

**A. INTRODUCTION**

This chapter considers the potential for the proposed actions to result in significant adverse impacts to land use, zoning, and public policy. Under the guidelines of the 2014 *City Environmental Quality Review (CEQR) Technical Manual*, this analysis evaluates the uses and development trends in the area that may be affected by the proposed actions and determines whether the proposed actions are compatible with those conditions or may otherwise affect them. The analysis also considers the proposed actions' compatibility with zoning regulations and other applicable public policies in the area.

Specifically the proposed actions would amend the regulations of the Special Grand Central Subdistrict of the Special Midtown District. The text amendments would create the Vanderbilt Corridor and a new Grand Central Public Realm Improvement Bonus for developments in the Vanderbilt Corridor for public space and transit improvements. The text amendments would also increase the maximum floor area ratio (FAR) bonus from 6.6 to 15.0 for sites in the Vanderbilt Corridor that utilize the existing landmark transfer special permit available in the Grand Central Subdistrict pursuant to Zoning Resolution (ZR) §81-635, increasing the maximum permitted FAR on the receiving site from 21.6 to 30.0, and modify the uses permitted in the Vanderbilt Corridor to allow the development, conversion, or enlargement of hotels only by a new special permit.

The proposed actions would facilitate the development of an approximately 1.8 million-gross-square-foot (gsf), (1,299,390-zoning-square-foot [zsf]), 30.0 FAR building ( the proposed One Vanderbilt development) on a site owned by Green 317 Madison LLC (317 Madison). The proposed One Vanderbilt development would contain a mix of uses including office, trading floors, retail, restaurant, transit access, an enclosed public space at ground level, and rooftop amenity space. The proposed One Vanderbilt development would utilize floor area bonuses pursuant to the Grand Central Public Realm Improvement and landmark transfer special permits described above. As part of the proposed One Vanderbilt development, 317 Madison would provide the improvements to the Vanderbilt Avenue public place dedicated to pedestrian uses.

This chapter provides an assessment of existing and future conditions with and without the proposed actions for the One Vanderbilt site, the Vanderbilt Corridor and a study area surrounding the Corridor, which are described in detail below.

**PRINCIPAL CONCLUSIONS**

The proposed actions include text amendments that would introduce the Grand Central Public Realm Improvement Bonus special permit and increase the maximum FAR that may be transferred from a landmark site from 6.6 to 15.0, increasing the maximum permitted FAR on the receiving site from 21.6 to 30.0 for sites in the Vanderbilt Corridor that utilize the existing landmark transfer special permit. These actions would support the goals for the East Midtown area, one of the premier business districts in New York City, as defined in Chapter 1, "Project

## Vanderbilt Corridor and One Vanderbilt

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Description” and in the 2013 East Midtown Rezoning proposal. These goals include maximizing development suitable for modern commercial uses around East Midtown’s strong mass transit infrastructure, in particular Grand Central Terminal. The proposed actions would also support the goal of providing public infrastructure improvements, particularly pedestrian circulation and mass transit access improvements, around the Terminal, as well as the goal of expanding opportunities for transfers of unused development rights from landmarks in the area around the Terminal to support the preservation of those landmarks.

The floor area bonus mechanisms created or expanded by the proposed actions are comparable to existing bonus mechanisms within the Special Midtown District and in other areas of New York City. Projects that utilize those bonus mechanisms would be subject to individual review through the special permit process to ensure that they support these goals and are compatible with the surrounding East Midtown area. Similarly, the text amendment mandating that hotels are only permitted in the Vanderbilt Corridor by special permit ensures that such hotels are subject to individual review to determine their compatibility with the predominant office uses in the East Midtown area.

By utilizing the proposed Grand Central Public Realm Improvement Bonus and the expanded landmark bonus, the proposed One Vanderbilt development will carry out the proposed actions’ intended function of revitalizing the East Midtown area as a commercial center. The 1.8 million gsf of space would include modern office, trading floor, and retail space as well as public amenities that support the heavy pedestrian and transit-related circulation in the area. These amenities include below-grade circulation space connecting to Grand Central Terminal (with a new Terminal entrance on East 42nd Street), a transit hall on the ground floor, and a new public place on Vanderbilt Avenue. Additional pedestrian circulation improvements around the Terminal would be provided off-site pursuant to the Public Realm Improvement Bonus special permit (see Chapter 1, “Project Description”). The proposed One Vanderbilt development also features a design that is similar in scale to other modern office towers and complements the surrounding area, providing expanded views of the Terminal from street level and above.

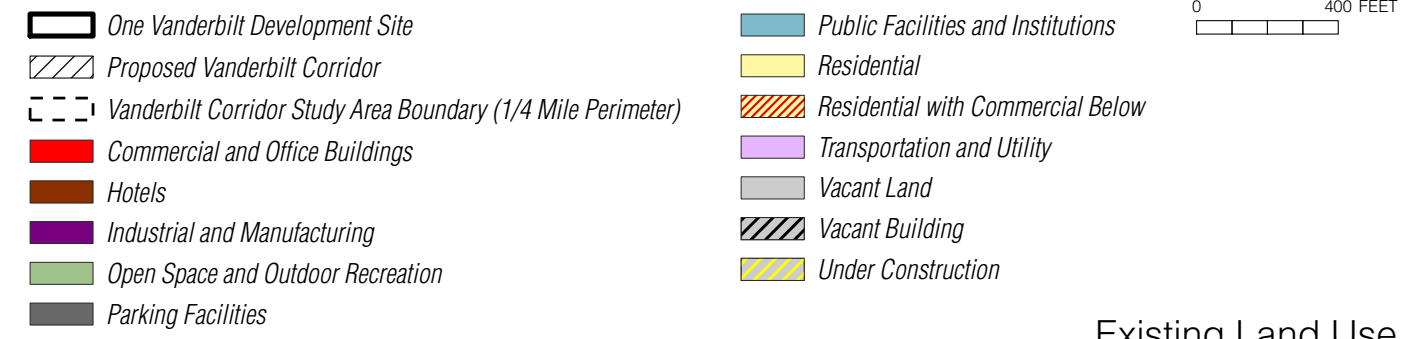
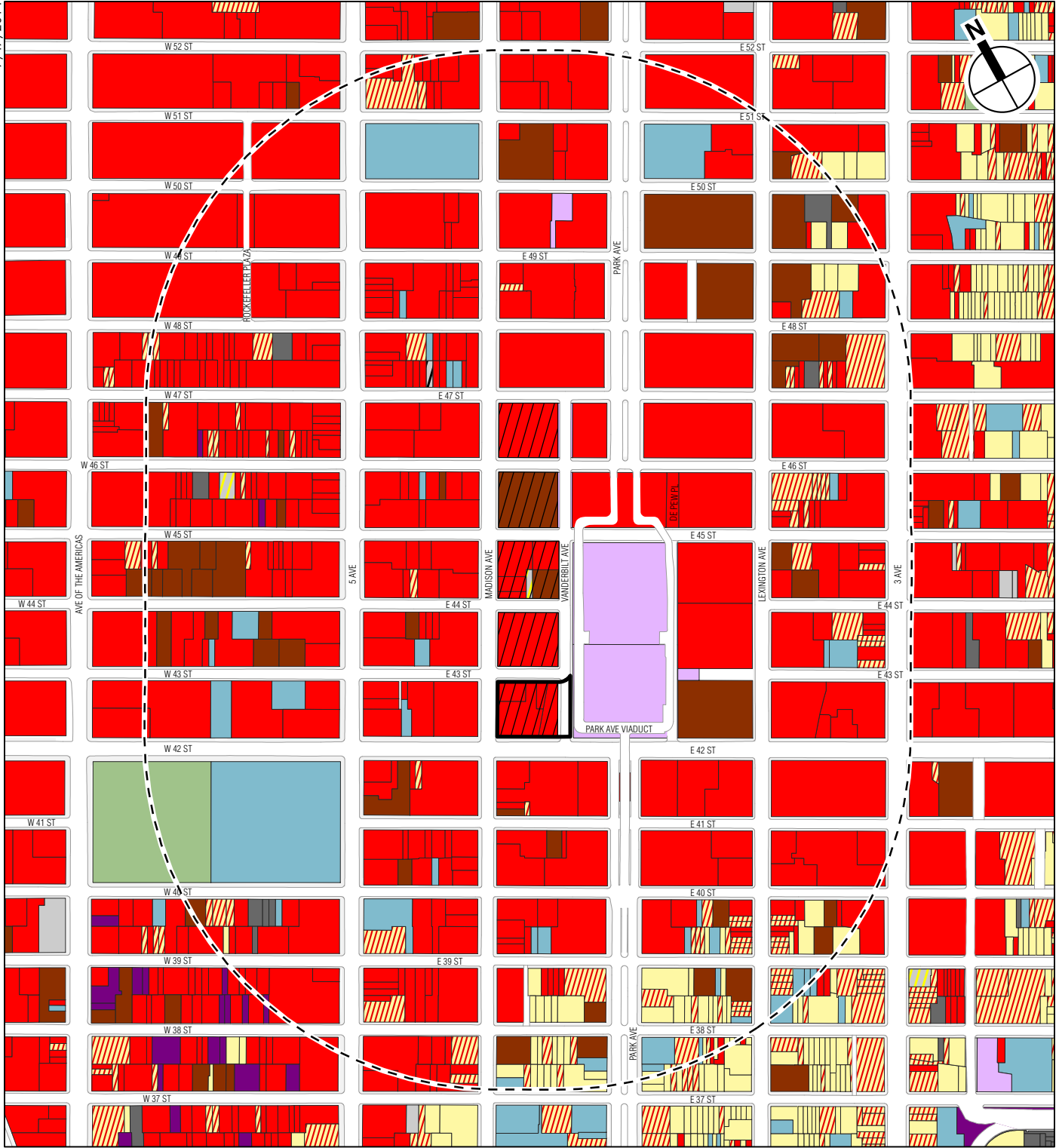
The proposed actions and the proposed One Vanderbilt development would support PlaNYC’s sustainability goals, particularly those relating to transit-oriented development, energy efficiency, and public open space. Overall, the proposed actions would not result in significant adverse impacts to land use, zoning, or public policy.

## B. METHODOLOGY

The study area for this analysis of land use, zoning, and public policy encompasses the area within a ¼ mile of the Vanderbilt Corridor, which includes the One Vanderbilt site, because this is the area in which the proposed One Vanderbilt development and development on other Vanderbilt Corridor sites pursuant to the proposed actions could reasonably be expected to potentially result in significant adverse impacts. The study area extends roughly from East/West 52nd Street to the north,<sup>1</sup> Third Avenue to the east, East/West 37th Street to the south, and Avenue of the Americas to the west (see **Figure 2-1**). The Vanderbilt Corridor and a large portion of the study area are located within Community District 5, with a portion of the study area also extending to Community District 6.

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<sup>1</sup> In Manhattan, streets running east-west are divided into east and west sections by Fifth Avenue.



**Vanderbilt Corridor and One Vanderbilt**

Existing Land Use  
**Figure 2-1**

Consistent with the guidance of the *CEQR Technical Manual*, this analysis identifies anticipated changes in land use, zoning, and public policy that are expected to occur independent of the proposed project by 2021, the proposed actions' Build year<sup>1</sup>, and assess any potential adverse impacts to land use, zoning, and public policy that may occur as a result of the proposed actions. Sources for this analysis include the New York City Department of City Planning (DCP), the New York City Department of Buildings (DOB) and recent environmental assessment and impact statements in the area, particularly the *East Midtown Rezoning and Related Actions Final Environmental Impact Statement (FEIS)* (2013).

## C. EXISTING CONDITIONS

### LAND USE

Land use refers to the activity that is occurring on land and within the structures that occupy it. Types of uses include residential, retail, commercial office, industrial, vacant land, and parks.

#### VANDERBILT CORRIDOR

The Vanderbilt Corridor includes the five blocks along the west side of Vanderbilt Avenue between East 42nd and East 47th Streets.<sup>2</sup> The One Vanderbilt site is discussed in more detail below. Overall, the Vanderbilt Corridor is predominantly developed with commercial uses. Two blocks are fully occupied by large modern office towers. The site between East 43rd and East 44th Streets (Block 1278, Lot 20) contains the 335 Madison Avenue building (also known as Bank of America Plaza), a 28-story office tower. Originally constructed in the early 20th century as the New York Biltmore Hotel, it was fully renovated with a complete façade reconstruction and interior commercial office conversion in the 1980s. The site at the northern end of the Vanderbilt Corridor between East 46th and East 47th Streets (Block 1282, Lot 21) contains the 383 Madison Avenue building (formerly known as the Bear Stearns Building), a 47-story office tower completed in the early 2000s.

The remaining sites within the Vanderbilt Corridor contain older commercial buildings. The site between East 44th and East 45th Streets (Block 1279, Lots 23-25, 28, 45, and 48) contains multiple lots developed with buildings that date from the early 20th century. The Madison Avenue frontage contains three 12- to 20-story buildings (341, 343, and 347 Madison Avenue) that serve as the headquarters of the Metropolitan Transportation Authority (MTA). The MTA also owns Lot 25, where a ventilation structure for the Long Island Rail Road (LIRR) East Side Access project (described below under “The Future Without the Proposed Actions”) is currently being constructed. The Vanderbilt Avenue frontage contains a 20-story office building (52 Vanderbilt Avenue) and the Yale Club, a 22-story building containing clubhouse facilities (dining rooms, banquet halls, athletic facilities, and a library) and guestroom lodgings.

The site between East 45th and East 46th Streets (Block 1281, Lot 21) contains the Roosevelt Hotel, an 19-story building dating from the 1920s. The hotel is among the largest in New York City, with a total of 1,015 rooms.

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<sup>1</sup> The proposed One Vanderbilt development is expected to be completed and occupied by 2021. Additional development within the Vanderbilt Corridor is expected to occur as a result of the proposed actions by 2033.

<sup>2</sup> Madison Avenue bisects the five blocks, with the eastern portions composing the Corridor.

## **Vanderbilt Corridor and One Vanderbilt**

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### *ONE VANDERBILT SITE*

The One Vanderbilt site, located immediately to the west of Grand Central Terminal along East 42nd Street, contains four lots (Block 1277, Lots 20, 27, 46, and 52) that are developed with low- to mid-rise commercial office buildings dating from early 20th century. Lot 22, located on the southwest corner of the block and extending into the mid-block area, occupies approximately half of the block and contains a 22-story office building. Lot 27, which occupies the eastern side of the block facing Vanderbilt Avenue, contains a 17-story office building, while Lot 52 on the northwest corner of the block contains a 14-story office building. Lot 46 is the smallest lot on the block, located in the midblock area on the northern side facing East 43rd Street, and contains a smaller 7-story office building.

The office spaces on this site are occupied by a wide variety of businesses typical for the East Midtown area: law firms, medical and dental offices, and financial services companies. All four buildings on the project site contain retail space on the first floor; such uses include a bank, several restaurants, and clothing stores. In addition, within the footprint of the building on Lot 27, there is a stairway connection between the street and the mezzanine level of the 42nd Street Shuttle station, subject to an easement benefitting New York City Transit (NYCT); this stairway is accessed on East 42nd Street through the main entrance to the building on Lot 27.

The One Vanderbilt site also includes the portion of Vanderbilt Avenue adjacent to the development site, located between East 42nd Street and East 43rd Street, which is a one-way street (60 feet wide) carrying one lane of northbound traffic.

### *STUDY AREA*

#### *East Midtown*

The study area includes a portion of the East Midtown neighborhood, one of New York City's premier commercial districts. The area was first developed as a commercial center in the early 20th century following the construction of the IRT Lexington Avenue subway line in 1904 and the completion of Grand Central Terminal 1913, with a wave of development that peaked during the 1920s and transformed the area into the City's second major office district following the Financial District. A second wave of development followed in the 1950s and 1960s, largely centered on Park Avenue to the north of the Terminal, which further solidified the area's status as a commercial hub. Some of the high-rise office buildings constructed during these two development periods, such as the Chrysler Building, the Seagram Building, and Lever House, are among the most iconic examples of commercial architecture in New York City.

Grand Central Terminal, located adjacent to the project site, is one of the City's primary transportation hubs carrying the Metro-North commuter rail system and several subway lines, and is itself a major tourist attraction. The blocks surrounding Grand Central Terminal contain some of the largest office towers in the East Midtown area, including the 59-story MetLife Building (formerly the Pan Am Building) located immediately to the north of the Terminal. 42nd Street in particular is a major office tower corridor, with large buildings such as the 47-story W.R. Grace Building, the 53-story Lincoln Building (also known as One Grand Central Place), the 52-story Chanin Building, and the 77-story Chrysler Building. Smaller 12- to 20-story office buildings are generally located in midblock areas. This includes two areas located within the study area between Fifth Avenue and Avenue of the Americas that are generally built to a lower scale: the Diamond District, a center for the jewelry industry on West 47th Street, and Little Brazil, a former manufacturing area on West 46th Street that has been converted to commercial offices.

The study area also contains a particularly dense retail sector, with ground-floor retail facilities located along most frontages. Local retail uses, particularly restaurants, are typically located along the street frontages, while the avenue frontages contain a greater number of destination shopping facilities. Fifth Avenue and Madison Avenue are particularly strong shopping corridors, featuring large national retail chains and high-end apparel stores. The area also contains a large number of hotels, including major regional hotels similar to the Roosevelt Hotel, such as the Grand Hyatt New York (1,306 rooms), as well as smaller historic social clubs with lodging facilities similar to the Yale Club (generally located on the along 43rd Street and 44th Street west of Grand Central Terminal), such as the Century Association, the New York Yacht Club and several other university clubs (the Harvard Club, Penn Club, Princeton Club, and Cornell Club).

The most prominent institutional use within the study area, and another major tourist attraction, is the flagship facility of the New York Public Library (NYPL) located in the Stephen A. Schwarzman Building on Fifth Avenue between West 42nd Street and West 41st Street, which contains the NYPL's central collections and exhibition spaces. The Schwarzman Building shares a block with Bryant Park, one of the most popular and heavily visited parks in the City. NYPL also operates a circulating library (the Mid-Manhattan Library) located on Fifth Avenue opposite the Schwarzman Building. The study area also contains a large number of foreign consulates, likely a result of the area's popularity with tourists as well as its proximity to the United Nations campus, located to the east of the study area.

Extending to the north, away from Grand Central Terminal, the study area contains a similar concentration of large office buildings. The area west of Fifth Avenue between West 48th and West 51st Streets contains Rockefeller Center, a complex of buildings constructed in the 1930s containing office, retail, and studio space, as well as public attractions such as a seasonal skating rink. The tallest building in the complex is the 70-story GE Building (also known as 30 Rockefeller Plaza). This northern portion of the study area also contains the Saks Fifth Avenue department store (located on the east side Fifth Avenue between East 49th and East 50th Streets) and several other large hotels, in particular the 1,245-room Waldorf Astoria New York, located on the east side of Park Avenue between East 49th and East 50th Streets. Other notable institutions in this portion of the study area include two landmarked churches: St. Bartholomew's Episcopal Church (located on Park Avenue between East 50th and East 51st Streets) and the Cathedral of St. Patrick (located Fifth Avenue between East 50th and East 51st Streets).

### *Murray Hill*

A portion of the study area, generally located south of East 40th Street, extends into the Murray Hill neighborhood, a more residential area generally built to a lower density than the East Midtown commercial area. This residential area consists of larger 10- to 20-story apartment buildings along with smaller 4- to 6-story walk-up buildings and townhouses. Although historically the residential area was centered along Park Avenue and Lexington Avenue, it has more recently expanded to the west toward Fifth Avenue. The most recently built residential building in the area is the 56-story condominium located at 425 Fifth Avenue, completed in 2003. As in East Midtown, retail uses are common in the area, particularly along the avenue frontages.

### ZONING

The New York City Zoning Resolution controls the use, density, and bulk of development within the entire City, with the exception of parkland, which does not have a zoning designation. The Zoning Resolution is divided into two parts: zoning text and zoning maps. The text establishes zoning districts and sets forth the regulations governing land use and development. The maps show the locations of the zoning districts.

The Vanderbilt Corridor, the One Vanderbilt site, and the majority of the study area are located within a commercial zoning district (C5-3) that covers a large portion of the East Midtown area. Other commercial zoning districts within the study area include C5-2, C5-2.5, C6-4.5, and C6-6 districts (see **Figure 2-2**). C5-2, C5-3, and C6-6 districts are high-density commercial districts that permit a wide range of uses including residential uses, but are intended for Central Business Districts with large-scale office and retail establishments that serve the entire metropolitan region. These districts primarily contain corporate headquarters, department stores, and large hotels. C5-3 and C6-6 districts permit the highest commercial density in the City (a maximum FAR of 15.0), while C5-2 districts permit a lower level of density (a maximum FAR of 10.0). C5-2.5 and C6-4.5 districts are primarily located in mid-block portions of the East Midtown area and permit a similar range of uses appropriate for a Central Business District and permit a maximum commercial FAR of 12.0. In some of the commercial zoning districts, additional floor area bonuses are available under the Special Midtown District regulations, described below.

A portion of the study area is also located within a M1-6 district, generally located south of West 40th Street and west of Fifth Avenue. M1 districts are typically used in areas of light industrial use, such as warehouses or small manufacturing shops, and are used as buffers between residential or commercial areas and heavier industrial uses. In addition to light manufacturing uses that conform to high performance standards, commercial uses (office, hotel, and most retail uses) are permitted, although residential uses are not permitted. M1-6 districts are the highest density manufacturing districts and are only mapped in Manhattan, built to a scale similar to that of the surrounding commercial districts (maximum FAR of 10.0).

The southern portion of the study area, which extends into the more residential Murray Hill neighborhood, is partially located within residential zoning districts (R8B and R10). Commercial uses are not permitted in these districts, which predominantly contain apartment buildings and community facility uses. R10 districts permit residential uses up to a maximum FAR of 10.0, the highest residential density in the City.<sup>1</sup> In R10 regulations, residential buildings can be designed using tower-on-a-base regulations or under the Quality Housing program, which apply special lot coverage and building height regulations to produce lower buildings with high lot coverage set at or near the street line. R8B districts are contextual zoning districts that permit a lower level of residential density (maximum FAR of 4.0) and apply the regulations of the Quality Housing program as mandatory.

In addition, a portion of the residential area along Lexington Avenue between East 40th Street and East 38th Street contains C1-5 overlay districts. Commercial overlays are mapped along major streets in residential districts and provide for local retail and services, such as grocery stores, restaurants, beauty parlors, and other businesses that cater to nearby residents.

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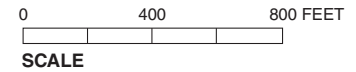
<sup>1</sup> Developments in R10 districts can receive a floor area bonus for a total of 12.0 FAR under the Inclusionary Housing Program.





-  One Vanderbilt Development Site
-  Proposed Vanderbilt Corridor
-  Vanderbilt Corridor Study Area Boundary (1/4-Mile Perimeter)

 Special Midtown District



**Vanderbilt Corridor and One Vanderbilt**

Existing Zoning  
Figure 2-2



Commercial uses are permitted to a maximum of 2.0 FAR (in high-density residential districts) located in individual structures or on the lower floors of residential buildings.

Table 2-1 summarizes the zoning districts located within the study area.

**Table 2-1  
Zoning Districts within the Study Area**

Zoning District	Maximum FAR <sup>1</sup>	Uses/Zone Type
<b>Commercial Districts<sup>2</sup></b>		
C5-2	10.0 commercial <sup>3</sup> 10.0 residential 10.0 community facility <sup>3</sup>	Central commercial district—office and retail uses that serve the entire metropolitan region
C5-2.5	12.0 commercial 10.0 residential 12.0 community facility	Central commercial district within the Special Midtown District
C5-3	15.0 commercial <sup>3</sup> 10.0 residential 15.0 community facility <sup>3</sup>	Central commercial district—office and retail uses that serve the entire metropolitan region
C6-4.5	12.0 commercial 10.0 residential <sup>3</sup> 12.0 community facility	Central commercial district within the Special Midtown District
C6-6	15.0 commercial <sup>3</sup> 10.0 residential <sup>3</sup> 15.0 community facility	Central commercial district
C1-5 overlay	2.0 commercial (in R10 districts) Residential and community facility bulk follows regulations of mapped residential district	Local shopping and services.
<b>Residential Districts</b>		
R8B	4.0 residential 4.0 community facility	Medium-density contextual residential district
R10	10.0 residential 10.0 community facility	High-density residential district
<b>Manufacturing Districts</b>		
M1-6	10.0 manufacturing 10.0 commercial 10.0 community facility <sup>4</sup>	High-density light industrial uses (high performance), commercial and certain community facilities
<p><b>Notes:</b></p> <ol style="list-style-type: none"> <li>1. FAR is a measure of density establishing the amount of development allowed to the lot area. For example, a lot of 10,000 square feet with an FAR of 1 has an allowable building area of 10,000 square feet. The same lot with an FAR of 10 has an allowable building area of 100,000 square feet.</li> <li>2. See <b>Table 2-2</b> for maximum FAR with bonuses under Special Midtown District regulations.</li> <li>3. Maximum FAR increased by 20 percent with a public plaza bonus.</li> <li>4. Use Group 4 only.</li> </ol> <p><b>Sources:</b> New York City Zoning Resolution.</p>		

*Special Midtown District*

The One Vanderbilt site, Vanderbilt Corridor, and a large portion of the study area are located within the boundaries of the Special Midtown District. The Special Midtown District was introduced in 1982 with the intention of expanding on the established commercial district in East Midtown (centered on Park and Madison Avenues) by promoting commercial development to the west and south. The Special Midtown District contains five subdistricts—the Fifth Avenue, Grand Central, Penn Center, Preservation, and Theater Subdistricts—and includes flexible height and setback regulations. The Special Midtown District also mandates certain urban design features, such as street wall continuity and the provision of on-site pedestrian circulation space.

## Vanderbilt Corridor and One Vanderbilt

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Excepting the Preservation Subdistrict, floor area bonuses for the provision of a public plaza or subway station improvements are available in all areas within the Special Midtown District. **Table 2-2** summarizes the maximum FAR, including bonus floor area, for commercial sites within the study area's zoning districts that utilize the available Districtwide floor area bonus mechanisms. In some areas additional floor area bonuses are available, such as the Theater Subdistrict, which provides a bonus for the acquisition of development rights from a listed theater, and the Grand Central Subdistrict, described below.

**Table 2-2**  
**Maximum Non-Residential FAR with Districtwide Bonuses**

Zoning District	Base FAR	Maximum FAR <sup>1</sup>
C5-2-2.5	12.0	14.4
C5-3	15.0	18.0
C6-4.5	12.0	14.4
C6-6	15.0	18.0
<b>Notes:</b>	<sup>1</sup> Maximum FAR does not include bonus FAR generated by transfer of development rights from landmarked sites; see ZR §81-21 for full FAR bonus regulations.	
<b>Sources:</b>	New York City Zoning Resolution.	

The One Vanderbilt site, Vanderbilt Corridor, and the additional blocks within the study area immediately surrounding Grand Central Terminal (between East 48th Street and East 41st Street) are located within the Grand Central Subdistrict of the Special Midtown District. This Subdistrict was created in 1992 and is intended to facilitate the transfer of development rights from Grand Central Terminal to development sites on the surrounding blocks, as well as to enhance the pedestrian environment (both above- and below-grade).

With the Terminal development right transfer mechanism, receiving sites may receive a floor area bonus of 1.0 through a New York City City Planning Commission (CPC) certification; with a CPC special permit, large projects that include significant pedestrian improvements are permitted up to a maximum FAR of 21.6.<sup>1</sup> In addition, designated New York City Landmarks (NYCLs) in the Grand Central Subdistrict are permitted to transfer their unused floor area to non-adjacent sites located in the area immediately surrounding Grand Central Terminal (defined as the Grand Central Subdistrict Core Area) by special permit; projects within the Core Area (which includes the One Vanderbilt site and the Vanderbilt Corridor) that acquire unused development rights from landmarks are similarly limited to a maximum FAR of 21.6. The Subdistrict also applies special street wall, height and setback, and on-site pedestrian circulation regulations to serve the strong pedestrian environment in the area around the Terminal.

### **PUBLIC POLICY**

Officially adopted and promulgated public policies also describe the intended use applicable to an area or particular site(s) in the City. Some of these policies have regulatory status, while others describe general goals. They can help define the existing and future context of the land use and zoning of an area. The public policies relevant to the proposed actions include PlaNYC, New York City Landmarks Law, and Business Improvement Districts. An assessment of the proposed actions' consistency with the City's Waterfront Revitalization Program (WRP) is not

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<sup>1</sup> Since the introduction of the Grand Central Subdistrict, only one project (383 Madison Avenue) has utilized the CPC special permit; approximately 1.2 million square feet of transferable development rights from Grand Central Terminal remain unused.

warranted, as the Vanderbilt Corridor, One Vanderbilt site, and study area fall outside of the New York City Coastal Zone.

*PLANYC*

In 2011, the Mayor’s Office of Long Term Planning and Sustainability released an update to *PlaNYC: A Greener, Greater New York*. It includes policies to address three key challenges the City faces over the next 20 years: population growth, aging infrastructure, and global climate change. Elements of the plan are organized into six categories—land, water, transportation, energy, air quality, and climate change—with corresponding goals and objectives for each. Following the guidelines of the *CEQR Technical Manual*, an assessment of consistency with PlaNYC’s sustainability goals is appropriate for large publicly sponsored projects. Therefore, a PlaNYC assessment is provided below, under “The Future with the Proposed Actions.”

*NEW YORK CITY LANDMARKS LAW*

A portion of the study area located south of East 38th Street between Park Avenue and Lexington Avenue is located within the boundaries of the Murray Hill Historic District. In addition, several buildings located within the study area are designated individual landmarks, including Grand Central Terminal, the Stephen A. Schwarzman Building of the New York Public Library, the Chrysler Building, the Waldorf-Astoria Hotel, the Cathedral of St. Patrick, and Rockefeller Center. In order to protect individual landmarks or the historic districts’ contributing resources from inappropriate changes or destruction, the Landmarks Preservation Commission (LPC) must approve in advance any alteration, reconstruction, demolition, or new construction affecting a designated individual landmark or located within a historic district’s boundaries. A description of the landmarked buildings within the study area can be found in Chapter 6, “Historic and Cultural Resources.”

The One Vanderbilt site and the Vanderbilt Corridor are not located within a historic district and none of the buildings located on the One Vanderbilt site or in the Vanderbilt Corridor are designated landmarks; however, the One Vanderbilt site and the Vanderbilt Corridor are located within the Grand Central Subdistrict of the Special Midtown District, which includes several other landmarked buildings, including the Bowery Savings Bank building at 110 East 42nd Street. As described above, under the regulations of the Grand Central Subdistrict, with the approval of the CPC, landmarked buildings may transfer unused development rights to other receiving sites within the Subdistrict, which would generate a floor area bonus for developments on receiving sites. This development right transfer mechanism is described in further detail below under “The Future with the Proposed Actions.”

*BUSINESS IMPROVEMENT DISTRICTS*

The One Vanderbilt site, Vanderbilt Corridor, and a large portion of the study area are located within the boundaries of the Grand Central Partnership, a Business Improvement District (BID) established in 1988 with the intention of revitalizing the area around Grand Central Terminal. The Grand Central Partnership covers an approximately 70-block area and engages in programs to improve business and retail conditions, including supplementary public safety and street cleaning services, street lighting and streetscape maintenance, local business promotion through marketing and special events, and visitor services. Portions of the study area also contain other nearby BIDs, including the East Midtown Partnership, the Bryant Park BID, the Fifth Avenue BID, the 47th Street BID and the Fashion Center BID, which perform similar services in order to promote local businesses and improve the retail environment.

## D. THE FUTURE WITHOUT THE PROPOSED ACTIONS

### LAND USE

#### *VANDERBILT CORRIDOR*

Absent the proposed actions, the properties in the Vanderbilt Corridor other than the One Vanderbilt site are expected to remain in their current condition through 2021.<sup>1</sup>

#### *ONE VANDERBILT SITE*

The four buildings located on the One Vanderbilt site are nearing the end of their useful life and have features that make them largely unfeasible for modern high-density office uses; these include their particularly small floorplates, low floor-to-floor heights and interior columns that prevent open-floor plans. Therefore, absent the proposed actions, the buildings will be demolished and it is expected that the 43,313-square-foot One Vanderbilt site will be redeveloped with a single office tower built to the maximum as-of-right density permitted under the existing C5-3 and Special Midtown District zoning regulations (15.0 FAR). The No-Action building will be approximately 678 feet tall and total approximately 811,034 gsf of space<sup>2</sup> including 636,312 gsf of office space, 83,648 gsf of retail space, and 91,074 gsf of mechanical space. Although the No-Action building is expected to include modern office space, it will not provide feasible space for all commercial office uses; in particular, it will not contain floorplates of a size and configuration suitable for trading floors due to the existing height and setback controls (as described in Chapter 1, “Project Description,” trading floors typically require floor plates of at least 40,000 gsf). While the No-Action building, in accordance with the existing NYCT easement, will provide a replacement stairway connecting to the mezzanine level of the 42nd Street Shuttle station in order to maintain the access provided by the existing subway stair on the site, it will not provide new additional pedestrian circulation improvements, as the floor area bonus generated by pedestrian improvements under the Grand Central Subdistrict of the Special Midtown District are only available through a separate discretionary approval (a CPC special permit). The No-Action building will also conform with the mandatory district plan of the Special Midtown District (ZR Section 81-40), which includes provisions relating to pedestrian circulation space, streetwall continuity, retail continuity, and building entrances. The No-Action building is expected to be constructed and occupied by 2021.

The No-Action condition will not include an amendment to the City Map to map Vanderbilt Avenue between East 42nd and East 43rd Streets as a public place. That section of Vanderbilt Avenue will, therefore, remain in its current condition and open to vehicles.

#### *STUDY AREA*

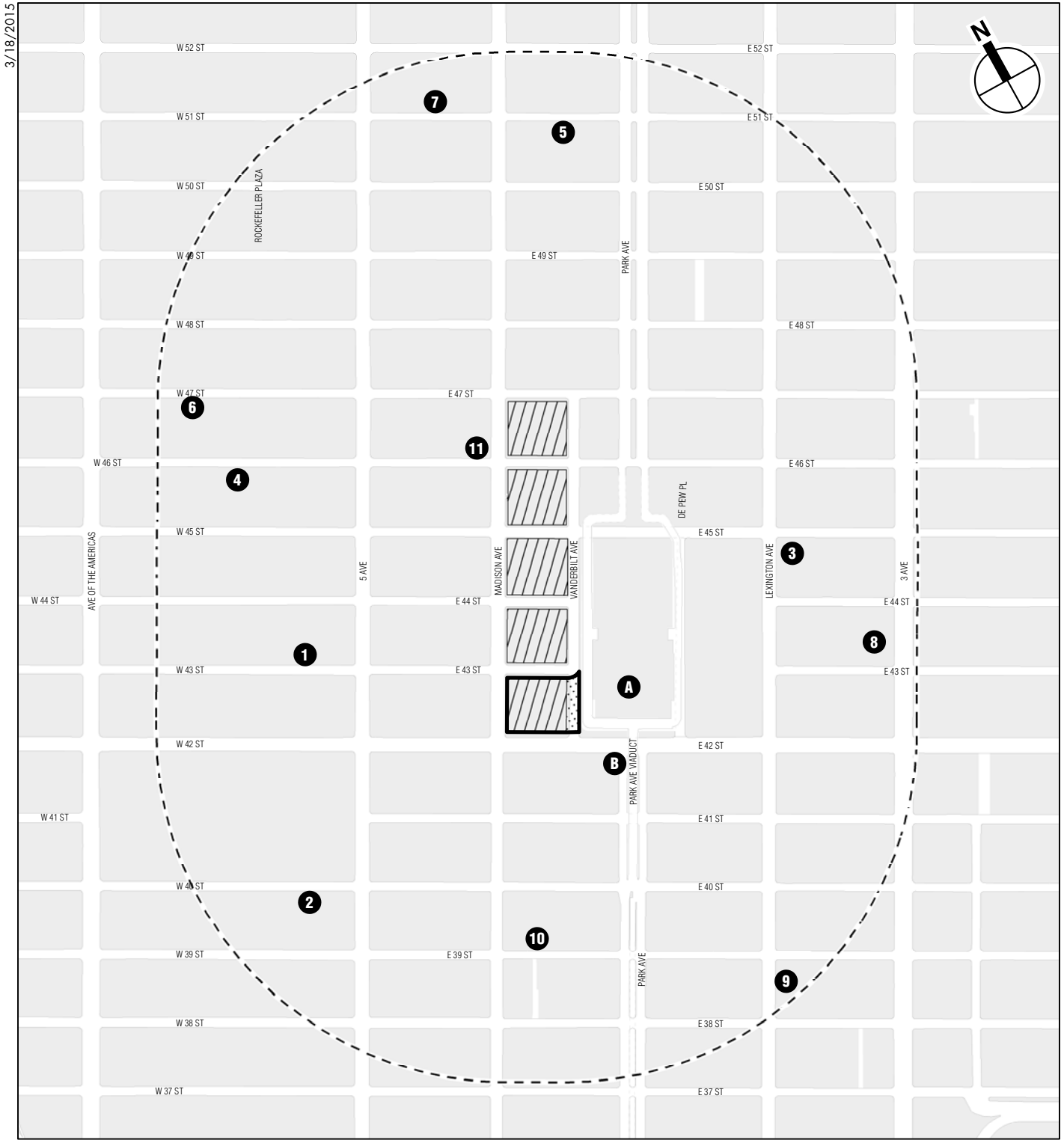
There are several development and transportation projects within the study area that are expected to be complete by 2021, the One Vanderbilt development’s Build year.<sup>3</sup> **Table 2-3** describes these projects, and **Figure 2-3** shows their locations.

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<sup>1</sup> See Chapter 19, “Conceptual Analysis,” for a discussion of potential development scenarios that could occur on these sites absent the proposed actions in 2021 and by 2033.

<sup>2</sup> Approximately 649,695 zsf.

<sup>3</sup> For the purposes of this analysis, only projects expected to be complete by 2021 are included; additional projects that may be completed within the study area by 2033, the proposed actions’ Build year, are considered in Chapter 19, “Conceptual Analysis.”



-  Proposed Vanderbilt Corridor
-  Vanderbilt Corridor Study Area Boundary (1/4-Mile Perimeter)
-  One Vanderbilt Development Site
-  Proposed Public Place

**1** No-Action Project (see Table 2-3)\*  
 \*No-Action Projects #10 and #11 are new to the FEIS

**Vanderbilt Corridor and One Vanderbilt**  
 This figure has been updated for the FEIS

2021 No-Action Projects  
**Figure 2-3**

**Table 2-3**

**Projects Within the Study Area Expected to be Complete by 2021**

Map Ref. No. <sup>1</sup>	Project Name/Address	Development Program	Status/Build Year <sup>2</sup>
<b>Development Projects</b>			
1	516-520 Fifth Avenue	Mixed commercial/residential: 121,024 gsf hotel (208 rooms), residential (145 units), 35,000 gsf retail <sup>3</sup>	2021
2	14-20 West 40th Street	Mixed commercial/residential: 4,500 gsf restaurant/retail, residential (91 units) and hotel (215 rooms)	2021
3	451 Lexington Avenue	Commercial: 119,449 gsf hotel (284 rooms), 7,500 gsf retail	2015
4	30 West 46th Street	Commercial: 72,191 gsf hotel (196 rooms)	2021
5	36 East 51st Street	Commercial: 65,276 gsf office, 4,000 gsf retail	2015
6	International Gem Tower, 50 West 47th Street	Commercial: 748,000 gsf office	2014 <sup>4</sup>
7	John Pierce Residences, 11 East 51st Street	Mixed commercial/residential: 19,322 gsf retail, 268,148 gsf residential (269 units)	2021
8	686-700 Third Avenue	Commercial: 7,500 gsf retail, 234,348 gsf hotel (361 rooms)	2021
9	325 Lexington Avenue	Mixed commercial/residential: 2,370 gsf retail, residential (125 units)	2014 <sup>5</sup>
10	23 East 39th Street	Commercial: 32,871 gsf hotel (98 rooms)	2021 <sup>6</sup>
11	380 Madison Avenue	Commercial: reconstruction of existing building with 900,000 gsf office and 15,000 gsf retail, no increase in floor area	2021 <sup>6</sup>
<b>Transportation Projects</b>			
A	LIRR East Side Access	Construction of new tunnels and platforms/concourses to connect LIRR to Grand Central Terminal	2021
B	Pershing Square Pedestrian Plaza	Conversion of portion of Park Avenue between East 42nd Street and East 41st Street into public plaza (0.37 acres)	2021
<b>Notes:</b>	<p>1. See <b>Figure 2-3</b>.</p> <p>2. Projects that are currently under construction are assumed to be complete by 2015; projects for which an expected date of completion date is not available are assumed to be complete by the proposed One Vanderbilt development's Build year of 2021.</p> <p>3. <u>After completion of the Draft Environmental Impact Statement (DEIS), new information about the program for this development was identified.</u></p> <p>4. Construction of the International Gem Tower is substantially complete and the building is currently operating under a Temporary Certificate of Occupancy (TCO), but has yet to be fully occupied.</p> <p>5. Construction of 325 Lexington Avenue is substantially complete and the building is currently operating under a TCO, but has yet to be fully occupied.</p> <p>6. <u>This No-Action project was identified after completion of the DEIS.</u></p>		
<b>Sources:</b>	<p><i>East Midtown Rezoning and Related Actions FEIS (2013); DCP; NYC Dept. of Buildings; New York Times; New York Post.</i></p>		

Development projects within the study area primarily include office, hotel, and retail space, expanding on the area's status as a Central Business District. The largest commercial development project is the International Gem Tower, a 34-story office building located in the Diamond District that is currently nearing completion. In keeping with the Diamond District's status as a center for the jewelry industry, the International Gem Tower is expected to be occupied primarily by jewelry, diamond, and precious metal dealers, as well as the Gemological Institute of America. The project at 380 Madison Avenue, located immediately to the west of the Vanderbilt Corridor between East 46th Street and East 47th Street and identified after completion of the DEIS, would renovate and reconstruct the existing 24-story office building on the site, including altering the building's form and replacing the façade. While the reconstructed building would be 32 stories, it would maintain the existing floor area (approximately 900,000 gsf of office space and 15,000 gsf of office space) by featuring larger setbacks on the upper floors and removing floor area on the lower floors through the elimination of two floor slabs to create higher floor-to-floor heights.

## **Vanderbilt Corridor and One Vanderbilt**

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Additional projects located within the study area include the LIRR East Side Access project currently under way. This project includes the excavation of new tunnels (connecting to the existing East 63rd Street tunnel under the East River) and the construction of new platforms and concourse space beneath Grand Central Terminal to create a new terminal for two LIRR commuter lines, which would relieve congestion at Pennsylvania Station and improve transit access to the East Midtown area. The concourse level of LIRR East Side Access, located adjacent to the One Vanderbilt site underneath Vanderbilt Avenue, is currently under construction. As part of the Public Plaza Program operated by the New York City Department of Transportation (DOT), southbound lanes of Park Avenue located adjacent to Grand Central Terminal between East 42nd Street and East 41st Street, known as Pershing Square, are expected to be closed to traffic and redeveloped into a pedestrian plaza with landscaping and seating, including a terrace with seating for the Pershing Square café (located underneath the Park Avenue viaduct).

### **ZONING**

In September 2013, CPC approved the East Midtown Rezoning proposal, an extensive rezoning covering a portion of the Special Midtown District bounded roughly by East 39th Street to the south, East 57th Street to the north, Second and Third Avenues to the east and a line 150 feet east of Fifth Avenue to the west. The rezoning was primarily intended to facilitate the development of modern office space in the East Midtown area, which has seen little commercial redevelopment since the adoption of the Special Midtown District in the 1980s. The rezoning would have created a new East Midtown Subdistrict, superseding the Grand Central Subdistrict, and increased the overall permitted density for commercial developments on sites that meet certain lot area and street frontage criteria (known as “Qualifying Sites”). The rezoning intended to focus new development around Grand Central Terminal: sites around the Terminal (including the Vanderbilt Corridor) would have been permitted to achieve a maximum as-of-right density of 24.0 FAR, the highest as-of-right density in the proposed East Midtown Subdistrict. In addition, the rezoning introduced a special permit for “Superior Developments” (buildings that exhibited exemplary qualities in terms of their overall design and relationship to the street and skyline) which would have been allowed to reach a maximum FAR of 30.0.

The East Midtown Rezoning was also intended to ameliorate two other issues in the East Midtown area: the need for transit access and pedestrian circulation improvements and limitations on the transfer of unused development rights from landmarks. Under the East Midtown Subdistrict regulations, a District Improvement Fund would have been established (similar to similar provisions in the Hudson Yards and West Chelsea special districts), and development projects that contributed to the Fund would have been provided a floor area bonus up to a maximum 24.0 FAR. The Fund would then provide for transit and other public realm improvements. Similarly, the East Midtown Subdistrict would have provided expanded opportunities for the transfer of unused development rights by establishing two transfer districts (the Grand Central Subarea and Northern Subarea) in which transfers from landmarks in those subareas to Qualifying Sites would have been permitted as an as-of-right process. These two subareas would have expanded on existing zoning provisions which normally permit transfers as a discretionary approval process (a CPC authorization or special permit) and only to adjacent sites or, in the case of the existing Grand Central Subdistrict, within a narrower geographical area.

Following the CPC’s approval of the East Midtown Rezoning, the proposal was withdrawn prior to an expected vote by the City Council in response to concerns raised during the rezoning’s



public review process, including concerns over the overall densities permitted as-of-right in the East Midtown Subdistrict and the effectiveness of the District Improvement Fund bonus mechanism as a means of providing funding for needed infrastructure improvements. Rezoning of the area is currently undergoing additional consideration as part of a broad planning process that includes area stakeholders. However, because this process is in its preliminary stages, and any future proposal would require its own environmental review, this analysis does not assume that any changes to the overall area’s zoning would be enacted by 2021.

**PUBLIC POLICY**

No other changes to public policies applicable to the One Vanderbilt site, the Vanderbilt Corridor, or the study area are expected to be made by 2021.

**E. THE FUTURE WITH THE PROPOSED ACTIONS**

**LAND USE**

*VANDERBILT CORRIDOR*

With the proposed actions, the floor area bonus mechanisms utilized for the proposed One Vanderbilt development (the Public Realm Improvement Bonus and the expansion of the bonus generated by the acquisition of unused development rights from landmarks within the Grand Central Subdistrict of the Special Midtown District) would also become available to other development sites within the Vanderbilt Corridor. This would allow these other development sites to be redeveloped to a maximum commercial FAR of 30.0, above the base 15.0 FAR maximum or the 21.6 FAR maximum for sites that use the existing landmark development right transfer special permit. Two Vanderbilt Corridor sites, the MTA properties on Block 1279 and the Roosevelt Hotel on Block 1281, are likely to be to be redeveloped with 30.0 FAR buildings utilizing these new bonus mechanisms. Because full plans for these two sites have not yet been developed, they are discussed in Chapter 19, “Conceptual Analysis.”

*ONE VANDERBILT SITE*

The proposed actions would facilitate the development on the One Vanderbilt site of a new commercial building of a higher bulk than the No-Action building described above. The proposed actions would permit a maximum commercial development of 30 FAR, including bonuses of 12.3 FAR generated by transit improvements (the Grand Central Public Realm Improvement Bonus) and 2.7 FAR generated by the acquisition of unused development rights from the landmark Bowery Savings Bank. The proposed development would contain approximately 1.8 million gsf of space, including approximately:

- 1,079,000 gsf of office space;
- 246,000 gsf of trading floors;
- 53,000 gsf of retail;
- 27,000 gsf of restaurant space; and
- 55,000 gsf of rooftop amenity space, which may include tenant amenity space, restaurant space, and/or a public observation deck.

This expected program would also include approximately 343,500 square feet of space for circulation, mechanical, core, back-of-house, and loading uses. The proposed development would have two levels below grade: the first level would contain pedestrian circulation space

## **Vanderbilt Corridor and One Vanderbilt**

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connecting to Grand Central Terminal's below-grade circulation space and leading to a new Terminal entrance located on East 42nd Street on the ground floor of the building. The entrance would provide direct access to the 42nd Street Shuttle with access to the Nos. 4, 5, 6, and 7 subway lines, the Metro-North commuter lines, and the LIRR commuter lines (via the East Side Access concourse level described above). The second below-grade level would contain a loading dock accessible from East 43rd Street via two truck elevators.

As currently conceived, the retail space would be predominantly located on the ground floor along the Madison Avenue frontage, with possible additional retail space located on the second floor and in the first below-grade level complementing the pedestrian circulation space. The ground floor would also include an approximately 4,000-square-foot enclosed public space (the transit hall), located on the northeast corner of the site with frontages on East 43rd Street and Vanderbilt Avenue. The transit hall would serve as a waiting area for the LIRR East Side Access project with a stairway connecting to the below-grade circulation space and the train platforms located underneath the site.

The proposed development is anticipated to contain approximately 65 stories and would feature a tapered design topped by an approximately 100-foot spire. At the top of the spire, the building would reach a total height of up to approximately 1,514 feet.<sup>1</sup> With this design, it would provide floor-to-floor heights suitable for modern commercial spaces: 14.5 feet for office floors, 20 feet for trading floors, and 30 feet for mechanical floors. The tapered design of the proposed development would be similar to other office towers near Grand Central Terminal and along East 42nd Street, in particular the Chrysler Building, which is topped by a similar spire and reaches a total height of approximately 1,046 feet. In addition, the southern side of the building has been designed with an angled podium set back from the property line by approximately 10 feet in order to provide a widened sidewalk along East 42nd Street approaching Grand Central Terminal and to open up pedestrian views of the western façade of the Terminal. The southeast corner of the building would also be recessed from the property line to provide circulation space at the corner of East 42nd Street and Vanderbilt Avenue. Pursuant to the proposed text amendment creating the Vanderbilt Corridor, which includes a requirement that all developments provide for widened sidewalks in the heavily trafficked area along Madison Avenue (a minimum width of 20 feet), the podium on the western side of the building would be set back from the property line by 7 feet, with the building extending over the setback area above the third floor by a cantilever. In order to achieve a superior design that accommodates the proposed mix of commercial uses and public realm improvements, the proposed One Vanderbilt development would include design features that do not conform with the existing zoning regulations, including the mandatory district plan elements included in the Special Midtown District. In particular, the proposed development would not conform to regulations relating to streetwall heights and distance from the street line, sidewalk widenings<sup>2</sup>, retail continuity, building entrance recess areas, required pedestrian circulation space, and curb cut widths. The massing of the proposed development's tower would also not conform with the Special Midtown District's height and setback regulations. The zoning requirements related to these elements

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<sup>1</sup> For purposes of analysis, this design represents the maximum building envelope that would be set by the Grand Central Public Realm Improvement Bonus special permit. The building envelope assumes a tower that is slightly wider (by approximately 10 feet) and taller than the current building design.

<sup>2</sup> Portions of the proposed widened sidewalks would not meet the design standards of the existing district plan, which require that sidewalk widening areas be open to the sky and have a minimum width of 5 feet, and also require that corner circulation spaces be unobstructed by door swings.

would be waived pursuant to the bulk and urban design modification provisions of the Grand Central Public Realm Improvement Bonus special permit that is described below.

The proposed One Vanderbilt development is expected to be completed and occupied by 2021.

#### *Vanderbilt Avenue Public Place*

As part of the proposed One Vanderbilt development, the portion of Vanderbilt Avenue located immediately to the east of the One Vanderbilt site (between East 42nd and East 43rd Streets) would be closed to vehicular traffic, excepting emergency vehicles, and mapped as a public place. This would provide approximately 12,820 square feet of pedestrian circulation space around Grand Central Terminal under the jurisdiction of DOT. The public place would be similar to other pedestrian plazas located in areas of high pedestrian activity in Manhattan, such as Times Square or the proposed Pershing Square plaza described above, and would include amenities such as seating and lighting.

#### *Off-Site Transit Improvements*

In addition to the on-site transit- and pedestrian-related improvements described above, the proposed One Vanderbilt development would provide funding for additional off-site improvements in connection with the Public Realm Improvement Bonus. In consultation with MTA- NYCT, 317 Madison has agreed to provide the following off-site pedestrian circulation improvements specific to the IRT Lexington Avenue subway station:

- A new stair in the basement of the Pershing Building (located at the southeast corner of East 42nd Street and Park Avenue) that would connect the IRT Lexington Avenue subway mezzanine to the platform;
- A new street-level subway entrance in the sidewalk at the southeast corner of East 42nd Street and Lexington Avenue that would connect to an existing below-grade passageway;
- Narrowing of stairs and columns in the IRT Lexington Avenue subway mezzanine paid area to provide more platform area and improved pedestrian flow;
- Replacement of an existing street-level subway entrance at the northwest corner of East 42nd Street and Lexington Avenue with new stairs and an elevator;
- Creation of a new IRT Lexington Avenue subway mezzanine paid area in the basement of the Grand Hyatt Hotel (northwest corner East 42nd Street and Lexington Avenue) with two new stairs to the subway platform; and
- Conversion of existing enclosed spaces into new circulation areas on the mezzanine level of the IRT Lexington Avenue station.

The full list of improvements was finalized for certification of the Uniform Land Use Review Procedure (ULURP) application and the beginning of the public review process.

#### *STUDY AREA*

The proposed DCP actions would only apply to the Vanderbilt Corridor and the One Vanderbilt site, and the proposed 317 Madison actions would only apply to the One Vanderbilt site. The proposed actions would not facilitate any other new development in any other part of the study area. Although additional redevelopment may occur within the study area by 2021 as a result of regulations introduced by a revised East Midtown Rezoning proposal, as described above the specific regulations of the rezoning are not known at this time; therefore, additional future development cannot be determined. Nonetheless, the study area would remain a predominantly

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commercial area in the East Midtown portion of the study area with a larger residential component in the Murray Hill area.

### *ASSESSMENT*

The proposed One Vanderbilt development would be compatible with the high-density commercial uses that are centered on the strong public transit resources in the East Midtown area, and would contribute to the City's goal to maximize modern commercial development in areas that are well-served by public transit. Although the proposed One Vanderbilt development would include approximately 1 million square feet more of commercial space than the 15 FAR No-Action building, it would be consistent with the bulk strategy for the proposed Vanderbilt Corridor within the Special Midtown District, which seeks to maximize bulk in the area west of Grand Central Terminal. In addition, the proposed One Vanderbilt development would provide space for uses that cannot be accommodated by the No-Action building. In particular, the wider floorplates in the base of the proposed One Vanderbilt development would provide sufficient space for state-of-the-art trading floors, and the higher tower (which would be approximately 700 feet taller than the No-Action building) would provide a vantage point for an observation deck that cannot be achieved in the No-Action building.

Unlike the No-Action building, the proposed One Vanderbilt development would include design features that do not conform with the existing zoning regulations, including the mandatory district plan elements included in the Special Midtown District. Located predominantly at the base of the building, the non-conforming features of the proposed One Vanderbilt development are required to maintain wide floorplates suitable for trading floors, while also providing for widened sidewalks along East 42nd Street and Madison Avenue. Absent the proposed street wall modifications, utilization of the full available commercial density would require a taller tower. The non-conforming features on the ground floor are required to accommodate the mix of ground-floor uses (e.g., transit hall, subway entrances, loading dock elevators, elevator banks, and required retail) that include numerous pedestrian and transit improvements such as entrances to Grand Central Terminal and the East Side Access platforms. While the proposed One Vanderbilt development would not include the same required district plan elements as the No-Action building, it would include significantly more above- and below-grade pedestrian circulation space, consistent with the district plan's focus on the accommodation, safety, and well-being of pedestrians.

At a total height of up to approximately 1,514 feet (up to approximately 1,414 feet to the top of the structure), the proposed One Vanderbilt development would be taller than other commercial towers within the study area, but would be of a similar height as other commercial towers along major streets in Manhattan, such as the recently completed 1,200-foot-tall Bank of America Tower on West 42nd Street immediately outside of the study area, and would augment East Midtown's status as a center for iconic large-scale commercial architecture. The public realm improvements introduced with the One Vanderbilt development, including below-grade circulation space for Grand Terminal (with an additional entrance on East 42nd Street), the transit hall, the Vanderbilt Avenue pedestrian plaza, and potential off-site transit improvements, would support Grand Central Terminal as a transportation hub and tourist destination.

### **ZONING**

The proposed actions would not alter the underlying zoning in the Vanderbilt Corridor and the One Vanderbilt site, which would remain a C5-3 zoning district. The proposed actions would

also not alter zoning districts within the study area, which would remain predominantly a mix of high-density commercial and residential districts.

The proposed actions include text amendments affecting the regulations of the Grand Central Subdistrict of the Special Midtown District. Specifically, the text amendments would create the Grand Central Public Realm Improvement Bonus special permit under which CPC may approve bonus floor area to new developments or enlargements within the Vanderbilt Corridor, including the One Vanderbilt site, in connection with public space and transit improvements (ZR §81-64). The Public Realm Improvement Bonus would be similar to the existing subway improvement bonus in the Special Midtown District and the District Improvement Fund proposed with the East Midtown Rezoning, and would provide for infrastructure improvements in the Grand Central Subdistrict that support mass transit and pedestrian circulation. These improvements could be located both on- and off-site and could also be located at- or below-grade. The special permit approval and public review process would determine the amount of bonus floor area based on the level of public benefit generated by the infrastructure improvements.

In addition, applicants for the Grand Central Public Realm Improvement Bonus special permit would also be required to meet findings regarding the development's ground-floor level, building design, and energy performance. The ground-floor level requirements include enhancements to pedestrian circulation spaces. In particular, developments would be required to provide for a sidewalk with a minimum width of 20 feet along Madison Avenue, or 15 feet along the side streets between Madison Avenue and Vanderbilt Avenue (East 43rd Street to East 47th Street). Developments would also be required to provide appropriate ground-floor uses, transparency, and building entrance locations, subject to the determination of CPC. The building design findings are intended to ensure the overall building plan (including distribution of bulk and building articulation) is appropriate to the surrounding area and relates harmoniously to other nearby architecturally significant buildings and the Midtown skyline. Finally, the special permit includes provisions for CPC to modify the existing bulk and urban design requirements (such as those relating to streetwalls or building entrances and lobbies) in order to meet the requirements for appropriate ground-floor level features and building massing.

The proposed actions also include modifications to the existing special permit in the Grand Central Subdistrict of the Special Midtown District (ZR § 81-635) providing a floor area bonus to developments that utilize unused development rights acquired from a landmark. With the modifications, the maximum FAR for developments within the Vanderbilt Corridor that utilize the landmark special permit would increase from the current 21.6 FAR to 30.0 FAR, equal to the maximum FAR proposed for the Superior Development special permit in the East Midtown Rezoning. Developments that surpass 21.6 FAR would be required to follow the findings in the Grand Central Public Realm Improvement Bonus special permit regarding the ground-floor level, massing, and energy performance to also ensure that developments at these densities present an overall building plan and distribution of bulk appropriate to the surrounding area. In addition, the proposed modifications to the landmark special permit would allow CPC to require developments to provide pedestrian circulation improvements such as public open space or access to mass transit facilities as a condition for the special permit, where appropriate.

An additional text amendment would modify the uses permitted in the Vanderbilt Corridor (ZR § 81-65) mandating that hotels in new developments, hotel conversions, or enlargements to existing hotels be allowed only by special permit. In order to meet the special permit findings, the proposed hotel or hotel enlargement would be required to incorporate services and facilities that would complement the office uses in East Midtown, such as meeting facilities. This special

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permit process would ensure the development of full-service hotels that would support the overall East Midtown business district.

The proposed One Vanderbilt development would utilize the Grand Central Public Realm Improvement Bonus and the expanded landmark bonus special permits created by in the proposed text amendments to achieve a maximum FAR of 30.0. It would meet the requirements for density and massing that it be appropriate to the surrounding area and would meet the requirement for a 20-foot-wide sidewalk along Madison Avenue pursuant to the special permit.

Developments on other sites within the Vanderbilt Corridor, discussed in Chapter 19, “Conceptual Analysis,” would be subject to individual review under the special permit process to ensure that they provide suitable infrastructure improvements and/or meet the requirements for landmark preservation.

### ***ASSESSMENT***

As noted above, the bonus special permit mechanisms introduced by the proposed text amendment would be similar to existing bonus mechanisms within the Special Midtown District and bonus mechanisms proposed for the area in the East Midtown Rezoning proposal. The Grand Central Improvement Bonus would be similar to the existing special permit for subway station improvements (ZR Section 74-634), but it would provide for a greater variety of pedestrian-related improvements, including above-grade circulation space, new open space, or additional access to Grand Central Terminal. The modifications to the landmark special permit would increase the maximum floor area permitted on receiving sites, thereby providing a greater incentive for the transfer of development rights from landmarks, and would allow CPC to require developments utilizing the special permit to provide pedestrian circulation improvements where appropriate in order to create greater opportunities for public realm improvements, but would otherwise not alter the transfer mechanism of the special permit.

The Grand Central Public Realm Improvement Bonus special permit would support the goal of providing transit and pedestrian improvements for the East Midtown area and around Grand Central Terminal in particular, and the expanded landmark special permit would support the goal of landmark preservation within the Grand Central Subdistrict. Therefore, the proposed actions would not result in significant adverse zoning impacts.

### **PUBLIC POLICY**

The proposed actions would not affect the regulations of the New York City Landmarks Law. As described above, the proposed One Vanderbilt development would utilize floor area (2.7 FAR) generated by the acquisition of unused development rights from the landmark Bowery Savings Bank pursuant to a special permit under the Special Midtown District regulations, which allow NYCLs in the Grand Central Subdistrict area to transfer their unused floor area to non-adjacent sites in the Grand Central Subdistrict Core Area. As part of the special permit, a continuing maintenance program for the Bowery Savings Bank must be submitted and approved by LPC. LPC must also issue a Certificate of Appropriateness for the proposed One Vanderbilt development. The continuing maintenance program and Certificate of Appropriateness are discussed in Chapter 6, “Historic and Cultural Resources.”

The proposed actions would also not affect the operations or policies of the Grand Central Partnership or other nearby Business Improvement Districts. As noted above, an assessment of consistency with PlaNYC’s sustainability goals is appropriate for large, publicly sponsored projects; the PlanNYC assessment is included below.

The proposed actions would not result in any changes to public policies affecting the project site or the study area. The proposed One Vanderbilt development and additional development on Vanderbilt Corridor sites anticipated as a result of the proposed actions would be consistent with the applicable public policies. Overall, the proposed actions would not result in any significant adverse impacts to public policies governing the One Vanderbilt Site, the Vanderbilt Corridor, or the study area.

### *PLANYC*

PlaNYC's initiatives relate to several technical areas that are included in a CEQR assessment, including open space, natural resources, infrastructure, energy, construction, transportation, greenhouse gas emissions, and air quality. Below is an assessment of the consistency of the proposed actions with PlaNYC's applicable sustainability goals.<sup>1</sup>

#### *Air Quality*

PlaNYC's air quality goal is to attain compliance with federal standards for PM<sub>2.5</sub> and ozone, and also to achieve the cleanest air quality of any city in the country. To fulfill this goal, PlaNYC establishes policy initiatives that aim to reduce road vehicle and other transportation emissions, reduce emissions from buildings, and to pursue natural solutions to improve air quality.

According to the *CEQR Technical Manual*, a project undergoing a CEQR review would generally be consistent with PlaNYC's air quality initiatives if it maximizes its use of one or more of the following elements: the promotion of mass transit; the use of alternative fuel vehicles; the installation of anti-idling technology; the use of retrofitted diesel trucks; the use of biodiesel in vehicles and in heating oil; the use of ultra-low sulfur diesel and retrofitted construction vehicles; the use of low sulfur heating fuels; and the planting of street trees and other vegetation.

As described above, the proposed One Vanderbilt development would support the goal of maximizing commercial development around mass transit infrastructure in the East Midtown area. In particular, the proposed One Vanderbilt development would take advantage of Grand Central Terminal, one of New York City's premier transit hubs with connections to both subway lines and commuter rail lines (currently the Metro-North Railroad, with additional service on the LIRR expected to be introduced with the completion of the East Side Access project). The proposed One Vanderbilt development would promote the use of mass transit by providing both on-site and off-site improvements to pedestrian access to the Terminal, including a below-grade circulation level, a new Terminal entrance on East 42nd Street, a transit hall serving as a waiting area for the East Side Access train platforms, and a pedestrian plaza in the Vanderbilt Avenue Public Place.

As described in Chapter 16, "Construction Impacts," 317 Madison would implement an emissions reduction program for all construction activities, which would support PlaNYC's air quality goals. Specific emissions reduction measures include minimizing the use of diesel engines (i.e., using electrically powered equipment to the extent practicable), using ultra-low sulfur diesel fuel, and incorporating best available tailpipe (BAT) technology on construction vehicles, such as diesel particulate filters, to reduce diesel particulate matter (DPM) emissions.

#### *Energy*

PlaNYC's primary energy goal is to provide cleaner and more reliable power for New York City. PlaNYC outlines energy policy initiatives that intend to improve energy planning, reduce

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<sup>1</sup> The proposed actions do not relate to PlaNYC's solid waste goals as defined in the *CEQR Technical Manual*.



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the City's energy consumption, expand the City's clean power supply, and modernize the electricity delivery infrastructure.

According to the *CEQR Technical Manual*, a project would generally be consistent with PlaNYC's energy initiatives if it maximizes its use of one or more of the following elements: exceeding the energy code; using energy efficient appliances, fixtures, and building systems; participating in peak load management systems, including smart metering; repowering and constructing power plants and dedicated transmission lines; building distributed generation power units; expanding the natural gas infrastructure; using renewable energy; using natural gas; installing solar panels; using digester gas from sewage treatment plants; using energy from solid waste; and reinforcing the energy grid.

Pursuant to the proposed Grand Central Public Realm Improvement Bonus special permit, the proposed One Vanderbilt development would be required to meet energy efficiency standards. As described in Chapter 12, "Greenhouse Gas Emissions," the proposed One Vanderbilt development would include sustainable design features to increase energy efficiency, and 317 Madison is seeking to achieve Gold-level certification under the Leadership in Energy and Environmental Design (LEED) Core and Shell rating system, version 4. The building would utilize high-efficiency lighting and heating, ventilation, and air conditioning (HVAC) systems, with many components designed to reduce energy consumption, and would use natural gas for the normal operation of the heat and hot water systems. The building may also utilize an on-site electricity and heat cogeneration system, which would reduce electricity consumption during peak hours when grid power is being generated from less efficient sources. With the implementation of these efficiency measures, the proposed development would exceed the energy code and would support PlaNYC's energy goals.

### *Water Quality*

PlaNYC's water initiatives focus on the City's water network and water quality, with an objective of opening 90 percent of its waterways to recreation by preserving natural areas and reducing pollution. PlaNYC's water quality initiatives aim to continue implementation of infrastructure upgrades; prevent storm water from entering the system; and expand, track, and analyze new best management practices (BMPs) on a broad scale. The nine water network initiatives are intended to ensure the quality of the City's drinking water, create redundancy for aqueducts, and modernize water distribution.

According to the *CEQR Technical Manual*, a project would generally be consistent with PlaNYC's water quality initiatives if it includes one or more of the following elements: expanding and improving wastewater treatment plants; building high level storm sewers; expanding the amount of green, permeable surfaces across New York City; expanding the Bluebelt system; incorporating green infrastructure, low impact development, or BMP concepts and initiatives; being consistent with the Sustainable Storm water Management Plan; building systems for on-site management of storm water runoff; incorporating planting and storm water management within parking lots; building green roofs; protecting wetlands; using water-efficient fixtures; or adopting a water conservation project.

As discussed in Chapter 9, "Water and Sewer Infrastructure," the proposed One Vanderbilt development would be designed to provide widened sidewalks along Madison Avenue and East 42nd Street, which would reduce the amount of fully impervious rooftop area. The proposed development would support PlaNYC's water quality goals by incorporating stormwater BMPs that bring the development into compliance with the required stormwater release rate of 0.25 cubic

feet per second (cfs). Specific BMP methods would be determined with further refinement of the building design and in consultation with the New York City Department of Environmental Protection (DEP), but are anticipated to include approximately 6,000 cubic feet of on-site stormwater detention, which may include green roofs and/or vaults.

### *Land Use*

Regarding land use, PlaNYC sets forth the goals of creating homes for approximately one million residents, while making housing more sustainable and affordable. These goals are to be achieved by PlaNYC initiatives that encourage publicly initiated rezonings, creation of new housing on public land, expanding targeted affordability programs, and exploration of additional areas of opportunity.

According to the *CEQR Technical Manual*, a project would generally be consistent with PlaNYC's land use initiatives if it includes one or more of the following elements: pursuing transit-oriented development; reclamation of underutilized waterfronts; adaptation of outdated buildings to new uses; development of underutilized areas to knit neighborhoods together; decking over rail yards, rail lines, and highways; extension of the Inclusionary Housing program in a manner consistent with such policy; preservation of existing affordable housing; or redevelopment of brownfields.

The proposed One Vanderbilt development would support PlaNYC's land use goals by fostering transit-oriented development and redeveloping a site that currently contains outmoded commercial space that is nearing the end of its useful life. The development would introduce space suitable for modern commercial uses, replacing office space in the existing buildings that do not feature sufficient floor-to-floor heights and floorplates. As noted above, the proposed One Vanderbilt development would promote the use of mass transit by providing improvements to pedestrian access to and circulation within the Terminal.

### *Open Space*

As outlined in PlaNYC, New York City has a goal of ensuring that all New Yorkers live within a 10-minute walk of a park. PlaNYC's seven open space goals approach this aim by making existing resources available to more New Yorkers, expanding hours at existing resources, and re-imagining the public realm to create or enhance public spaces in the cityscape.

According to the *CEQR Technical Manual*, a project is generally consistent with PlaNYC's open space initiatives if it includes one or more of the following elements: completion of underdeveloped destination parks; provision of multi-purpose fields; installation of new lighting at fields; creation or enhancement of public plazas; or planting of trees and other vegetation.

The proposed One Vanderbilt development would support PlaNYC's open space goals by closing the portion of Vanderbilt Avenue between East 42nd Street and East 43rd Street to vehicular traffic and creating a new public place under the jurisdiction of DOT. The public place would be similar to other pedestrian plazas located in areas of high pedestrian activity in Manhattan and would include amenities such as seating and lighting. The proposed One Vanderbilt development would further enhance the public streetscape by providing an angled podium and widened sidewalk along East 42nd Street, opening up pedestrian views of the western façade of Grand Central Terminal, as well as a seven-foot widening of the sidewalk along Madison Avenue. Additional public amenities would be provided within the building, in particular the transit hall located on the northeast corner of the ground floor.

## **Vanderbilt Corridor and One Vanderbilt**

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### *Natural Resources*

Effective conservation of the City's natural resources is a key objective of PlaNYC. According to the *CEQR Technical Manual*, a project is generally consistent with PlaNYC's natural resources initiatives if it includes one or more of the following elements: planting street trees and other vegetation; protection of new wetlands; creation of open space; minimizing or capturing storm water runoff; or redevelopment of brownfields.

The proposed One Vanderbilt development would support PlaNYC's natural resources goals by minimizing and capturing storm water runoff. As noted above, the proposed development would incorporate stormwater BMPs that bring the building into compliance with the required stormwater release rate of 0.25 cfs. Specific BMP methods will be determined with further refinement of the building design and in consultation with DEP, but are anticipated to include approximately 6,000 cubic feet of on-site stormwater detention, which may include green roofs and/or vaults.

### *Transportation*

PlaNYC's two transportation goals are to add transit capacity for 1 million more residents, visitors, and workers, and to reach a full state of good repair on New York City's roads, subways, and rails. PlaNYC identifies 16 transportation initiatives, which are intended to build and expand transit infrastructure, improve transit service on existing infrastructure, promote other sustainable transportation modes, reduce congestion, achieve the state of good repair, and develop new funding sources for regional transit financing.

According to the *CEQR Technical Manual*, a project is generally consistent with PlaNYC's transportation initiatives if it includes one or more of the following elements: transit-oriented development; promoting cycling and other sustainable modes of transportation; managing roads more efficiently; facilitating freight movements; increasing the capacity of mass transit; providing new commuter rail access to Manhattan; improving and expanding bus service; improving local commuter rail service; improving access to existing transit; or expanding water-based transportation services.

As previously noted, the proposed One Vanderbilt development would promote transit-oriented development by maximizing commercial development near the Grand Central Terminal transit hub. The proposed One Vanderbilt development would further support PlaNYC's transportation goals by providing both on-site and off-site improvements to pedestrian infrastructure around the Terminal. Therefore, the proposed development would improve access to the existing transit connections in Grand Central Terminal as well as the expanded commuter rail service expected to be introduced by the LIRR East Side Access project.

### *Conclusion*

Overall, the proposed One Vanderbilt development would be supportive of PlaNYC's policies and goals by providing modern commercial space in one of New York City's mass transit hubs. The proposed One Vanderbilt development would further support transit-oriented development by providing improvements to pedestrian and transit-related circulation in the area, including the transit hall that would serve as a waiting area for LIRR East Side Access commuter rail service and below-grade circulation space for Grand Central Terminal leading to a new entrance on East 42nd Street. By providing improvements to the public realm, the proposed development would support the goals for the East Midtown area that are largely extensions of PlaNYC's sustainability goals, in particular maximizing commercial development near strong mass transit infrastructure and improving pedestrian circulation and transit access. \*