



CITY OF NEW YORK  
**MANHATTAN COMMUNITY BOARD FOUR**  
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July 30, 2020

Howard Zemsky  
President and Chief Executive Officer  
Empire State Development  
625 Broadway  
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Holly Leicht  
Executive Vice President,  
Real Estate Development and Planning  
Empire State Development  
633 Third Avenue  
New York, NY 10017

**Re: Empire Station Complex Project Draft Scope of Work**

Dear Mr. Zemsky and Ms. Leicht:

Manhattan Community Board 4 (MCB4) by a vote of 47 in favor, 0 opposed, 0 abstaining and 0 present but not eligible to vote, voted to express its serious concerns and frustration with the Empire Station Complex (ESC) Project Draft Scope of Work. We are pleased that Empire State Development is undertaking the much-needed expansion and upgrading of Penn Station but in the absence of a rail masterplan in the Scope's description, we question the soundness of the undertaking, especially its proposed density and how its impacts would be evaluated.

The Chelsea Land Use and Transportation Planning committees of MCB4 held a joint meeting on July 15, 2020 to review and comment on ESC. There were 66 attendees at the meeting. Issues and recommendations were discussed at that meeting.

**PROJECT DESCRIPTION**

Penn Station is a major transportation hub serving 650,000 travelers daily. It connects the Long Island Rail Road, Metro North Railroad, PATH, New Jersey Transit, Amtrak, and NYC subways; however, it has become seriously deteriorated and has insufficient capacity to accommodate today's and future riders' needs. To address this problem, Governor Cuomo has initiated the Empire Station Complex Project, a comprehensive redevelopment proposal, to create a world-class intercity transportation hub designed to:

- Expand Penn Station with an integrated below-grade expansion of tracks and platforms south of existing Penn Station; increasing capacity by 40% (an additional 260,000 daily travelers);
- Generate revenue from the project's new development that would fund improvements and expand Penn Station;
- Create a modernized commercial district;
- Improve area subway stations and transit connections with Penn Station; and,
- Implement public realm improvements including widening sidewalks, a new open space plaza and improved pedestrian safety.

The New York State Urban Development Corporation, also known as the Empire State Development (ESD) is coordinating the project's implementation through a General Project Plan (GPP), which supersedes the City's Uniform Land Use Review Process.

The proposed Project Area runs from Sixth Avenue to Ninth Avenue, West 34<sup>th</sup> Street to West 30<sup>th</sup> Street. It includes the Farley Office Building, the Moynihan Train Hall and Madison Square Garden (MSG); no changes are proposed for these buildings. A Secondary Study Area (1/4 mile perimeter) runs from approximately mid-block between Tenth and Eleventh Avenues, Fifth and Park Avenues, north to West 39<sup>th</sup> Street, south to West 25<sup>th</sup> Street.

Eight development sites surrounding Penn Station with commercial uses (office, hotel and retail uses) are proposed. If all the sites are fully realized as proposed, 20 million square feet of new construction would result, which is 9,000,000 square feet more than is permitted as-of-right under the current zoning. The project includes two hotels with over 1,000 rooms, and 400 parking spaces. All the existing buildings on the eight development sites would be demolished.

Eighth Avenue is the boundary between Manhattan Community District 5 (MCD5) and MCD4. Most of the project is in MCD5. MCD4 includes one development site (Site 1), the Farley Office Building, and the Moynihan Train Hall.

## **OVERALL CONCERNS**

We find that the project follows an outdated development model for a project with a projected completion of 2035. The community reacted negatively to the statement "The Proposed Project would address substandard and insanitary conditions in the Project Area" in the introduction. This Robert Moses-like approach, with extensive displacement and car-centric transportation planning occurs throughout the proposal and should be replaced with a more pedestrian- and urban planning-centric narrative. The study should focus on how best to bring a world class transit center to the area that greatly improves the mobility, access, and daily life for those who work and live in the area, as well as travelers and commuters.

- **Scope Parameters**

The parameters of this scope do not adequately meet the SEQRA standards for a scope of analysis for a DEIS. This draft scope ignores the elimination of community facilities, the impact on local residential areas, and includes a primary study area that does not truly reflect the impact of such a large-scale development proposal. The study area needs to be expanded to evaluate the far-reaching effects of a massive density (40% increase) as well as commuter (40%) increases in an already dense environment. The Primary Study area should be the ¼ mile radius as proposed for the Secondary Area; the Secondary Area should be a ½ mile radius and should also take into consideration the cumulative effects of the Hudson Yards rezoning and Port Authority Bus Terminal Replacement Project. The primary "With Action" Scope should include these major

neglected components, and any additional “alternatives” analysis should not only include these factors, but any other factors raised by the community.

- **Minority and Women-owned Business Enterprises**

There is no effort expressed to include Minority and Women-owned Business Enterprises (WMBE's) as developers, in construction, as retail operators, or in other project-related capacities beyond the mandated requirements. Towards this end, the proposal review process should assure the participation of many qualified developers, instead of skewing the project towards one or two mega-developers.

- **Underlying assumptions**

The baseline assumptions should be evaluated, and alternatives should be included in the Scope including:

- The relocation of Madison Square Garden
- Paired or Non-paired “Through-Running<sup>1</sup>” options running LIRR and NJ Transit trains through Penn Station to new termini at Secaucus and Sunnyside, which might eliminate the need for southern expansion

- **Public Transportation and Public Realm Improvements**

The Scope should include a focus on how best to improve the pedestrian experience as it relates to the need to safely and efficiently move millions of people through the area. Analyses need to be made from a pedestrian/commuter and micro-mobility point of view rather than an overly car-centric perspective. The study area is the City’s busiest mass transit hub with great accessibility to public transportation systems; it includes a high density of commuters, visitors and residents. Local trends include increased usage bicycles and other non-automobile modes of transportation. Because the proposed project would significantly increase the number of people in the area, it is of critical importance that maximum road capacity and safety to facilitate pedestrian access be the priority, with accommodating micro mobility a close second. Displaced bus facilities must be replaced on site.

- **Floor Area Ratio**

The FAR proposed in this action should be consistent with special districts in the project area already approved by City Planning, unless the capital needed to develop transit improvements justifies a higher FAR. Hudson Yards’ Subdistrict B, which includes Penn Station, is zoned at 10 FAR with a bonus of 9.5 with a maximum of 19.5. It includes two FAR for community facilities which will be critical to replace the loss of existing community facilities through demolition.

- **Affordable Residential Components**

Residential development with affordable housing must be included in the project. Site 1 should be a residential site (with no hotel) that offers contextual development with residential blocks to the south, especially Penn South,<sup>2</sup> and addresses community needs. Other sites should be considered as well. The project should avoid piling on an excess of office space in this area, caused by past

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<sup>1</sup> Through-running option would allow NJ transit trains to continue east into Queens where they can be stored in existing Sunnyside Yards, instead of dead heading in Penn Station which requires twice as many tracks and platforms to serve the same number of commuters. <http://www.rethinknyc.org/run-overview>

<sup>2</sup> Penn South refers to the longstanding residential cooperative bordered by Eight Avenue, W 23<sup>rd</sup> Street, Ninth Avenue and W 29<sup>th</sup> Street which contains ten 22-story buildings with over 2,800 apartments. “Penn South” does not refer to the southern expansion of the Amtrak tracks.

rezoning actions. In addition, widely held opinion predicts that post-COVID work practices will depress demand for Class A office space.

- **Homelessness**

The homeless situation will not go away, no matter how modern or efficient the station. Supportive housing development and investment in transition space and programs to meaningfully address homelessness are crucial to the station and our neighborhoods. Displacement of this population, as well as existing affordable units and small businesses, must be studied and on-site mitigation proposed.

- **Funding**

A financial analysis should show the funding needed for the Penn Station expansion and public realm improvements. Another analysis should show the net revenue expected as well as the market value of each development site.

Alternative funding plan should be examined such as government bonds, private equity, or creative partnerships. Funding for the expansion of tunnels and other operational facilities are being provided through other sources. A study should be conducted to see if these other sources could fund the expansion of the platforms and station.

A contingency plan is needed if the economy no longer supports major office development. Analysis of overall revenues should consider future pricing of transfer rights and index them on real estate values annually.

## **SPECIFIC TASKS TO BE REVISED**

### **Task 3: Land Use, Zoning and Public Policy**

Much of the proposed Project Area is composed of building lots with commercial and office buildings. Several sites are residential with ground floor commercial uses. There are also three parking facilities, a small number of industrial/manufacturing uses, and two public facilities/institutions.

Most of the Project Area is located in the Hudson Yards Special District which has special use, bulk and urban design controls. The area south of West 31<sup>st</sup> Street is governed by several other zoning districts. Overrides to existing zoning or local laws are proposed but not described in the draft Environmental Impact Statement scope. There would be no height limits for the new development. The project's proposed FAR is 33, a substantial increase from the existing FAR of 19.5

The Project Area is in two Subdistricts of the Special Hudson Yards District:

- Farley Corridor Subdistrict B
  - Farley Post Office Subarea B3
  - Pennsylvania Station Subarea B4
- 34<sup>th</sup> Street Corridor Subdistrict C.

The Scope should include:

- A description of proposed overrides, contrasted to the existing zoning.
- The number of stories for approximate building heights shown in Fig. 3 (Illustrative Building Massing) in number of stories so the average reader can understand potential building heights.
- A description of the existing zoning with a zoning map, which includes the Special Hudson Yards District.

The proposed Scope must study the modifications needed for subdistricts B3 and B4 of the Special Hudson Yards District maps and text. Existing text that is consistent with the intent and specific provisions of the proposed GPP should be retained but text and maps need to be modified or removed. Further, the GPP would eliminate the need for bonuses and zoning transfers in Subarea B3. As a result, mandatory improvements as stated in the existing text would not be implemented through the Zoning Resolution. ESD has also stated unused floor area rights in Farley Post Office Subarea B3 would be extinguished. The GPP would take precedence over the existing zoning text. ESD will need to work with the New York City Department of City Planning to develop the text revisions to the Special Hudson Yards District (ZR sections 93-22, 93-30, 93.74). These changes need to be made in a companion and concurrent ULURP action by the Department of City Planning to bring clarity and remove ambiguity from the City's zoning text.

The Scope should describe the need for an agreement from the Hudson Yards Development Corporation (HYDC) and the Hudson Yards Infrastructure Corporation (HYIC) regarding the proposed GPP. HYIC bonds for infrastructure improvements in the Hudson Yards development area are based on both projected real estate tax revenue and contributions to the District Improvement Fund through zoning bonuses. Because those zoning bonuses would be extinguished through the proposed GPP, the changes need to be studied for any impact on the bond's revenue streams; and, on the City of New York's budget as a backstop for the bondholders.

#### **Task 4: Socioeconomic Conditions**

The proposed goal of the new development area is to revitalize the area for commercial development. The "area" should be defined as within 1/4 mile of Penn Station; which would include longstanding residential blocks and local businesses. The plan should include improvements to local residential areas and support of local businesses. The Scope should study the impact of a major transit-oriented initiative on the residential neighbors directly south of the proposed project study area. The scope should include affordable housing (at least 30% of market rate housing) and should include impacts on the homeless population.

##### *Direct Residential Displacement*

201 residents in 125 units are to be displaced: a study must identify how many of these units are rent stabilized or under other affordable housing programs. The Alternative proposed for Site 4 includes 630 residential units. The Scope should include these 630 units in all analyses.

##### *Indirect Resident Displacement*

A study should be conducted to understand possible displacement of local residents due to increased rents as a result of nearby Class A Office space. The assumption is that currently there is no indirect displacement of more than 200 residents, yet well over 200 people live within a 1/4 mile radius of the Project Area. The assumption of less than 200 displaced residents is incorrect, and therefore this study must be conducted.

##### *Direct Business Displacement*

The Scope should include analysis of project's impacts on the Garment Center Special District. The total amount of retail created in the complex, including inside both stations, the Moynihan Train Station, and all new buildings to evaluate the impact on the existing retail in the Secondary Area (West 38<sup>th</sup> and West 39<sup>th</sup> Streets, west of Eighth Avenue).

##### *Indirect Business Displacement Analysis*

The current Scope assumes no indirect business displacement stating that new retail will be geared towards the new commercial tenants and thus not displace local businesses. This

assumption is based on old formulas for retail consumption. Retail space is transitioning with an unknown future for retail usage. A study should be conducted using more current guidelines with better forecasting for retail consumption for 2020 and 16 years beyond to better understand the impact on local businesses within a ¼ mile radius of the proposed Project Area.

#### **Task 5: Community Facilities**

With a proposed reduction in community facility square footage of over 190,000 square feet from the “No Action” to the “With Action” condition, a finding that there is no trigger for a community facility analysis is not acceptable. A study of the need for community facilities in an expanded Secondary Study area should be conducted. We already know that there is a deficit of school seats, childcare facilities, and medical facilities in CD4. A recent in-depth study of CD4’s medical facilities concluded that the district has a significant need for an urgent care medical facility.

A study needs to be conducted to determine what public amenities will be needed to support the proposed transit-oriented development which will result in hundreds of thousands of people coming into the Project Area who may need educational opportunities, passive recreational spaces, open spaces, and medical services. Creative uses should be explored, such as a museum on Penn Station history, meeting spaces for community organizations, and spaces for events and town hall meetings.

Because so many homeless people live and congregate in or near Penn Station, special services for this population should be considered, including space for social services and the associated work populations.

A very heavily used drop-in center, the Antonio Olivier Drop-in Center at 257 West 30<sup>th</sup> Street, is located on Site 2, a block proposed for demolition to make way for new development. The disruption of this important community facility is of great concern to the community. The draft scope states: “Assessment of impact [...] measures to avoid or reduce adverse impacts” (page 28). The scope should provide a more definite commitment for a temporary location (during construction) and a permanent, vastly improved facility at a new location.

#### **Task 6: Open Space**

The project proposes a plaza on Site 2 between two colossal office buildings, in the middle of the block connecting West 30<sup>th</sup> and West 31<sup>st</sup> Streets. Plaza 33, a portion of West 33<sup>rd</sup> Street at Seventh Avenue, is to be improved. More opportunities for public open space should be studied.

The community is not convinced that this small amount of open space is sufficient for workers in the proposed high-density commercial buildings, for the thousands of people passing through this area, for the shoppers coming to the new ground floor retail, for new residents, and for the nearby neighborhood. The front steps of the Farley Post Office, which have long been identified as “open space” in this community, are inadequate and do little to mitigate the existing and proposed development.

The draft scope states that criteria for analysis of residential needs is 50 residents. Since the Alternative for Site 4 includes 630 new units (or increase of 505 units), the open space analysis should be conducted for residential needs.

The scope should include tree planting and public art installations in as many locations as possible. Trees are essential for improving air quality, providing shade, and bringing a more pedestrian scale to the streetscape.

#### **Task 7: Shadows**

In-depth shadow analyses need to be conducted on impacts on low-scale residential buildings on West 30<sup>th</sup> Street, and the residential blocks south of West 30<sup>th</sup> Street.

### **Task 8: Historic and Cultural Resources**

Given that the initiation of New York City's Landmark Preservation Commission was driven by the demolition of the previous Penn Station, there is a highly sensitive concern for protecting the remnants of the splendor of historic buildings in this area. The Scope should analyze adaptive reuse of historic structures within the proposed Project Area rather than complete demolition.

The proposal calls for the razing of existing hotels to build new hotels, hotels that once had passageways below Seventh Avenue connecting to Penn Station. The vast former Gimbels Store already has high ceilings and wide column spacing, which the proposal describes as a benefit of new construction. Adaptive re-use of these buildings deserves consideration and analysis.

In addition to the existing list of significant historic resources within the proposed Project Area<sup>3</sup>, it is recommended that the Scope add:

- The Stewart Hotel, 371 Seventh Ave
- The former Gimbels Department Store, now the Manhattan Mall (all of Site 8)
- The "Gimbels Bridge," the 1925 three -story sky bridge over West 32<sup>nd</sup> Street.

### **Task 9: Urban Design and Visual Resources**

As a Visual Resource guideline, possible disruption of sight lines to iconic buildings should be studied. "View Corridors" and "icons in the skyline" include historic sites within the proposed Project Area which need further analysis: notably the Hotel Pennsylvania colonnade, the "Gimbels Bridge" sky bridge over West 32<sup>nd</sup> Street, and the Stewart Hotel second-floor arched windows.

This study should include pedestrian views from street level from within the Project Area, as well as from the Hudson River Park and the High Line Park as pedestrians look east at the existing skyline.

### **Task 11: Water and Sewer Infrastructure**

The Scope should analyze a separation of removal of storm water and sewage. Storm water could be directed into the nearest water way (the Hudson River), while sewage could be directed to nearby treatment facilities, thus reducing the overall usage of current facilities. This separation would also reduce untreated sewage outflows into the Hudson River during major storm events. This is also an opportunity to address the City's ongoing combined sewer overflow woes by planning for incremental separation of sewers for storm water runoff and sewage from buildings.

The Scope should study ways to reuse "gray" water. New buildings should minimize the use of potable water for services (e.g.: air-conditioning and heating equipment) with new designs for storage and use of potable water and using non-potable water to service the buildings.

### **Task 12: Solid Waste and Sanitation Services**

A comprehensive Sanitation Plan, including trash storage, separation, and collection for the entire area should be analyzed. The Scope should include consideration of a centralized location for waste removal, and consideration of elimination of any on-street collection sites by insisting all building services be inside any new buildings.

Existing examples utilizing underground pneumatic tubes combined with garbage removal systems in each new building should be examined. Pneumatic tubes can manage waste separated at the entry points to the system so linking new and existing buildings in the area would promote recycling and organics

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<sup>3</sup> N.B.: listed addresses in the proposal are incorrect, switching 30th and 31st Streets: should be 247 West 30th and 259-261 West 30th--not West 31st.

separation efficiently, remove garbage, reduce garbage truck trips, and reduce the overall cost of garbage removal.

### **Task 13: Energy**

The Scope should include the feasibility of a zero imprint Project Area utilizing renewable energy sources generated in proposed buildings. The goals of all energy studies should be to limit energy use as much as possible, particularly the use of fossil fuels. The Scope should include alternatives that prioritize carbon neutrality and carbon negativity.

A study should analyze co-generators in each building, or more centrally located co-generators serving multiple buildings. Design considerations should capture the overall energy needs of the entire district. Energy generation on each building site should include consideration for solar, wind, geothermal as well as the most efficient energy using devices and designs within each structure.

### **Task 14: Transportation**

#### *Travel Demand Factors and Methodology*

- The study should compensate for the deficiencies of the City Environmental Quality Review (CEQR) manual: the formulas for vehicles were designed in the 1970's and it is well documented (refer to any reports?) that they overstate vehicular demand for New York. The CEQR manual does not properly consider travel demand for cyclists, for-hire vehicle (FHV) users and for delivery /contractor trips which have proven very relevant in recent years.
- The study should assume that the Contra lane on Ninth Avenue is removed.
- The study should take into consideration where deliveries and garbage pick-up will take place on block 755 (Farley and Moynihan) and on development sites.
- The study should take into account the impact of daily Madison Square Garden events which bring large tractor trailers (often illegal 53' trucks) to the area, as well as large TV trailers at peak hours directly affecting pedestrian flows and safe movement of people and goods.
- Transportation studies should account for congestion pricing, which was approved in the 2019 New York State budget with implementation planned to occur long before the project commencement. Congestion pricing impacts should include changes to all transportation modes, not just automobile traffic load.

#### *Traffic*

- Study the creation of shared streets on 31<sup>st</sup> Street from Seventh to Ninth Avenues in addition to West 33<sup>rd</sup> Street.
- Study the creation of busways (similar to 14<sup>th</sup> Street – trucks and local drop-off, no through private traffic) on Eighth Avenue and Ninth Avenue from West 30<sup>th</sup> to West 42<sup>nd</sup> Streets, and on West 34<sup>th</sup> Street.
- Bicycle demand: Ninth Avenue bicycle lane, which is very popular, needs to be completed as a protected lane between 33<sup>rd</sup> and 30<sup>th</sup> Streets along Moynihan Station.
- Study should include the intersections of West 35<sup>th</sup> Street at Eighth and Ninth Avenues; West 37<sup>th</sup> Street at Ninth Avenue; West 39<sup>th</sup> Street at Eighth and Ninth Avenues; and the three other entrances to the Lincoln Tunnel that will be affected by the creation of a shared street on West 33<sup>rd</sup> Street, which is currently an entrance to the tunnel.
- Study should include the intersections of West 28<sup>th</sup> Street with Eighth and Ninth Avenues, which cross a very residential complex that will be impacted if West 30<sup>th</sup> Street is a major entrance to the station.
- Study different scenarios for dedicated FHVs loading and unloading locations and their impact on traffic. Today, Eighth Avenue is very congested by the taxi traffic and 33<sup>rd</sup> Street would be a perfect alternative.

- Increasing traffic by 40% on the avenue is unthinkable.
- Bus and FHV traffic demand generated by hotels should be included.

The impacts of the displacement of the outdoor bus terminal on Site 1 should be studied. A portion of the site is an open-air parking lot used by a long-distance bus company. There are no locations available for curbside relocation in the secondary study area. What alternate facility will be provided to the long-distance bus station? Where will it be located? Is the Javits Marshaling Yard an option?

#### Rail and Transit

- Study the impact of implementing “through-running” trains on the project.
- Study the impact of the East Side Access on the overall track and platform capacity for the project.
- Account for the impact of the East Side Access project’s scheduled completion date of December 2022 on overall capacity demand.
- Cumulative effects of the new Port Authority Bus Terminal ridership (+40%) and the enlarged Penn Station ridership (+40%) should be studied, especially on the MTA “E” line, which is operating at maximum capacity.
- Evaluate the upgrading of the West 35<sup>th</sup> station at Eighth Avenue: what portion of commuters will use the Moynihan passageway/mall in block 755, versus West 35<sup>th</sup> Street station to reach Hudson Yards?
- Evaluate the re-opening of the Gimbels Passageway between Sixth and Seventh Avenues under West 33<sup>rd</sup> Street.
- An investigation into ADA Compliance with all transit connections must be undertaken such that elevators, escalators, and other means of access are included in the plan; notably any access to public transportation systems and platforms. Stringent service level agreements between developers and MTA will be required to keep these facilities in good working order.

#### Pedestrians

We understand that the increase in pedestrians generated both by the new buildings (approx. 36,000) and the station expansion (260,000) will be studied. As discussed earlier the study areas should be expanded.

The project proposes to widen the sidewalks by five feet on the property adjoining the City-owned mapped streets on Eighth Avenue between West 30<sup>th</sup> and West 31<sup>st</sup> Streets, and on West 30<sup>th</sup> and 31<sup>st</sup> Streets. This proposal is inadequate to meet the current use and demand. It should be revised to consider a vastly wider sidewalk expansion in contemplation of the study.

We request that the following studies be performed based on the assumption that trees will be planted per the zoning requirement and will occupy four feet of sidewalk, thus reducing the capacity of the sidewalks. In addition, anti-terrorist bollards take significant space that should be deducted wherever they will be installed for the purpose of calculating sidewalk capacity. Alternatively, ESD must prescribe that all security antiterrorism protections be incorporated in buildings.

- The cumulative effects of the new Bus terminal (+40%) and the enlarged Penn Station (+40%) should be studied on Eighth and Ninth Avenue sidewalks, corners and crossings, all the way up to West 42<sup>nd</sup> Street, especially considering these sidewalks are currently over capacity.
- Study corners, crosswalks and sidewalk elements on Ninth Avenue from West 30<sup>th</sup> to 38<sup>th</sup> Streets in the secondary study area. What portion of pedestrians and commuters will use the streets and sidewalks to travel from Eighth to Ninth Avenue, and Ninth Avenue to access office towers from the Port Authority?

- Evaluate the creation of “walk lanes” in the roadway on Eighth and Ninth Avenues up to West 38<sup>th</sup> Street, and on West 31<sup>st</sup> Street between Eighth and Ninth Avenues.
- Evaluate the creation of a shared street<sup>4</sup> on West 31<sup>st</sup> Street.
- Study the installation of drinking fountains and public toilets.
- Study the number of commuters who will use the Mall in block 755 to go west to Hudson Yards.
- Study how the pedestrian area, including the secondary study area, will be made ADA-compliant: accessible signals, ramps and tactile guide for blind users of shared streets.
- Study wind impacts around each new building: existing local wind patterns in this area due to building mass and placement significantly affects pedestrians, especially at the intersection at West 34<sup>th</sup> Street and Eighth Avenue, and the effects should be fully mitigated.
- Study the opportunity to share sanitation and deliveries infrastructure in order to minimize the number of curb cuts.

#### *Vehicle and Pedestrian Safety*

- Evaluate the elimination of private vehicles from West 30<sup>th</sup> Street to West 34<sup>th</sup> Street, Tenth to Eighth Avenues.
- Evaluate the intersections of West 31<sup>st</sup> and West 34<sup>th</sup> Streets and Eighth Avenue, which have a high number of crashes.<sup>5</sup>
- Evaluate opportunity to create mid-block crossings on all the avenue/street blocks surrounding the station and at a minimum on West 30<sup>th</sup> and West 31<sup>st</sup> between Eighth and Ninth Avenues.
- Evaluate opportunity to create a mid-block raised pedestrian crossing on Ninth Avenue in front of the Mall (block 755) entrance (W33<sup>rd</sup>/W31<sup>st</sup>).
- Evaluate the possibility of a pedestrian connection at grade and elevated from Moynihan Station to Hudson Yards through Midtown West.

#### *Parking*

The proposed 400 spaces of traditional parking should be eliminated and replaced with a parking application that is relevant to a transit center. Significant space should be provided for new forms of transit and other activities, including bicycle parking and bike share stations, trash storage, hotel linen storage and contractor-specific parking and deliveries. Analysis should include the huge trucks that load and unload and double park all around Madison Square Garden.

- Study the demand for micro-mobility parking and charging stations based on 40% more commuters, and identify best locations for bicycle and bike parking as well as bike share stations. These functions should be located in the parking lanes or inside the buildings so that they do not interfere with commuter/pedestrian flow.
- Because of the high demand for bike share here and at the bus terminal, study the creation of a major storage and repair facility.
- Study locations for trash storage, hotel linen storage as well as loading docks to facilitate contractors’ visits and office deliveries to increase sidewalk capacity and reduce conflicts with pedestrians.
- Study should focus on shared facilities to minimize curb cuts that disrupt the pedestrian flow.
- Study incorporating electric charging stations with parking plan.

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<sup>4</sup> On a shared street, pedestrians have priority and can use the whole street. Vehicular speed is limited to 5 mph and access is limited to local deliveries only.

<sup>5</sup> NYC Open Data – NYPD Collision Reporting

## **Task 20: Construction**

The Scope should include a study of the impact on noise from construction on Penn South and West 30<sup>th</sup> Street residents and include mitigation measures.

The Scope should include a study of the economic benefits during construction, which includes the benefits of hiring local employees and at a living wage with benefits; and utilizing minority and women owned businesses.

The scope should include the study of the impact of the relocation of the long-distance bus terminal located on the parking lot at the south west corner of W 31<sup>st</sup> Street and Eighth Avenue.

## **ALTERNATIVES TO BE STUDIED**

The draft Scope mentions a Reduced Density Alternative; this should be clarified with specific details: FARs, type and size of uses, etc.

Concern about the magnitude of the proposed density, the complete demolition of existing buildings, the viability of a huge amount of new office space, and the impacts on the nearby neighborhood has triggered community recommendations for a number of Alternatives.

1. An Alternative with decreased FAR should be studied. This alternative should have an FAR consistent with FARs of adjacent special districts: Midtown East (20 FAR), Garment District (12 FAR), and Hudson Yards' Subdistrict B, which includes Penn Station (19.5 FAR maximum). It should include at least 493,220 square feet of community facilities (reflecting two FAR provided for in the Hudson Yards Special District and the loss of existing community facilities through demolition).
2. An Alternative with the relocation of Madison Square Garden (MSG) should be studied. A number of creative proposals, including the critically acclaimed adaptive reuse proposal by Vishaan Chakrabarti, have highlighted the advantages to freeing up the space above Penn Station: increased track capacity, additional access, more public space, light and air, and other improvements would greatly improve Penn Station and bring it in line with a 21<sup>st</sup> Century train station.<sup>6</sup> The Special Permit for MSG expires in 2023.
3. An Alternative with a residential building on Site 1 (West 30<sup>th</sup> and West 31<sup>st</sup> Streets, at Eighth Ave.) should be studied. A hotel is an inappropriate use on Site 1 because residential uses are adjacent to the site on Eighth Avenue and West 31<sup>st</sup> Street. The blocks south of the site are all residential, including a row of low-rise houses on the south side of West 30<sup>th</sup> Street and Penn South, a large residential cooperative complex, whose northern-most edge is West 29<sup>th</sup> Street. Height limits should be studied as part of this Alternative; they would minimize shadows on the Farley Building, the low-scale housing on West 30<sup>th</sup> Street and Penn South. Residential development on Site 1 should be viewed as a transitional development tying it to the immediate surrounding to the south. Affordable housing, a minimum of 30% of market rate units, is a must in any new residential development. Other development sites should also be seriously considered for residential use with affordable units.

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<sup>6</sup> Practice for Urbanism and Architecture: <https://pau.studio/what/penn-palimpsest/>; *New York Times* Penn Station Reborn, <https://www.nytimes.com/interactive/2016/09/30/opinion/penn-station-reborn.html>

4. An Alternative should examine a connection to Grand Central Station using the new East Side access or other Amtrak projects. This Alternative would significantly increase subway connections and the efficient movement of commuters.
5. An Alternative implementing non-paired through-running service of Long Island Rail Road lines to Secaucus and New Jersey Transit lines to Sunnyside should be studied for viability. This approach could obviate the need for the proposed disruptive expansion.

**CONCLUSION**

Manhattan Community Board 4 welcomes a revived and greatly improved Penn Station and believes we can achieve that in the timeframe laid out. However, this is a significant planning opportunity that cannot go to waste nor be tied to the planning ideals of the 20<sup>th</sup> Century.

This project is not just an economic development effort for the immediate area, but will serve as a catalyst for the entire region and can be a truly multi-modal transit center.

As a community, our priorities have always been to best understand the needs of our district and propose plans accordingly. The scope and study for the Empire Station Project must be wrought from those ideals, including creation of affordable housing, reprioritizing our streets for people rather than just for cars, promoting safety and efficiency for the pedestrian experience, creating contextual development that will accommodate needs of today and tomorrow, and doing so in a way that improves the quality of life – for our environment, economy, and health – for all who will visit, work, and live in the area.

Thank you for the opportunity to provide these comments and we look forward to reviewing the updated Scope and helping to bring the Empire Station Complex to fruition.

Sincerely,



Lowell D. Kern  
Chair  
Manhattan Community Board 4



Jeffrey LeFrancois  
First Vice Chair, Co-chair WPE  
Manhattan Community Board 4



Paul Devlin  
Co-chair, Chelsea Land Use Committee



Betty Mackintosh  
Co-chair, Chelsea Land Use Committee



Christine Berthet  
Co-chair, Transportation Planning Committee



Dale Corvino  
Co-chair, Transportation Planning Committee

Cc: Hon. Jerry Nadler, U.S. Congress  
Hon. Carolyn Maloney, U.S. Congress  
Hon. Brad Hoylman, NYS Senate  
Hon. Robert Jackson, NYS Senate  
Hon. Dick Gottfried, NYS Assembly  
Hon. Andrew Cuomo, Governor, NYS  
Hon. Bill de Blasio, Mayor, NYC  
Hon. Gale Brewer, Manhattan Borough President  
Hon. Corey Johnson, Speaker, NYC Council  
Marisa Lago, Chair, City Planning Commission  
Kim Rodney, Manhattan Community Board 5  
34<sup>th</sup> Street Partnership