



CITY PLANNING COMMISSION
CITY OF NEW YORK

OFFICE OF THE CHAIRMAN

December 1, 2016

Hon. Howard Zemsky, Chairman
Empire State Development Corporation
633 Third Avenue, 37th Floor
New York, NY 10017

**RE: Comments on the Supplement to the General Project Plan for the Moynihan Station
Civic and Land Use Improvement Project**

Dear Chairman Zemsky,

The City Planning Commission (the "Commission") has reviewed the draft Supplement to the General Project Plan (the "Supplement") for the Moynihan Station Civic and Land Use Improvement Project (the "Project"), dated September 2016.

The current General Project Plan ("Existing GPP") includes aspects of the original 2006 GPP – for which the Commission recommended certain modifications, as well as updates to the GPP made in 2007 and 2010. The goal of the Project continues to be to build a major transportation hub consisting of a new Daniel Patrick Moynihan Station that will be physically connected to Pennsylvania Station, thus improving the station's circulation, and that will create a dynamic mixed-use development, restore and preserve an important historical resource, and serve as the gateway to the expected new development in the Hudson Yards area of Manhattan. Modifications in the Supplement include changes to the railroad tenants in the station, the mix of uses in the remainder of the building, as well as additional improvements to the Train Shed below it.

The Supplement is subject to Commission review pursuant to the provisions of Subdivision 3 of Section 16 of the New York State Urban Development Corporation Act, which provides that a planning board or commission may recommend approval, disapproval or modification of a general project plan whenever such plan requires the override of local law or regulation for implementation.

The Supplement does not disturb the override of local law in the Existing GPP with regard to: i) ZR 74-62 of the New York City Zoning Resolution: Railroad passenger stations; ii) ZR 74-763 and 81-231: Reduction in size of the previously bonused urban plaza on the footprint of the Off-Site Component; (iii) ZR 81-211: Permitted floor area in the Special Midtown District (SMD); (iv) ZR 81-26 and 81-27: Height and setback regulations in SMD; (v) ZR 81-45: Pedestrian circulation space in SMD; (vi) ZR 81-46: Relocation of off-street subway entrances in SMD; and (vii) ZR 74-52: Special permit for public parking. In addition to these, the Supplement also proposes the override of ZR 93-13: special office use regulations in the Special Hudson Yards District to permit office uses in the Farley building.

The Project continues to have two main components: the Farley Building and the Off-Site Component. The Project would transform the Farley Building by creating a Train Hall on the eastern side of the building accessible from Eighth Avenue and an Intermodal Hall in the center of the block which is accessible from West 33rd and West 31st Streets, as well as a 32nd Street pedestrian corridor that would connect the Train Hall with the Hudson Yards area west of Ninth Avenue. The Train Hall would be connected to Pennsylvania Station through a below-grade connection. The principal railroads in the facility would now be Amtrak, Long Island Rail Road and, potentially, Metro North.

Transit-oriented retail development would be located adjacent to the Train Hall. Other private commercial development would now consist of approximately 675,000 square feet of office, retail, restaurant and other commercial uses in other portions of the building. In addition, the United States Postal Service would continue to operate its historic retail lobby and approximately 228,000 square feet within the rest of the building. Numerous improvements to the train shed would now also be included in the plan.

The Off-Site Component would occupy a footprint of approximately 35,000 SF along the east side of Eighth Avenue between West 33rd and West 34th Streets. The Off-Site Component would consist of a mixed-use building of approximately 1,000,000 Zoning SF, expected to consist of residential, hotel, and retail components, as well as at-grade public realm improvements. The development of the Off-Site Component is regulated by a site plan included in the Existing GPP that denotes required at-grade transit connections and public spaces, as well as its permitted building massing.

The Commission believes the Project will enhance the transportation infrastructure of the City. The Project will not only benefit thousands of existing riders that use Pennsylvania Station, but will be an important component of improving the transportation access to the Hudson Yards area. The Project is expected to act as a catalyst for future development in and around the area and to provide substantial benefits to the City.

The Commission also notes that this project is one among several necessary to ensure that commuters are reasonably accommodated while supporting the vitality and growth of the surrounding area. A coordinated planning process for the entirety of the Pennsylvania Station area is needed to address pressing issues in the current station, including substandard circulation and track capacity, which are not addressed by the Moynihan project. This work should further be coordinated with other planned transportation investments in Midtown, such as the Port Authority Bus Terminal and the Gateway Tunnel.

The Commission supports the Project and the exercise of ESDC's statutory authority, provided that the issues and concerns set forth below are addressed in the adoption and implementation of the GPP.

Farley Building

The Commission supports the transformation of the Farley Building to Moynihan Station and welcomes the return of a grand entry to Pennsylvania Station. Moynihan Station will improve passenger circulation and increase access to trains and platforms. Transforming this building requires particular attention to the public realm and so the Commission is pleased that its recommendations about the Farley Building, included in its 2006 letter regarding the Train Hall, 32nd Street Pedestrian Corridor and signage, were incorporated and have been maintained in the Project.

Off-Site Component

The Commission notes that the Supplement does not propose to modify the site plan included in the Existing GPP for the Off-Site Component of the project. However, the Commission believes this should be reconsidered as the current site plan provides limited space for at-grade transit connections necessary to improve access to Penn Station. The Commission approved the Access to the Region's Core project in 2009 with at-grade transit connections on this site that would have provided improved access to the station below and believes improved access should be part of the Off-Site Component site plan. In addition, the current site plan affords limited design flexibility for the proposed mixed-use building on the site. The Commission instead recommends the current site plan (labelled Attachment F in the 2006 GPP) and its associated language be removed and that the following design requirements be included in the Supplement.

- A sidewalk widening adding a minimum of 3'6" sidewalk area be provided along the 8th Avenue frontage.
- At or below a height of 150 feet, a minimum setback of 10 feet from the 8th Avenue property line be provided.
- The subway stair at West 34th street be relocated within the property line in conformance with MTA standards.

RE: Comments on the Supplement to the GPP

- A new entrance to Penn Station be provided along the 8th Avenue frontage in conformance with MTA standards. This entrance should be designed to accommodate passenger capacity needs as determined by the relevant transit agencies. The design of the entrance shall be acceptable to the Chair of the City Planning Commission. Such design acceptance shall be obtained prior to commencement of construction of the Off-Site Component.

In addition, the Commission understands that the affordable housing commitment included in the Existing GPP will be retained. Subject to the same understanding contained with the Existing GPP, the residential component would now be expected to be constructed under (i) any new 421-a plan enacted at the time the programming of the Off-Site Component is committed to; or (ii) if not enacted, (x) the 421-a previously in effect coupled with (y) the affordable housing requirements of ZR 23-154 (d)(3)(iii).

The Commission is also aware and supportive of the ongoing work to ensure that the zoning override preserves the availability of unused development rights and overall zoning compliance on the zoning lot of which the Off-Site Component is a part. The Commission further understands this may require expanding the scope of the Supplement to cover the rest of the zoning lot through a future modification.

Lastly, the Commission is aware that an additional request to override the underlying C6-4 signage regulations for the Off-Site Component may be made and that such signage proposal would be subject to approval of the Chair of the City Planning Commission. The underlying regulations currently allow accessory, non-flashing signage, and limit their overall area and location on the building to a maximum height of 40 feet. While the Commission acknowledges more permissive signage regulations may be appropriate in this heavily-trafficked area, the Commission believes any signage should be sensitive to the building's location next to the landmark Farley Building.

The City concurs with ESDC and MSDC that the Project is an important economic development project which would yield considerable long-term economic benefits to the City and State of New York. However, the Commission's support is conditional upon agreement on the above points. This letter of recommendation was adopted by the City Planning Commission on November 30, 2016. (Commissioner Cerullo recused)

Best regards,



Carl Weisbrod

C: Alicia Glen, NYC Deputy Mayor for Housing and Economic Development