274 (g)	DAYLIGHT SCORE:	105.19

SEE ALSO: 81-663 (a), Daylight evaluation modifications for qualifying sites (8/9/17)



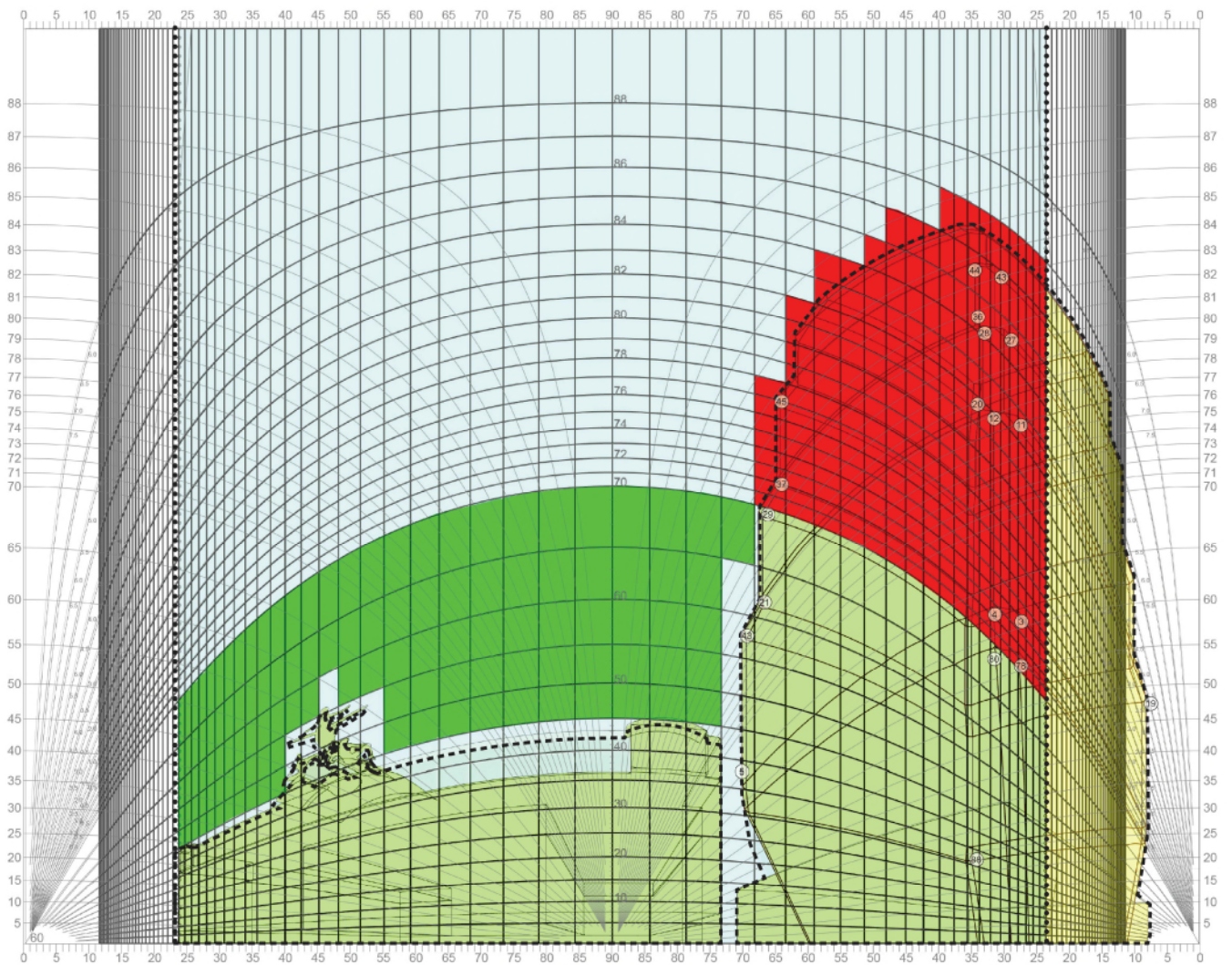
VP 3
 East 42nd Street
 100' wide street

Model: 12/06/2021 11h

DAYLIGHT EVALUATION CHART
 VANTAGE POINT 4 SCORING SUMMARY

81-274 (b)	Squares above 70° blocked:	29.80
81-274 (c)	Squares below 70° open:	3.50
81-274 (d)	Profile encroachment penalty:	(not used)
	Total blockage:	-28.75
81-274 (e)	Available daylight squares:	91.70
81-274 (f)	Remaining daylight:	62.95
81-274 (g)	DAYLIGHT SCORE:	68.65

SEE ALSO: 81-663 (a), Daylight evaluation modifications for qualifying sites (8/9/17)



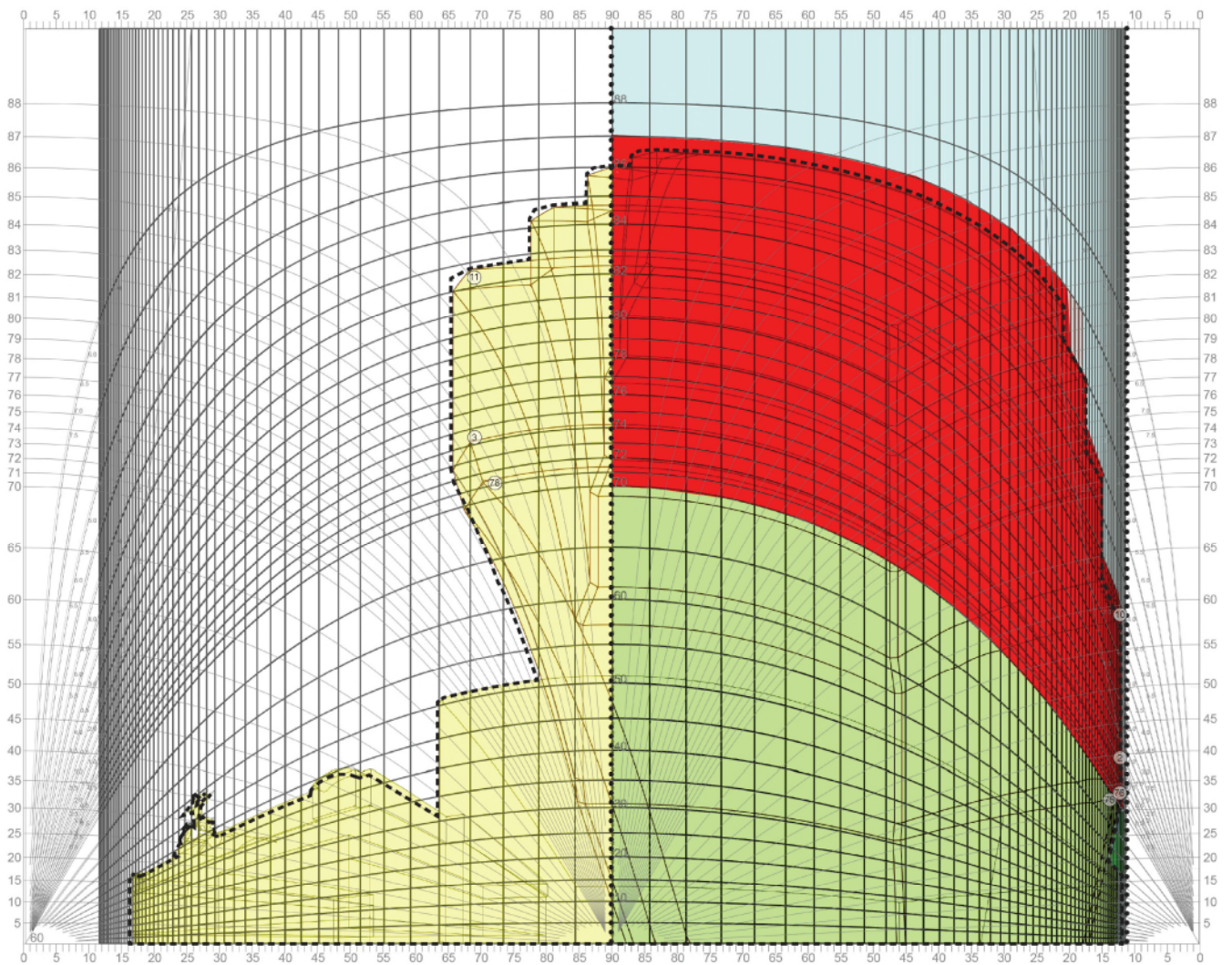
VP 4
 East 42nd Street
 100' wide street

Model: 12/06/2021 11h

DAYLIGHT EVALUATION CHART
 VANTAGE POINT 5 SCORING SUMMARY

81-274 (b)	Squares above 70° blocked:	75.70
81-274 (c)	Squares below 70° open:	0.60
81-274 (d)	Profile encroachment penalty:	(not used)
	Total blockage:	-75.52
81-274 (e)	Available daylight squares:	100.00
81-274 (f)	Remaining daylight:	24.48
81-274 (g)	DAYLIGHT SCORE:	24.48

SEE ALSO: 81-663 (a), Daylight evaluation modifications for qualifying sites (8/9/17)



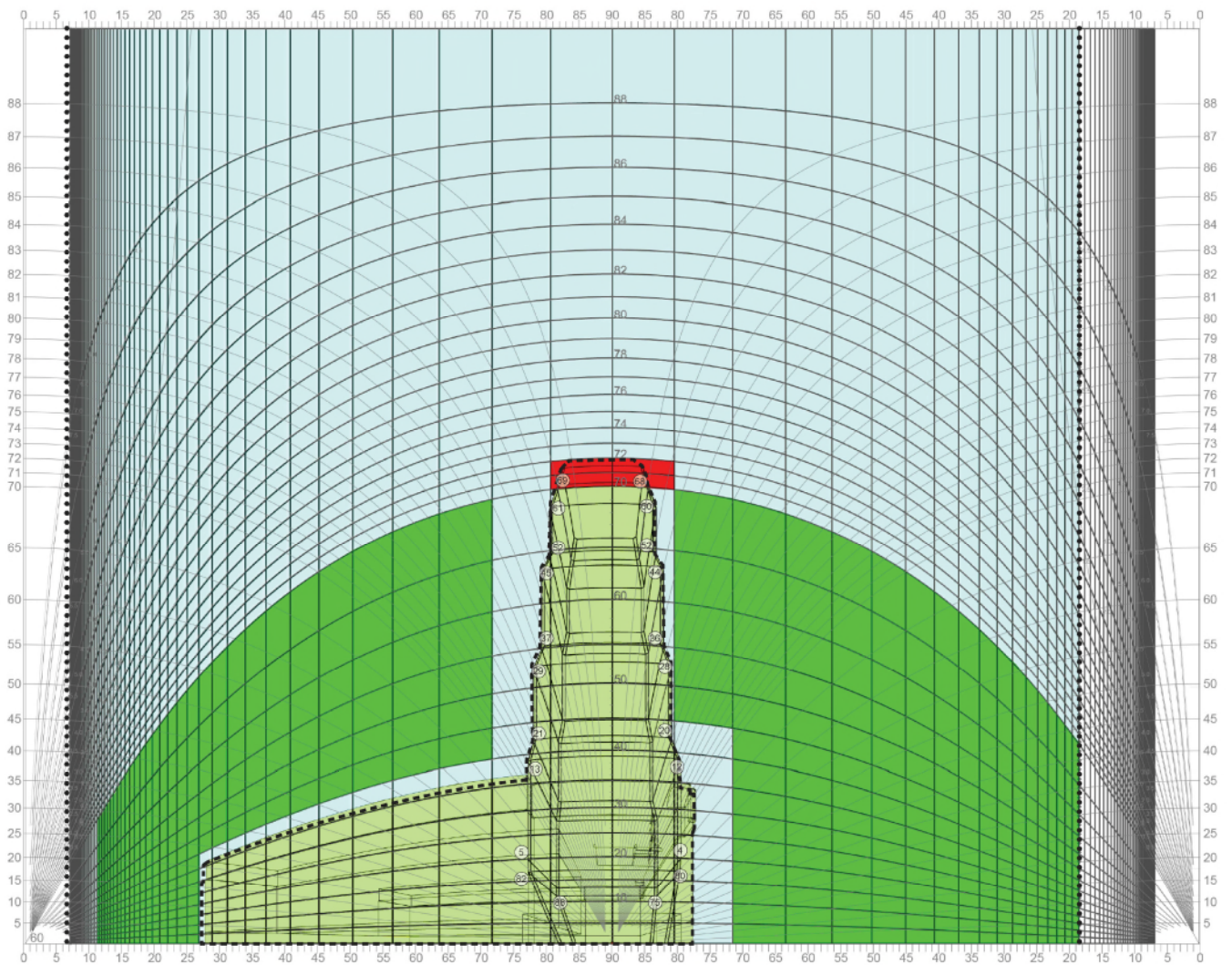
VP 5
 East 42nd Street
 100' wide street)

Model: 12/06/2021 11h

DAYLIGHT EVALUATION CHART
 VANTAGE POINT 6 SCORING SUMMARY

81-274 (b)	Squares above 70° blocked:	0.40
81-274 (c)	Squares below 70° open:	24.63
81-274 (d)	Profile encroachment penalty:	(not used)
	Total blockage:	6.99
81-274 (e)	Available daylight squares:	136.10
81-274 (f)	Remaining daylight:	143.09
81-274 (g)	DAYLIGHT SCORE:	105.14

SEE ALSO: 81-663 (a), Daylight evaluation modifications for qualifying sites (8/9/17)



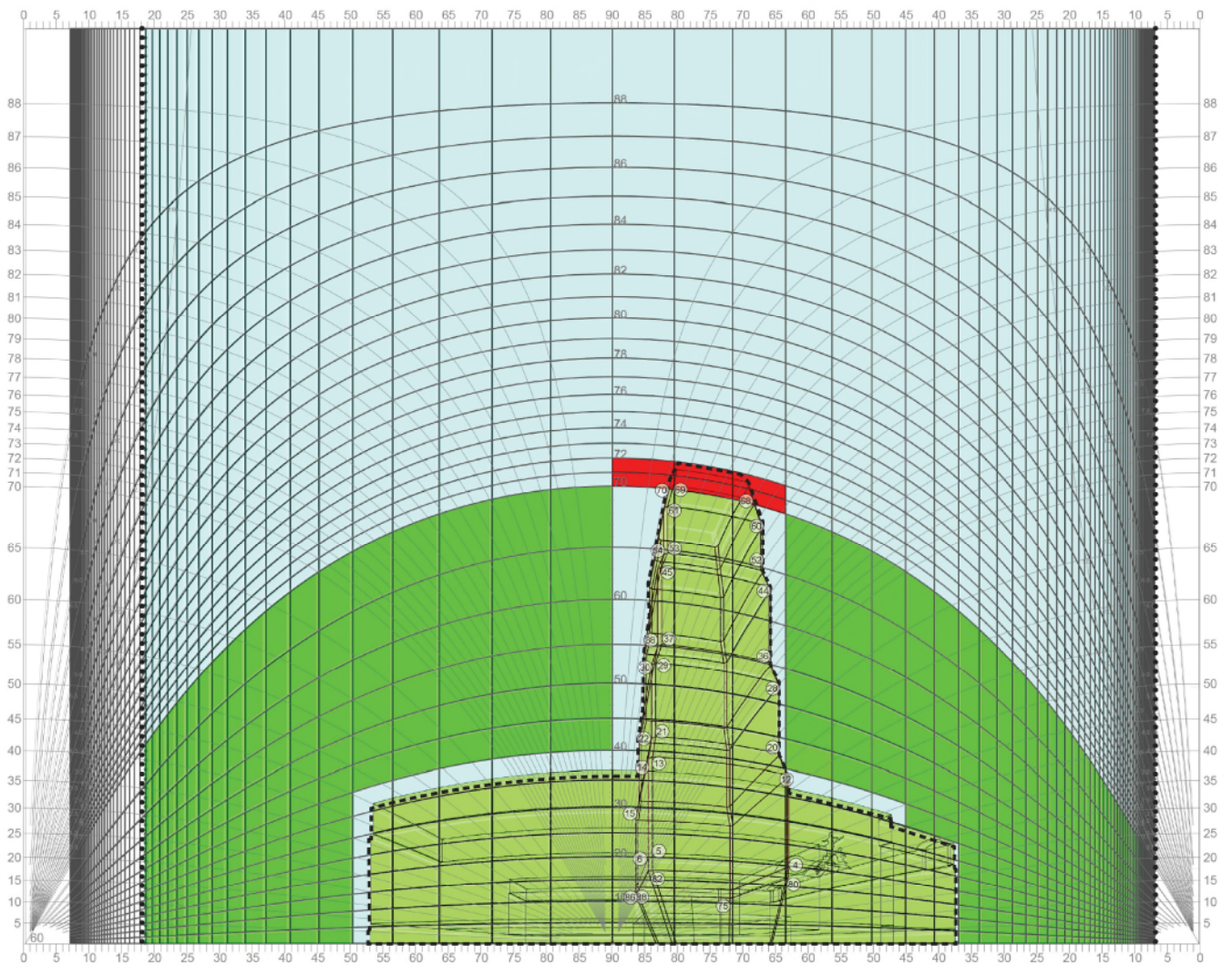
VP 6
 Vanderbilt Avenue
 60' wide street

Model: 12/06/2021 11h

DAYLIGHT EVALUATION CHART
 VANTAGE POINT 7 SCORING SUMMARY

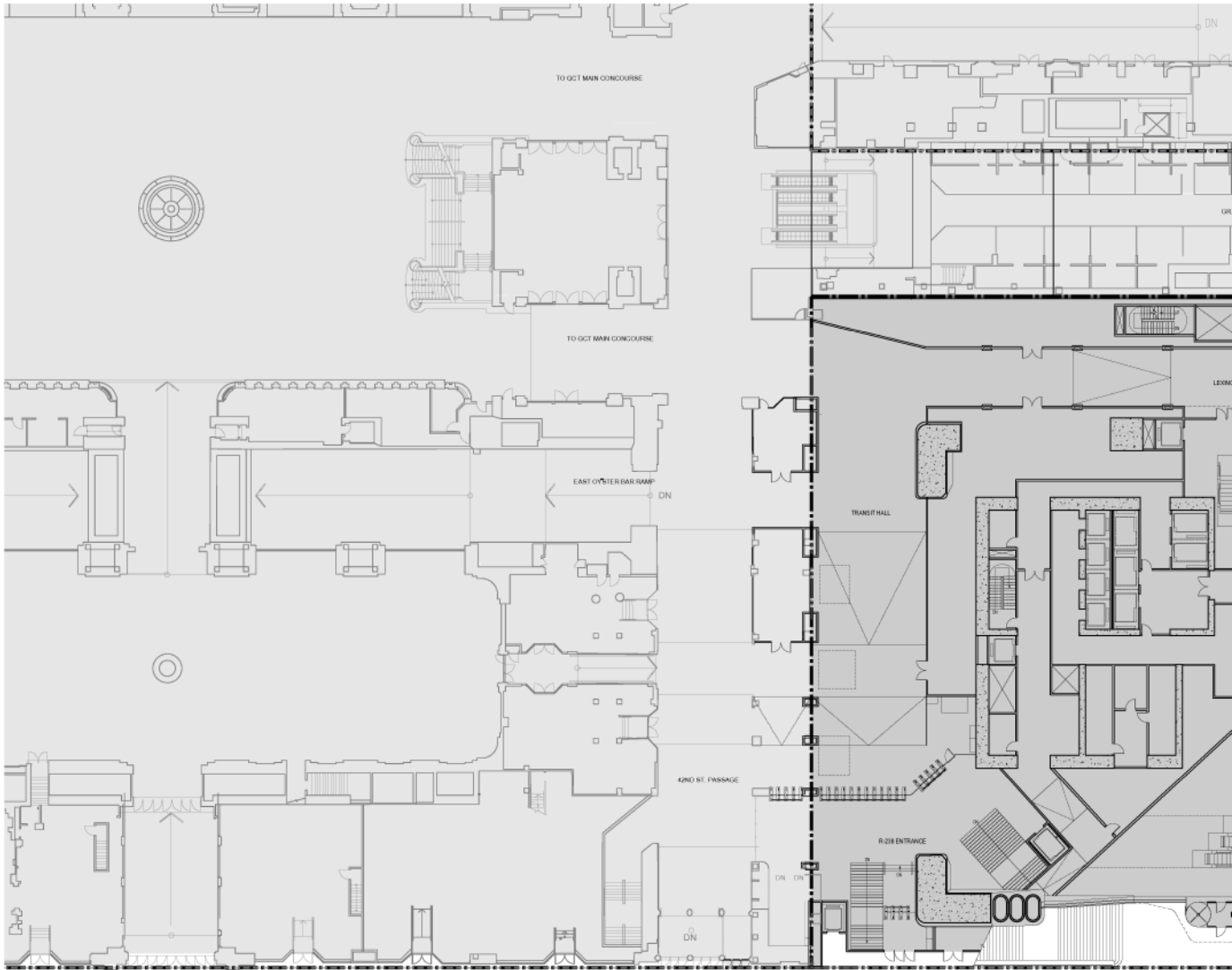
81-274 (b)	Squares above 70° blocked:	0.60
81-274 (c)	Squares below 70° open:	24.96
81-274 (d)	Profile encroachment penalty:	(not used)
	Total blockage:	6.89
81-274 (e)	Available daylight squares:	136.10
81-274 (f)	Remaining daylight:	142.99
81-274 (g)	DAYLIGHT SCORE:	105.06

SEE ALSO: 81-663 (a), Daylight evaluation modifications for qualifying sites (8/9/17)



VP 7
 Vanderbilt Avenue
 60' wide street

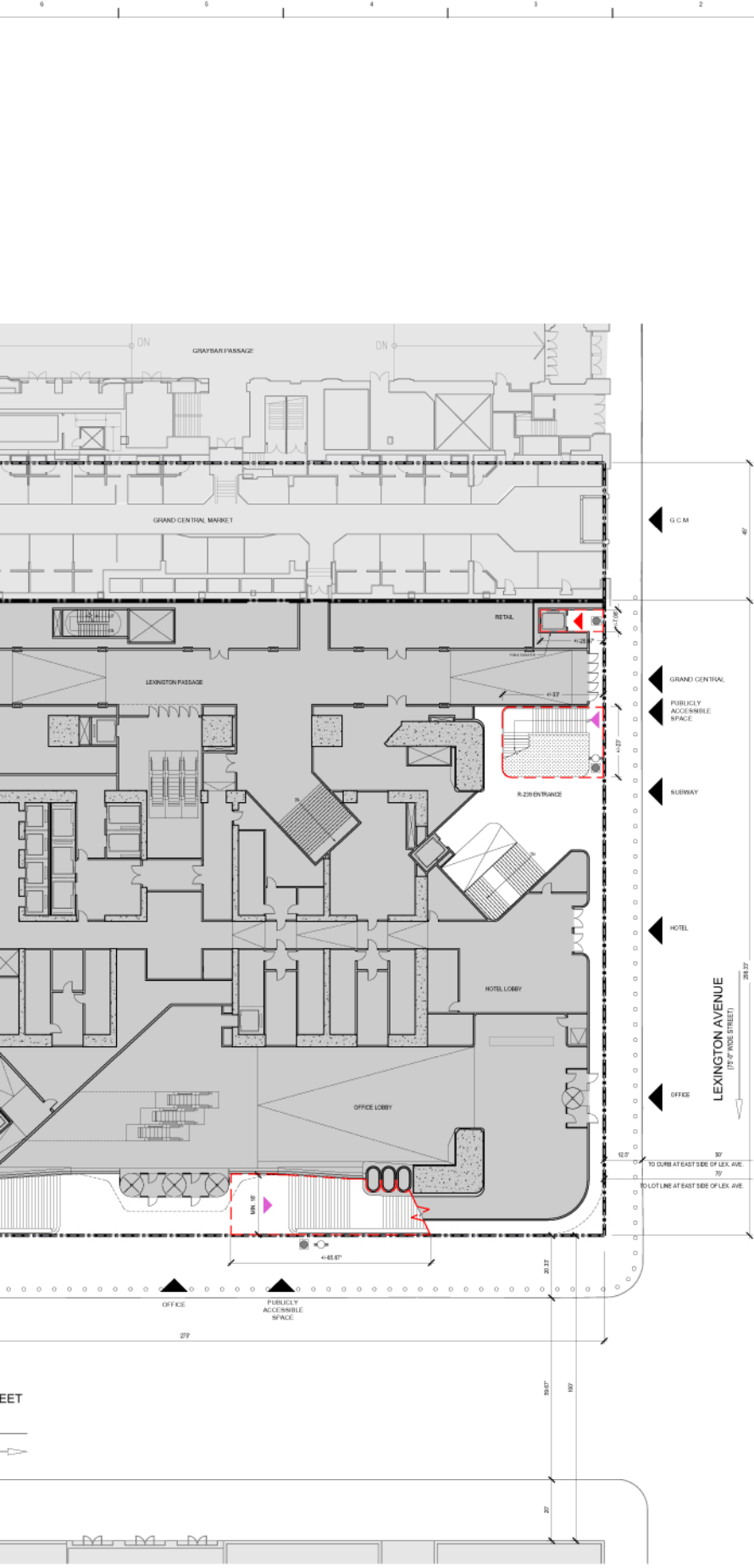
Model: 12/06/2021 11h



GRAND CENTRAL

EAST 42ND STREET
(107' WIDE STREET)





NOTES

1. APPLICANT'S STAMP AND SEAL CORRESPONDS TO THE INFORMATION REGARDING PUBLICLY ACCESSIBLE SPACE WITHIN JOINT LOT 1. INFORMATION REGARDING THE PROPOSED DEVELOPMENT, ELEVATOR, STAIRWAYS AND SURROUNDING PROPERTIES IS FOR ILLUSTRATIVE PURPOSES ONLY. REFER TO ARCHITECTURAL DRAWINGS FOR INFORMATION PERTAINING TO AND WITHIN PROPOSED DEVELOPMENT.
2. DESIGN AND LAYOUT OF PUBLICLY ACCESSIBLE SPACE ARE SUBJECT TO PDC REVIEW / APPROVAL.

175 PARK AVENUE

175 PARK AVENUE, NEW YORK, NY 10017

Client
Commodore Owner LLC

CO FOR REALTY LLC
 625 RIVER PLAZA LINDENHOLE, NEW YORK, NY 10068

ARCHITECT
SOM

SKIDMORE, OWINGS & MERRILL LLP
 200 WAREMACH STREET, NEW YORK, NY 10037

WSP
 ONE PENN PLAZA, 289 WEST 14TH STREET, NEW YORK, NY 10019

JAROS, BAUM & BOLLES CONSULTING ENGINEERS, LLP
 80 PINE STREET, NEW YORK, NY 10068

EDGETT WILLIAMS CONSULTING GROUP
 102 EAST BETHLEHEM AVENUE, SUITE 1, MILL VALLEY, CA 94541

CODE CONSULTANTS, INC
 210 WEST 40TH STREET, 18TH FLOOR, NEW YORK, NY 10018

LANGAN
 21 PENN PLAZA, 388 WEST 1 ST STREET, 8TH FLOOR, NEW YORK, NY 10001

THORNTON TOMASETTI
 51 MADISON AVE, NEW YORK, NY 10022

STANTEC
 475 FIFTH AVENUE 12TH FLOOR, NEW YORK, NY 10017-3239

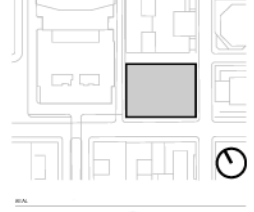
FRIED FRANK
 1 NEW YORK PLAZA, 1 FDR DR, NEW YORK, NY 10004

VHB
 ONE PENN PLAZA PLAZA #110, NEW YORK, NY 10019

HEINTGES
 40 PARK AVENUE SOUTH, 15TH FLOOR, NEW YORK, NY 10016

STEVEN WINTER ASSOCIATES, INC.
 307 SEVENTH AVENUE, SUITE 1701, NEW YORK, NY 10001

JAMES CORNER FIELD OPERATIONS
 475 FIFTH AVENUE, 8TH FLOOR, NEW YORK, NY 10013



PUBLICLY ACCESSIBLE SPACE

18,800 SF
 NOTE: AREA AND CONFIGURATION ARE SUBJECT TO CHANGE PROVIDED THAT THE TOTAL AREA IS NOT LESS THAN 18,800 SF

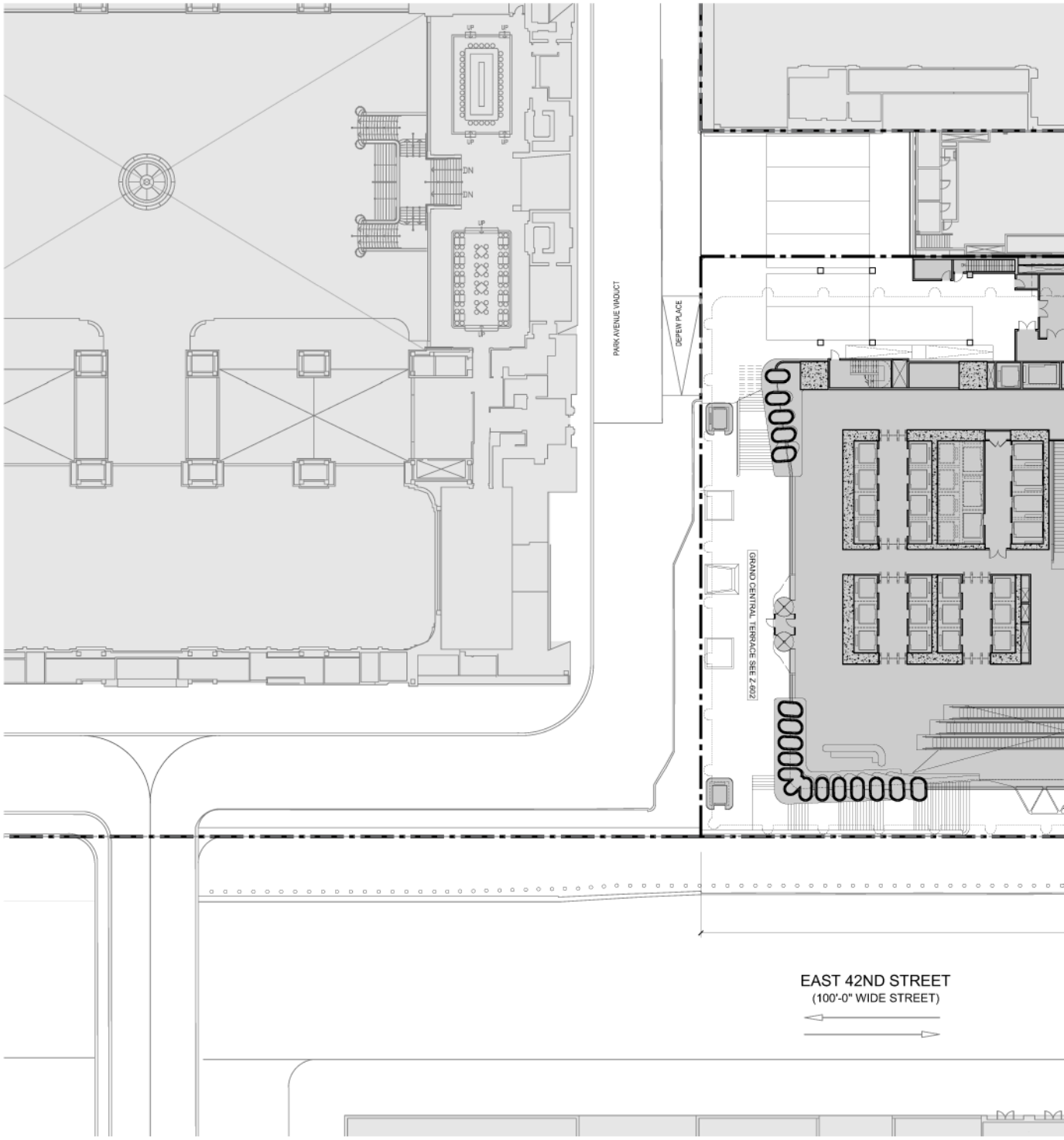
LEGEND

- EXISTING BUILDING FOOTPRINT
- PROPOSED BUILDING FOOTPRINT
- PLANTER
- ZONING LOT LINE
- QUALIFYING SITE
- ACCESS TO PUBLIC ELEVATOR
- ACCESS TO PUBLIC STAIR
- PUBLIC SPACE SIGNAGE
- WAYFINDING SIGNAGE

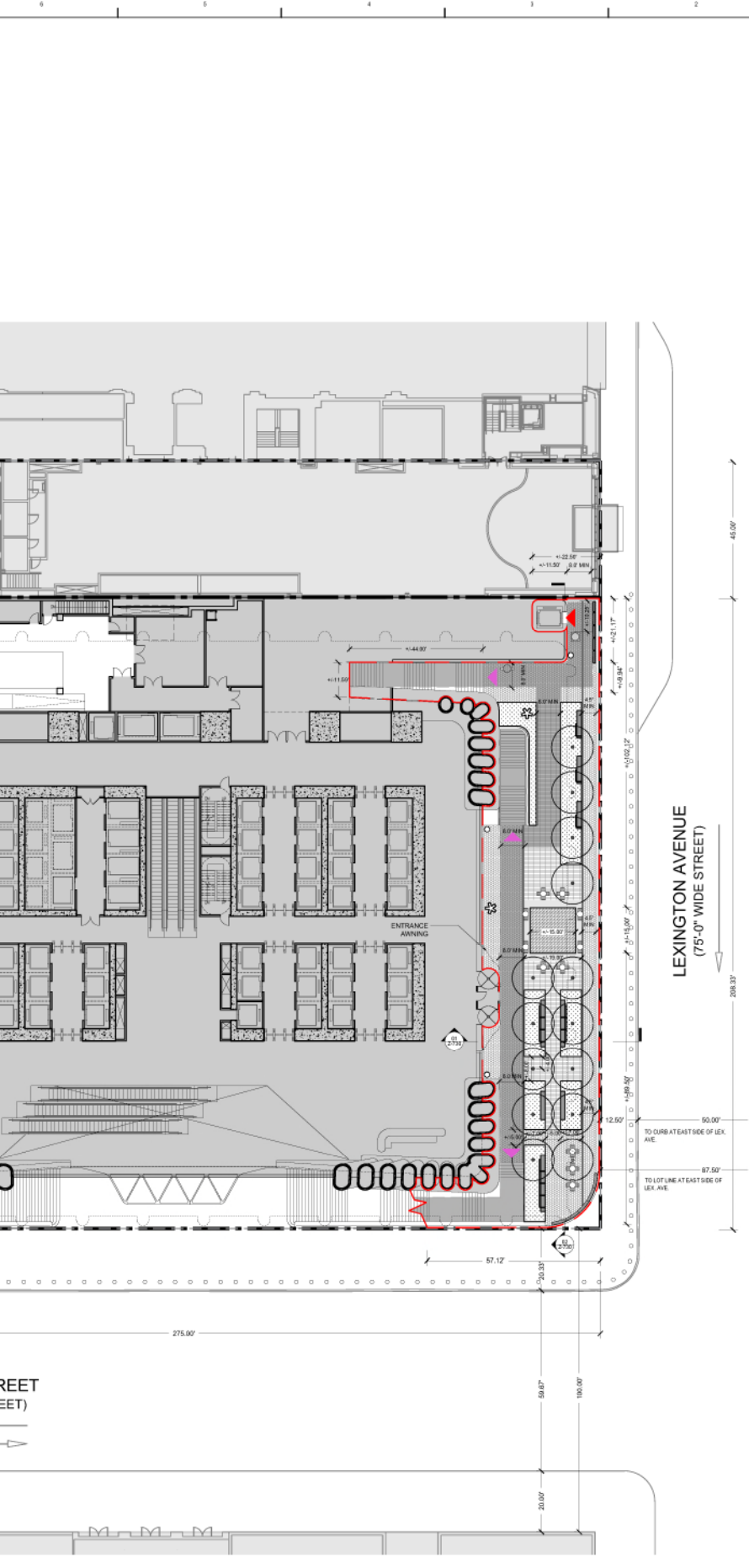


PUBLICLY ACCESSIBLE SPACE - GROUND FLOOR

Z-701



01 LEVEL 3
PLAN



NOTES

1. APPLICANT'S STAMP AND SEAL CORRESPONDS TO THE INFORMATION REGARDING PUBLICLY ACCESSIBLE SPACE IMPROVEMENTS WITHIN ZONING LOT 1. INFORMATION REGARDING THE PROPOSED DEVELOPMENT, ELEVATOR, STAIRWAYS AND SURROUNDING PROPERTIES IS FOR ILLUSTRATIVE PURPOSES ONLY. REFER TO ARCHITECTURAL DRAWINGS FOR INFORMATION PERTAINING TO AND WITHIN PROPOSED DEVELOPMENT.
2. DESIGN AND LAYOUT OF PUBLIC CONCOURSE IMPROVEMENTS ARE SUBJECT TO POC REVIEW / APPROVAL.

175 PARK AVENUE

175 PARK AVENUE, NEW YORK, NY 10017

OWNER

Commodore Owner LLC

CO FOR REALTY LLC
625 FOR PLAZA/UNIONDALE, NEW YORK 10960

ARCHITECT

SOM

SKIDMORE, OWINGS & MERRILL LLP

208 BREDMARCH STREET, NEW YORK, NY 10007

STRUCTURAL ENGINEER

WSP

ONE PENN PLAZA, 259 WEST 34TH STREET, NEW YORK, NY 10019

MECHANICAL ENGINEER

JAROS, BAUM & BOLLES CONSULTING ENGINEERS, LLP

80 PINE STREET, NEW YORK, NY 10005

VERTICAL ENGINEER/ARCHITECT

EDGETT WILLIAMS CONSULTING GROUP

102 EAST BLITHEDALE AVENUE, SUITE 1, MILL VALLEY, CA 94541

CODE CONSULTING

CODE CONSULTANTS, INC

210 WEST 46TH STREET, 16TH FLOOR, NEW YORK, NY 10018

SCAPE ARCHITECTURAL AND ENVIRONMENTAL CONSULTING

LANGAN

21 PENN PLAZA, 380 WEST 31ST STREET, 8TH FLOOR, NEW YORK, NY 10001

SCAPE CONSULTING

THORNTON TOMASETTI

51 MADISON AVE, NEW YORK, NY 10010

MECHANICAL ENGINEER

STANTEC

475 FIFTH AVENUE 12TH FLOOR, NEW YORK, NY 10017-2209

LAND USE CONSULTANT

FRIED FRANK

1 NEW YORK PLAZA, 1 FDR DR, NEW YORK, NY 10004

ENVIRONMENTAL SERVICE

VHB

ONE PENN/UNION PLAZA #711, NEW YORK, NY 10019

ENCLOSURE CONSULTANT

HEINTGES

400 PARK AVENUE SOUTH, 15TH FLOOR, NEW YORK, NY 10016

PROPERTY AND MERCHANTABILITY CONSULTANT

STEVEN WINTER ASSOCIATES, INC.

307 SEVENTH AVE, SUITE 1101, NEW YORK, NY 10001

LANDSCAPE ARCHITECT

JAMES CORNER FIELD OPERATIONS

475 15TH AVENUE, 9TH FLOOR, NEW YORK, NY 10018

REVISION

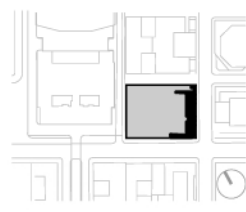
PUBLICLY ACCESSIBLE SPACE

PUBLICLY ACCESSIBLE SPACE
12.00' x 37'

NOTE: AREA AND CONFIGURATION ARE SUBJECT TO CHANGE, PROVIDED THAT THE TOTAL AREA IS NOT LESS THAN 10,000 SF.

LEGEND

- PAVING TYPE E
- PAVING TYPE B
- PAVING TYPE H
- RAISED PLANTER
- TRASH RECEPTACLE
- MOVEABLE TABLES AND FOUR CHAIRS
- MOVEABLE TABLES AND TWO CHAIRS
- ART PIECE LOCATION SUBJECT TO CHANGE
- CLEAR CIRCULATION PATH
- BUILDING OVERHEAD LINE
- BENCH TYPE D WITH BACK
- BENCH TYPE D WITHOUT BACK
- STANDING LEDGE
- MULTI LEADER TREE
- SINGLE LEADER TREE
- DRINKING FOUNTAIN
- PUBLIC SPACE STORAGE
- WAYFINDING STORAGE
- EXISTING BUILDING FOOTPRINT
- PROPOSED BUILDING FOOTPRINT
- ZONING LOT LINE
- QUALIFYING SITE
- ACCESS TO PUBLIC ELEVATOR
- ACCESS TO PUBLIC STAIR



NOT FOR CONSTRUCTION

NO.	DATE	DESCRIPTION

DESIGNED BY:

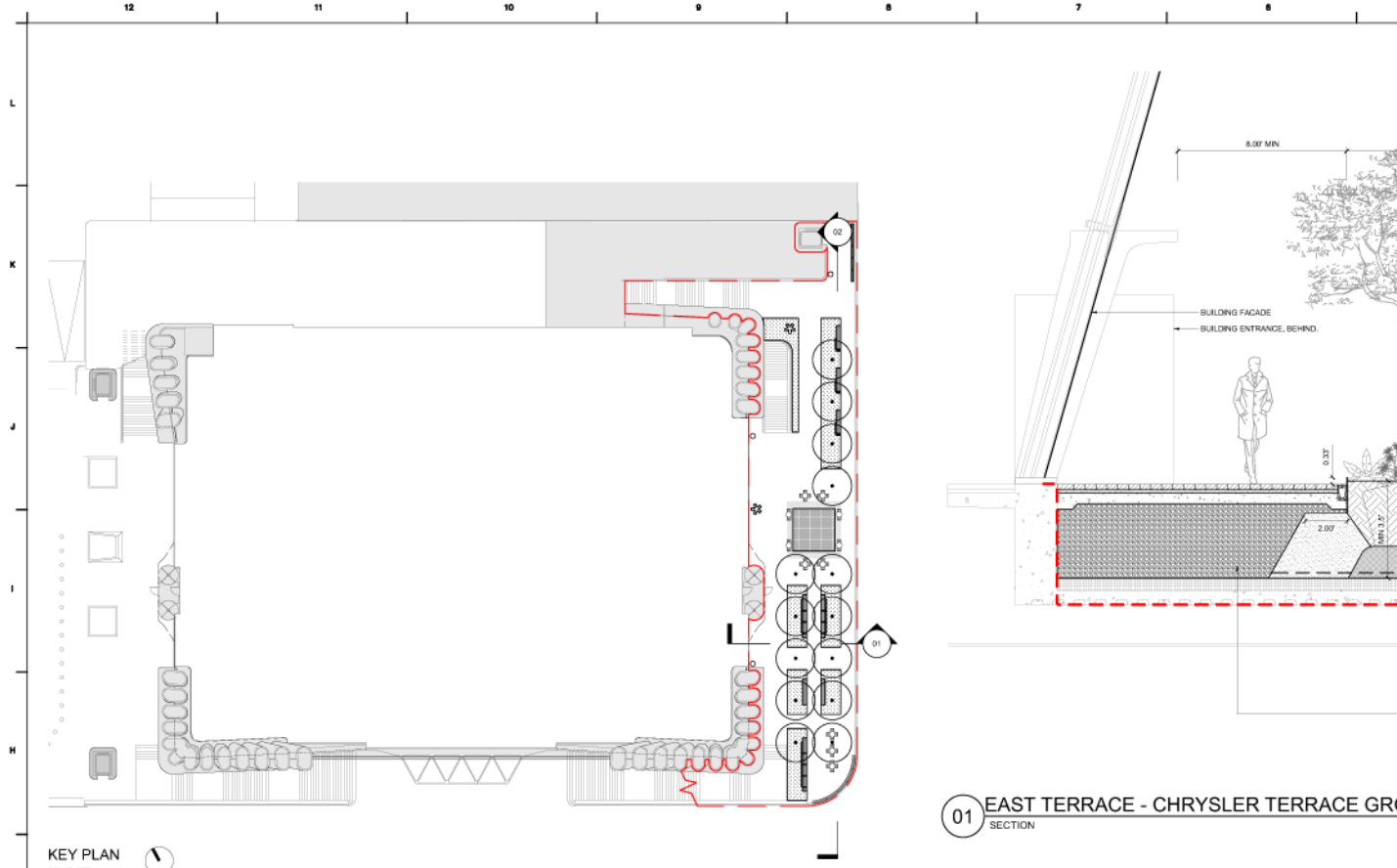
PUBLICLY ACCESSIBLE SPACE - LEVEL 2

DRAWING NUMBER:

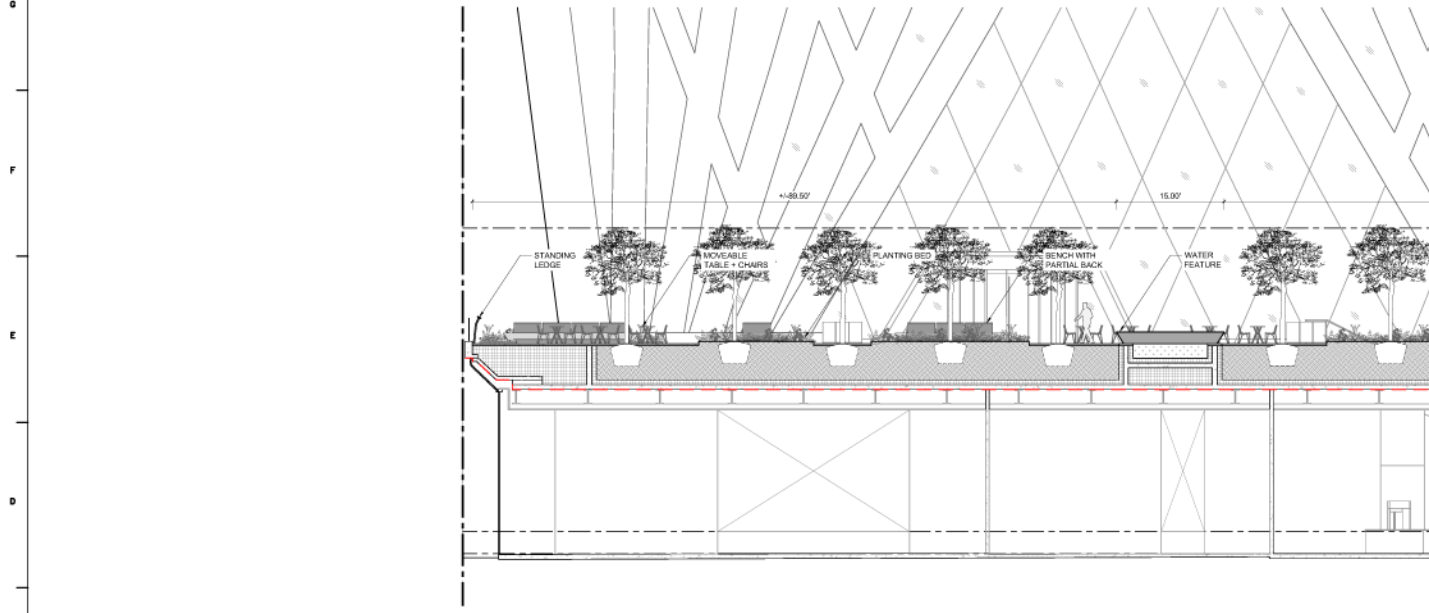
Z-702



1/16" = 1'



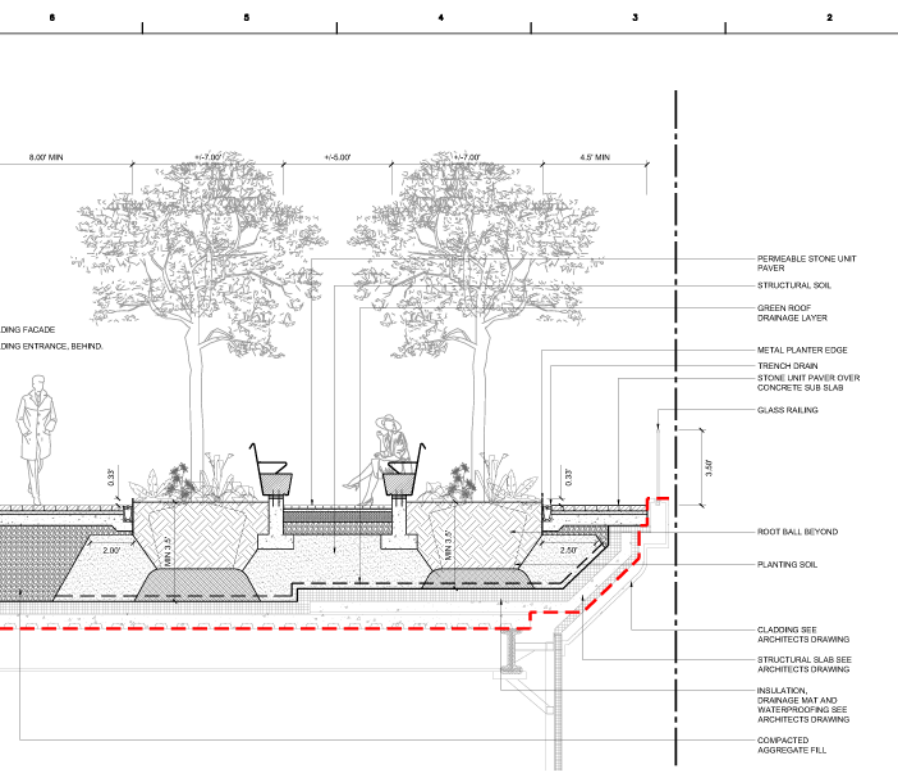
01 EAST TERRACE - CHRYSLER TERRACE GRO SECTION



02 EAST TERRACE - CHRYSLER TERRACE SECTION

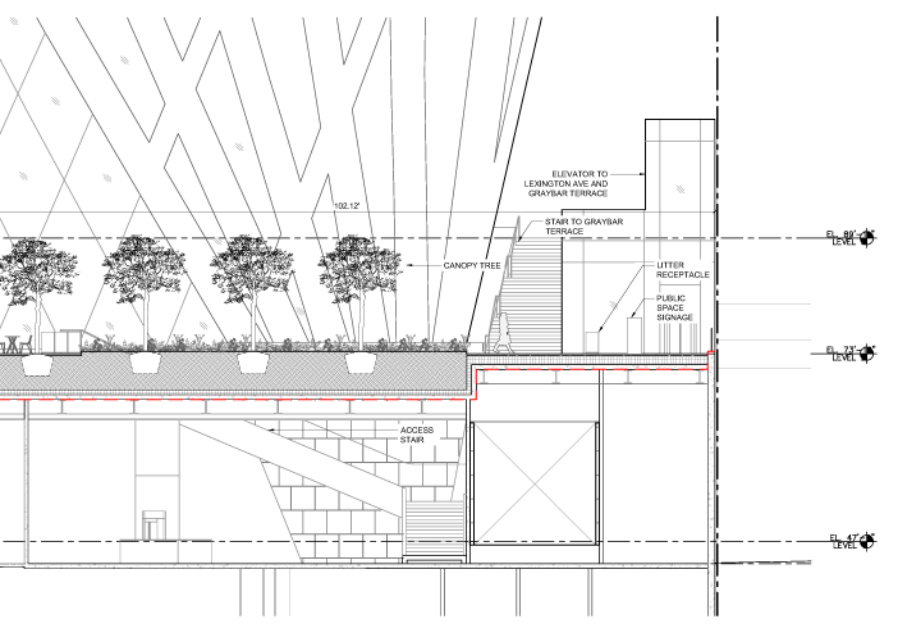
L
K
J
I
H
G
F
E
D
C
B
A

12 11 10 9 8 7 6



PLER TERRACE GROVE

3/8" = 1'-0"



1/8" = 1'-0"

NOTES

1. APPLICANT'S STAMP AND SEAL CORRESPONDS TO THE INFORMATION REGARDING PUBLIC ACCESSIBLE SPACE WITHIN ZONING LOT 1. INFORMATION REGARDING THE PROPOSED DEVELOPMENT, ELEVATOR, STAIRWAYS AND SURROUNDING PROPERTIES IS FOR ILLUSTRATIVE PURPOSES ONLY. REFER TO ARCHITECTURAL DRAWINGS FOR INFORMATION PERTAINING TO AND WITHIN PROPOSED DEVELOPMENT.

2. DESIGN AND LAYOUT OF PUBLIC ACCESSIBLE SPACE ARE SUBJECT TO PDC REVIEW / APPROVAL.

175 PARK AVENUE

175 PARK AVENUE, NEW YORK, NY 10017

CLIENT
Commodore Owner LLC

C/O ROR REALTY LLC
625 FOR PLAZA LAKENDALE, NEW YORK 11506

ARCHITECT
SOM

SKIDMORE, OWINGS & MERRILL LLP
250 GREENWICH STREET, NEW YORK, NY 10007

WSP
ONE PENN PLAZA, 250 WEST 34TH STREET, NEW YORK, NY 10119

ENGINEERS
JAROS, BAUM & BOLLES CONSULTING ENGINEERS, LLP
80 PINE STREET, NEW YORK, NY 10005

EDGETT WILLIAMS CONSULTING GROUP
102 EAST BETHLEDALE AVENUE, SUITE 1, MILL VALLEY, CA 94041

CODE CONSULTING
CODE CONSULTANTS, INC
215 WEST 40TH STREET, 10TH FLOOR, NEW YORK, NY 10018

LANGAN
21 PENN PLAZA, 360 WEST 31ST STREET, 6TH FLOOR, NEW YORK, NY 10001

THORNTON TOMASETTI
51 MADISON AVE, NEW YORK, NY 10010

STANTEC
475 FIFTH AVENUE 12TH FLOOR, NEW YORK, NY 10017-7229

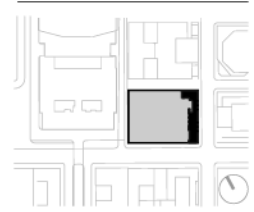
FRIED FRANK
1 NEW YORK PLAZA, 1 FDR DR, NEW YORK, NY 10004

VHB
ONE PENNSYLVANIA PLAZA #715, NEW YORK, NY 10119

HEINTGES
440 PARK AVENUE SOUTH, 15TH FLOOR, NEW YORK, NY 10018

STEVEN WINTER ASSOCIATES, INC.
307 SEVENTH AVE, SUITE 1701, NEW YORK, NY 10001

JAMES CORNER FIELD OPERATIONS
475 10TH AVENUE, 9TH FLOOR, NEW YORK, NY 10018



NOT FOR CONSTRUCTION

LEGEND

- PUBLIC ACCESSIBLE SPACE
- - - ZONING LOT LINE

NO.	DATE	DESCRIPTION

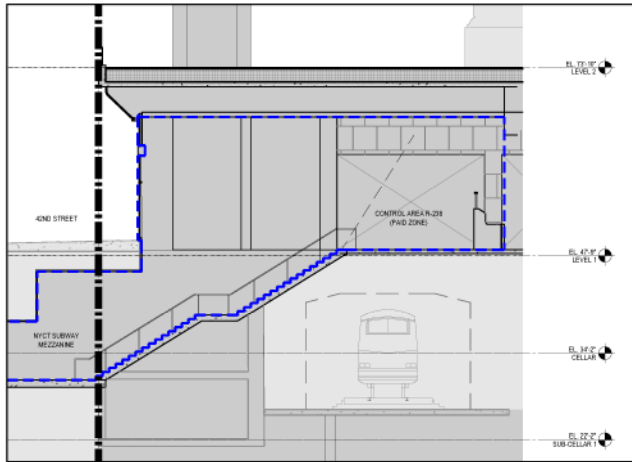
PUBLICLY ACCESSIBLE SPACE - LANDSCAPE SECTIONS

Z-730

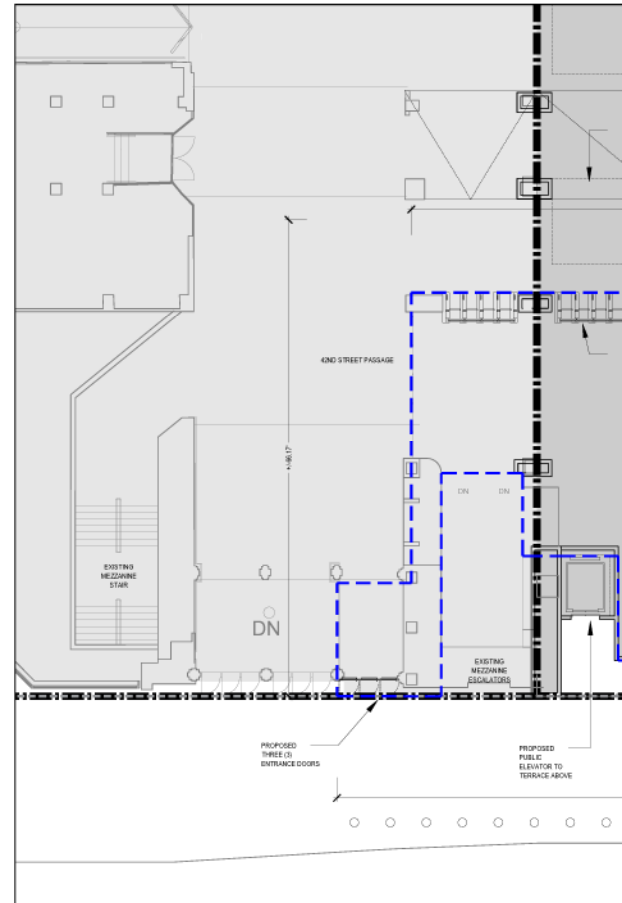
EXHIBIT E

Transit Improvements Drawings

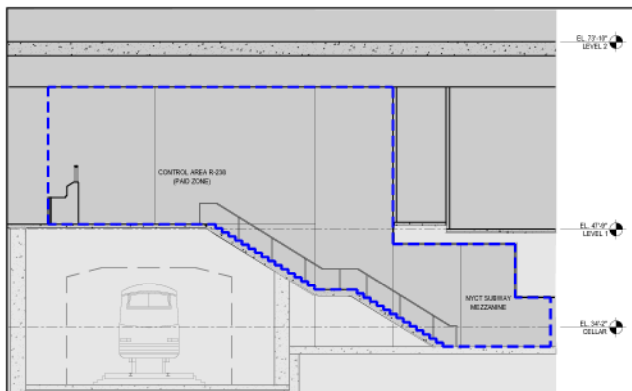
[Attached]



4 | R-238 - SECTION
SCALE: 1/8" = 1'-0"



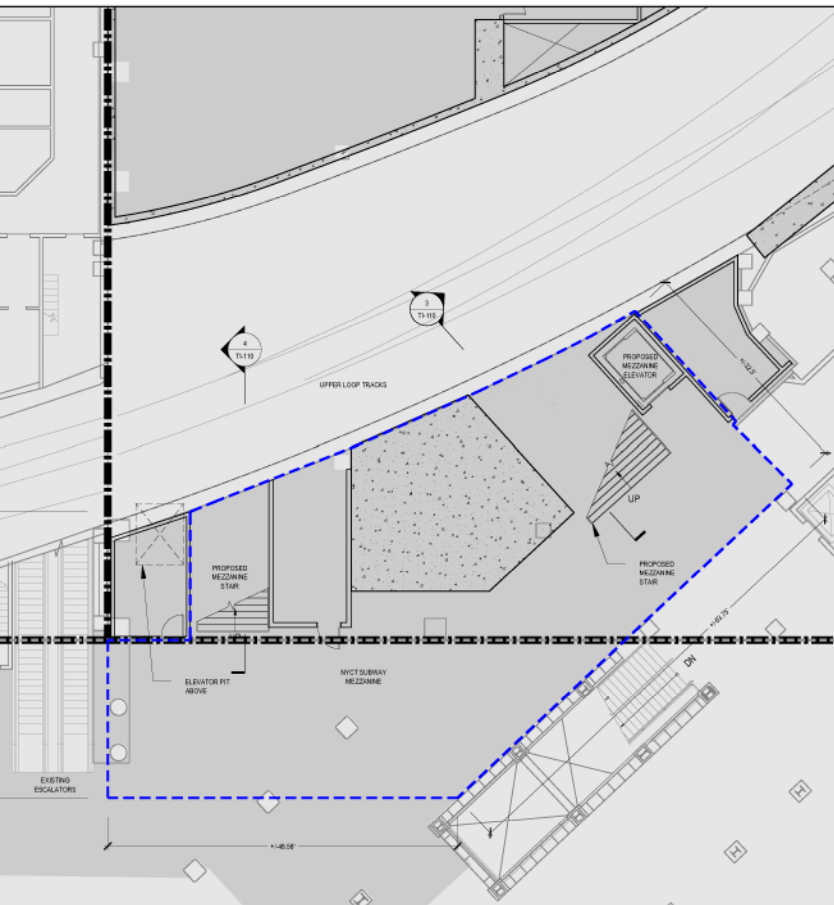
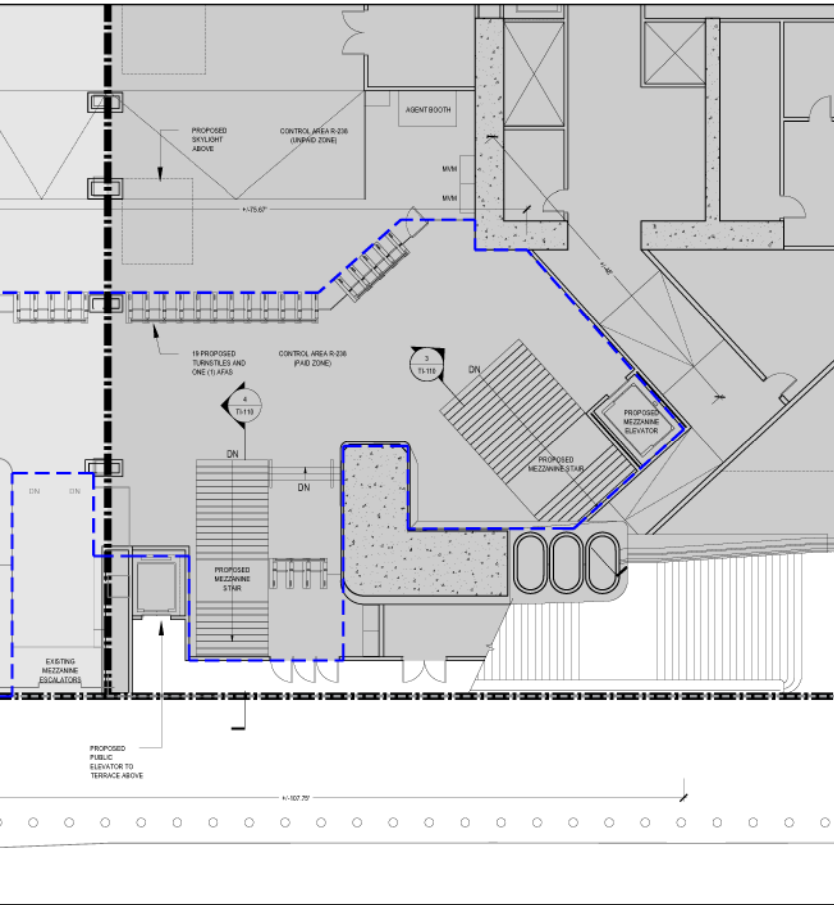
2 | R-238 - GROUND FLOOR PLAN
SCALE: 1/8" = 1'-0"



3 | R-238 - SECTION
SCALE: 1/8" = 1'-0"



1 | R-238 - CELLAR FLOOR PLAN
SCALE: 1/8" = 1'-0"



NOTES

1. APPLICANT'S STAMP AND SEAL CORRESPONDS TO THE INFORMATION REGARDING THE TRANSIT IMPROVEMENTS. ALL OTHER INFORMATION, INCLUDING THE PROPOSED DEVELOPMENT AND SURROUNDING PROPERTIES, IS FOR ILLUSTRATIVE PURPOSES ONLY.
2. THE DESIGN OF THE TRANSIT IMPROVEMENTS WILL BE DEVELOPED FURTHER IN ACCORDANCE WITH THE DESIGN REVIEW PROCEDURES SET FORTH IN THE TRANSIT IMPROVEMENTS AGREEMENT BETWEEN THE APPLICANT AND THE MTA, AND MAY VARY IN MANY RESPECTS FROM THOSE SHOWN HERE. THE FINAL SPECIFICATIONS WILL BE CONFIRMED BASED ON FULL DESIGN AND CONSTRUCTION DRAWINGS.
3. ELEVATIONS REFERENCE THE NORTH AMERICAN VERTICAL DATUM OF 1985 (NAVD 85).

175 PARK AVENUE

175 PARK AVENUE, NEW YORK, NY 10017

CLIENT
Commodore Owner LLC

CD FOR REALTY LLC
825 RIVER PLAZA LINDENHOLE, NEW YORK, NY 10084

ARCHITECT
SOM

SKIDMORE, OWINGS & MERRILL LLP
200 GREENWICH STREET, NEW YORK, NY 10037

STRUCTURAL ENGINEER

WSP

ONE PENN PLAZA, 259 WEST 34TH STREET, NEW YORK, NY 10019

METRO ENGINEER

JAROS, BAUM & BOLLES CONSULTING ENGINEERS, LLP
80 PINE STREET, NEW YORK, NY 10005

VERTICAL TRANSPORTATION

EDGETT WILLIAMS CONSULTING GROUP
102 EAST BETHLEHEM AVENUE, SUITE 1, MILL VALLEY, CA 94541

CODE CONSULTANT

CODE CONSULTANTS, INC
210 WEST 40TH STREET, 10TH FLOOR, NEW YORK, NY 10018

GEOTECHNICAL AND ENVIRONMENTAL CONSULTING

LANGAN

21 PENN PLAZA, 380 WEST 31ST STREET, 8TH FLOOR, NEW YORK, NY 10001

ARCHITECT CONSULTANT

THORNTON TOMASETTI
51 MADISON AVE, NEW YORK, NY 10036

TRANSIT CONSULTANT

STANTEC
475 FIFTH AVENUE 12TH FLOOR, NEW YORK, NY 10017-3239

LAND USE CONSULTANT

FRIED FRANK
1166 YORK PLAZA, 1 FDR DR, NEW YORK, NY 10004

ENVIRONMENTAL SERVICE

VHB

ONE PENN PLAZA, 380 WEST 31ST STREET, NEW YORK, NY 10001

ENCLOSURE CONSULTANT

HEINTGES
40 PARK AVENUE SOUTH, 15TH FLOOR, NEW YORK, NY 10016

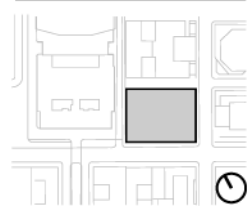
OWNER AND CONSULTANT CONSULTANT

STEVEN WINTER ASSOCIATES, INC.
307 SEVENTH AVE, SUITE 1701, NEW YORK, NY 10001

LANDSCAPE ARCHITECT

JAMES CORNER FIELD OPERATIONS
475 FIFTH AVENUE, 8TH FLOOR, NEW YORK, NY 10018

KEY PLAN



SCALE



NOT FOR CONSTRUCTION

LEGEND

- EXISTING BUILDING FOOTPRINT
- PROPOSED BUILDING FOOTPRINT
- TRANSIT IMPROVEMENT
- ZONING LOT LINE
- QUALIFYING SITE

NO. DATE DESCRIPTION

REVISION TITLE

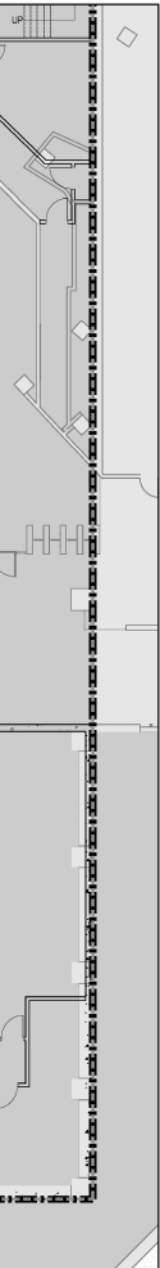
TRANSIT IMPROVEMENTS - R-238

DRAWING NUMBER

TI-110



1 | CELLAR PLAN - HYATT CORE & NORTH AREAS - PROPOSED
SCALE 1/8" = 1'-0"



NOTES

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175 PARK AVENUE

175 PARK AVENUE, NEW YORK, NY 10017

CLIENT
Commodore Owner LLC

CO FOR REALTY LLC
 625 RIV PLAZA LINDENHOLE, NEW YORK, NY 10068

ARCHITECT
SOM
SKIDMORE, OWINGS & MERRILL LLP
 200 GREENWICH STREET, NEW YORK, NY 10037

WSP
 ONE PENN PLAZA, 289 WEST 34TH STREET, NEW YORK, NY 10019
JAROS, BAUM & BOLLES CONSULTING ENGINEERS, LLP
 80 PINE STREET, NEW YORK, NY 10005

VERTICAL TRANSPORTATION
EDGETT WILLIAMS CONSULTING GROUP
 102 EAST BULFHEAD AVENUE, SUITE 1, MILL VALLEY, CA 94541

CODE CONSULTING
CODE CONSULTANTS, INC
 210 WEST 40TH STREET, 18TH FLOOR, NEW YORK, NY 10018

GEOTECHNICAL AND ENVIRONMENTAL CONSULTING
LANGAN
 21 PENN PLAZA, 389 WEST 34TH STREET, 8TH FLOOR, NEW YORK, NY 10019

ARCHITECTURAL CONSULTANT
THORNTON TOMASETTI
 51 MADISON AVE, NEW YORK, NY 10036

TRANSIT CONSULTANT
STANTEC
 475 FIFTH AVENUE 12TH FLOOR, NEW YORK, NY 10017-3229

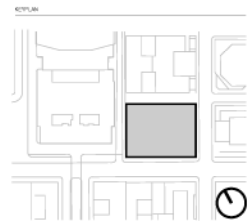
LAND USE CONSULTANT
FRIED FRANK
 1 NEW YORK PLAZA, 1 FDR DR, NEW YORK, NY 10004

ENVIRONMENTAL SERVICE
VHB
 ONE PENN PLAZA, 389 WEST 34TH STREET, NEW YORK, NY 10019

ENCLOSURE CONSULTANT
HEINTGES
 40 PARK AVENUE SOUTH, 15TH FLOOR, NEW YORK, NY 10016

IDENTITY AND VISIBILITY CONSULTANT
STEVEN WINTER ASSOCIATES, INC.
 307 SEVENTH AVE, SUITE 1701, NEW YORK, NY 10001

LANDSCAPE ARCHITECT
JAMES CORNER FIELD OPERATIONS
 475 FIFTH AVENUE, 8TH FLOOR, NEW YORK, NY 10018



SCALE



NOT FOR CONSTRUCTION

LEGEND

- EXISTING BUILDING FOOTPRINT
- PROPOSED BUILDING FOOTPRINT
- TRANSIT IMPROVEMENT
- ZONING LOT LINE
- QUALIFYING SITE

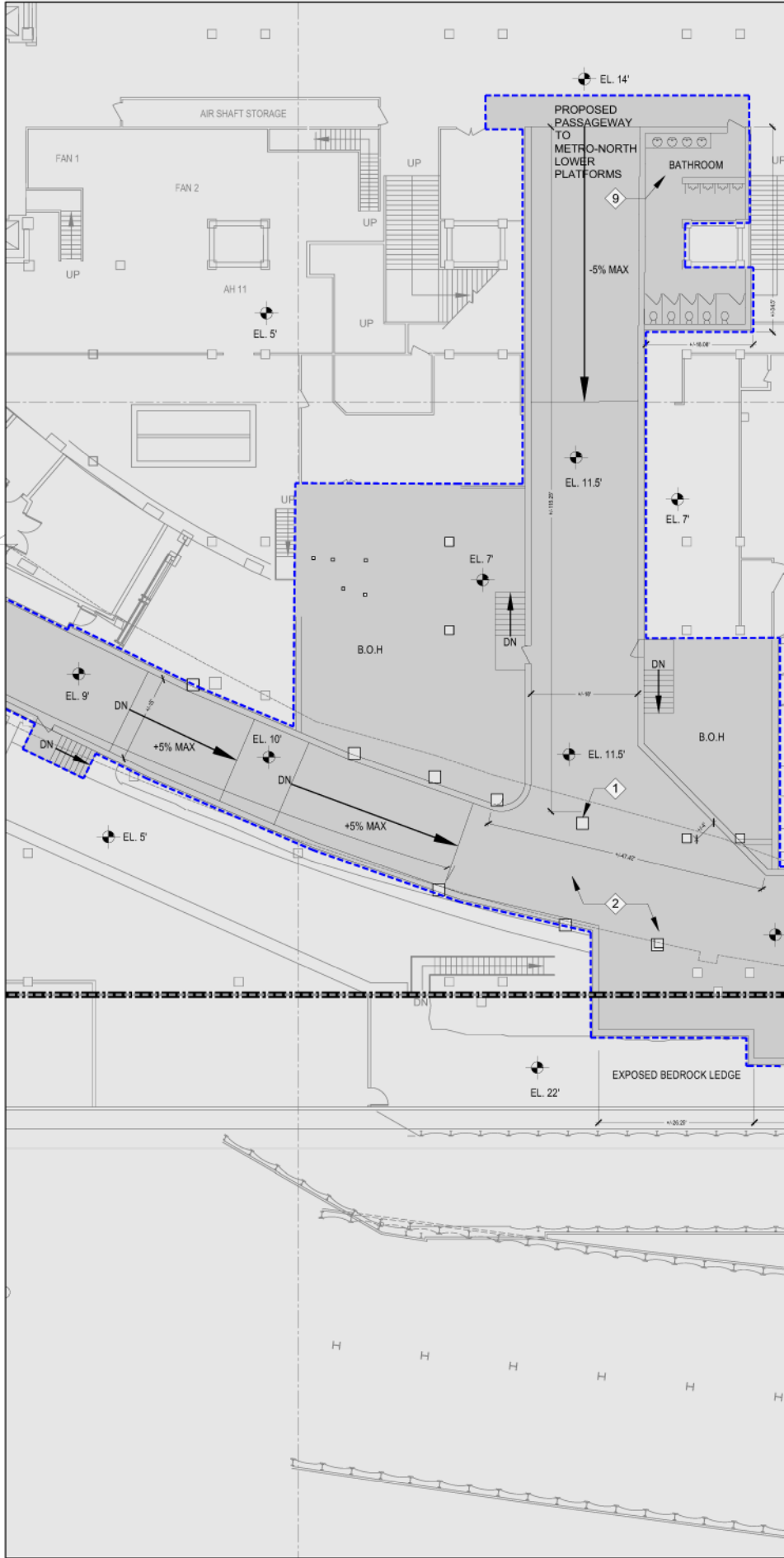
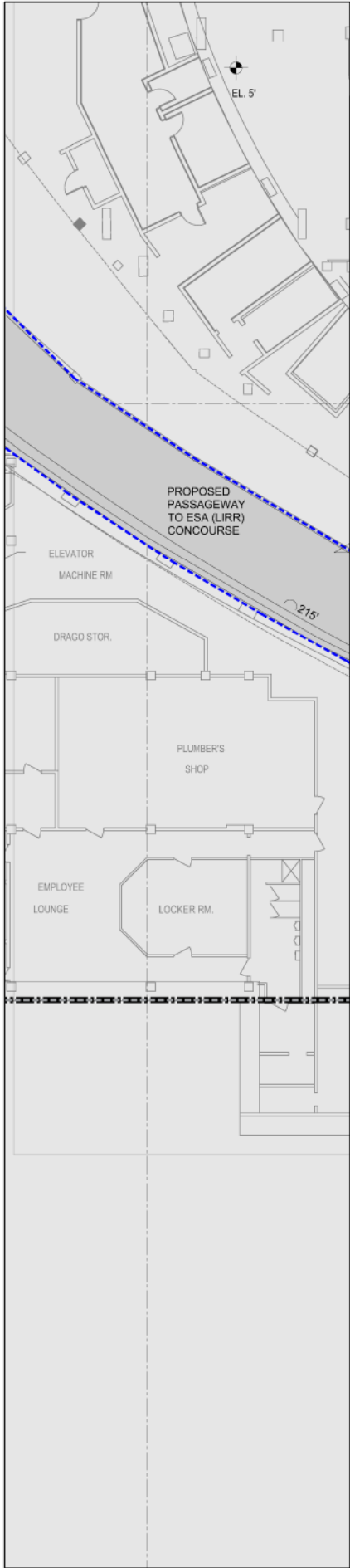
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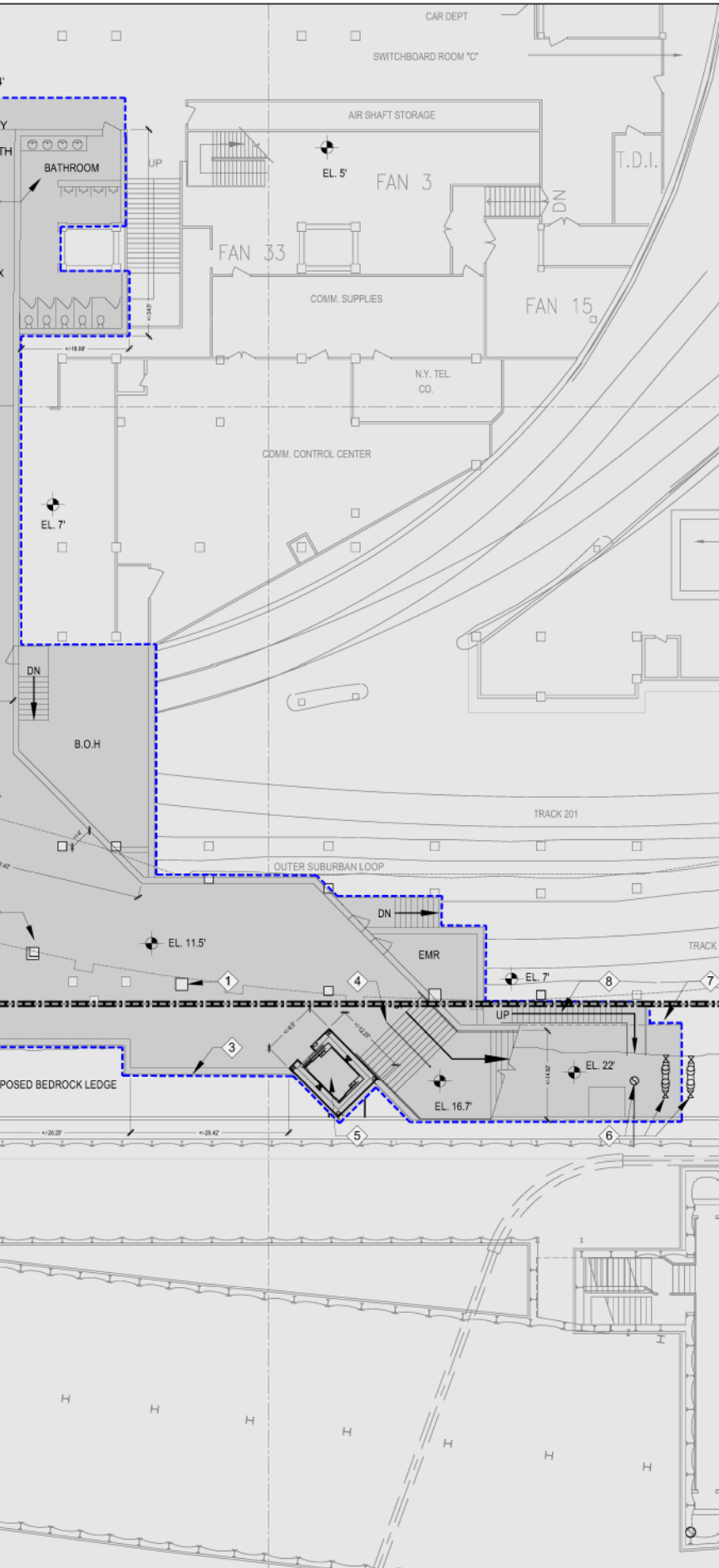
TRANSIT IMPROVEMENTS - GIRDER REMOVAL

DRAWING NUMBER

TI-120



1 | SUB-CELLAR PLAN - SHORT LOOP - PROPOSED



NOTES

1. APPLICANT'S STAMP AND SEAL CORRESPONDS TO THE INFORMATION REGARDING THE TRANSIT IMPROVEMENTS. ALL OTHER INFORMATION, INCLUDING THE PROPOSED DEVELOPMENT AND SURROUNDING PROPERTIES, IS FOR ILLUSTRATIVE PURPOSES ONLY.
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 3. ELEVATION REFERENCE THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88).
1. ALL EXISTING STRUCTURE INCLUDING COLUMNS WITHIN CORRIDOR PATH TO REMAIN
 2. FLOOR ELEVATION IS PRELIMINARY AND TO BE INCREASED IF FEASIBLE DURING FINAL DESIGN WHILE MAINTAINING A MIN. HEADROOM CLEARANCE OF 8' WITHIN LOOP TRACK ZONE
 3. LOCATION OF FUTURE PORTAL SHIFTED FURTHER EAST
 4. PROPOSED STAIR TO NYCT MEZZANINE LEVEL
 5. PROPOSED ADA ELEVATOR TO NYCT MEZZANINE LEVEL
 6. SPRINKLER LINE BACKFLOW PREVENTERS (BFP) BELOW NEW STAIR LANDING. HEADROOM REDUCED FROM 10' TO 8'
 7. GAP TO REMAIN TO MAINTAIN RUN OF VERIZON CONDUITS AND OTHER PIPES
 8. PROPOSED STAIR FROM TRACK LEVEL TO TOP OF EXISTING BEDROCK LEDGE TO REMAIN
 9. RELOCATED MEN'S BATHROOM

LEGEND

- EXISTING BUILDING FOOTPRINT
- PROPOSED BUILDING FOOTPRINT
- TRANSIT IMPROVEMENT
- ZONING LOT LINE
- QUALIFYING SITE

175 PARK AVENUE

175 PARK AVENUE, NEW YORK, NY 10017

CLIENT
Commodore Owner LLC

CD FOR REALTY LLC
625 RIVER PLAZA LINDENHOLE, NEW YORK, NY 10056

ARCHITECT
SOM

SKIDMORE, OWINGS & MERRILL LLP
200 WEDGEMAN STREET, NEW YORK, NY 10037

175/177 WALL ENGINEER

WSP

ONE PENN PLAZA, 289 WEST 34TH STREET, NEW YORK, NY 10019

MEP/FAC ENGINEER

JAROS, BAUM & BOLLES CONSULTING ENGINEERS, LLP
80 PINE STREET, NEW YORK, NY 10005

VERTICAL TRANSPORTATION

EDGETT WILLIAMS CONSULTING GROUP
102 EAST BETHLEHEM AVENUE, SUITE 1, MILL VALLEY, CA 94541

CODE CONSULTING

CODE CONSULTANTS, INC
210 WEST 40TH STREET, 18TH FLOOR, NEW YORK, NY 10018

GEOTECHNICAL AND ENVIRONMENTAL CONSULTING

LANGAN

21 PENN PLAZA, 388 WEST 31ST STREET, 8TH FLOOR, NEW YORK, NY 10001

800/877/3300/3347

THORNTON TOMASETTI

51 MADISON AVE, NEW YORK, NY 10010

TRANSIT SIGNALS UNIT

STANTEC

475 FIFTH AVENUE, 15TH FLOOR, NEW YORK, NY 10017-3239

LAND USE CONSULTANT

FRIED FRANK

1 NEW YORK PLAZA, 1 FDR DR, NEW YORK, NY 10004

ENVIRONMENTAL SERVICE

VHB

ONE PENN PLAZA, 388 WEST 31ST STREET, NEW YORK, NY 10001

ENCLOSURE CONSULTANT

HEINTGES

480 PARK AVENUE SOUTH, 15TH FLOOR, NEW YORK, NY 10016

DESIGN AND COST MANAGEMENT CONSULTANT

STEVEN WINTER ASSOCIATES, INC.

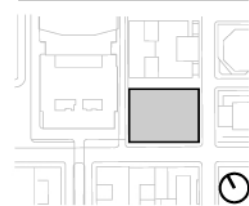
307 SEVENTH AVE, SUITE 1701, NEW YORK, NY 10001

LANDSCAPE ARCHITECT

JAMES CORNER FIELD OPERATIONS

475 FIFTH AVENUE, 8TH FLOOR, NEW YORK, NY 10013

KEY PLAN



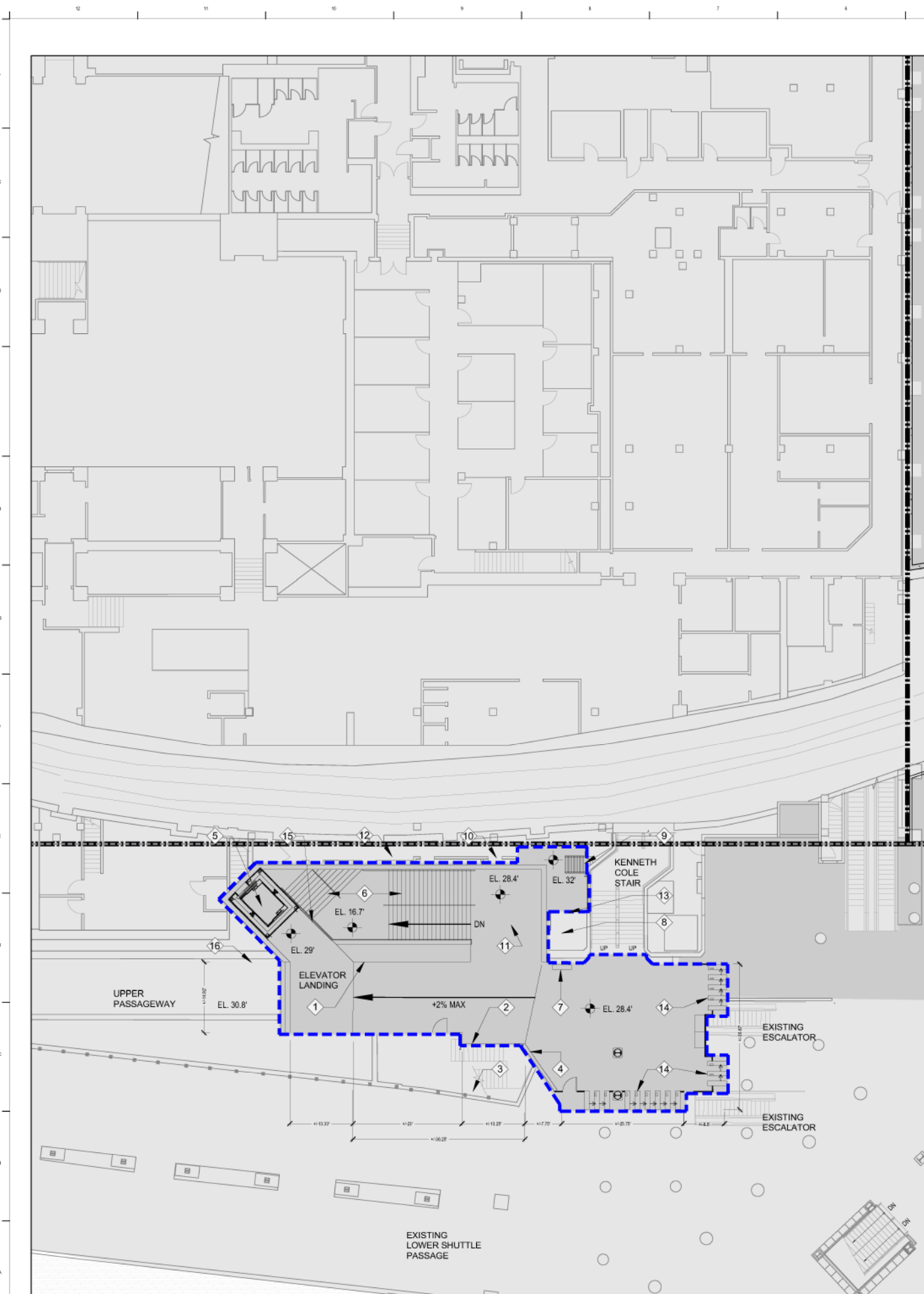
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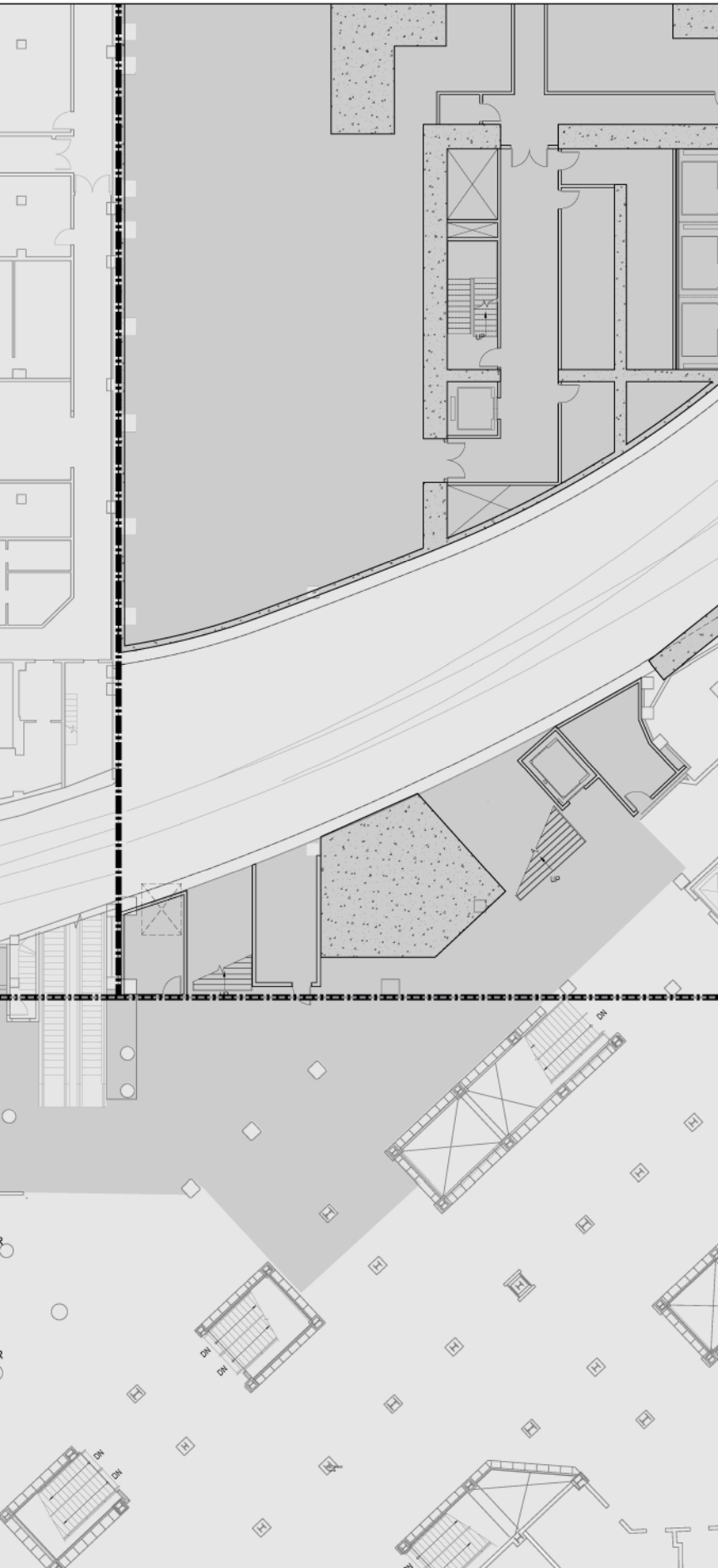
TRANSIT IMPROVEMENTS - SHORT LOOP

TI-130



1 CELLAR PLAN - SHORT LOOP - PROPOSED

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



NOTES

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 3. ELEVATION REFERENCE THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88).
- 1 STRUCTURE AND WALL TO REMAIN
 - 2 EXISTING FLOOR SLAB TO BE LOWERED AS FEASIBLE WITHOUT UNDERMINING EXISTING PASSAGEWAY STRUCTURE
 - 3 EXISTING EGRESS/ACCESS STAIR, AND STRUCTURE TO REMAIN
 - 4 EXISTING VERIZON TELECOM TERMINAL BOARD (TTB) (COMM CLOSET 206) TO BE RELOCATED IN R238 CONTROL AREA
 - 5 PROPOSED ADA ELEVATOR TO GCT LOWER LOOP LEVEL
 - 6 PROPOSED STAIR TO GCT LOWER LOOP LEVEL
 - 7 EXISTING FIRE ALARM CONTROL PANEL (FACP) TO BE RELOCATED 5' MAX EAST BEYOND NEW STAIR OPENING
 - 8 ASIDE DRAINAGE PIPE, ALL OTHER GCT UTILITIES TO REMAIN PROTECTED AND ACCESSIBLE ALONG SIDE, BELOW AND ABOVE NEW STAIR LANDING
 - 9 LADDER MAY BE REQUIRED TO MAINTAIN ACCESS
 - 10 EXISTING DRAINAGE PIPES TO BE REROUTED ABOVE LANDING ROOF AND DOWN SOUTH OF LOOP TRACK
 - 11 SPRINKLER LINE BACKFLOW PREVENTERS (BFP) BELOW NEW STAIR LANDING. HEADROOM REDUCED FROM 10' TO 6'
 - 12 GAP TO REMAIN TO MAINTAIN RUN OF VERIZON CONDUITS AND OTHER PIPES
 - 13 LADDER MAY BE REQUIRED TO MAINTAIN ACCESS TO PIPES ABOVE
 - 14 TURNSTILES TO BE RELOCATED/ADDED
 - 15 LANDING OPEN TO BELOW ALONG EAST SIDE
 - 16 ACCESS GATES TO BE RELOCATED

LEGEND

- EXISTING BUILDING FOOTPRINT
- PROPOSED BUILDING FOOTPRINT
- TRANSIT IMPROVEMENT
- ZONING LOT LINE
- QUALIFYING SITE

175 PARK AVENUE

175 PARK AVENUE, NEW YORK, NY 10017

CLIENT
Commodore Owner LLC

175 PARK AVENUE, NEW YORK, NY 10017

ARCHITECT

SOM

SKIDMORE, OWINGS & MERRILL LLP
200 WEDDING STREET, NEW YORK, NY 10037

175 PARK AVENUE

WSP

ONE PENN PLAZA, 289 WEST 34TH STREET, NEW YORK, NY 10018

175 PARK AVENUE

JAROS, BAUM & BOLLES CONSULTING ENGINEERS, LLP
80 PINE STREET, NEW YORK, NY 10005

VERTICAL TRANSPORTATION

EDGETT WILLIAMS CONSULTING GROUP
102 EAST 53RD AVENUE, SUITE 1, MILL VALLEY, CA 94541

CODE CONSULTING

CODE CONSULTANTS, INC
210 WEST 40TH STREET, 18TH FLOOR, NEW YORK, NY 10018

175 PARK AVENUE

LANGAN

21 PENN PLAZA, 289 WEST 34TH STREET, 8TH FLOOR, NEW YORK, NY 10017

175 PARK AVENUE

THORNTON TOMASETTI
51 MADISON AVE, NEW YORK, NY 10036

175 PARK AVENUE

STANTEC

475 FIFTH AVENUE, 12TH FLOOR, NEW YORK, NY 10017-3239

175 PARK AVENUE

FRIED FRANK

11 NEW YORK PLAZA, 11TH FLR, NEW YORK, NY 10034

175 PARK AVENUE

VHB

ONE PENN PLAZA, 289 WEST 34TH STREET, NEW YORK, NY 10018

175 PARK AVENUE

HEINTGES

480 PARK AVENUE SOUTH, 15TH FLOOR, NEW YORK, NY 10016

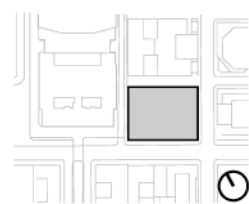
175 PARK AVENUE

STEVEN WINTER ASSOCIATES, INC.
307 SEVENTH AVE, SUITE 1701, NEW YORK, NY 10001

175 PARK AVENUE

JAMES CORNER FIELD OPERATIONS
475 FIFTH AVENUE, 8TH FLOOR, NEW YORK, NY 10013

175 PARK AVENUE



175 PARK AVENUE



NOT FOR CONSTRUCTION

NO.	DATE	ISSUE NUMBER	DESCRIPTION

DRAWING TITLE

TRANSIT IMPROVEMENTS - SHORT LOOP

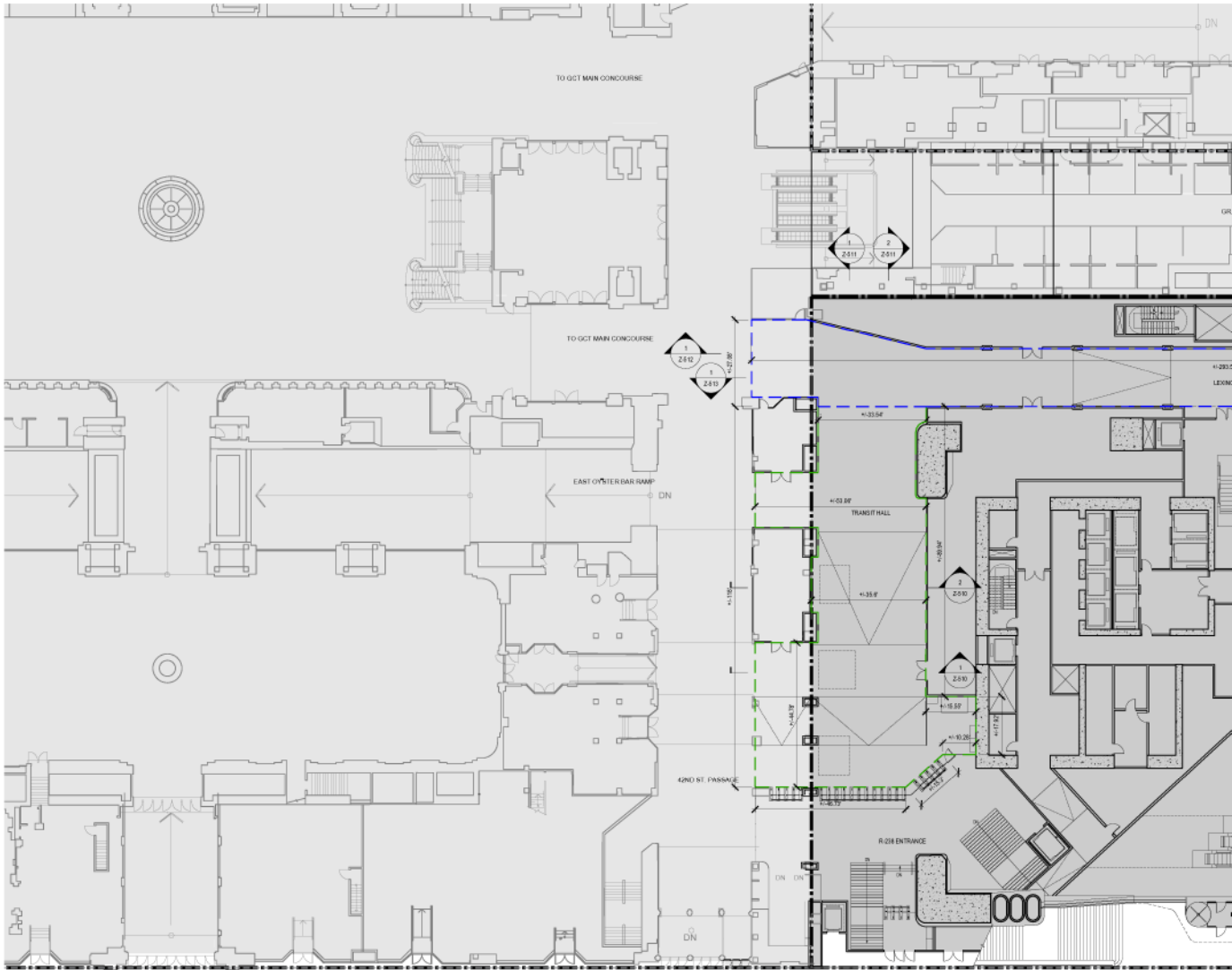
DRAWING NUMBER

TI-131

EXHIBIT F-1

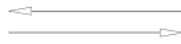
Transit-Related Public Concourse Improvements Drawings

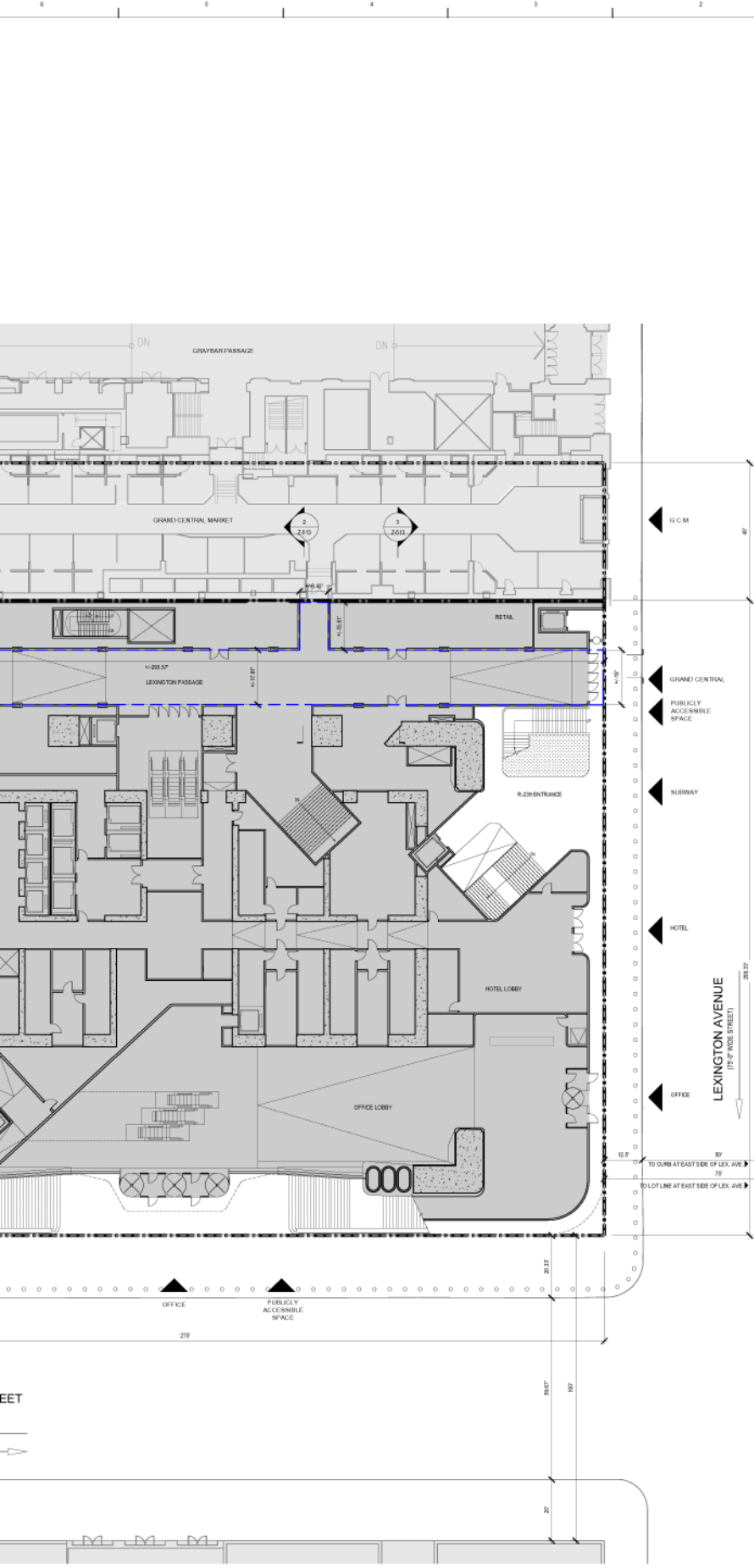
[Attached]



GRAND CENTRAL

EAST 42ND STREET
(107' WIDE STREET)





NOTES

1. APPLICANT'S STAMP AND SEAL CORRESPONDS TO THE INFORMATION REGARDING PUBLIC CONCOURSE IMPROVEMENTS & LEXINGTON PASSAGE AND TRANSIT HALL WITHIN ZONING LOT 1. INFORMATION REGARDING THE PROPOSED DEVELOPMENT AND SURROUNDING PROPERTIES IS FOR ILLUSTRATIVE PURPOSES ONLY. REFER TO ARCHITECTURAL DRAWINGS FOR INFORMATION PERTAINING TO AND WITHIN PROPOSED DEVELOPMENT.
2. ELEVATIONS REFERENCE THE NORTH AMERICAN VERTICAL DATUM OF 1985 (NAVD 85).

175 PARK AVENUE

175 PARK AVENUE, NEW YORK, NY 10017

Client
Commodore Owner LLC

CO FOR REALTY LLC
625 RIVER PLAZA, LONGDALE, NEW YORK 11558

ARCHITECT

SOM

SKIDMORE, OWINGS & MERRILL LLP
200 GREENWICH STREET, NEW YORK, NY 10037

STRUCTURAL ENGINEER

WSP

ONE PENN PLAZA, 289 WEST 14TH STREET, NEW YORK, NY 10019

METYP ENGINEER

JAROS, BAUM & BOLLES CONSULTING ENGINEERS, LLP
80 PINE STREET, NEW YORK, NY 10005

VERTICAL TRANSPORTATION

EDGETT WILLIAMS CONSULTING GROUP
102 EAST 81ST AVENUE, SUITE 1, MILL VALLEY, CA 94541

CODE CONSULTING

CODE CONSULTANTS, INC
210 WEST 40TH STREET, 18TH FLOOR, NEW YORK, NY 10018

GEOTECHNICAL AND ENVIRONMENTAL CONSULTING

LANGAN

21 PENN PLAZA, 388 WEST 31ST STREET, 8TH FLOOR, NEW YORK, NY 10001

ARCHITECT CONSULTANT

THORNTON TOMASETTI
51 MADISON AVE, NEW YORK, NY 10036

TRANSIT CONSULTANT

STANTEC

475 FIFTH AVENUE, 12TH FLOOR, NEW YORK, NY 10017-3239

LAND USE CONSULTANT

FRIED FRANK

1 NEW YORK PLAZA, 1 FDR DR, NEW YORK, NY 10004

ENVIRONMENTAL SERVICE

VHB

ONE PENN PLAZA, 388 WEST 31ST STREET, NEW YORK, NY 10001

ENCLOSURE CONSULTANT

HEINTGES

40 PARK AVENUE SOUTH, 15TH FLOOR, NEW YORK, NY 10016

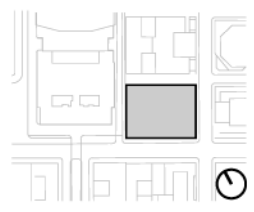
DESIGN AND COST MANAGEMENT CONSULTANT

STEVEN WINTER ASSOCIATES, INC.
307 SEVENTH AVENUE, SUITE 1701, NEW YORK, NY 10001

LANDSCAPE ARCHITECT

JAMES CORNER FIELD OPERATIONS
475 FIFTH AVENUE, 8TH FLOOR, NEW YORK, NY 10018

KEY PLAN



PUBLIC CONCOURSE IMPROVEMENTS

- TRANSIT HALL: 5,528 SF
- LEXINGTON PASSAGE: 6,008 SF

NOTE: AREA AND CONFIGURATION ARE SUBJECT TO CHANGE, PROVIDED THAT THE TOTAL AREA OF EACH SPACE IS NOT LESS THAN THE AREA INDICATED ABOVE.

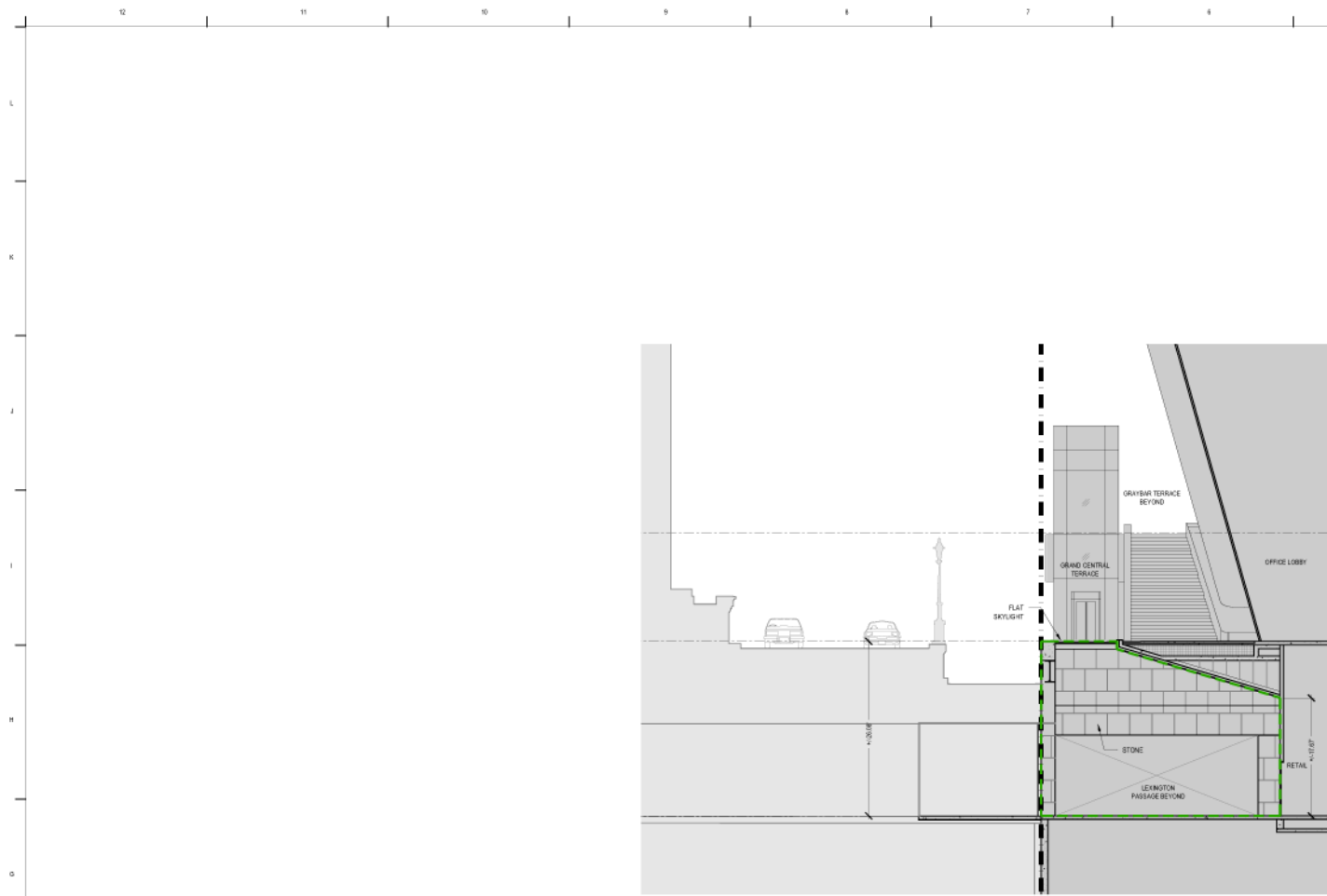
LEGEND

- EXISTING BUILDING FOOTPRINT
- PROPOSED BUILDING FOOTPRINT
- PLANTER
- ZONING LOT LINE
- QUALIFYING SITE
- PUBLIC SPACE SIGNAGE
- WAY FINDING SIGNAGE

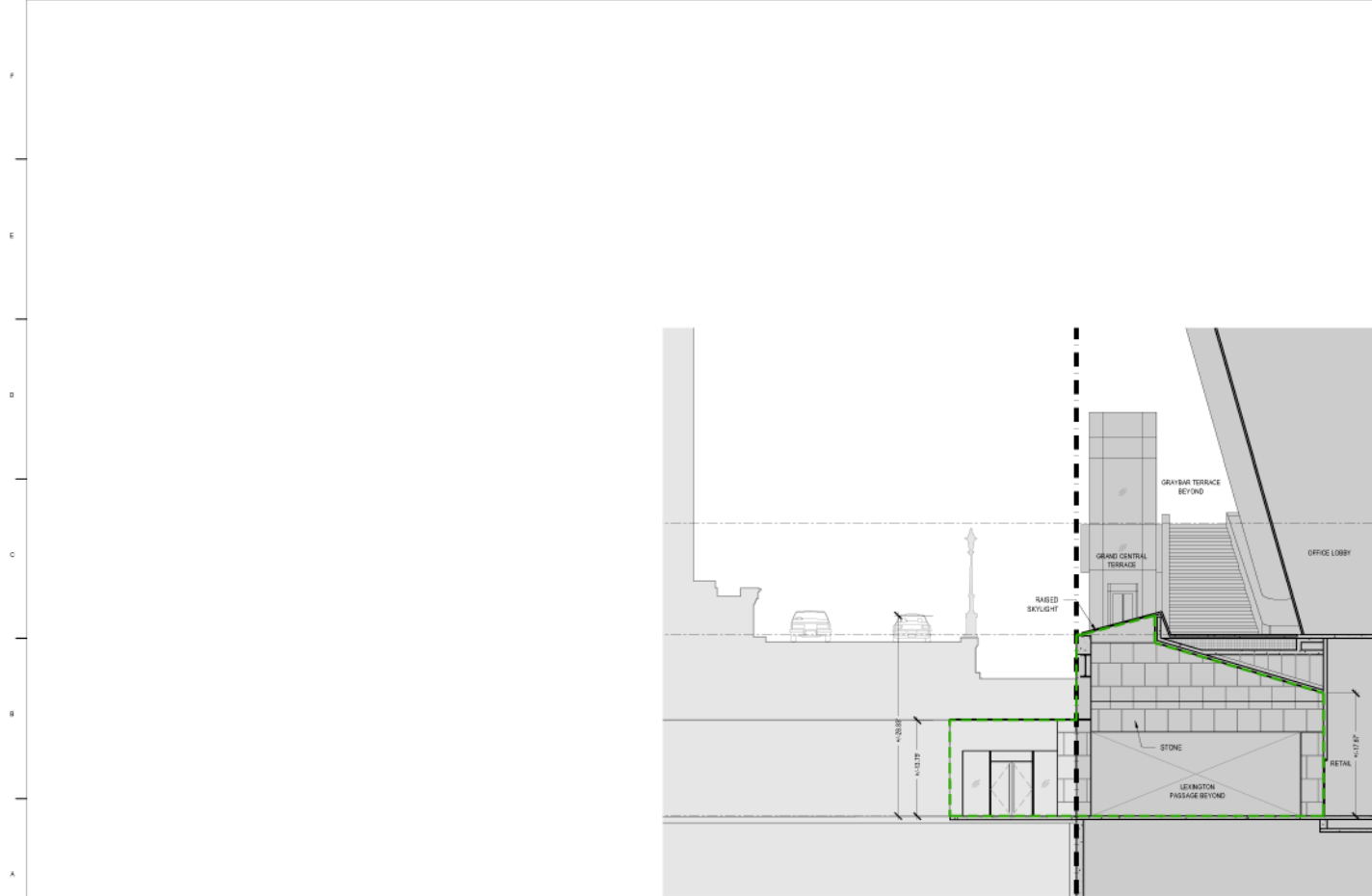
NO.	DATE	DESIGNER	SCALE	REVISION	DESCRIPTION

DRAWING TITLE
LEXINGTON PASSAGE & TRANSIT HALL - GROUND FLOOR

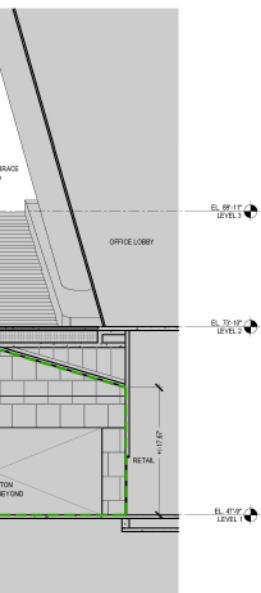
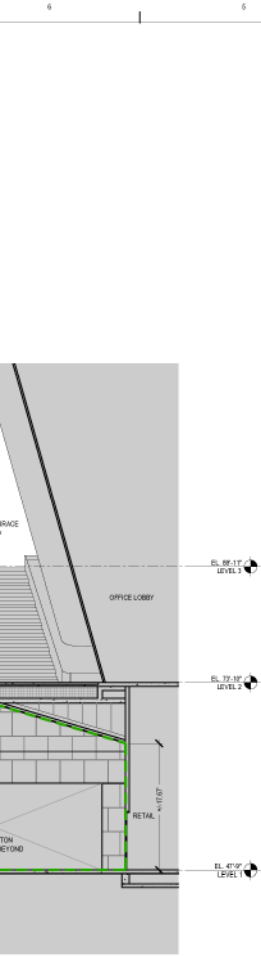
DRAWING NUMBER
Z-500



2 | TRANSIT HALL SECTION - EW LOOKING NORTH
SCALE: 1/8" = 1'-0"



1 | TRANSIT HALL SECTION - EW LOOKING NORTH
SCALE: 1/8" = 1'-0"



NOTES

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2. ELEVATIONS REFERENCE THE NORTH AMERICAN VERTICAL DATUM OF 1985 (NAVD 85).

175 PARK AVENUE

175 PARK AVENUE, NEW YORK, NY 10017

Client
Commodore Owner LLC

CO FOR REALTY LLC
 625 RIV PLAZA LINDENHOLE, NEW YORK, NY 10288

ARCHITECT

SOM

SKIDMORE, OWINGS & MERRILL LLP
 205 GREENWICH STREET, NEW YORK, NY 10037

ARCHITECTS

WSP
 ONE PENN PLAZA, 259 WEST 34TH STREET, NEW YORK, NY 10018

ARCHITECTS

JAROS, BAUM & BOLLES CONSULTING ENGINEERS, LLP
 80 PINE STREET, NEW YORK, NY 10005

VERTICAL TRANSPORTATION

EDGETT WILLIAMS CONSULTING GROUP
 102 EAST BULFHEADLE AVENUE, SUITE 1, MILL VALLEY, CA 94541

CODE CONSULTING

CODE CONSULTANTS, INC
 210 WEST 40TH STREET, 18TH FLOOR, NEW YORK, NY 10018

SCENARIOS AND ENVIRONMENTAL CONSULTING

LANGAN
 21 PENN PLAZA, 388 WEST 31ST STREET, 8TH FLOOR, NEW YORK, NY 10001

ARCHITECTS

THORNTON TOMASETTI
 51 MADISON AVE, NEW YORK, NY 10007

TRANSIT CONSULTANTS

STANTEC
 475 FIFTH AVENUE, 12TH FLOOR, NEW YORK, NY 10017-3239

LAND USE CONSULTANTS

FRIED FRANK
 1 NEW YORK PLAZA, 1 FDR DR, NEW YORK, NY 10004

ENVIRONMENTAL SERVICES

VHB
 ONE PENN PLAZA, 388 WEST 31ST STREET, NEW YORK, NY 10001

ENCLOSURE CONSULTANTS

HEINTGES
 40 PARK AVENUE SOUTH, 15TH FLOOR, NEW YORK, NY 10016

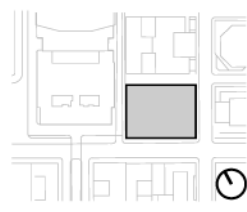
DESIGN AND COST MANAGEMENT CONSULTANTS

STEVEN WINTER ASSOCIATES, INC.
 307 SEVENTH AVENUE, SUITE 1701, NEW YORK, NY 10001

LANDSCAPE ARCHITECTS

JAMES CORNER FIELD OPERATIONS
 475 FIFTH AVENUE, 8TH FLOOR, NEW YORK, NY 10018

KEY PLAN



SCALE

PUBLIC CONCOURSE IMPROVEMENTS



NOTE: AREA AND CONFIGURATION ARE SUBJECT TO CHANGE PROVIDED THAT THE TOTAL AREA OF EACH SPACE IS NOT LESS THAN THE AREA INDICATED ON THIS PLAN.

LEGEND

- EXISTING BUILDING FOOTPRINT
- PROPOSED BUILDING FOOTPRINT
- ZONING LOT LINE
- QUALIFYING SITE



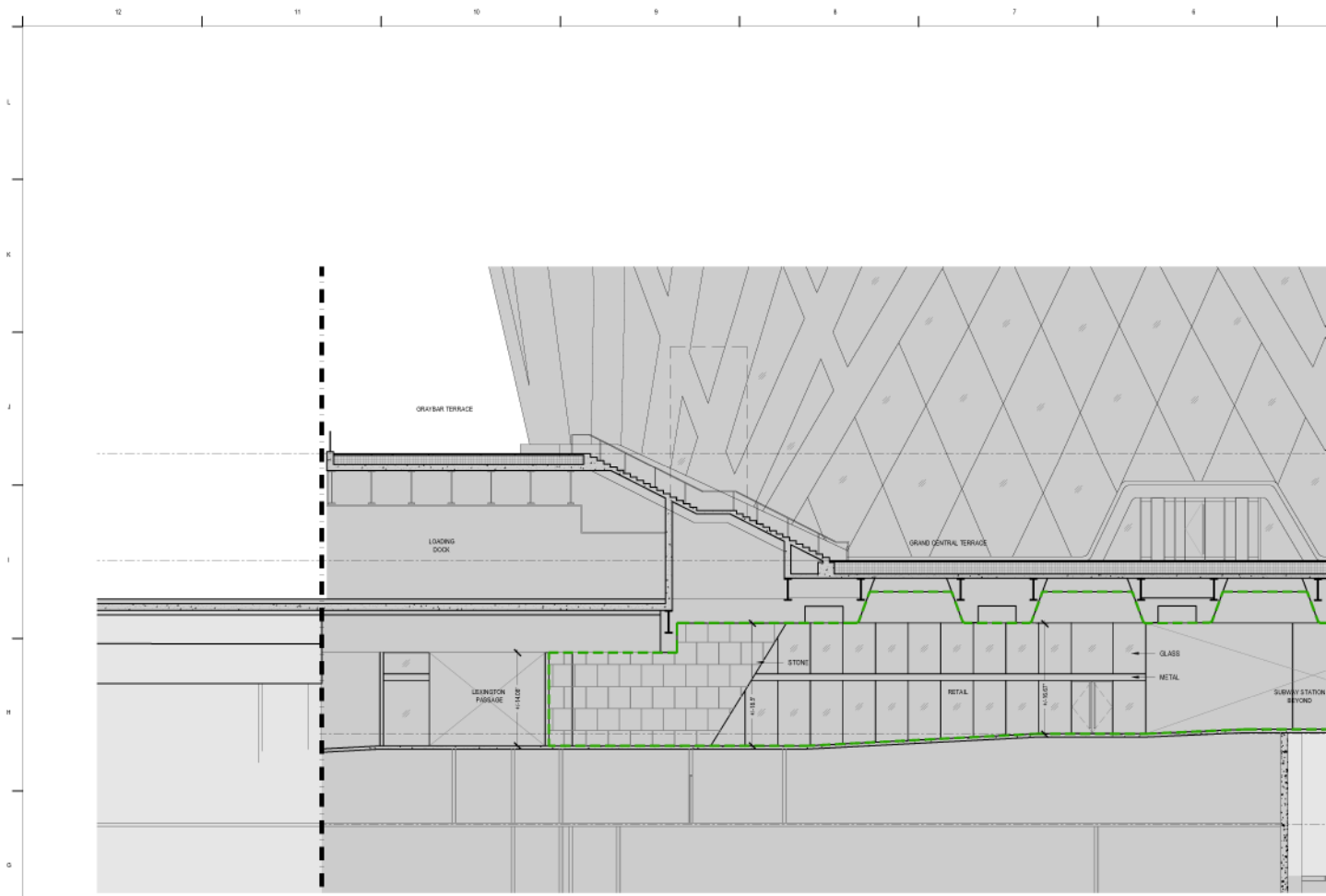
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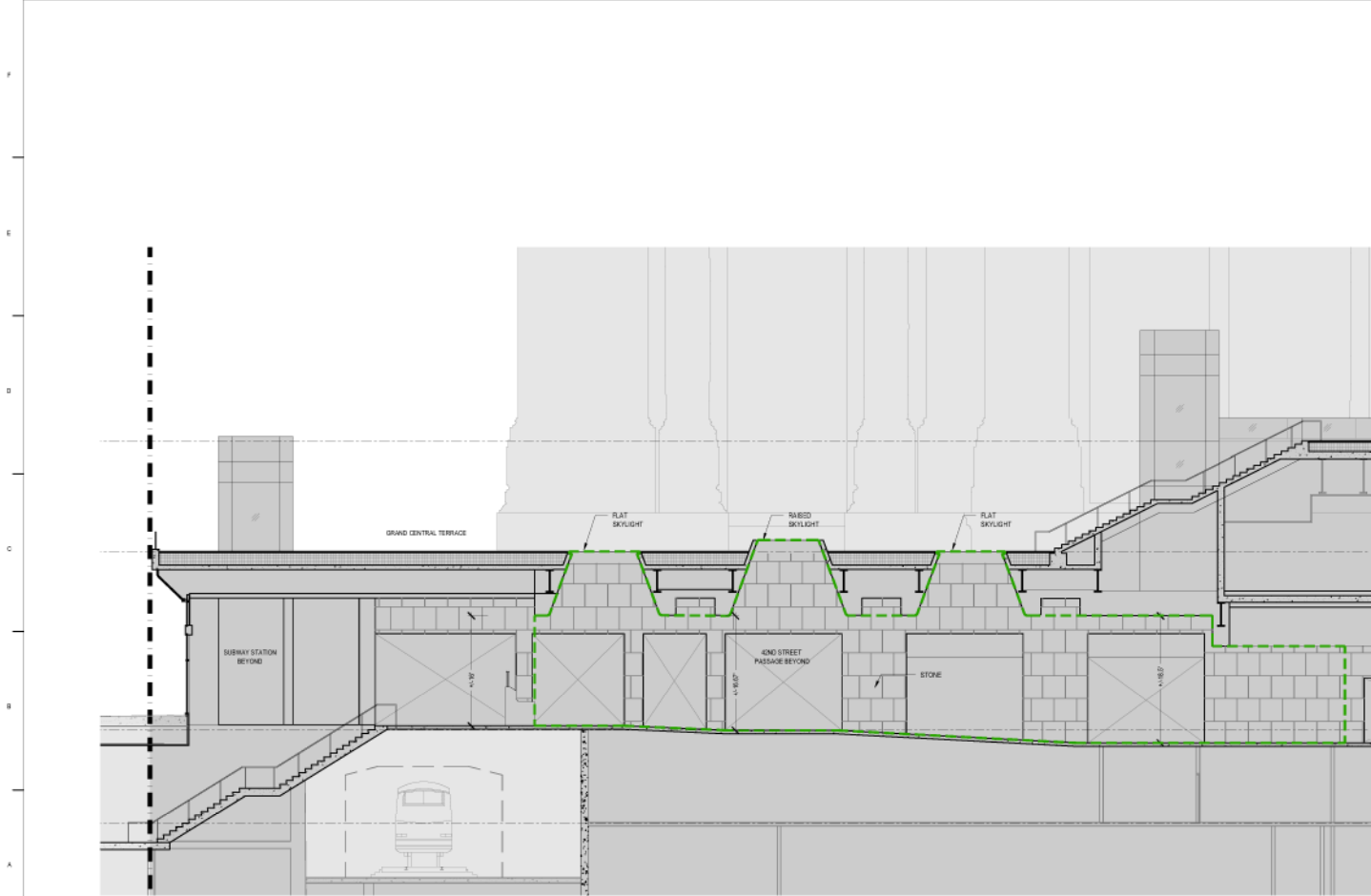
LEXINGTON PASSAGE & TRANSIT HALL - SECTIONS

DRAWING NUMBER

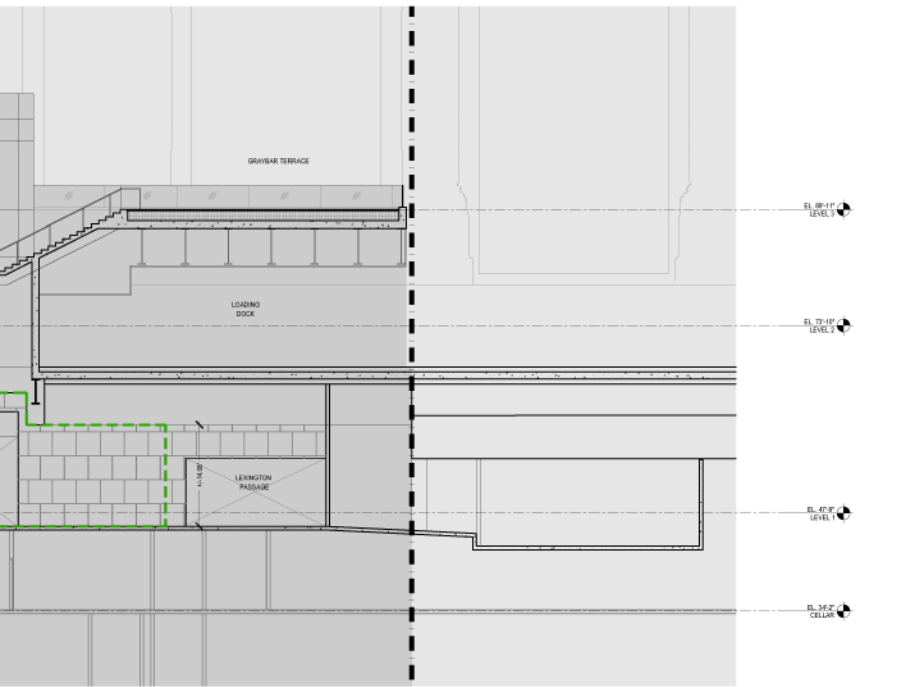
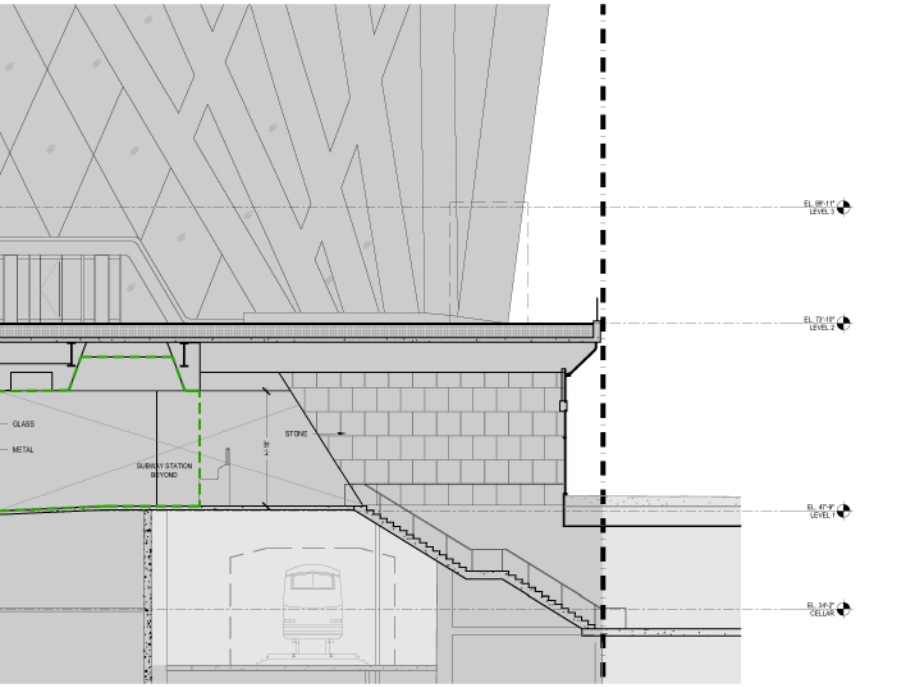
Z-510



2 | TRANSIT HALL SECTION - NS LOOKING EAST
SCALE: 1/8" = 1'-0"



1 | TRANSIT HALL SECTION - NS LOOKING WEST
SCALE: 1/8" = 1'-0"



NOTES

1. APPLICANT'S STAMP AND SEAL CORRESPONDS TO THE INFORMATION REGARDING PUBLIC CONCOURSE IMPROVEMENTS & LEXINGTON PASSAGE AND TRANSIT HALL WITHIN ZONING LOT 1. INFORMATION REGARDING THE PROPOSED DEVELOPMENT AND SURROUNDING PROPERTIES IS FOR ILLUSTRATIVE PURPOSES ONLY. REFER TO ARCHITECTURAL DRAWINGS FOR INFORMATION PERTAINING TO AND WITHIN PROPOSED DEVELOPMENT.
2. ELEVATIONS REFERENCE THE NORTH AMERICAN VERTICAL DATUM OF 1985 (NAVD 85).

175 PARK AVENUE

175 PARK AVENUE, NEW YORK, NY 10017

Client
Commodore Owner LLC

CO FOR REALTY LLC
825 RIVER PLAZA, LINDENHOLE, NEW YORK 11558

ARCHITECT
SOM

SKIDMORE, OWINGS & MERRILL LLP
200 GREENWICH STREET, NEW YORK, NY 10037

ARCHITECTS
WSP
ONE PENN PLAZA, 259 WEST 34TH STREET, NEW YORK, NY 10019

ARCHITECTS
JAROS, BAUM & BOLLES CONSULTING ENGINEERS, LLP
80 PINE STREET, NEW YORK, NY 10068

VERTICAL TRANSPORTATION
EDGETT WILLIAMS CONSULTING GROUP
102 EAST BALTIMORE AVENUE, SUITE 1, HILL VALLEY, CA 94041

CODE CONSULTING
CODE CONSULTANTS, INC.
210 WEST 40TH STREET, 18TH FLOOR, NEW YORK, NY 10018

SECTIONAL AND ENVIRONMENTAL CONSULTING
LANGAN
21 PENN PLAZA, 380 WEST 31ST STREET, 8TH FLOOR, NEW YORK, NY 10001

ARCHITECTS
THORNTON TOMASETTI
51 MADISON AVE, NEW YORK, NY 10036

ARCHITECTS
STANTEC
475 FIFTH AVENUE 12TH FLOOR, NEW YORK, NY 10017-3239

LAND USE CONSULTANT
FRIED FRANK
1 NEW YORK PLAZA, 1 FDR DR, NEW YORK, NY 10004

ENVIRONMENTAL SERVICE
VHB
ONE PENN PLAZA, 259 WEST 34TH STREET, NEW YORK, NY 10019

ENCLOSURE CONSULTANT
HEINTGES
40 PARK AVENUE SOUTH, 15TH FLOOR, NEW YORK, NY 10016

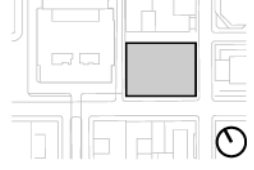
PROPERTY AND SUSTAINABILITY CONSULTANT
STEVEN WINTER ASSOCIATES, INC.
307 SEVENTH AVE, SUITE 1701, NEW YORK, NY 10001

LANDSCAPE ARCHITECT
JAMES CORNER FIELD OPERATIONS
475 15TH AVENUE, 8TH FLOOR, NEW YORK, NY 10018

KEY PLAN



SCALE



NOT FOR CONSTRUCTION

PUBLIC CONCOURSE IMPROVEMENTS

TRANSIT HALL
NOTE: AREA AND CONFIGURATION ARE SUBJECT TO CHANGE PROVIDED THAT THE TOTAL AREA OF EACH SPACE IS NOT LESS THAN THE AREA INDICATED ON THIS PLAN.

LEGEND

- EXISTING BUILDING FOOTPRINT
- PROPOSED BUILDING FOOTPRINT
- ZONING LOT LINE
- QUALIFYING SITE

DATE: _____
SCALE: _____
DRAWN BY: _____
CHECKED BY: _____
DATE: _____

PROJECT: _____
DATE: _____
DESCRIPTION: _____

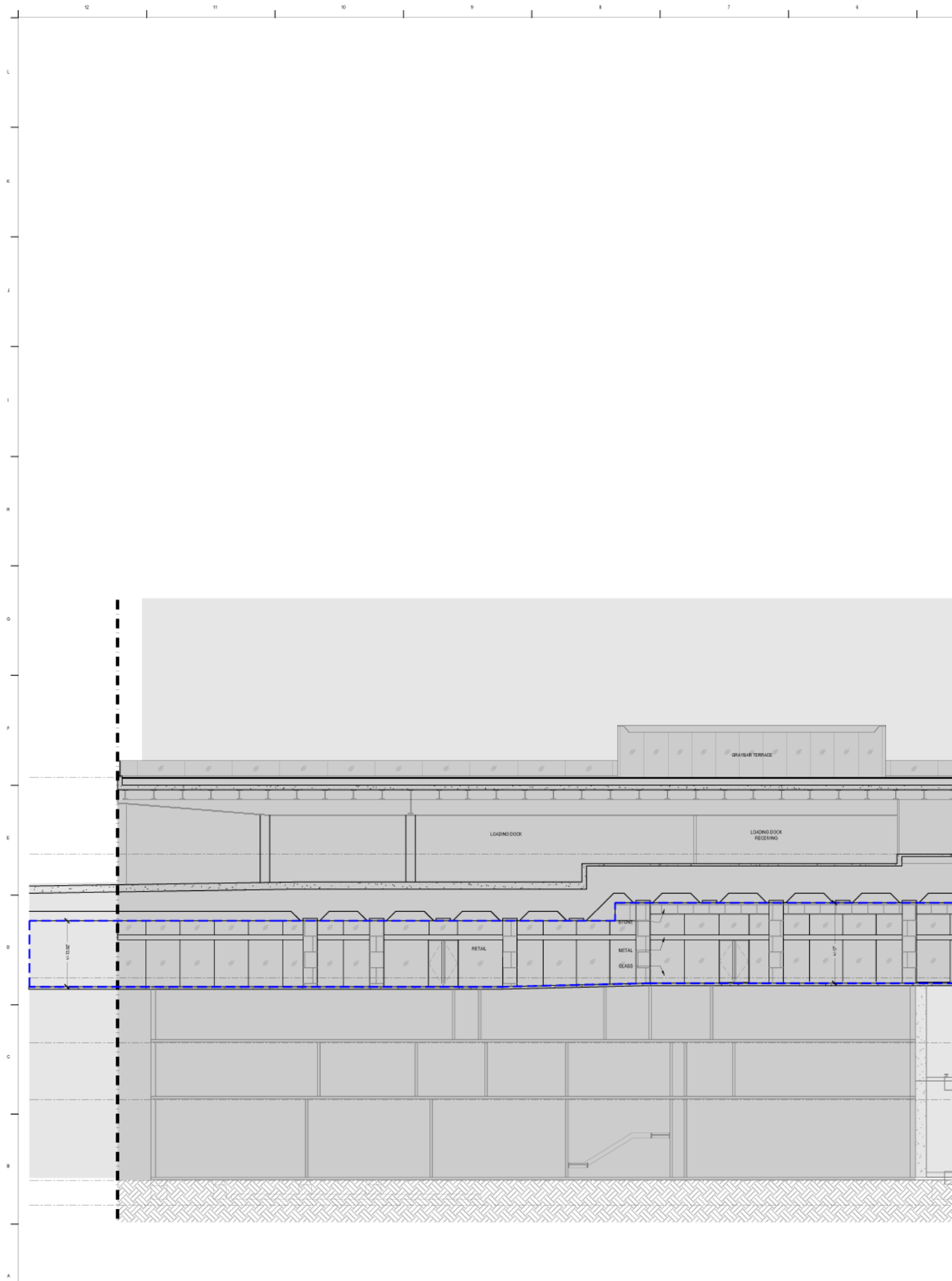
DATE: _____

PROJECT: _____
DATE: _____
DESCRIPTION: _____

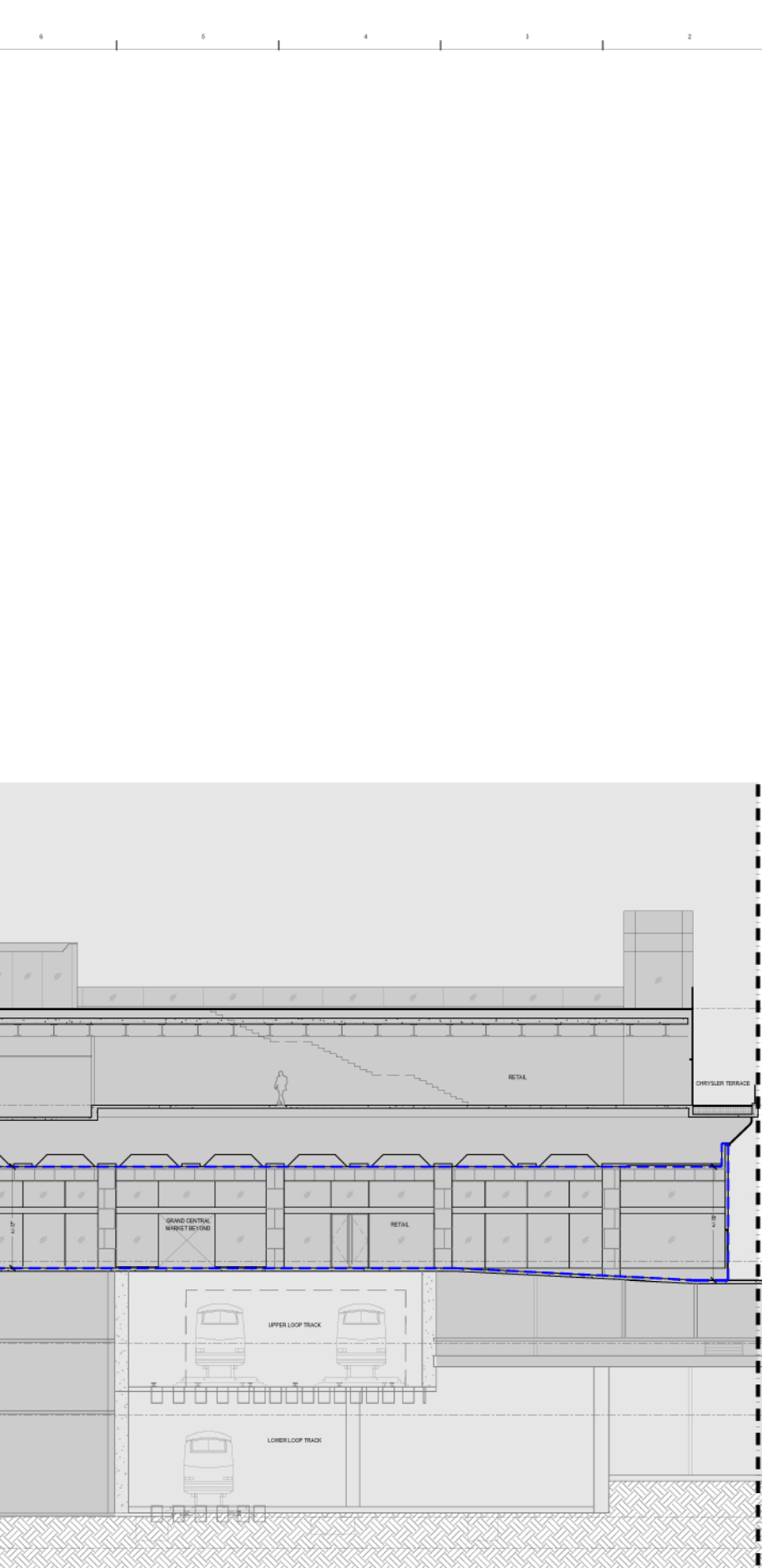
DATE: _____

LEXINGTON PASSAGE & TRANSIT HALL - SECTIONS

Z-511



1 | LEXINGTON PASSAGE SECTION - EW LOOKING NORTH
SCALE: 1/8" = 1'-0"



NOTES

1. APPLICANT'S STAMP AND SEAL CORRESPONDS TO THE INFORMATION REGARDING PUBLIC CONCOURSE IMPROVEMENTS & LEXINGTON PASSAGE AND TRANSIT HALL WITHIN ZONING LOT 1. INFORMATION REGARDING THE PROPOSED DEVELOPMENT AND SURROUNDING PROPERTIES IS FOR ILLUSTRATIVE PURPOSES ONLY. REFER TO ARCHITECTURAL DRAWINGS FOR INFORMATION PERTAINING TO AND WITHIN PROPOSED DEVELOPMENT.
2. ELEVATIONS REFERENCE THE NORTH AMERICAN VERTICAL DATUM OF 1985 (NAVD 85).

175 PARK AVENUE

175 PARK AVENUE, NEW YORK, NY 10017

CLIENT
Commodore Owner LLC

CO FOR REALTY LLC
625 RIVER PLAZA, LINDENHOLE, NEW YORK 11558

ARCHITECT

SOM

SKIDMORE, OWINGS & MERRILL LLP
205 GREENWICH STREET, NEW YORK, NY 10037

STRUCTURAL ENGINEER

WSP

ONE PENN PLAZA, 259 WEST 34TH STREET, NEW YORK, NY 10018

METROPOLITAN ENGINEER

JAROS, BAUM & BOLLES CONSULTING ENGINEERS, LLP
80 PINE STREET, NEW YORK, NY 10005

VERTICAL TRANSPORTATION

EDGETT WILLIAMS CONSULTING GROUP
102 EAST BULFIEDALE AVENUE, SUITE 1, MILL VALLEY, CA 94541

CODE CONSULTING

CODE CONSULTANTS, INC
210 WEST 40TH STREET, 18TH FLOOR, NEW YORK, NY 10018

GEOTECHNICAL AND ENVIRONMENTAL CONSULTING

LANGAN

21 PENN PLAZA, 380 WEST 31ST STREET, 8TH FLOOR, NEW YORK, NY 10001

ARCHITECT CONSULTANT

THORNTON TOMASETTI

51 MADISON AVE, NEW YORK, NY 10036

TRANSIT CONSULTANT

STANTEC

415 FIFTH AVENUE 12TH FLOOR, NEW YORK, NY 10017-3239

LAND USE CONSULTANT

FRIED FRANK

1 NEW YORK PLAZA, 1 FDR DR, NEW YORK, NY 10004

ENVIRONMENTAL SERVICE

VHB

ONE PENN PLAZA PLAZA #111, NEW YORK, NY 10018

ENCLOSURE CONSULTANT

HEINTGES

40 PARK AVENUE SOUTH, 15TH FLOOR, NEW YORK, NY 10016

IDENTITY AND SUSTAINABILITY CONSULTANT

STEVEN WINTER ASSOCIATES, INC.

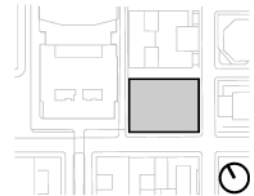
307 SEVENTH AVE, SUITE 1301, NEW YORK, NY 10001

LANDSCAPE ARCHITECT

JAMES CORNER FIELD OPERATIONS

415 FIFTH AVENUE, 8TH FLOOR, NEW YORK, NY 10018

KEY PLAN



SCALE



NOT FOR CONSTRUCTION

PUBLIC CONCOURSE IMPROVEMENTS

LEXINGTON PASSAGE
NOTE: AREA AND CONFIGURATION ARE SUBJECT TO CHANGE PROVIDED THAT THE TOTAL AREA OF EACH SPACE IS NOT LESS THAN THE AREA INDICATED ON 2-500

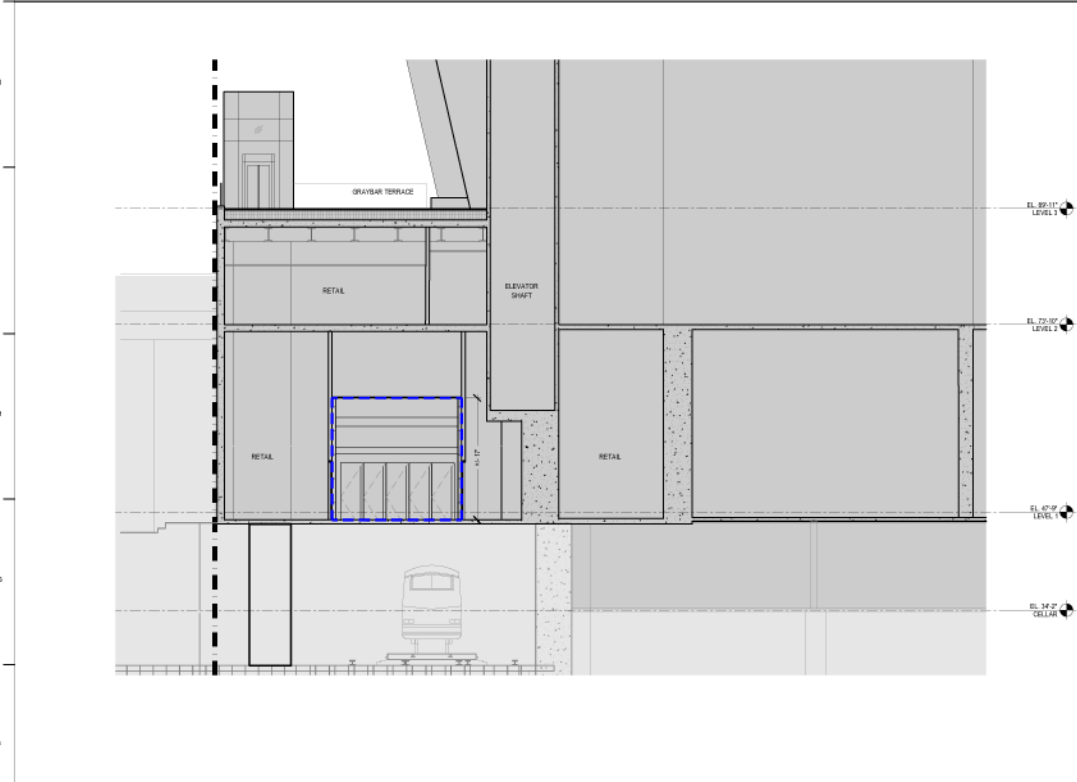
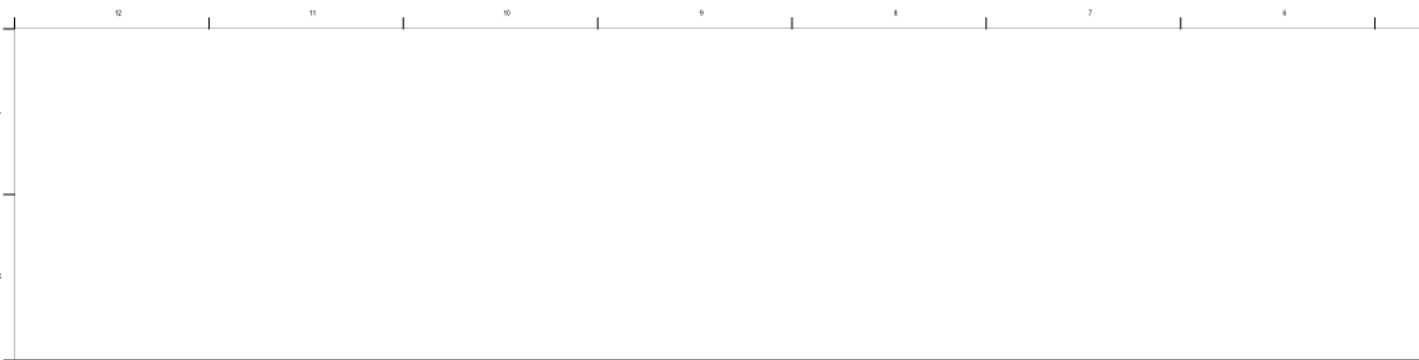
LEGEND

- EXISTING BUILDING FOOTPRINT
- PROPOSED BUILDING FOOTPRINT
- ZONING LOT LINE
- QUALIFYING SITE

NO.	DATE	ISSUED BY	REVISION DESCRIPTION

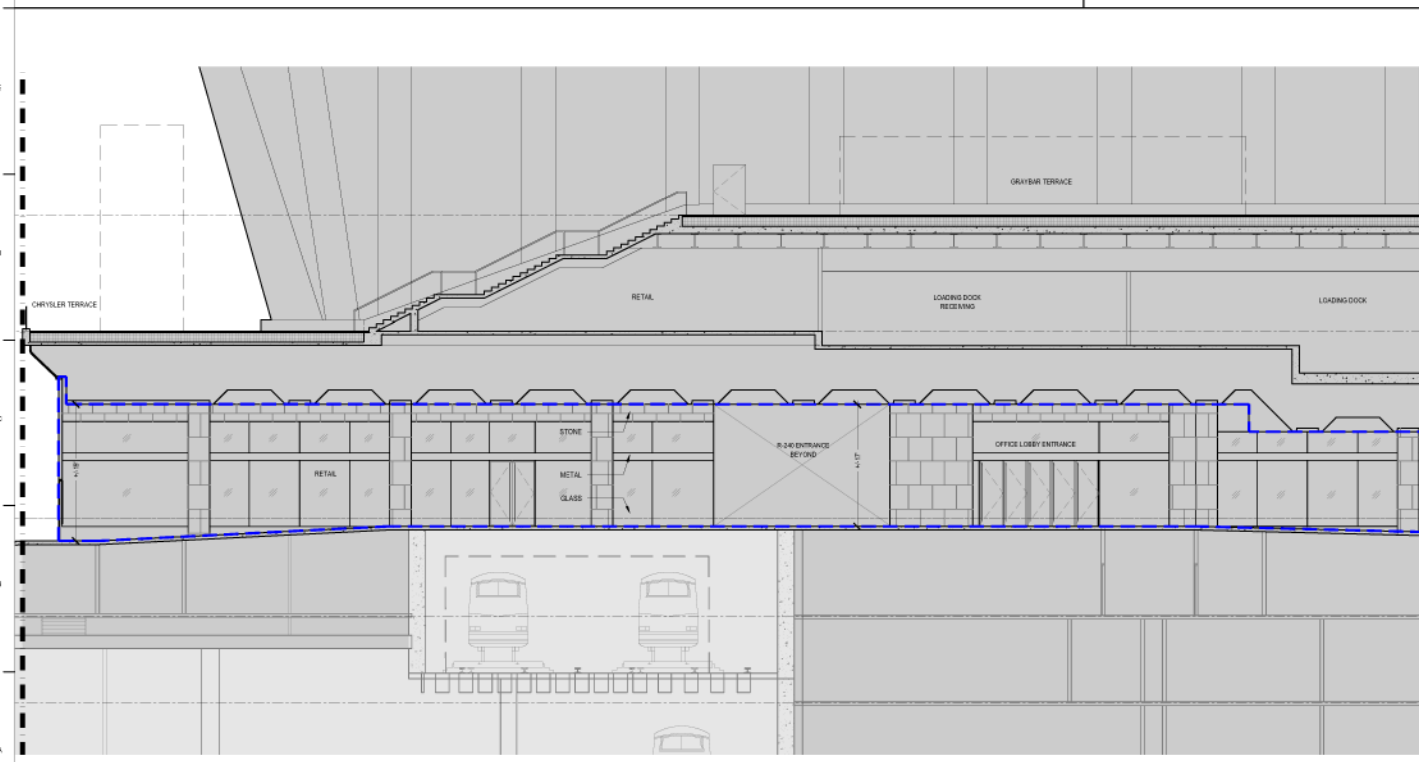
DRAWING TITLE
LEXINGTON PASSAGE & TRANSIT HALL - SECTIONS

DRAWING NUMBER
Z-512

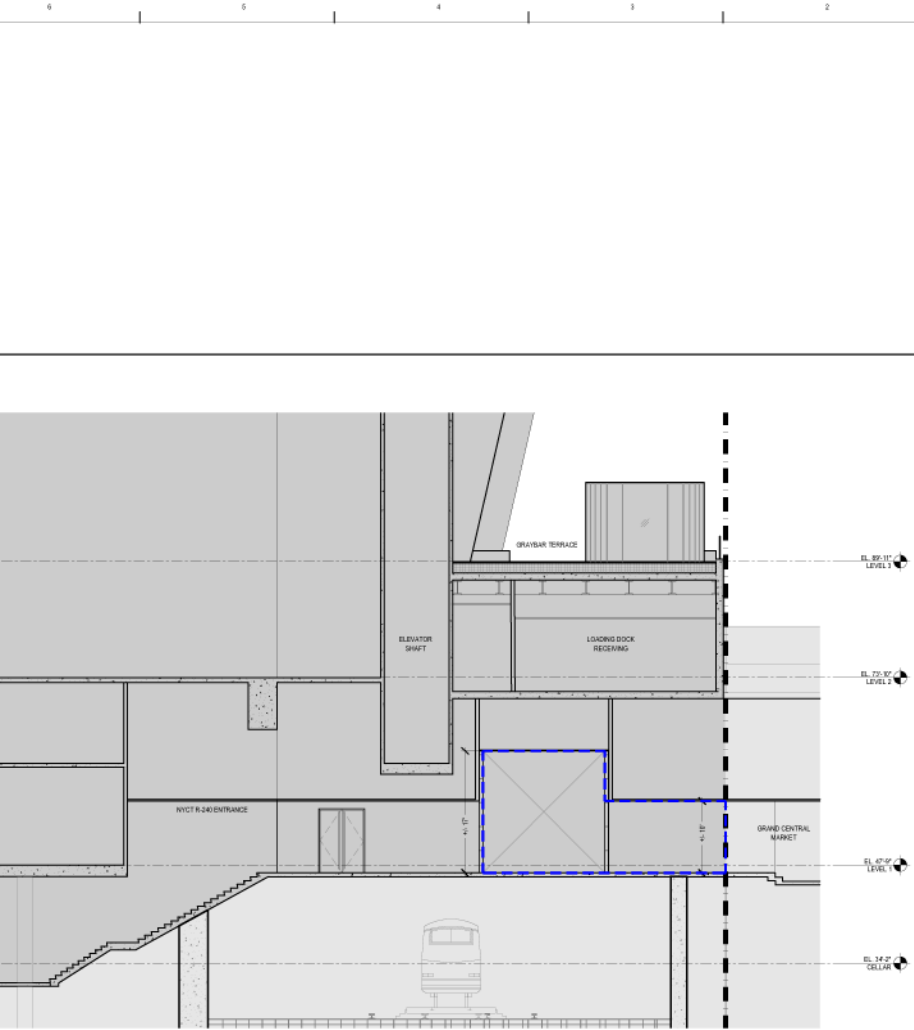


3 | LEXINGTON PASSAGE SECTION - NS LOOKING EAST
SCALE: 1/8" = 1'-0"

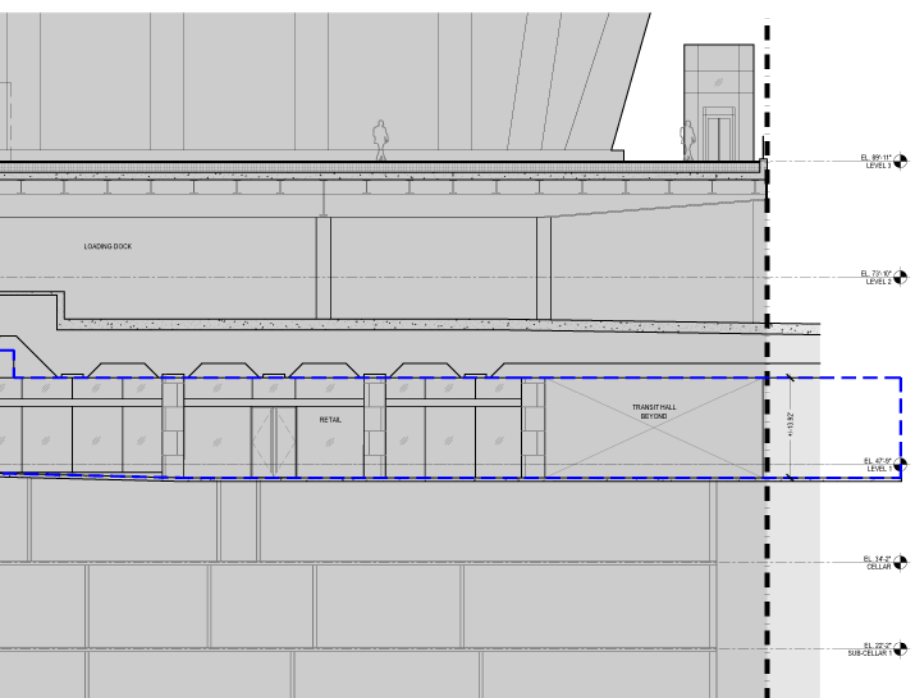
2 | LEXINGTON PASSAGE SECTION - NS L...
SCALE: 1/8" = 1'-0"



1 | LEXINGTON PASSAGE SECTION - EW LOOKING SOUTH
SCALE: 1/8" = 1'-0"



PASSAGE SECTION - NS LOOKING WEST



NOTES

1. APPLICANT'S STAMP AND SEAL CORRESPONDS TO THE INFORMATION REGARDING PUBLIC CONCOURSE IMPROVEMENTS & LEXINGTON PASSAGE AND TRANSIT HALL WITHIN ZONING LOT 1. INFORMATION REGARDING THE PROPOSED DEVELOPMENT AND SURROUNDING PROPERTIES IS FOR ILLUSTRATIVE PURPOSES ONLY. REFER TO ARCHITECTURAL DRAWINGS FOR INFORMATION PERTAINING TO AND WITHIN PROPOSED DEVELOPMENT.
2. ELEVATIONS REFERENCE THE NORTH AMERICAN VERTICAL DATUM OF 1985 (NAVD 85).

175 PARK AVENUE

175 PARK AVENUE, NEW YORK, NY 10017

Client
Commodore Owner LLC

CO FOR REALTY LLC
825 RIVER PLAZA, LINDENHOLE, NEW YORK 11558

ARCHITECT

SOM

SKIDMORE, OWINGS & MERRILL LLP
200 WEDDING CHURCH STREET, NEW YORK, NY 10037

STRUCTURAL ENGINEER

WSP

ONE PENN PLAZA, 289 WEST 14TH STREET, NEW YORK, NY 10011

METRIC ENGINEER

JAROS, BAUM & BOLLES CONSULTING ENGINEERS, LLP
80 PINE STREET, NEW YORK, NY 10005

VERTICAL TRANSPORTATION

EDGETT WILLIAMS CONSULTING GROUP
102 EAST BULFORD AVENUE, SUITE 1, MILL VALLEY, CA 94541

CODE CONSULTANT

CODE CONSULTANTS, INC
210 WEST 40TH STREET, 18TH FLOOR, NEW YORK, NY 10018

GEOTECHNICAL AND ENVIRONMENTAL CONSULTING

LANGAN

21 PENN PLAZA, 388 WEST 3 ST STREET, 8TH FLOOR, NEW YORK, NY 10001

SCHEFFER CONSULTANT

THORNTON TOMASETTI
51 MADISON AVE, NEW YORK, NY 10036

TRANSIT CONSULTANT

STANTEC

475 FIFTH AVENUE 12TH FLOOR, NEW YORK, NY 10017-3239

LAND USE CONSULTANT

FRIED FRANK

1 NEW YORK PLAZA, 1 FDR DR, NEW YORK, NY 10004

ENVIRONMENTAL SERVICE

VHB

ONE PENN PLAZA, 388 WEST 3 ST, NEW YORK, NY 10001

ENCLOSURE CONSULTANT

HEINTGES

40 PARK AVENUE SOUTH, 15TH FLOOR, NEW YORK, NY 10016

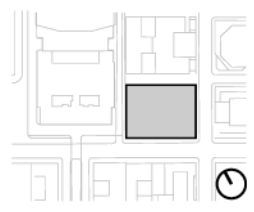
IDENTIFY AND OBTAINABILITY CONSULTANT

STEVEN WINTER ASSOCIATES, INC.
307 SEVENTH AVENUE, SUITE 1701, NEW YORK, NY 10001

LANDSCAPE ARCHITECT

JAMES CORNER FIELD OPERATIONS
475 15TH AVENUE, 8TH FLOOR, NEW YORK, NY 10018

KEY PLAN



SCALE



PUBLIC CONCOURSE IMPROVEMENTS

LEXINGTON PASSAGE
NOTE: AREA AND CONFIGURATION ARE SUBJECT TO CHANGE PROVIDED THAT THE TOTAL AREA OF EACH SPACE IS NOT LESS THAN THE AREA INDICATED ON 2-500

LEGEND

- EXISTING BUILDING FOOTPRINT
- PROPOSED BUILDING FOOTPRINT
- ZONING LOT LINE
- QUALIFYING SITE

NO.	DATE	ISSUED BY	DESCRIPTION

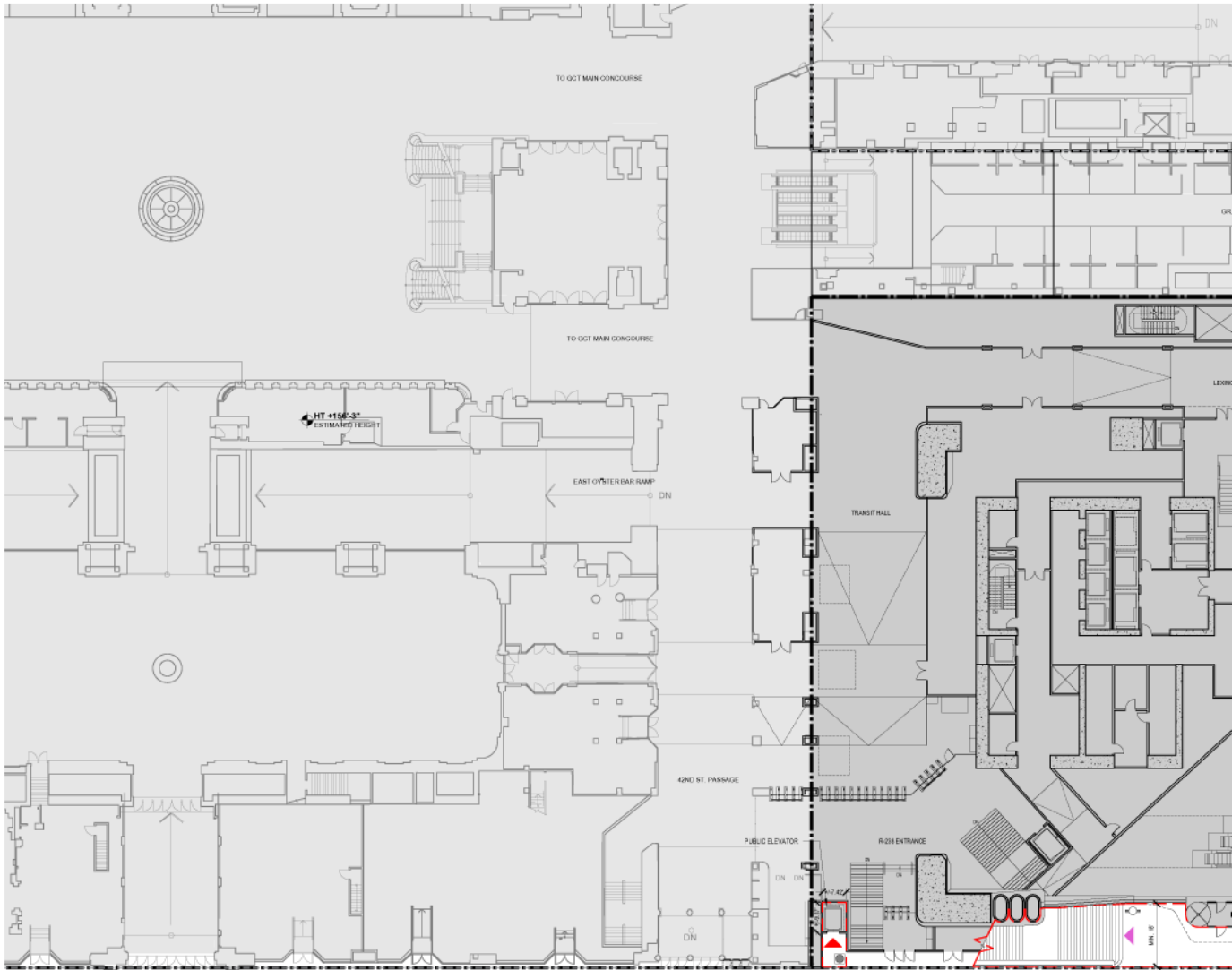
PROJECT TITLE
LEXINGTON PASSAGE & TRANSIT HALL - SECTIONS

DRAWING NUMBER
Z-513

EXHIBIT F-2

Terrace Drawings

[Attached]



TO GGT MAIN CONCOURSE

TO GGT MAIN CONCOURSE

HT +156'-3"
ESTIMATED HEIGHT

EAST OYSTER BAR RAMP
DN

TRANSIT HALL

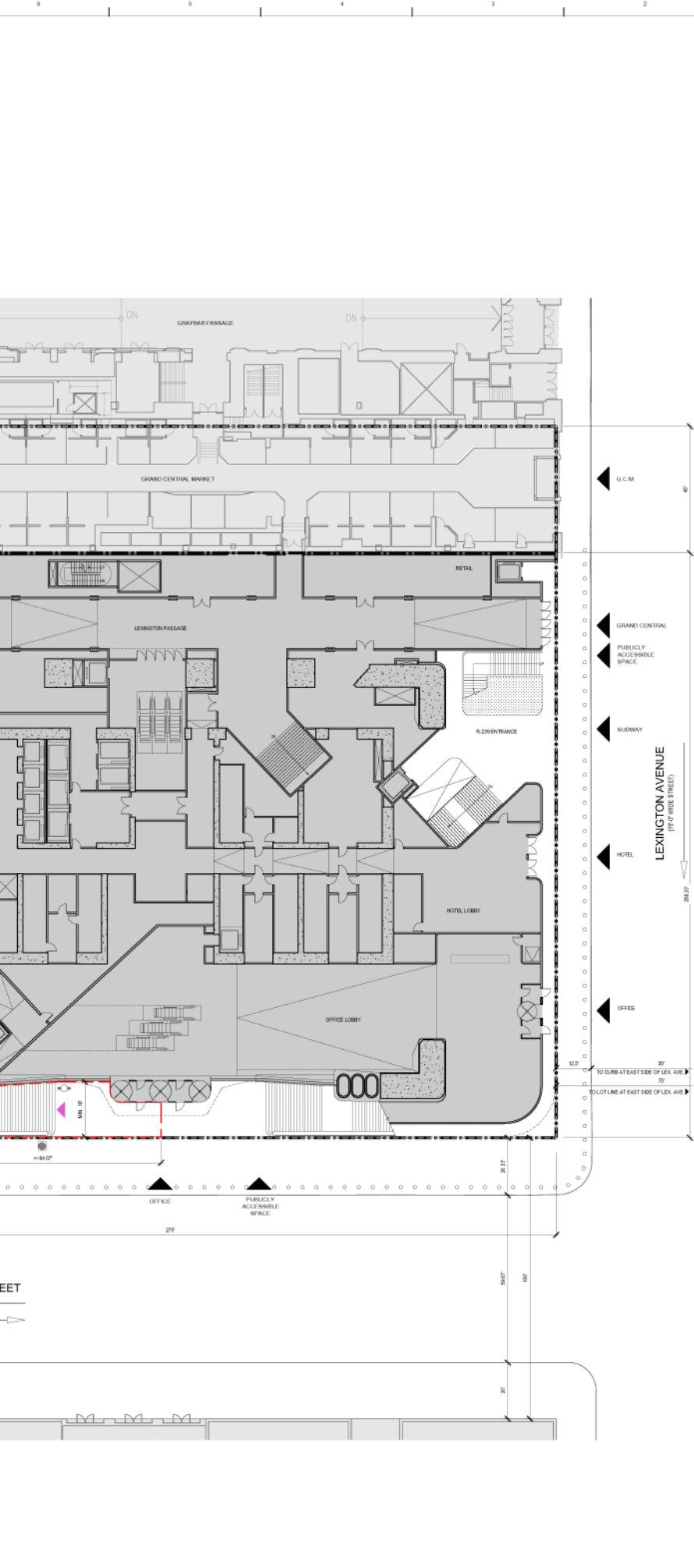
42ND ST. PASSAGE

PUBLIC ELEVATOR
DN DN

R 218 ENTRANCE
DN DN

GRAND CENTRAL

EAST 42ND STREET
(107' WIDE STREET)



NOTES

1. APPLICANT'S STAMP AND SEAL CORRESPONDS TO THE INFORMATION REGARDING PUBLIC CONCOURSE IMPROVEMENTS WITHIN ZONING LOT 1. INFORMATION REGARDING THE PROPOSED DEVELOPMENT, ELEVATOR, STAIRWAYS AND SPRINKLING PROPERTIES IS FOR ILLUSTRATIVE PURPOSES ONLY. REFER TO ARCHITECTURAL DRAWINGS FOR INFORMATION PERTAINING TO AND WITHIN PROPOSED DEVELOPMENT.
2. DESIGN AND LAYOUT OF PUBLIC CONCOURSE IMPROVEMENTS ARE SUBJECT TO PDC REVIEW / APPROVAL.

175 PARK AVENUE

175 PARK AVENUE, NEW YORK, NY 10017

Client
Commodore Owner LLC

CO FOR REALTY LLC
625 RIVER PLAZA, LINDENHOLE, NEW YORK 11558

ARCHITECT
SOM

SKIDMORE, OWINGS & MERRILL LLP
200 GREENWICH STREET, NEW YORK, NY 10037

ARCHITECT ENGINEER

WSP
ONE PENN PLAZA, 259 WEST 34TH STREET, NEW YORK, NY 10018

MECHANICAL ENGINEER

JAROS, BAUM & BOLLES CONSULTING ENGINEERS, LLP
80 PINE STREET, NEW YORK, NY 10005

VERTICAL TRANSPORTATION

EDGETT WILLIAMS CONSULTING GROUP
102 EAST BLYTHEDALE AVENUE, SUITE 1, MILL VALLEY, CA 94541

CODE CONSULTANT

CODE CONSULTANTS, INC
210 WEST 40TH STREET, 18TH FLOOR, NEW YORK, NY 10018

SCHEIDT AND BOVENBERG CONSULTING

LANGAN
21 PENN PLAZA, 388 WEST 3 ST STREET, 8TH FLOOR, NEW YORK, NY 10001

SCHEIDT & BOVENBERG CONSULTING

THORNTON TOMASETTI
51 MADISON AVE, NEW YORK, NY 10036

TRANSIT CONSULTANT

STANTEC
475 FIFTH AVENUE 12TH FLOOR, NEW YORK, NY 10017-3239

LAND USE CONSULTANT

FRIED FRANK
1 NEW YORK PLAZA, 1 FDR DR, NEW YORK, NY 10004

ENVIRONMENTAL SERVICE

VHB
ONE PENN PLAZA, 388 WEST 3 ST, NEW YORK, NY 10018

ENCLOSURE CONSULTANT

HEINTGES
400 PARK AVENUE SOUTH, 15TH FLOOR, NEW YORK, NY 10016

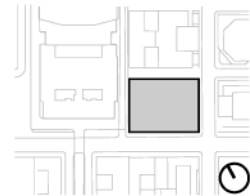
IDENTIFY AND DETERMINABILITY CONSULTANT

STEVEN WINTER ASSOCIATES, INC.
307 SEVENTH AVE, SUITE 1701, NEW YORK, NY 10001

LANDSCAPE ARCHITECT

JAMES CORNER FIELD OPERATIONS
475 15TH AVENUE, 8TH FLOOR, NEW YORK, NY 10018

MECHANICAL



PUBLIC CONCOURSE IMPROVEMENTS

PUBLIC CONCOURSE IMPROVEMENT: 15,421 SF

NOTE: AREA AND CONFIGURATION ARE SUBJECT TO CHANGE PROVIDED THAT THE TOTAL AREA IS NOT LESS THAN 15,421 SF

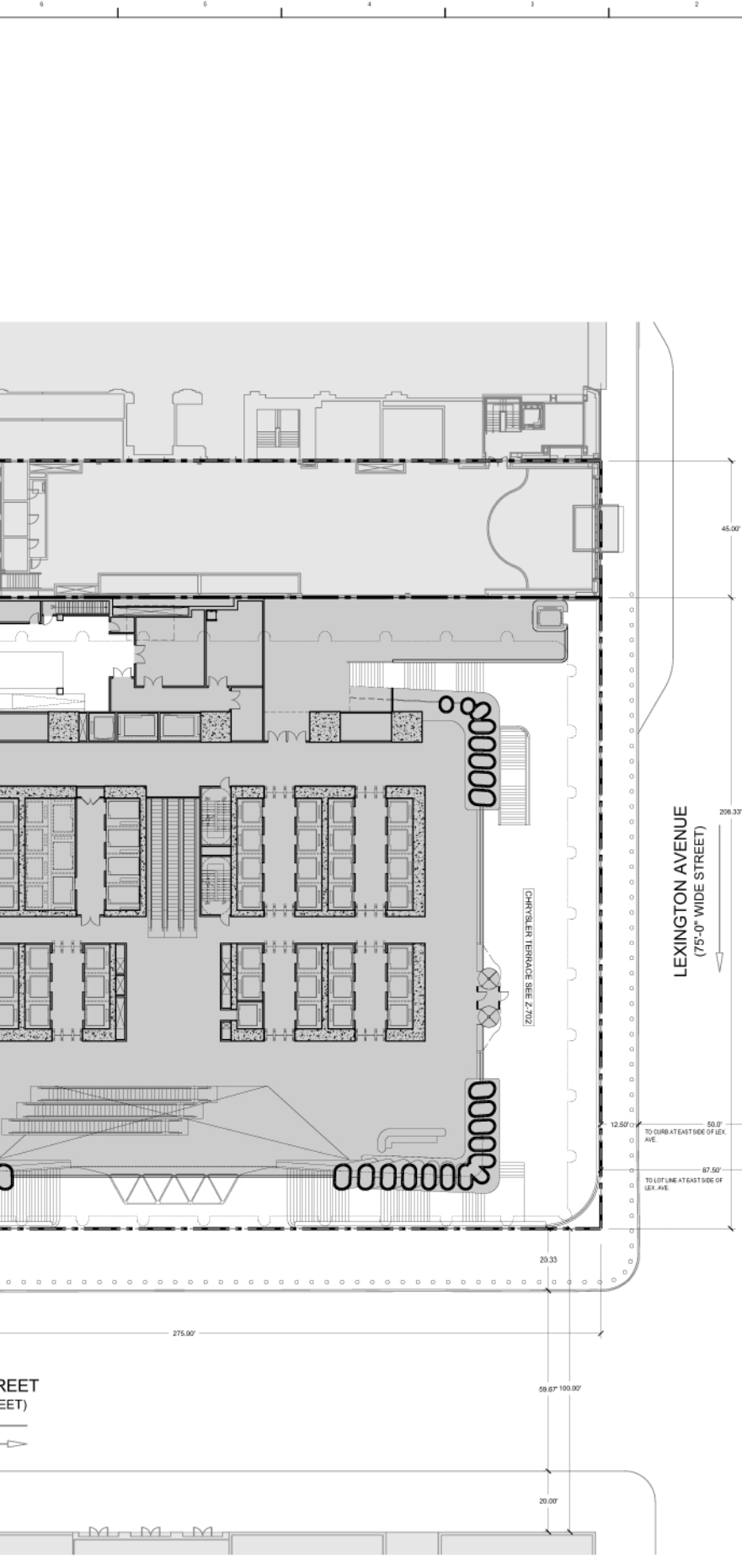
LEGEND

- EXISTING BUILDING FOOTPRINT
- PROPOSED BUILDING FOOTPRINT
- PLANTER
- ZONING LOT LINE
- QUALIFYING SITE
- ACCESS TO PUBLIC ELEVATOR
- ACCESS TO PUBLIC STAIR
- PUBLIC SPACE SIGNAGE
- WAYFINDING SIGNAGE

NO.	DATE	ISSUE NUMBER	DESCRIPTION

PROJECT TITLE
PUBLIC CONCOURSE IMPROVEMENTS - GROUND FLOOR

DRAWING NUMBER
Z-601



NOTES

1. APPLICANT'S STAMP AND SEAL CORRESPONDS TO THE INFORMATION REGARDING PUBLIC CONCOURSE IMPROVEMENTS WITHIN ZONING LOT 1. INFORMATION REGARDING THE PROPOSED DEVELOPMENT, ELEVATOR, STAIRWAYS AND SURROUNDING PROPERTIES IS FOR ILLUSTRATIVE PURPOSES ONLY. REFER TO ARCHITECTURAL DRAWINGS FOR INFORMATION PERTAINING TO AND WITHIN PROPOSED DEVELOPMENT.
2. DESIGN AND LAYOUT OF PUBLIC CONCOURSE IMPROVEMENTS ARE SUBJECT TO POC REVIEW / APPROVAL.

175 PARK AVENUE

175 PARK AVENUE, NEW YORK, NY 10017

Commodore Owner LLC

CO FOR REALTY LLC
625 FOR PLAZA, LINDENHOLE, NEW YORK, NY 10060

SOM

SKIDMORE, OWINGS & MERRILL LLP
208 GREENWICH STREET, NEW YORK, NY 10037

WSP
ONE PENN PLAZA, 289 WEST 34TH STREET, NEW YORK, NY 10019

JAROS, BAUM & BOLLES CONSULTING ENGINEERS, LLP
80 PINE STREET, NEW YORK, NY 10005

EDGETT WILLIAMS CONSULTING GROUP
102 EAST 51ST AVENUE, SUITE 1, MILL VALLEY, CA 94541

CODE CONSULTANTS, INC
210 WEST 46TH STREET, 10TH FLOOR, NEW YORK, NY 10036

LANGAN
21 PENN PLAZA, 380 WEST 31ST STREET, 8TH FLOOR, NEW YORK, NY 10001

THORNTON TOMASETTI
51 MADISON AVE, NEW YORK, NY 10010

STANTEC
475 FIFTH AVENUE, 12TH FLOOR, NEW YORK, NY 10017-2239

FRID FRANK
1 NEW YORK PLAZA, 1 FDR DR, NEW YORK, NY 10004

VHB
ONE PENN PLAZA, 380 WEST 31ST STREET, NEW YORK, NY 10001

HEINTGES
480 PARK AVENUE SOUTH, 15TH FLOOR, NEW YORK, NY 10016

STEVEN WINTER ASSOCIATES, INC.
307 SEVENTH AVE, SUITE 1101, NEW YORK, NY 10001

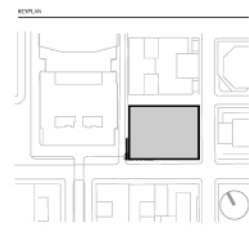
JAMES CORNER FIELD OPERATIONS
475 FIFTH AVENUE, 9TH FLOOR, NEW YORK, NY 10003

PUBLIC CONCOURSE IMPROVEMENTS

PUBLIC CONCOURSE IMPROVEMENT - 15,421 SF
NOTE: AREA AND CONFIGURATION ARE SUBJECT TO CHANGE, PROVIDED THAT THE TOTAL AREA IS NOT LESS THAN (15,421) SF

LEGEND

- PAVING TYPE A
- PAVING TYPE B
- PAVING TYPE C
- HEDGE
- RAISED PLANTER
- TRASH RECEPTACLE
- MOVABLE TABLES AND FOUR CHAIRS
- MOVABLE TABLES AND TWO CHAIRS
- ART PRISCS - LOCATION SUBJECT TO CHANGE
- STANDBY LEDGE
- BOLLARD
- CLEAR CIRCULATION PATH
- BUILDING OVERHEAD LINE
- PLANTER SEAT WALL
- BENCH TYPE A DOUBLE SIDED WITH OUT BACK
- BENCH TYPE B DOUBLE SIDED WITH BACK
- MULTI LEADER TREE
- SINGLE LEADER TREE
- PUBLIC SPACE SIGNAGE
- WAYFINDING SIGNAGE
- EXISTING BUILDING FOOTPRINT
- PROPOSED BUILDING FOOTPRINT
- ZONING LOT LINE
- QUALIFYING SITE
- ACCESS TO PUBLIC ELEVATOR
- ACCESS TO PUBLIC STAIR



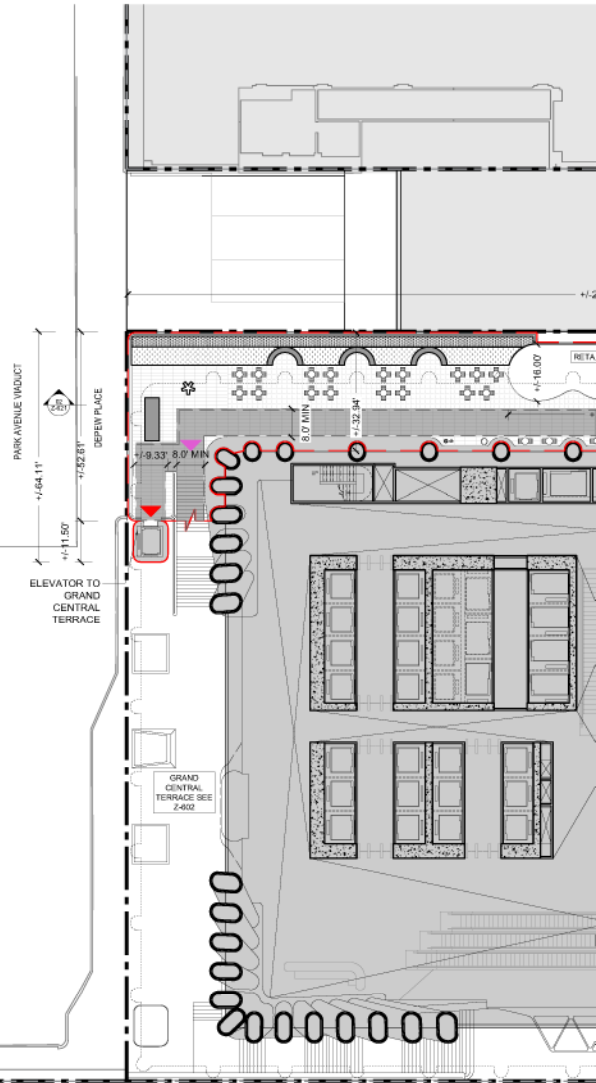
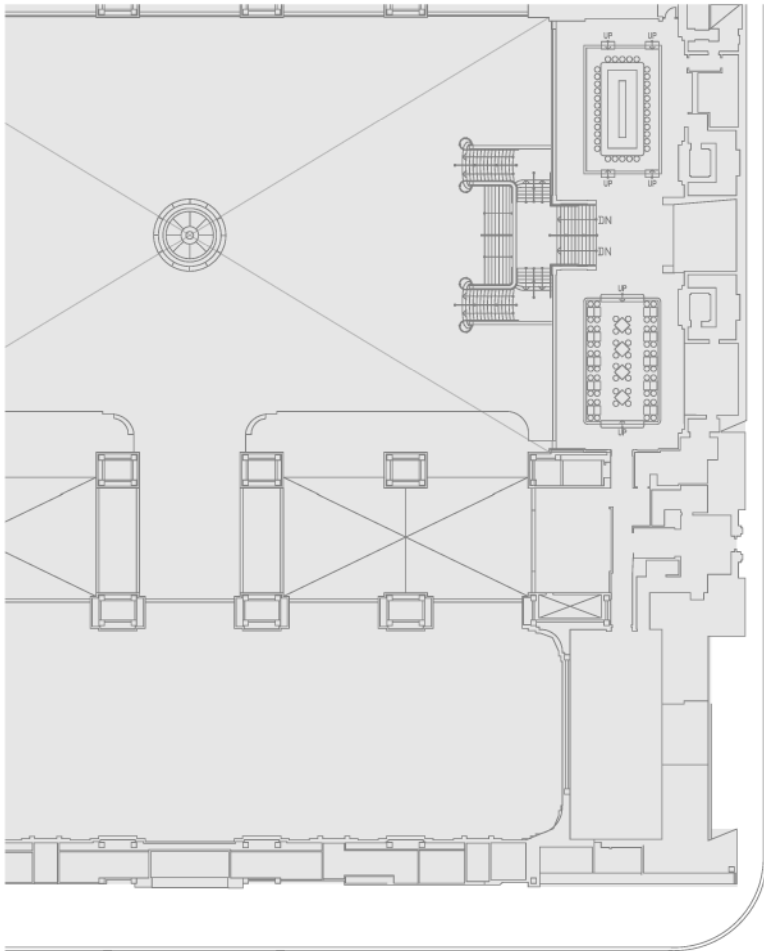
NOT FOR CONSTRUCTION

NO.	DATE	DESCRIPTION

PUBLIC CONCOURSE IMPROVEMENTS - LEVEL 2

Z-602





PARK AVENUE WALKWAY

+6.411'

+11.50'

+7.5281' DEPOSE PLACE

ELEVATOR TO GRAND CENTRAL TERRACE

GRAND CENTRAL TERRACE SEE Z-402

+9.33' 8.0' MIN

8.0' MIN

+7.5281'

+11.50'

+11.50'

+11.50'

+11.50'

+11.50'

+11.50'

+11.50'

+11.50'

+11.50'

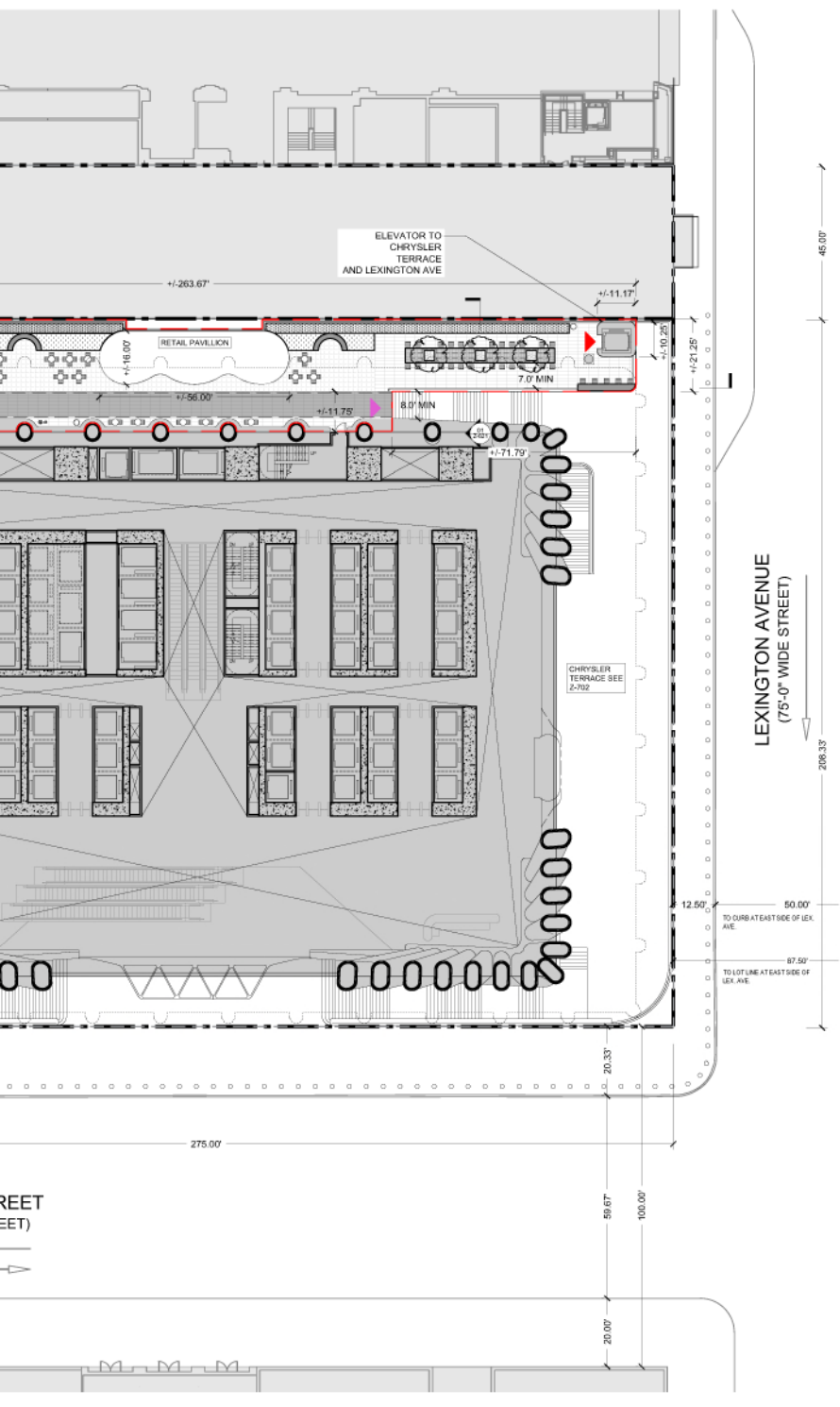
+11.50'

+11.50'

EAST 42ND STREET
(100'-0" WIDE STREET)



01 LEVEL 3
PLAN



NOTES

1. APPLICANT'S STAMP AND SEAL CORRESPONDS TO THE INFORMATION REGARDING PUBLIC CONCOURSE IMPROVEMENTS WITHIN ZONING LOT 1. INFORMATION REGARDING THE PROPOSED DEVELOPMENT, ELEVATOR, STAIRWAYS AND SURROUNDING PROPERTIES IS FOR ILLUSTRATIVE PURPOSES ONLY. REFER TO ARCHITECTURAL DRAWINGS FOR INFORMATION PERTAINING TO AND WITHIN PROPOSED DEVELOPMENT.
2. DESIGN AND LAYOUT OF PUBLIC CONCOURSE IMPROVEMENTS ARE SUBJECT TO POC REVIEW / APPROVAL.

175 PARK AVENUE

175 PARK AVENUE, NEW YORK, NY 10017

CLIENT

Commodore Owner LLC

CO FOR REALTY LLC
625 FOR PLAZA/ROSELDALE, NEW YORK, NY 10006

ARCHITECT

SOM

SKIDMORE, OWINGS & MERRILL LLP
205 BROADWAY STREET, NEW YORK, NY 10007

STRUCTURAL ENGINEER

WSP
ONE PENN PLAZA, 259 WEST 34TH STREET, NEW YORK, NY 10018

MECHANICAL ENGINEER

JAROS, BAUM & BOLLES CONSULTING ENGINEERS, LLP
80 PINE STREET, NEW YORK, NY 10005

VERTICAL TRANSPORTATION

EDGETT WILLIAMS CONSULTING GROUP
102 EAST 81ST AVENUE, SUITE 1, MILL VALLEY, CA 94541

CODE CONSULTING

CODE CONSULTANTS, INC
210 WEST 46TH STREET, 16TH FLOOR, NEW YORK, NY 10018

GEOTECHNICAL AND ENVIRONMENTAL CONSULTING

LANGAN
21 PENN PLAZA, 380 WEST 31ST STREET, 8TH FLOOR, NEW YORK, NY 10001

SCAFFOLD CONSULTING

THORNTON TOMASETTI
51 MADISON AVE, NEW YORK, NY 10010

WARD CONSULTING

STANTEC
475 FIFTH AVENUE, 12TH FLOOR, NEW YORK, NY 10017-2239

LAND USE CONSULTING

FRID FRANK
1165 YORK PLAZA, 1 FDR DR, NEW YORK, NY 10004

ENVIRONMENTAL SERVICE

VHB
ONE PENN PLAZA, 380 WEST 31ST STREET, NEW YORK, NY 10018

ENCLOSURE CONSULTING

HEINTGES
480 PARK AVENUE SOUTH, 15TH FLOOR, NEW YORK, NY 10016

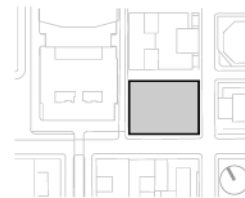
PERMIT AND REGISTRATION CONSULTING

STEVEN WINTER ASSOCIATES, INC.
307 SEVENTH AVE, SUITE 1301, NEW YORK, NY 10001

LANDSCAPE ARCHITECT

JAMES CORNER FIELD OPERATIONS
475 FIFTH AVENUE, 8TH FLOOR, NEW YORK, NY 10018

REVISED



SCALE



NOT FOR CONSTRUCTION

PUBLIC CONCOURSE IMPROVEMENTS

[] PUBLIC CONCOURSE IMPROVEMENT - 15-421 SF
NOTE: AREA AND CONFIGURATION ARE SUBJECT TO CHANGE, PROVIDED THAT THE TOTAL AREA IS NOT LESS THAN (15-421) SF

LEGEND

- PAVING TYPE D
- PAVING TYPE E
- HEDGE
- RAISED PLANTER
- TRASH RECEPTACLE
- MOVABLE TABLES AND FOUR CHAIRS
- MOVABLE TABLES AND TWO CHAIRS
- ART PIECE LOCATION SUBJECT TO CHANGE
- CLEAR CIRCULATION PATH
- BUILDING OVERHEAD LINE
- BENCH TYPE A
- BENCH TYPE B WITH OUT BACK
- BENCH TYPE C
- U-SHAPED WITHOUT BACK
- MULTI LEADER TREE
- COUNTERTOP AND BAR
- STOOL SEATING
- COMMUNAL TABLE
- PUBLIC SPACE SIGNAGE
- WAYFINDING SIGNAGE
- EXISTING BUILDING FOOTPRINT
- PROPOSED BUILDING FOOTPRINT
- ZONING LOT LINE
- QUALIFYING SITE
- ACCESS TO PUBLIC ELEVATOR
- ACCESS TO PUBLIC STAIR

NO.	DATE	REVISION/DESCRIPTION

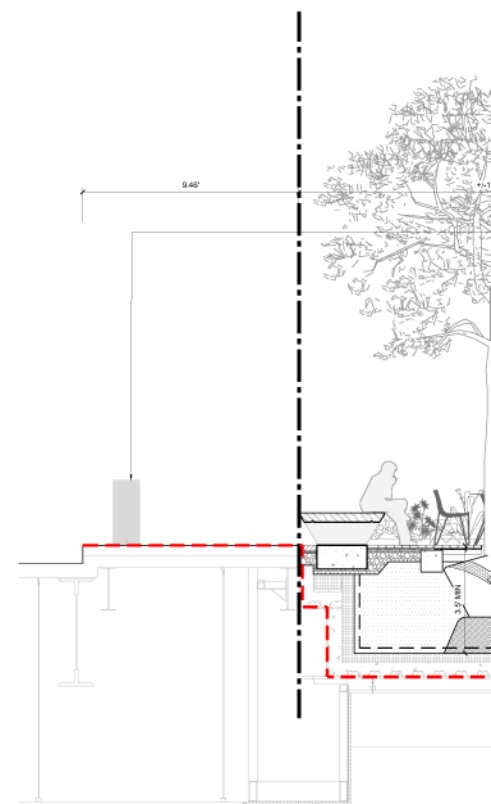
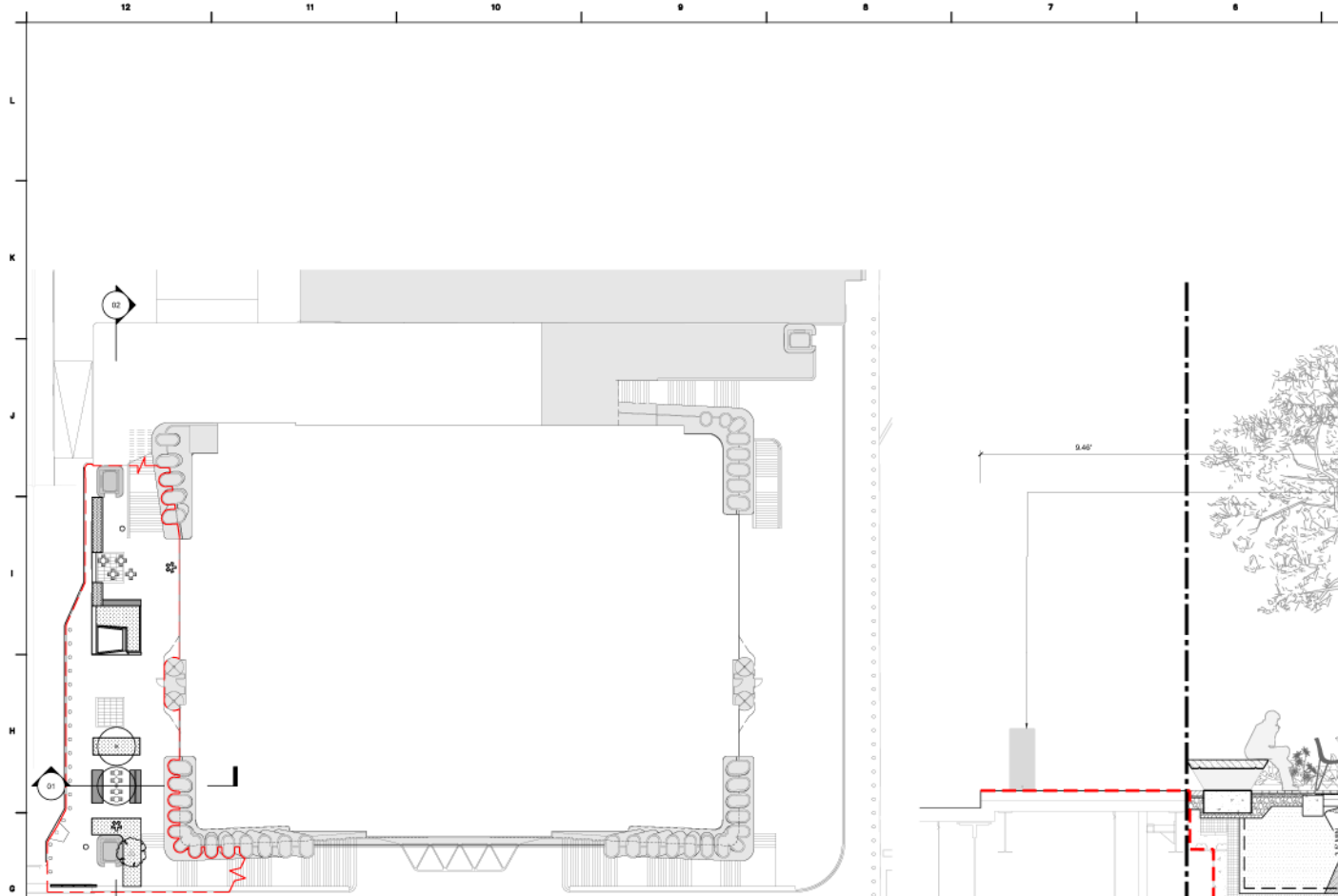
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PUBLIC CONCOURSE IMPROVEMENTS -LEVEL 3

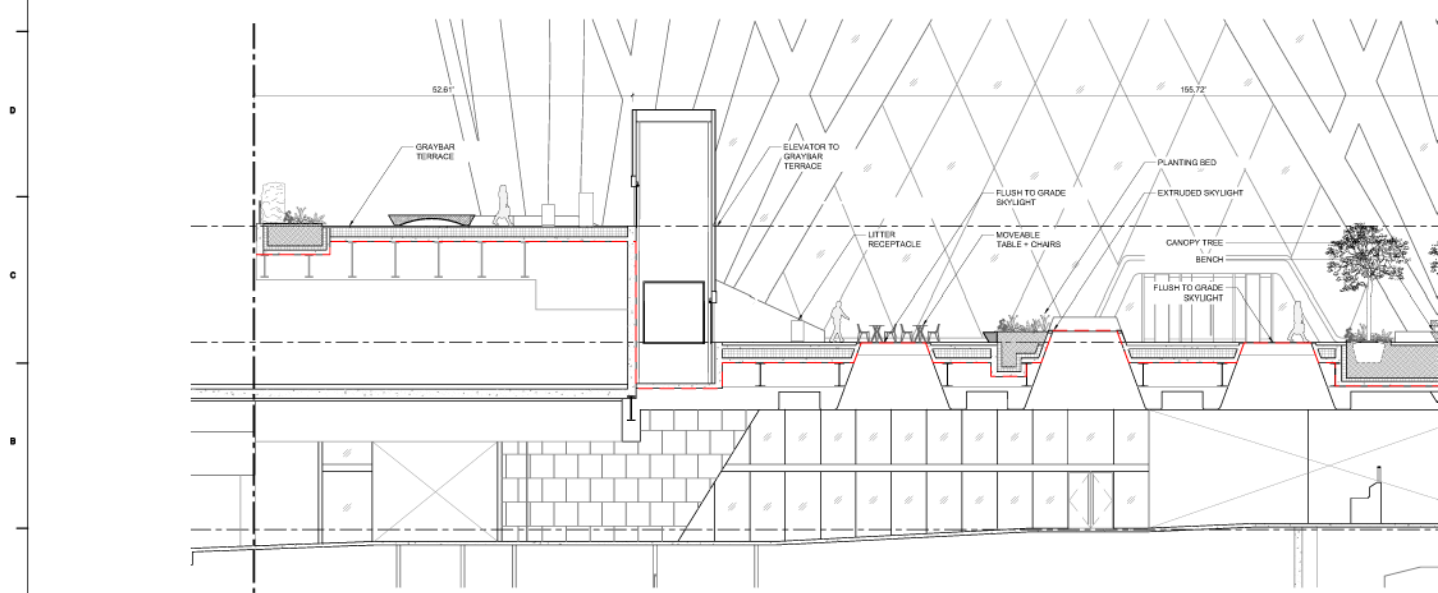
DRAWING NUMBER

Z-603

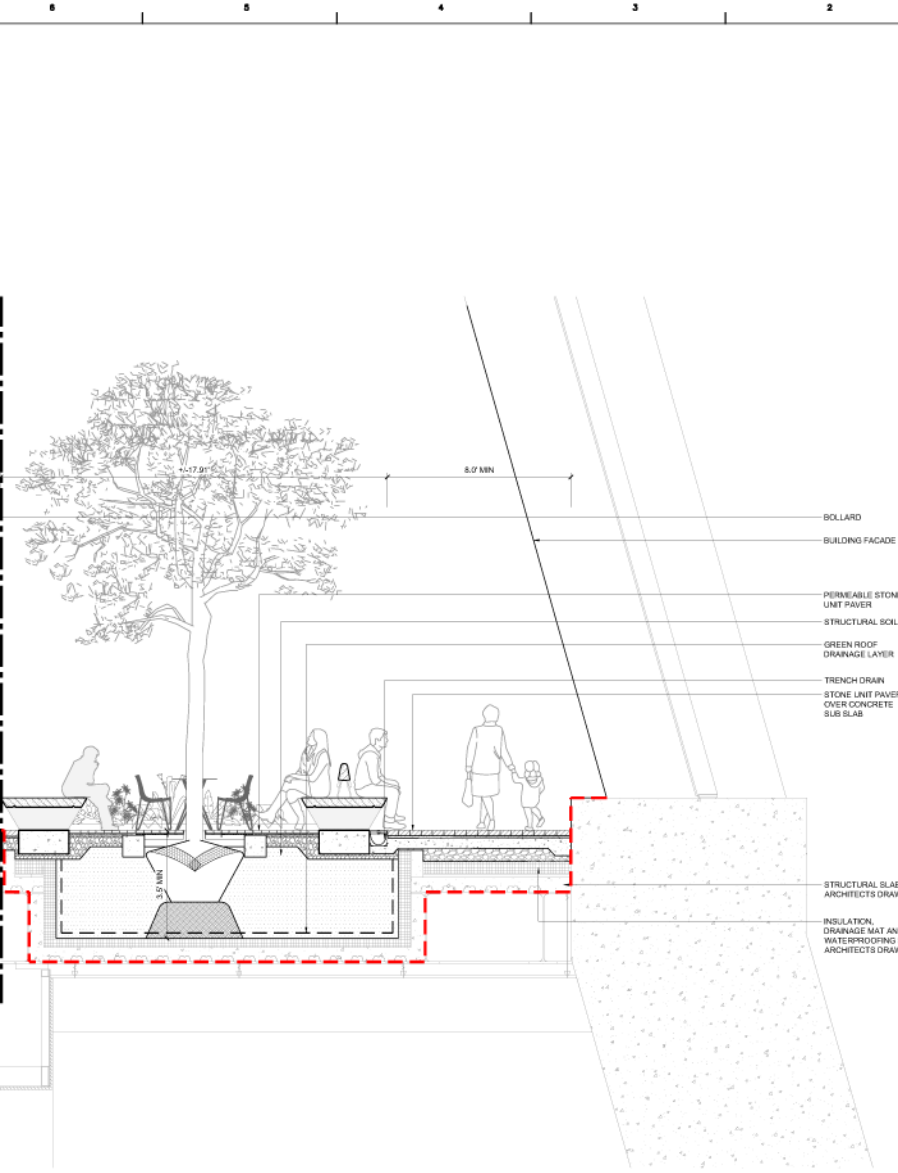




01 WEST TERRACE - GRAND CENTRAL TERRACE
SECTION

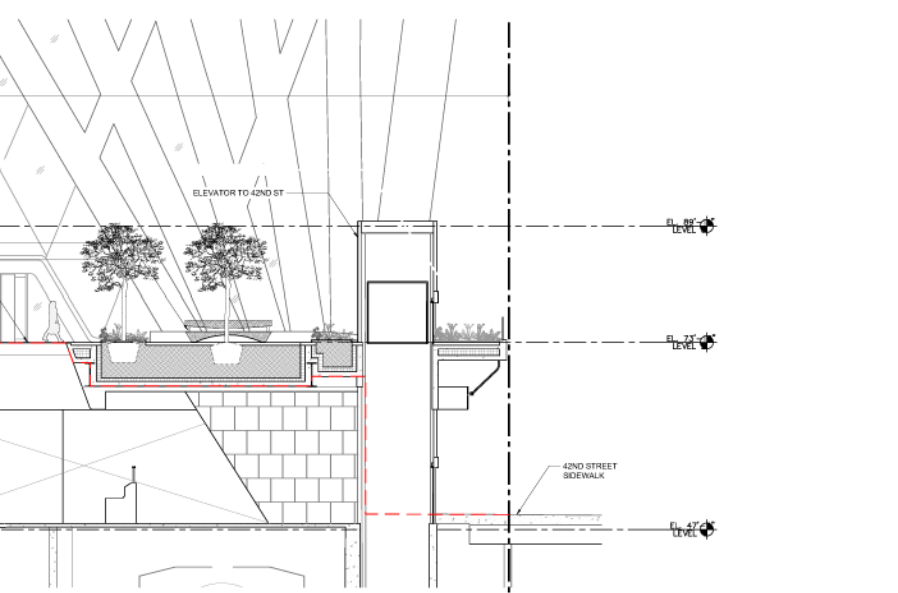


02 WEST TERRACE - GRAND CENTRAL TERRACE
SECTION



D CENTRAL TERRACE AT TREE PIT

3/8" = 1'-0"



1/8" = 1'-0"

NOTES

1. APPLICANT'S STAMP AND SEAL CORRESPONDS TO THE INFORMATION REGARDING PUBLIC CONCOURSE IMPROVEMENTS WITHIN ZONING LOT 1. INFORMATION REGARDING THE PROPOSED DEVELOPMENT, ELEVATOR, STAIRWAYS AND SURROUNDING PROPERTIES IS FOR ILLUSTRATIVE PURPOSES ONLY. REFER TO ARCHITECTURAL DRAWINGS FOR INFORMATION PERTAINING TO AND WITHIN PROPOSED DEVELOPMENT.

2. DESIGN AND LAYOUT OF PUBLIC CONCOURSE IMPROVEMENTS ARE SUBJECT TO PDC REVIEW / APPROVAL.

175 PARK AVENUE

175 PARK AVENUE, NEW YORK, NY 10017

Commodore Owner LLC

C/O ROR REALTY LLC
625 FOR PLAZA LINDALE, NEW YORK 11558

SOM

SKIDMORE, OWINGS & MERRILL LLP
250 GREENWICH STREET, NEW YORK, NY 10007

WSP
ONE PENN PLAZA, 250 WEST 34TH STREET, NEW YORK, NY 10119

JAROS, BAUM & BOLLES CONSULTING ENGINEERS, LLP
80 PINE STREET, NEW YORK, NY 10005

EDGETT WILLIAMS CONSULTING GROUP
102 EAST BETHLEDALE AVENUE, SUITE 1, MILL VALLEY, CA 94041

CODE CONSULTANTS, INC
215 WEST 40TH STREET, 10TH FLOOR, NEW YORK, NY 10018

LANGAN
21 PENN PLAZA, 360 WEST 31ST STREET, 6TH FLOOR, NEW YORK, NY 10001

THORNTON TOMASETTI
51 MADISON AVE, NEW YORK, NY 10010

STANTEC
475 FIFTH AVENUE 12TH FLOOR, NEW YORK, NY 10017-7229

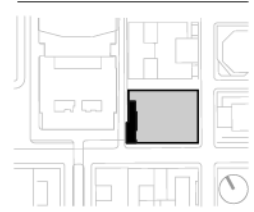
FRIED FRANK
1 NEW YORK PLAZA, 1 FDR DR, NEW YORK, NY 10004

VHB
ONE PENNSYLVANIA PLAZA #715, NEW YORK, NY 10119

HEINTGES
440 PARK AVENUE SOUTH, 15TH FLOOR, NEW YORK, NY 10018

STEVEN WINTER ASSOCIATES, INC.
307 SEVENTH AVE, SUITE 1701, NEW YORK, NY 10001

JAMES CORNER FIELD OPERATIONS
475 10TH AVENUE, 9TH FLOOR, NEW YORK, NY 10018



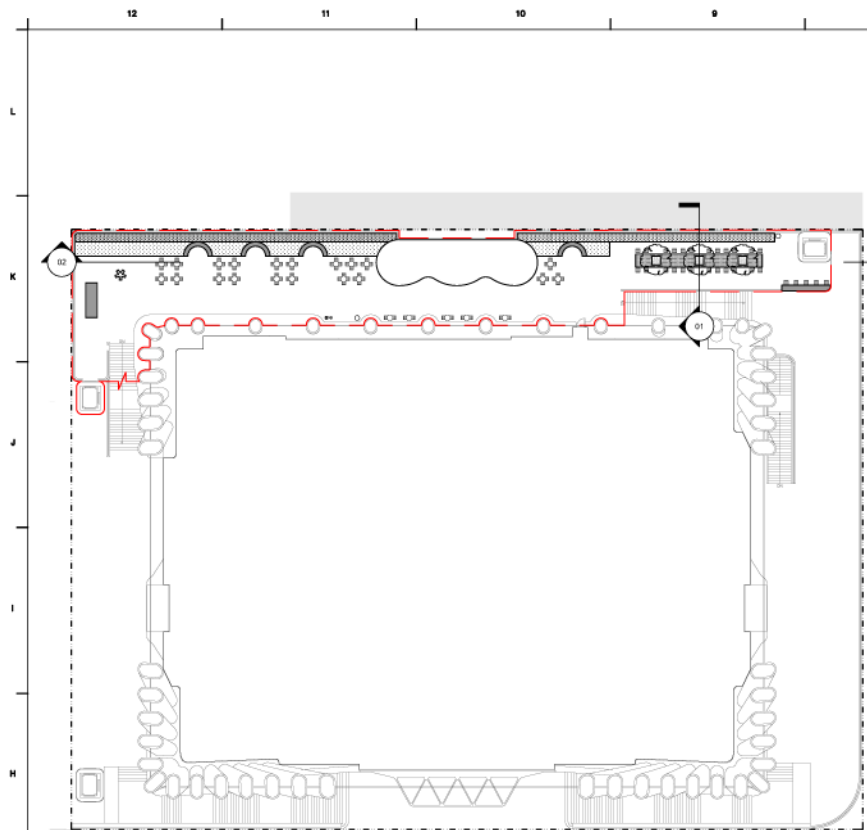
NOT FOR CONSTRUCTION

LEGEND

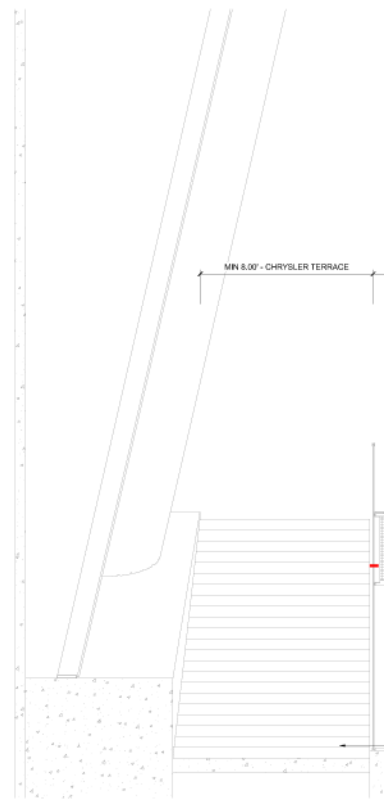
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- ZONING LOT LINE

PUBLIC CONCOURSE IMPROVEMENTS - LANDSCAPE SECTIONS

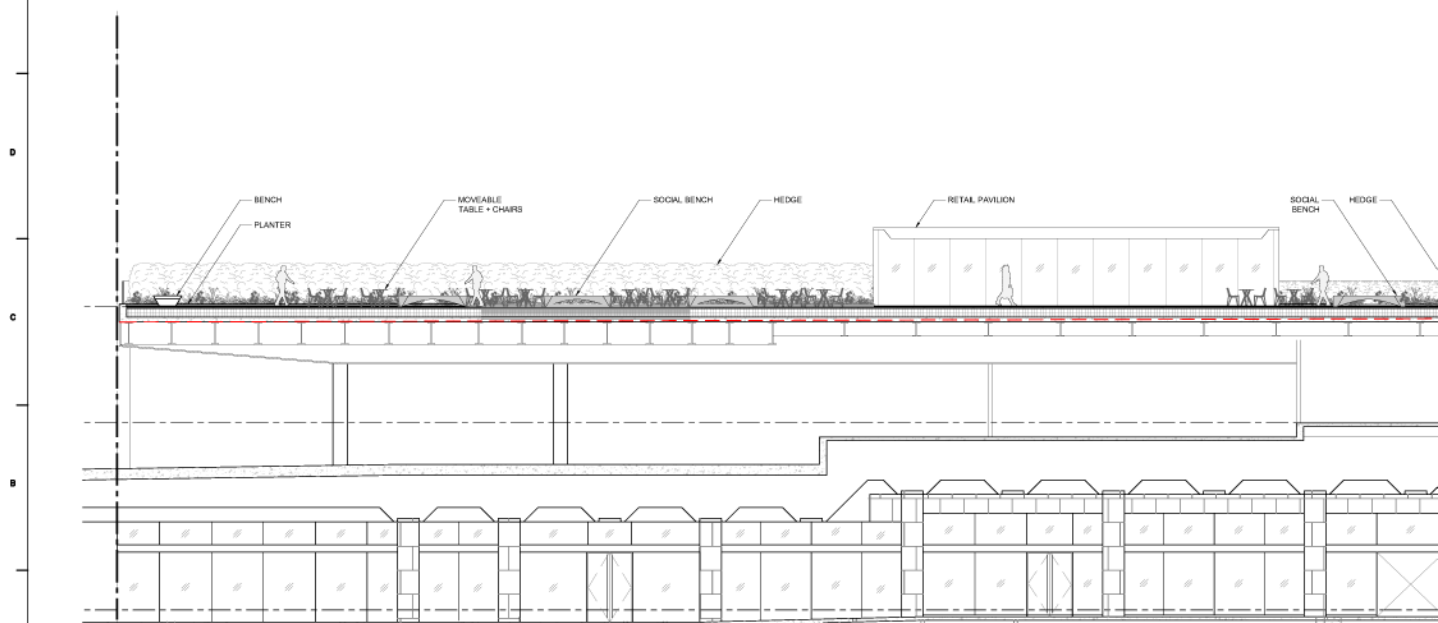
Z-620



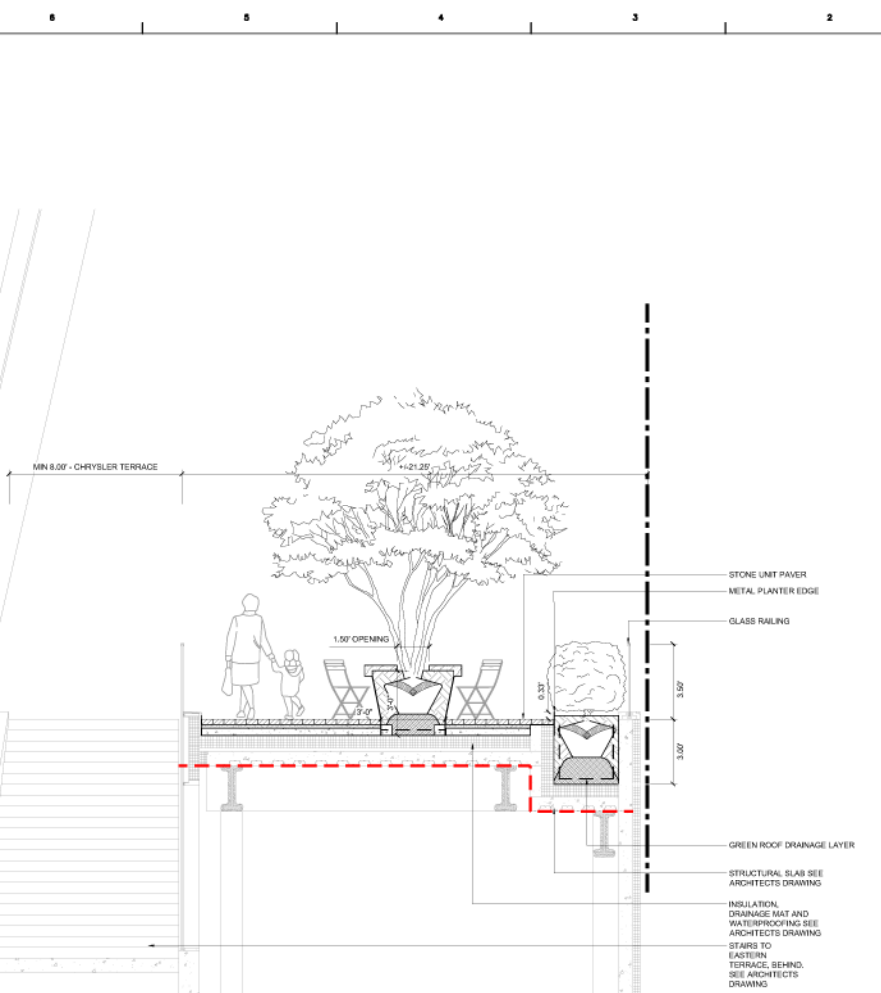
KEY PLAN
SCALE: NTS



01 NORTH TERRACE - GRAYBAR TERRACE AT C
SECTION

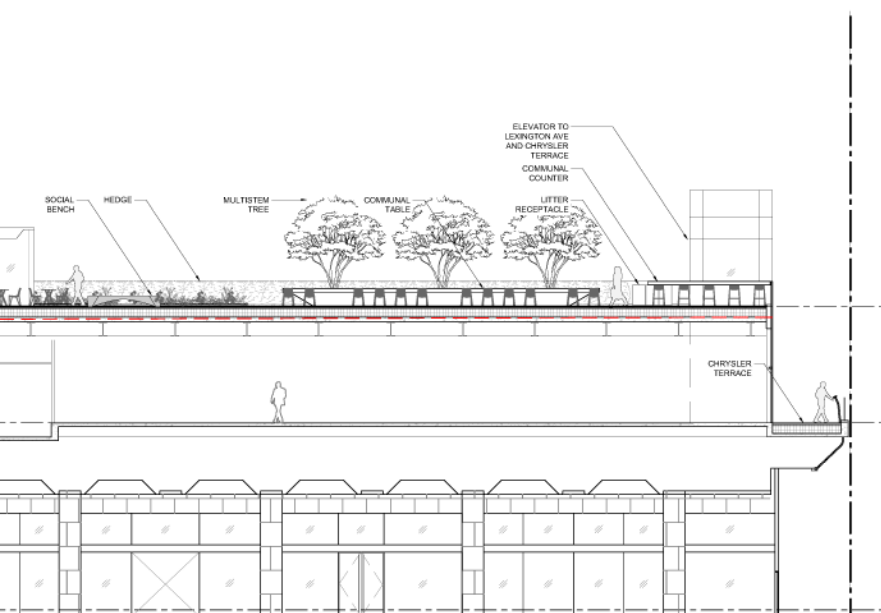


02 NORTH TERRACE - GRAYBAR TERRACE
SECTION



BAR TERRACE AT COMMUNAL TABLE

3/8" = 1'-0"



1/8" = 1'-0"

NOTES

1. APPLICANT'S STAMP AND SEAL CORRESPONDS TO THE INFORMATION REGARDING PUBLIC CONCOURSE IMPROVEMENTS WITHIN ZONING LOT 1. INFORMATION REGARDING THE PROPOSED DEVELOPMENT, ELEVATOR, STAIRWAYS AND SURROUNDING PROPERTIES IS FOR ILLUSTRATIVE PURPOSES ONLY. REFER TO ARCHITECTURAL DRAWINGS FOR INFORMATION PERTAINING TO AND WITHIN PROPOSED DEVELOPMENT.

2. DESIGN AND LAYOUT OF PUBLIC CONCOURSE IMPROVEMENTS ARE SUBJECT TO PDC REVIEW / APPROVAL.

175 PARK AVENUE

175 PARK AVENUE, NEW YORK, NY 10017

CLIENT
Commodore Owner LLC

C/O ROR REALTY LLC
625 FOR PLAZA LINDALE, NEW YORK 11506

ARCHITECT
SOM

SKIDMORE, OWINGS & MERRILL LLP
250 GREENWICH STREET, NEW YORK, NY 10007

WSP
ONE PENN PLAZA, 250 WEST 34TH STREET, NEW YORK, NY 10019

JAROS, BAUM & BOLLES CONSULTING ENGINEERS, LLP
80 PINE STREET, NEW YORK, NY 10005

EDGETT WILLIAMS CONSULTING GROUP
102 EAST BETHLEDALE AVENUE, SUITE 1, MILL VALLEY, CA 94041

CODE CONSULTANT
CODE CONSULTANTS, INC
215 WEST 40TH STREET, 10TH FLOOR, NEW YORK, NY 10018

LANGAN
21 PENN PLAZA, 360 WEST 31ST STREET, 8TH FLOOR, NEW YORK, NY 10001

THORNTON TOMASETTI
51 MADISON AVE, NEW YORK, NY 10010

STANTEC
475 FIFTH AVENUE 12TH FLOOR, NEW YORK, NY 10017-7239

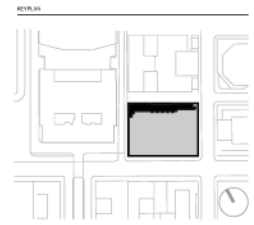
FRIED FRANK
1 NEW YORK PLAZA, 1 FDR DR, NEW YORK, NY 10004

VHB
ONE PENNSYLVANIA PLAZA #715, NEW YORK, NY 10119

HEINTGES
446 PARK AVENUE SOUTH, 15TH FLOOR, NEW YORK, NY 10018

STEVEN WINTER ASSOCIATES, INC.
307 SEVENTH AVE, SUITE 1701, NEW YORK, NY 10001

JAMES CORNER FIELD OPERATIONS
475 10TH AVENUE, 9TH FLOOR, NEW YORK, NY 10018



NOT FOR CONSTRUCTION

LEGEND

- PUBLIC CONCOURSE IMPROVEMENT
- ZONING LOT LINE

DRAWING TITLE
PUBLIC CONCOURSE IMPROVEMENTS - LANDSCAPE SECTIONS

DRAWING NUMBER
Z-621

EXHIBIT G-1

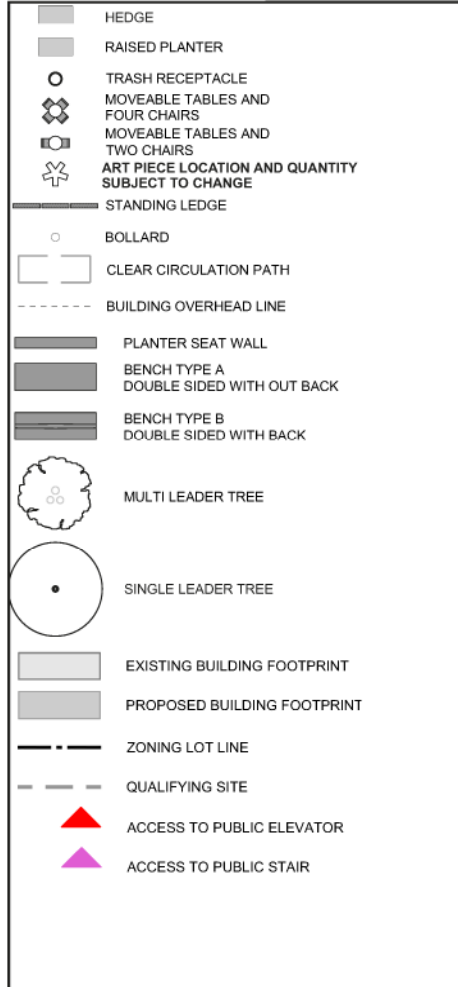
Grand Central Terrace Zone Drawing

[Attached]

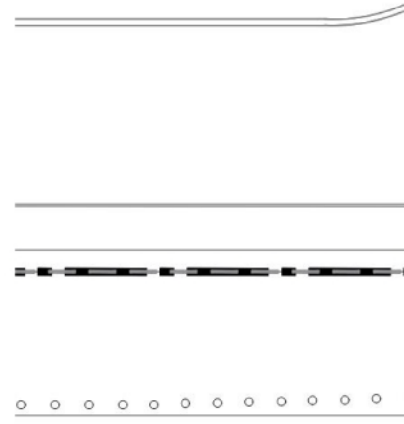
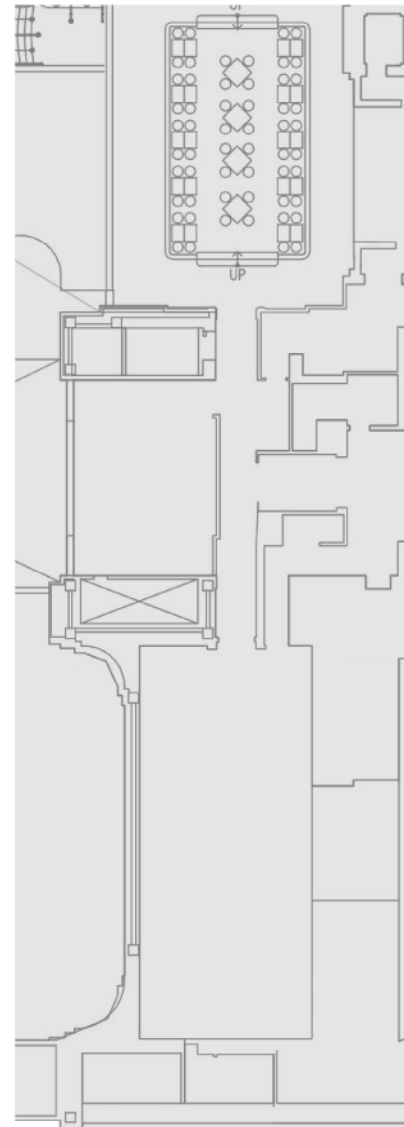
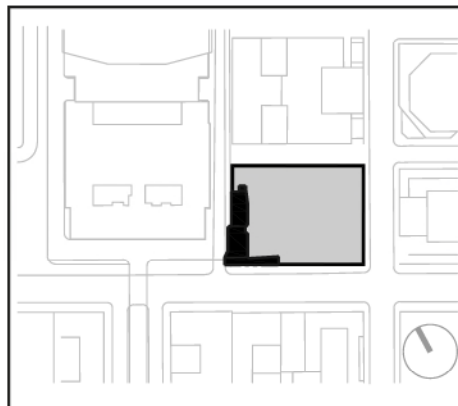
175 PARK AVENUE

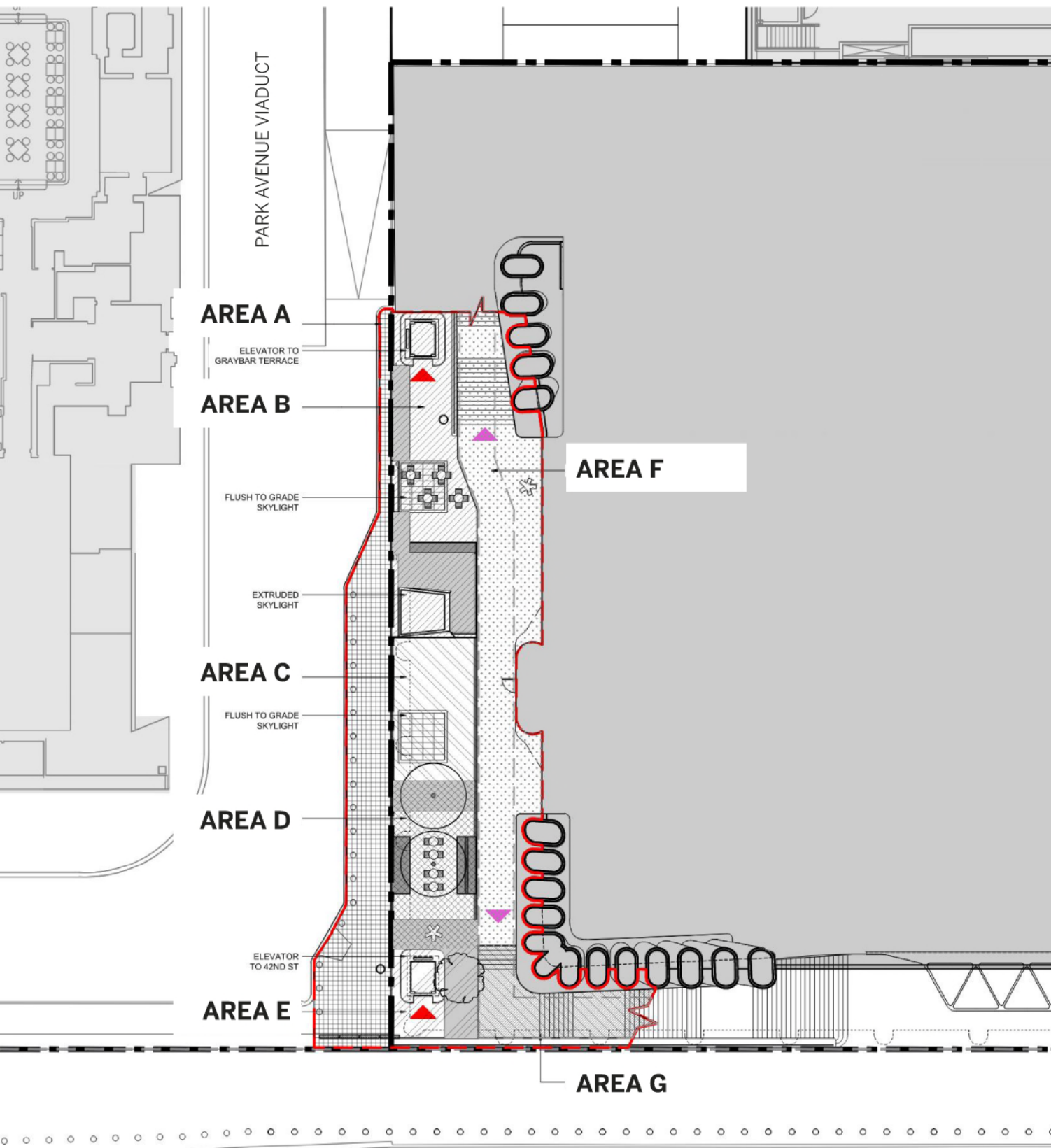
GRAND CENTRAL TERRACE ZONE DIAGRAM

LEGEND



KEY PLAN





PARK AVENUE VIADUCT

AREA A

ELEVATOR TO GRAYBAR TERRACE

AREA B

FLUSH TO GRADE SKYLIGHT

EXTRUDED SKYLIGHT

AREA C

FLUSH TO GRADE SKYLIGHT

AREA D

ELEVATOR TO 42ND ST

AREA E

AREA F

AREA G

42ND STREET

SCALE NTS



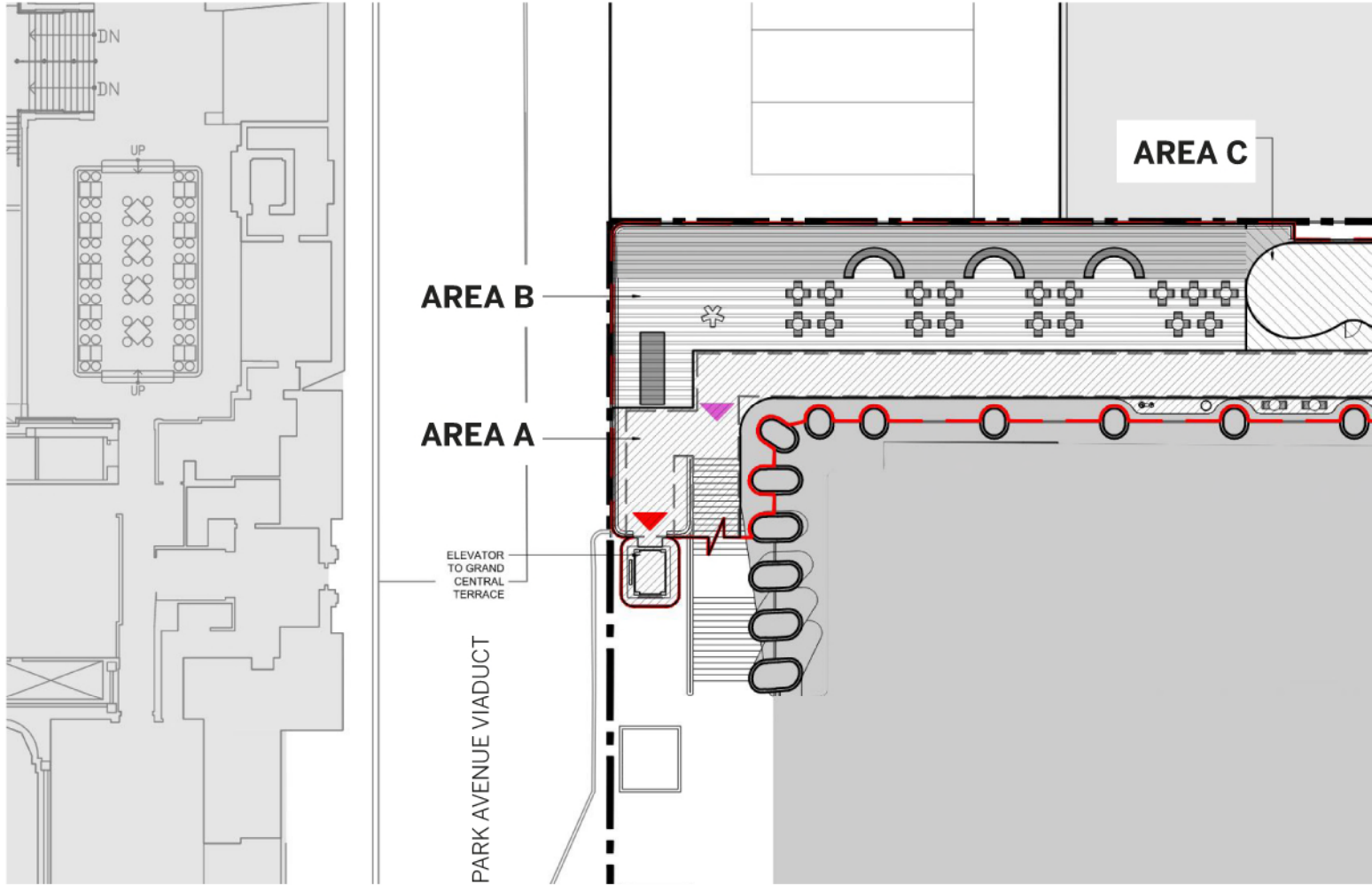
EXHIBIT G-2

Graybar Terrace Zone Drawing

[Attached]

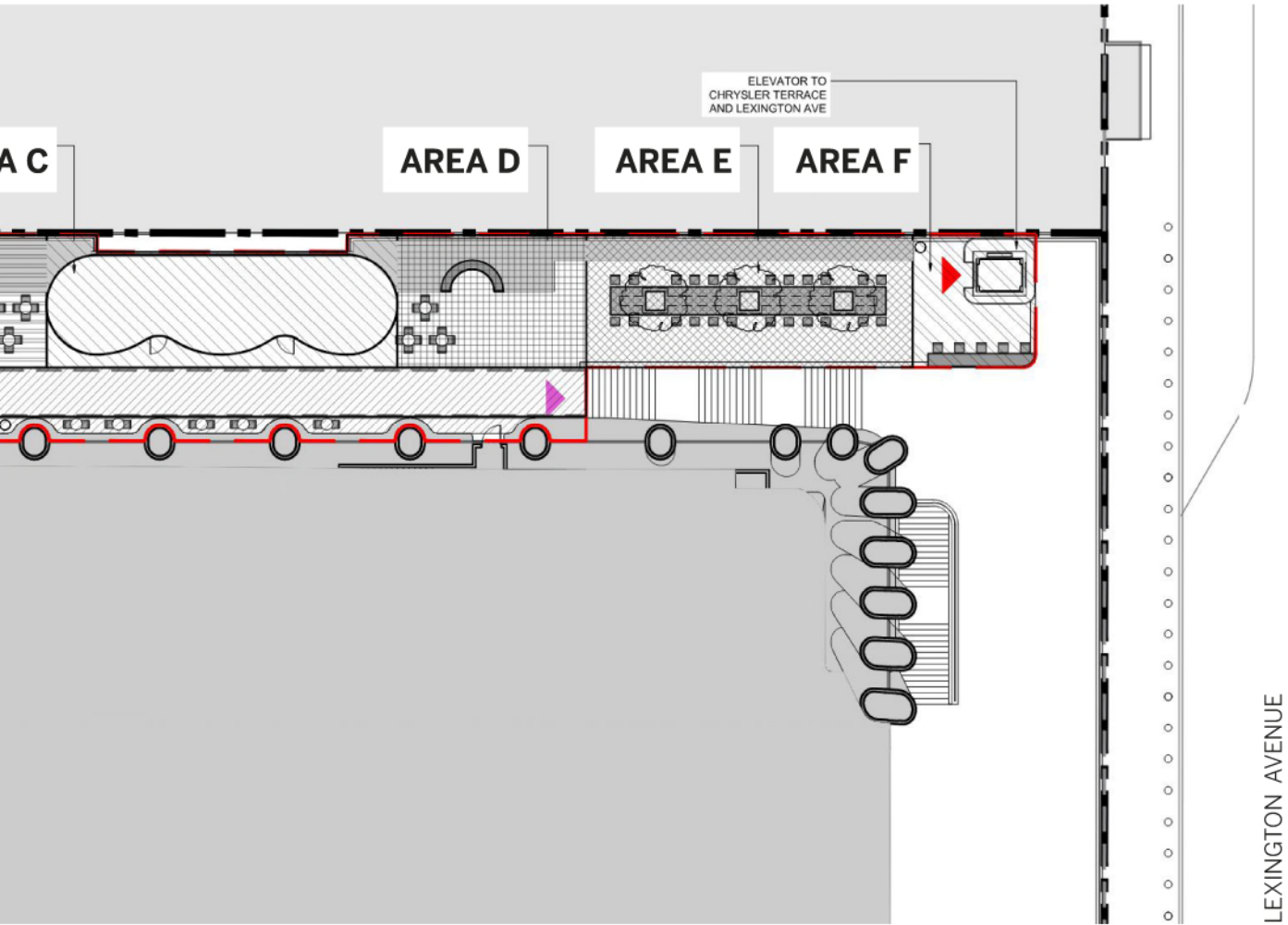
175 PARK AVENUE

GRAYBAR TERRACE ZONE DIAGRAM

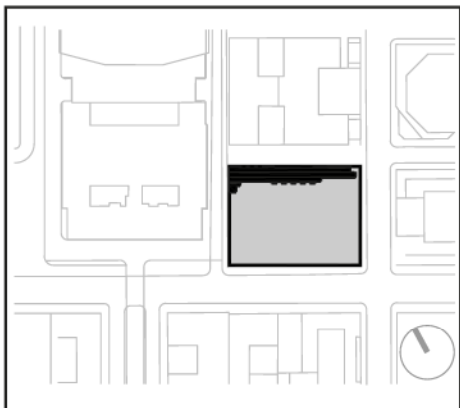


LEGEND

	HEDGE		MULTI LEADER TREE		ZONING LOT LINE
	RAISED PLANTER		COUNTERTOP AND BAR STOOL SEATING		QUALIFYING SITE
	TRASH RECEPTACLE		COMMUNAL TABLE		ACCESS TO PUBLIC ELEVATOR
	MOVEABLE TABLES AND FOUR CHAIRS		EXISTING BUILDING FOOTPRINT		ACCESS TO PUBLIC STAIR
	MOVEABLE TABLES AND TWO CHAIRS		PROPOSED BUILDING FOOTPRINT		
	ART PIECE LOCATION AND QUANTITY SUBJECT TO CHANGE				
	CLEAR CIRCULATION PATH				
	BUILDING OVERHEAD LINE				
	BENCH TYPE A DOUBLE SIDED WITH OUT BACK				
	BENCH TYPE C U-SHAPED WITHOUT BACK				



KEY PLAN



SCALE NTS



EXHIBIT G-3

Grand Central Terrace Purposes and Requirements

1. General Purposes

The Grand Central Terrace is intended to serve the following purposes:

- Provide the public with different opportunities to view the eastern façade of Grand Central Terminal, with viewing and seating areas generally located along the western edge of the terrace;
- Provide natural light to the Transit Hall below;
- Provide the public with opportunities to view other surrounding historic landmarks along East 42nd Street;
- Provide various options for the location of public art. Specific siting of artwork shall be coordinated when artwork is selected. Artwork placement shall not conflict with circulation and other terrace amenities including seating; and
- Promote public circulation and facilitate social interaction.

2. Site Plan Requirements

The Grand Central Terrace shall be comprised of seven areas arranged as shown on the drawing attached hereto as Exhibit G-1.

- Area A shall include the sidewalk that lines the existing elevated roadway adjacent to Grand Central Terrace. This area shall include paving improvements that complement paving types proposed for Grand Central Terrace as well as security bollards. The sidewalk shall provide circulation space between the ADA-compliant elevator in Area E and other areas of the Grand Central Terrace, and allow the public opportunities to view surrounding historic landmarks along East 42nd Street and the Grand Central Terminal building's façade.
- Area B shall include an ADA-compliant elevator along its northern edge to provide access between the Grand Central Terrace and the Graybar Terrace situated one level above. Area B's western edge shall be lined with plantings or a similar screening feature that will screen this portion of the terrace from the adjacent service road to the west, which slopes down to the terrace level as it connects to former Depew Place. Area B shall also include two skylights – one flush to grade and one extruded – that will provide daylight to the Grand Central Terminal Transit Hall that sits below the terrace. The extruded skylight shall provide views of Grand Central Terminal's eastern façade and will be lined by a raised planter that may incorporate a seat wall. The area surrounding the flush skylight shall remain flexible to accommodate a small grouping of moveable tables and chairs.

- Area C shall remain free of seating and planting to allow for clear circulation between the building and Area A. Area C shall be characterized by a flush-to-grade skylight that will provide daylight to the Grand Central Terminal Transit Hall below.
- Area D shall include a seating area and greenery, including planters and several large-scale trees.
- Area E shall contain the ADA-compliant elevator that will provide access between the East 42nd Street sidewalk and the Grand Central Terrace. The elevator shall be surrounded by plantings that are visible to pedestrians at street level, creating a visual signal of the public nature of the Grand Central Terrace.
- Area F shall include a continuous, unobstructed pedestrian circulation path with a minimum clear width of eight feet, adjacent to or near the building façade for the full length of the Grand Central Terrace. Area F shall also contain the stair that will provide access between Graybar Terrace and the Grand Central Terrace.
- Area G shall include the stair that will provide access between street level and the level of Grand Central Terrace. The stair shall have a minimum width of eight feet and shall include generous landings that will provide visitors with opportunities to pause and view historic landmarks along 42nd Street.

3. Additional Design Requirements

- Minimum Dimensions: The Grand Central Terrace shall have the minimum dimensions shown on Z-601 and Z-602 and a minimum aggregate area of 7,368 square feet.
- Obstructions:
 - Permitted obstructions as defined in ZR Section 37-726(a) may occupy up to 40 percent of the area of the Grand Central Terrace.
 - Flush-to-grade skylights shall not be considered an obstruction, and the extruded skylight shall be a permitted obstruction. Building portions extending above the Grand Central Terrace shall not be considered obstructions.
 - The Grand Central Terrace shall comply with the permitted obstructions standards of ZR Section 37-726(c) and 37-726(d).
- Skylights: The Grand Central Terrace shall provide two flush-to-grade skylights and one extruded skylight. The flush-to-grade skylights shall be translucent. The extruded skylight shall be transparent, arranged to provide views of Grand Central Terminal's eastern façade, and have minimum dimensions in plan of four feet by six feet and maximum dimensions in plan of nine feet by 12 feet.
- Seating
 - The Grand Central Terrace shall include a minimum of 100 linear feet of seating, including a maximum of 40 linear feet of moveable seating and a mix of fixed seating with and without backs.

- Required seating on the Grand Central Terrace shall comply with the minimum and maximum dimensional standards of paragraphs (1) through (3) of ZR Section 37-741.
- At least one moveable table shall be provided for every four moveable chairs.
- Planting: The Grand Central Terrace shall include a minimum of 420 square feet of planting and at least two trees, at least one of which shall be planted flush-to-grade. Terrace planting shall be subject to the planting bed requirements of ZR Section 37-742. The bounding walls of Grand Central Terrace planted areas shall not exceed six inches above the adjacent walking surface, except for planted areas around the extruded skylight or that incorporate seating.
- Public art: The Grand Central Terrace shall be available for public art installations, which shall be located in a manner that invites public exploration of the terrace and adjacent terraces.
- Transparency: At least 35 percent of the surface area of building walls, including walls fronting on the civic stair portion of the Grand Central Terrace, between the terrace level and 14 feet above the terrace level shall be treated with glass.
- Signage:
 - The Grand Central Terrace shall include at least one public space sign complying with Title 62, Section 11-04 of the Rules of the City of New York. Such sign or separate, additional signs shall also include a way-finding signage system.
 - Up to 39 square feet of accessory signage may front on the Grand Central Terrace.
- Other:
 - The Grand Central Terrace shall include at least two litter receptacles, which may include receptacles for recycling.
 - The Grand Central Terrace shall comply with the paving standards of ZR Section 37-718.
 - The Grand Central Terrace shall comply with the accessibility standards of ZR Section 37-728.
 - Collectively, the Terraces shall include a variety of lighting types such as seat lighting, stair lighting, accent lighting, and down lighting with a minimum average level of illumination of 1.5 foot candles throughout walkable and sitting areas.
 - The Grand Central Terrace shall comply with the electrical outlet standards of ZR Section 37-743.

EXHIBIT G-4

Graybar Terrace Purposes and Requirements

1. General Purposes

The Graybar Terrace is intended to serve the following purposes:

- Provide an elevated public space that serves as a dynamic connector between the Grand Central Terrace and the Chrysler Terrace;
- Provide the public with different opportunities to view the eastern façade of Grand Central Terminal and to view the Lexington Avenue and East 43rd Street corridors;
- Offer flexible spaces that can accommodate public programming including cultural events and areas to incorporate public art; and
- Provide generous pedestrian circulation space and facilitate social interaction.

2. Site Plan Requirements

The Graybar Terrace shall comprise six areas arranged as shown on the drawing in Exhibit G-2.

- Area A shall include a continuous, unobstructed pedestrian circulation path with a minimum clear width of eight feet, adjacent to or near the building façade. To the west, Area A shall contain the stair and ADA-compliant elevator that will provide access between the Graybar Terrace and the Grand Central Terrace situated one level below. To the east, Area A shall adjoin the stair that will provide access to the Chrysler Terrace. Moveable tables and chairs, litter receptacles, and one drinking fountain with a bottle filler shall be provided within or adjacent to Area A.
- Area B shall provide a flexible layout, generally clear of large, fixed elements, so that it can accommodate public programming that includes cultural events as well as large-scale public art. Area B's northern edge shall be lined with a planting bed that will screen this portion of the terrace from the loading docks below. Fixed benches shall be located near the western edge of Area B and incorporated into the southern edge of the planting bed. Area B shall also contain a large grouping of moveable tables and chairs.
- Area C shall include a minimum 500-square-foot pavilion.
- Area D shall include a planting bed along its northern edge with one fixed bench incorporated into the southern edge of the planter. Area D shall also include a grouping of moveable tables and chairs.
- Area E shall provide a large-scale, fixed communal table as its focal point. Area E's northern edge shall be lined with a planting bed contiguous with the Area D planting bed.
- Area F shall include a widened slab set at counter-height on its southern edge, providing opportunities for seating overlooking the Chrysler Terrace. Area F shall also include an ADA-compliant elevator on its northeast corner that will provide access to the Chrysler Terrace and Lexington Avenue.

3. Additional Design Requirements

- Minimum Dimensions: The Graybar Terrace shall have the minimum dimensions shown on Z-603 and a minimum aggregate area of 8,053 square feet.
- Obstructions:
 - Permitted obstructions as defined in ZR Section 37-726(a) may occupy up to 65 percent of the area of the Graybar Terrace.
 - Building portions extending above the Graybar Terrace shall not be considered obstructions.
 - The Graybar Terrace shall comply with the permitted obstructions standards of ZR Section 37-726(c) and 37-726(d).
- Pavilion: The Graybar Terrace shall provide a pavilion open to the public with an area of up to 850 square feet for food service, cultural, educational, or community-related uses.
- Seating
 - The Graybar Terrace shall include a minimum of 275 linear feet of seating, including a maximum of 232 linear feet of moveable seating and a mix of fixed seating with and without backs.
 - Required seating on the Graybar Terrace shall comply with the minimum and maximum dimensional standards of paragraphs (1) through (3) of ZR Section 37-741.
 - At least one moveable table shall be provided for every four moveable chairs, other than counter-height chairs and chairs associated with the communal table.
- Planting: The Graybar Terrace shall include a minimum of 975 square feet of planting. Terrace planting shall be subject to the planting bed requirements of ZR Section 37-742, except that the soil depth for multi-stemmed trees may be reduced to three feet on the Graybar Terrace. The bounding walls of Graybar Terrace planted areas shall not exceed six inches above the adjacent walking surface, except for planted areas that incorporate seating.
- Public art: The Graybar Terrace shall be available for public art installations, which shall be located in a manner that invites public exploration of the terrace and adjacent terraces.
- Transparency: At least 20 percent of the surface area of building walls, including the walls of the pavilion, between the terrace level and 14 feet above the terrace level shall be treated with glass.
- Signage:
 - The Graybar Terrace shall include at least one public space sign complying with Title 62, Section 11-04 of the Rules of the City of New York. Such sign or separate, additional signs shall also include a way-finding signage system.
 - Up to 22.5 square feet of accessory signage may front on the Graybar Terrace.

- Other:
 - The Graybar Terrace shall include at least two litter receptacles, which may include receptacles for recycling.
 - The Graybar Terrace shall include at least one drinking fountain with a bottle filler.
 - The Graybar Terrace shall comply with the paving standards of ZR Section 37-718.
 - The Graybar Terrace shall comply with the accessibility standards of ZR Section 37-728.
 - Collectively, the Terraces shall include a variety of lighting types such as seat lighting, stair lighting, accent lighting, and down lighting with a minimum average level of illumination of 1.5 foot candles throughout walkable and sitting areas.
 - The Graybar Terrace shall comply with the electrical outlet standards of ZR Section 37-743.

EXHIBIT G-5



















Chrysler Terrace Zone Drawing

[Attached]

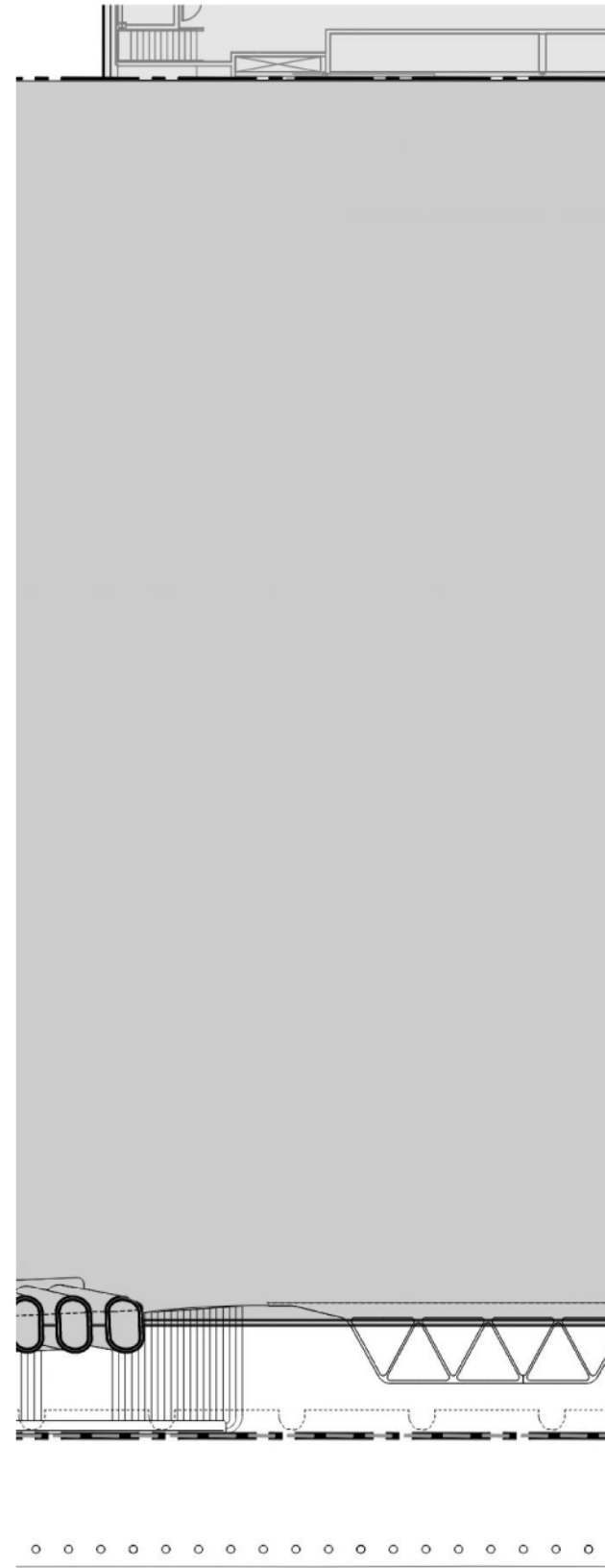
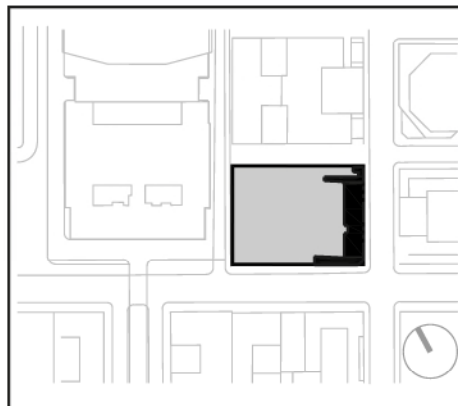
175 PARK AVENUE

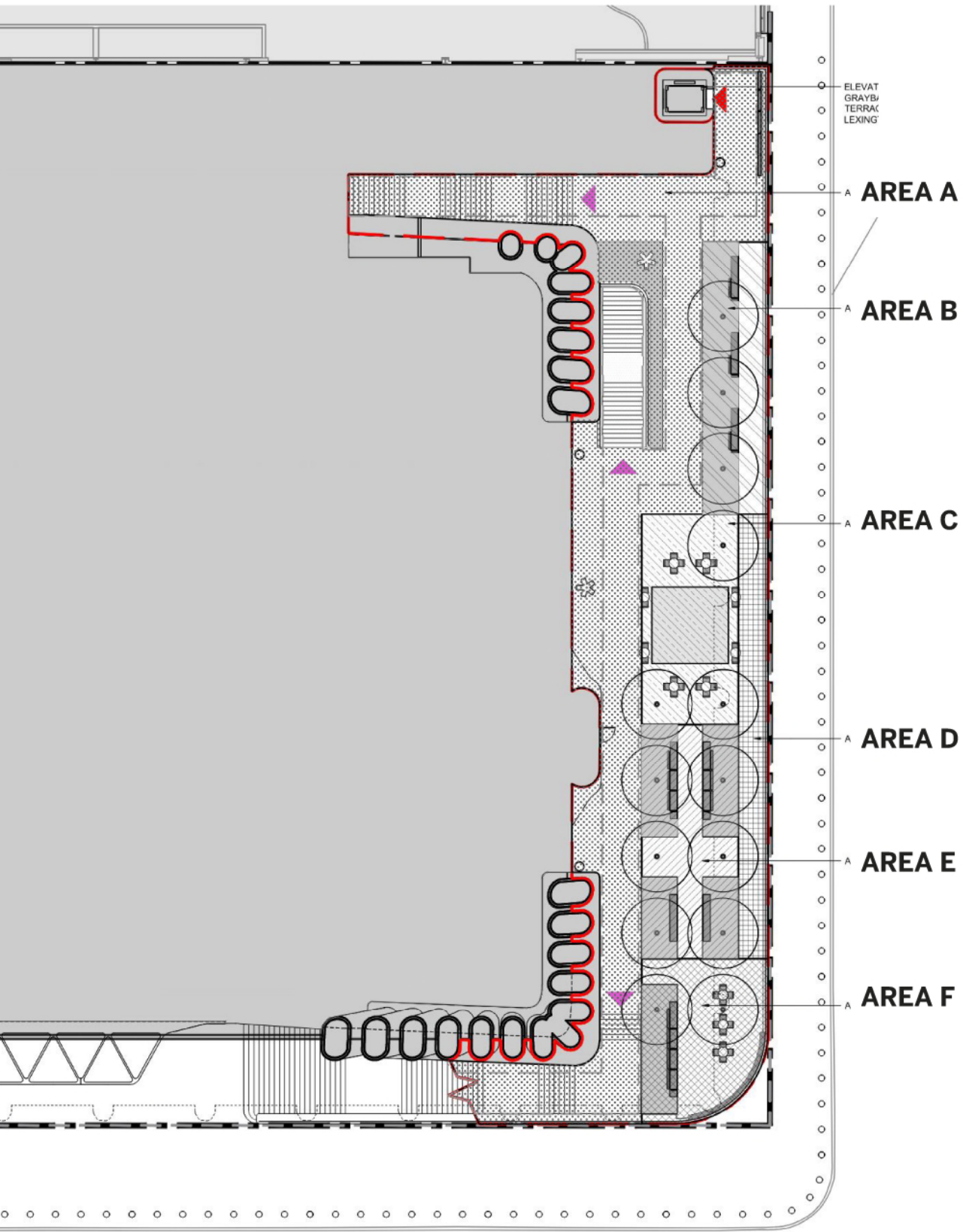
CHRYSLER TERRACE ZONE DIAGRAM

LEGEND

	RAISED PLANTER
	TRASH RECEPTACLE
	MOVEABLE TABLES AND FOUR CHAIRS
	MOVEABLE TABLES AND TWO CHAIRS
	ART PIECE LOCATION AND QUANTITY SUBJECT TO CHANGE
	CLEAR CIRCULATION PATH
	BUILDING OVERHEAD LINE
	BENCH TYPE D WITH BACK
	BENCH TYPE D WITHOUT BACK
	STANDING LEDGE
	MULTI LEADER TREE
	SINGLE LEADER TREE
	EXISTING BUILDING FOOTPRINT
	PROPOSED BUILDING FOOTPRINT
	ZONING LOT LINE
	QUALIFYING SITE
	ACCESS TO PUBLIC ELEVATOR
	ACCESS TO PUBLIC STAIR

KEY PLAN





42ND STREET

SCALE NTS



EXHIBIT G-6

Chrysler Terrace Requirements

- **Minimum Dimensions:** The Chrysler Terrace shall have the minimum dimensions shown on Z-701 and Z-702 and a minimum aggregate area of 10,000 square feet.
- **Obstructions:**
 - Permitted obstructions as defined in ZR Section 37-726(a) may occupy up to 40 percent of the area of the Chrysler Terrace.
 - Building portions extending above the Chrysler Terrace shall not be considered obstructions.
 - The Chrysler Terrace shall comply with the permitted obstructions standards of ZR Section 37-726(c) and 37-726(d).
- **Water Feature:** The Chrysler Terrace shall provide a water feature with dimensions of approximately 15 feet by 15 feet that is aligned with the Lexington Avenue entrance of the Chrysler Building.
- **Seating**
 - The Chrysler Terrace shall include a minimum of 150 linear feet of seating, including a maximum of 68 linear feet of moveable seating and a mix of fixed seating with and without backs.
 - Required seating on the Chrysler Terrace shall comply with the minimum and maximum dimensional standards of paragraphs (1) through (3) of ZR Section 37-741.
 - At least one moveable table shall be provided for every four moveable chairs.
 - Seating shall include social seating and seating arranged to provide for views to the Chrysler Building.
- **Planting:** The Chrysler Terrace shall include a minimum of 1,275 square feet of planting and 14 trees, at least six of which shall be planted flush-to-grade. Terrace planting shall be subject to the planting bed requirements of ZR Section 37-742. The bounding walls of Chrysler Terrace planted areas shall not exceed six inches above the adjacent walking surface, except for planted areas that incorporate seating.
- **Public art:** The Chrysler Terrace shall be available for public art installations, which shall be located in a manner that invites public exploration of the terrace and adjacent terraces.
- **Transparency:** At least 30 percent of the surface area of building walls, including the walls fronting on the civic stair portion of the Chrysler Terrace, between the terrace level and 14 feet above the terrace level shall be treated with glass.

- Signage:
 - The Chrysler Terrace shall include at least one public space sign complying with Title 62, Section 11-04 of the Rules of the City of New York. Such sign or separate, additional signs shall also include a way-finding signage system.
 - Up to 59 square feet of accessory signage may front on the Chrysler Terrace.
- Other:
 - The Chrysler Terrace shall include at least three litter receptacles, which may include receptacles for recycling.
 - The Chrysler Terrace shall comply with the paving standards of ZR Section 37-718.
 - The Chrysler Terrace shall comply with the accessibility standards of ZR Section 37-728.
 - Collectively, the Terraces shall include a variety of lighting types such as seat lighting, stair lighting, accent lighting, and down lighting with a minimum average level of illumination of 1.5 foot candles throughout walkable and sitting areas.
 - The Chrysler Terrace shall comply with the electrical outlet standards of ZR Section 37-743.

EXHIBIT H

Mitigation Measures

Traffic Mitigation Measures

Modify signal timing at:

- Second Avenue and East 40th Street: Shift 1 sec of green time from EB phase to SB phase during the AM peak hour.
- Lexington Avenue and East 40th Street: Shift 1 sec of green time from EBT lead phase to EB phase during the PM peak hour.
- Lexington Avenue and East 43rd Street: Shift 2 sec of green time from WB phase to SB phase during the AM peak hour.
- Lexington Avenue and East 44th Street: Shift 2 sec of green time from Ped phase to SB phase during the AM peak hour.
- Lexington Avenue and East 45th Street: Shift 2 sec of green time from WB phase to SB phase during the AM peak hour.
- Broadway and West 42nd Street: Shift 2 sec of green time from EB lead phase to EB/WB phase during the AM peak hour, midday peak hour, and PM peak hour.

Transit Mitigation Measures

Increase Flushing line escalator operating speed from 90 feet per minute to 100 feet per minute.

Pedestrian Mitigation Measures

Crosswalks (Lexington Avenue and East 42nd Street)

- Restripe the north crosswalk from its existing width of 20 feet to 21 feet.
- Restripe the east crosswalk from its existing width of 13 feet to 14 feet.
- Restripe the west crosswalk from its existing width of 12 feet to 14 feet.

Corners (Lexington Avenue and East 42nd Street)

- Relocate an existing garbage bin from the southwest corner to an adjacent sidewalk.

EXHIBIT I

Bonus Floor Area

- **Short Loop Improvement**: 200,000 square feet of floor area as defined in the Zoning Resolution
- **Transit Improvements other than the Short Loop Improvement**: 411,616 square feet of floor area as defined in the Zoning Resolution
- **Grand Central Terrace (Lot 30 portion)**: 60,840 square feet of floor area as defined in the Zoning Resolution
- **Grand Central Terrace (Lot 1 portion)**: 12,840 square feet of floor area as defined in the Zoning Resolution
- **Graybar Terrace**: 80,530 square feet of floor area as defined in the Zoning Resolution
- **Lexington Passage**: 35,750 square feet of floor area as defined in the Zoning Resolution
- **Transit Hall**: 69,264 square feet of floor area as defined in the Zoning Resolution