



## City Environmental Quality Review

## ENVIRONMENTAL ASSESSMENT STATEMENT (EAS) FULL FORM

Please fill out and submit to the appropriate agency ([see instructions](#))**Part I: GENERAL INFORMATION****PROJECT NAME** 1 Penn Plaza**1. Reference Numbers**CEQR REFERENCE NUMBER (to be assigned by lead agency)  
19DCP021M

BSA REFERENCE NUMBER (if applicable)

ULURP REFERENCE NUMBER (if applicable)  
190273ZSM; N190275ZCM; N190274ZAM; N190276ZCMOTHER REFERENCE NUMBER(S) (if applicable)  
(e.g., legislative intro, CAPA)**2a. Lead Agency Information**NAME OF LEAD AGENCY  
New York City Department of City PlanningNAME OF LEAD AGENCY CONTACT PERSON  
Olga Abinader, Director – Environmental Assessment and Review Division

ADDRESS 120 Broadway

CITY New York

STATE NY

ZIP 10271

TELEPHONE 212-720-3423

EMAIL  
oabinad@planning.nyc.gov**2b. Applicant Information**NAME OF APPLICANT  
One Penn Plaza LLCNAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON  
David R. Greenbaum

ADDRESS c/o Vornado Realty Trust – 888 Eighth Avenue

CITY New York

STATE NY

ZIP 10106

TELEPHONE 212-894-7404

EMAIL dgreenbaum@vno.com

**3. Action Classification and Type****SEQRA Classification**☒ UNLISTED ☐ TYPE I: Specify Category (see 6 NYCRR 617.4 and NYC Executive Order 91 of 1977, as amended):**Action Type** (refer to [Chapter 2](#), "Establishing the Analysis Framework" for guidance)☒ LOCALIZED ACTION, SITE SPECIFIC ☐ LOCALIZED ACTION, SMALL AREA ☐ GENERIC ACTION**4. Project Description**

The applicant and project site owner, One Penn Plaza LLC, is seeking approval of several actions (the "proposed actions") to facilitate the planned expansion of a lobby, improvements to public plaza areas, and enhanced transit access to Penn Station at the One Penn Plaza property (the "proposed project"). To facilitate the building lobby expansion and related public plaza modifications, including the addition of a new lobby entrance providing connections to Penn Station, the applicant is seeking approval of the following actions:

- Special Permit pursuant to Zoning Resolution (ZR) Section 74-761 (Elimination or reduction in size of bonused public amenities);
- Zoning Authorization pursuant to ZR Section 37-327 (Hours of access);
- A Chairperson's Certification pursuant to ZR Section 37-73 and 81-231 (b) (Kiosks and Open Air Cafes); and
- A Chairpersons's Certification pursuant to ZR Section 37-625 (Design changes)

See Attachment A, "Project Description," for a detailed description of the proposed actions and the proposed project.

**Project Location**

BOROUGH Manhattan

COMMUNITY DISTRICT(S) 5

STREET ADDRESS One Penn Plaza, New York NY

TAX BLOCK(S) AND LOT(S) 783 / 1, 34, and 70

ZIP CODE 10019

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS Manhattan Block 783, Lots 1, 34 and 70 – bounded by Seventh Avenue to the east, West 33rd Street to the south, West 34th Street to the north, and Eighth Avenue to the west.

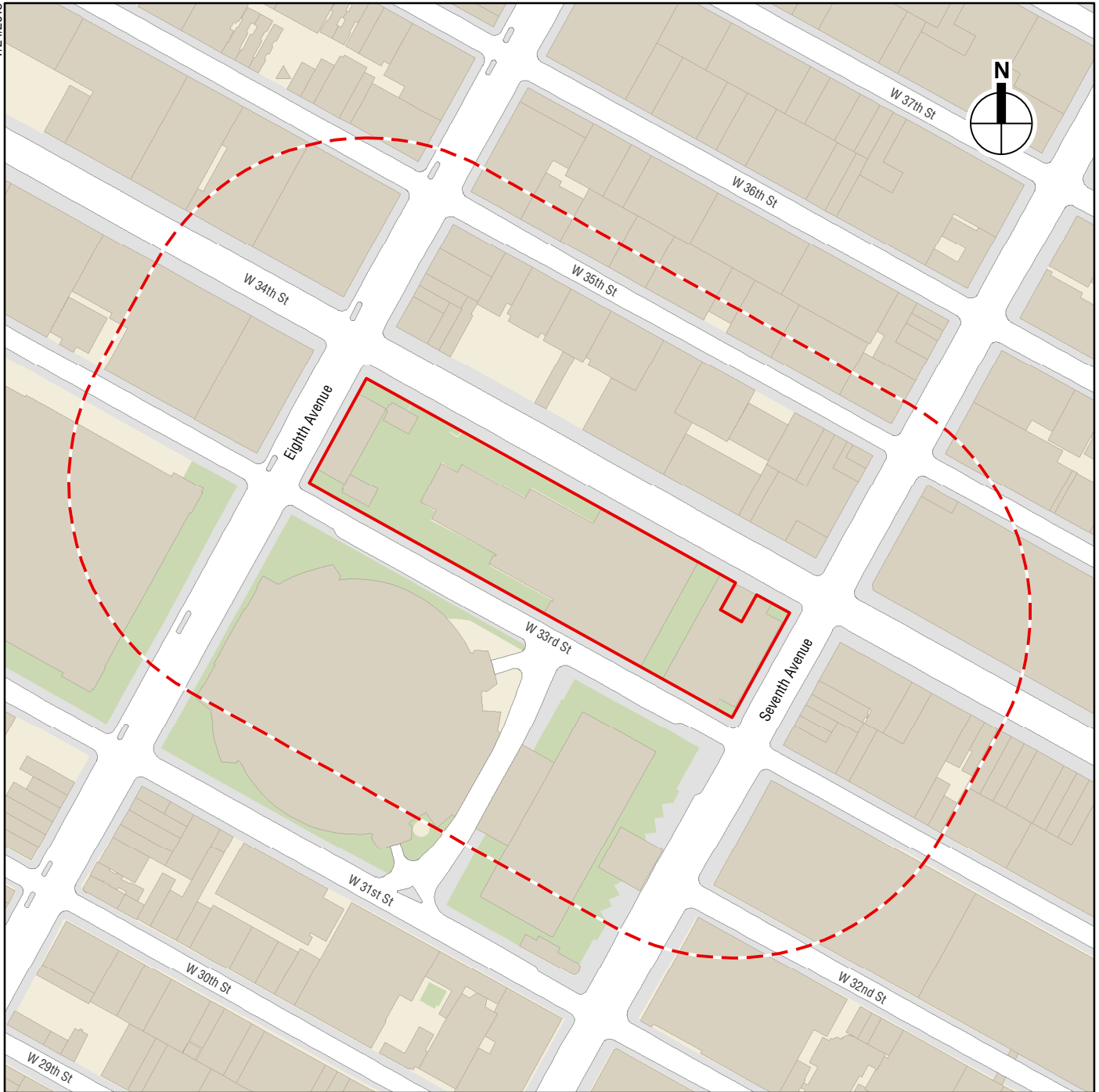
EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY C6-4 (MiD) and C6-6 (MiD)

ZONING SECTIONAL MAP NUMBER 8d

**5. Required Actions or Approvals** (check all that apply)**City Planning Commission:** ☒ YES☐ NO☐ UNIFORM LAND USE REVIEW PROCEDURE (ULURP)☐ CITY MAP AMENDMENT☒ ZONING CERTIFICATION☐ CONCESSION☐ ZONING MAP AMENDMENT☒ ZONING AUTHORIZATION☐ UDAAP☐ ZONING TEXT AMENDMENT☐ ACQUISITION—REAL PROPERTY☐ REVOCABLE CONSENT

<input type="checkbox"/> SITE SELECTION—PUBLIC FACILITY <input type="checkbox"/> HOUSING PLAN & PROJECT <input checked="" type="checkbox"/> SPECIAL PERMIT (if appropriate, specify type: <input checked="" type="checkbox"/> modification; <input type="checkbox"/> renewal; <input type="checkbox"/> other); EXPIRATION DATE:	<input type="checkbox"/> DISPOSITION—REAL PROPERTY <input type="checkbox"/> OTHER, explain: <input checked="" type="checkbox"/> SPECIAL PERMIT (if appropriate, specify type: <input checked="" type="checkbox"/> modification; <input type="checkbox"/> renewal; <input type="checkbox"/> other); EXPIRATION DATE:	<input type="checkbox"/> FRANCHISE
SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION Special Permit pursuant to ZR Section 74-761 (Elimination or reduction in size of bonused public amenities); Zoning Authorization pursuant to ZR Section 37-727 (Hours of access); Chairperson's Certification pursuant to ZR Sections 37-73 and 81-231(b) (Kiosks and Open Air Cafes); Chairperson's Certification pursuant to ZR Section 37-625 (Design changes)		
<b>Board of Standards and Appeals:</b> <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> VARIANCE (use) <input type="checkbox"/> VARIANCE (bulk) <input type="checkbox"/> SPECIAL PERMIT (if appropriate, specify type: <input type="checkbox"/> modification; <input type="checkbox"/> renewal; <input type="checkbox"/> other); EXPIRATION DATE: SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION		
<b>Department of Environmental Protection:</b> <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If "yes," specify:		
<b>Other City Approvals Subject to CEQR</b> (check all that apply) <div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <input type="checkbox"/> LEGISLATION  <input type="checkbox"/> RULEMAKING  <input type="checkbox"/> CONSTRUCTION OF PUBLIC FACILITIES  <input type="checkbox"/> 384(b)(4) APPROVAL  <input type="checkbox"/> OTHER, explain:         </div> <div style="width: 48%;"> <input type="checkbox"/> FUNDING OF CONSTRUCTION, specify:  <input type="checkbox"/> POLICY OR PLAN, specify:  <input type="checkbox"/> FUNDING OF PROGRAMS, specify:  <input type="checkbox"/> PERMITS, specify:         </div> </div>		
<b>Other City Approvals Not Subject to CEQR</b> (check all that apply) <input checked="" type="checkbox"/> PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC) <input type="checkbox"/> LANDMARKS PRESERVATION COMMISSION APPROVAL <input type="checkbox"/> OTHER, explain:		
<b>State or Federal Actions/Approvals/Funding:</b> <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If "yes," specify:		
<b>6. Site Description:</b> The directly affected area consists of the project site and the area subject to any change in regulatory controls. Except where otherwise indicated, provide the following information with regard to the directly affected area. <b>Graphics:</b> The following graphics must be attached and each box must be checked off before the EAS is complete. Each map must clearly depict the boundaries of the directly affected area or areas and indicate a 400-foot radius drawn from the outer boundaries of the project site. Maps may not exceed 11 x 17 inches in size and, for paper filings, must be folded to 8.5 x 11 inches.		
<input checked="" type="checkbox"/> SITE LOCATION MAP <input checked="" type="checkbox"/> ZONING MAP <input checked="" type="checkbox"/> SANBORN OR OTHER LAND USE MAP <input checked="" type="checkbox"/> TAX MAP <input type="checkbox"/> FOR LARGE AREAS OR MULTIPLE SITES, A GIS SHAPE FILE THAT DEFINES THE PROJECT SITE(S) <input checked="" type="checkbox"/> PHOTOGRAPHS OF THE PROJECT SITE TAKEN WITHIN 6 MONTHS OF EAS SUBMISSION AND KEYED TO THE SITE LOCATION MAP		
<b>Physical Setting</b> (both developed and undeveloped areas) Total directly affected area (sq. ft.): 156,023 (project site - all lots combined) Waterbody area (sq. ft.) and type: N/A Roads, buildings, and other paved surfaces (sq. ft.): 2,515,000 sf (three commercial buildings on project site) Other, describe (sq. ft.): 53,917 sf (plazas and arcades on project site)		
<b>7. Physical Dimensions and Scale of Project</b> (if the project affects multiple sites, provide the total development facilitated by the action) SIZE OF PROJECT TO BE DEVELOPED (gross square feet): approx. 3,035-gsf lobby expansion on the north side of One Penn Plaza (West 34th Street frontage) and improvements/modifications to existing public plazas and arcades on the project site. NUMBER OF BUILDINGS: N/A GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): N/A HEIGHT OF EACH BUILDING (ft.): N/A NUMBER OF STORIES OF EACH BUILDING: N/A		
Does the proposed project involve changes in zoning on one or more sites? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If "yes," specify: The total square feet owned or controlled by the applicant: The total square feet not owned or controlled by the applicant:		
Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If "yes," indicate the estimated area and volume dimensions of subsurface disturbance (if known): AREA OF TEMPORARY DISTURBANCE: sq. ft. (width x length) VOLUME OF DISTURBANCE: cubic ft. (width x length x depth) AREA OF PERMANENT DISTURBANCE: sq. ft. (width x length)		
<b>8. Analysis Year</b> <a href="#">CEQR Technical Manual Chapter 2</a> ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2021		

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 24		
WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO   IF MULTIPLE PHASES, HOW MANY?		
BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE: Assuming approval of the proposed actions in 2019, construction of the proposed project is expected to occur over 24 months with completion expected in 2021.		
<b>9. Predominant Land Use in the Vicinity of the Project</b> (check all that apply)		
<input type="checkbox"/> RESIDENTIAL	<input type="checkbox"/> MANUFACTURING	<input checked="" type="checkbox"/> COMMERCIAL <input type="checkbox"/> PARK/FOREST/OPEN SPACE <input checked="" type="checkbox"/> OTHER, specify: Transportation/utility



0 200 FEET

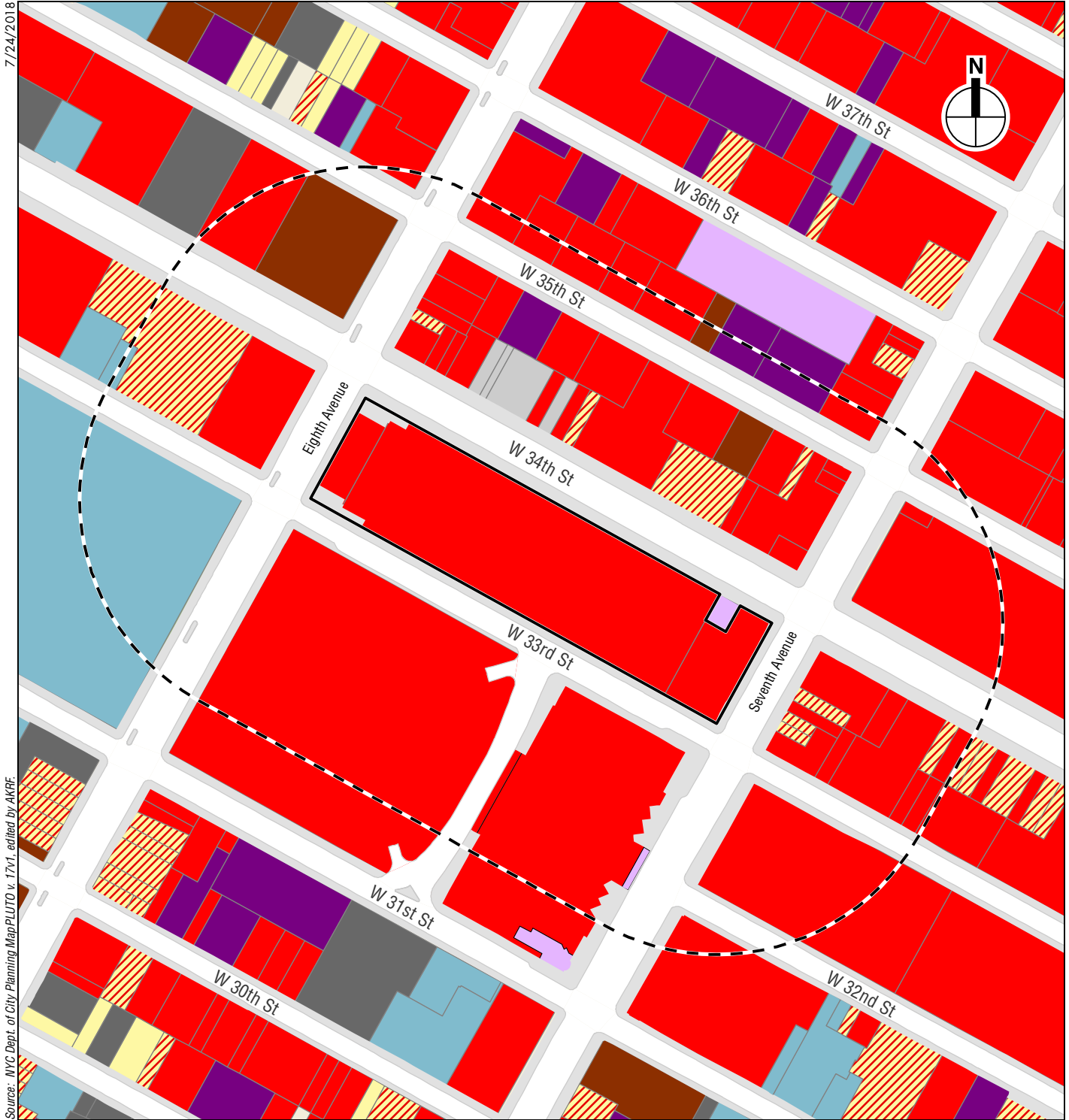
-  Project Site
-  Study Area Boundary (400-foot perimeter)





- Project Site Boundary
- Study Area Boundary (400-foot perimeter)
- Tax Lot Boundary
- Tax Block Boundary
- Other Boundary

0 200 FEET

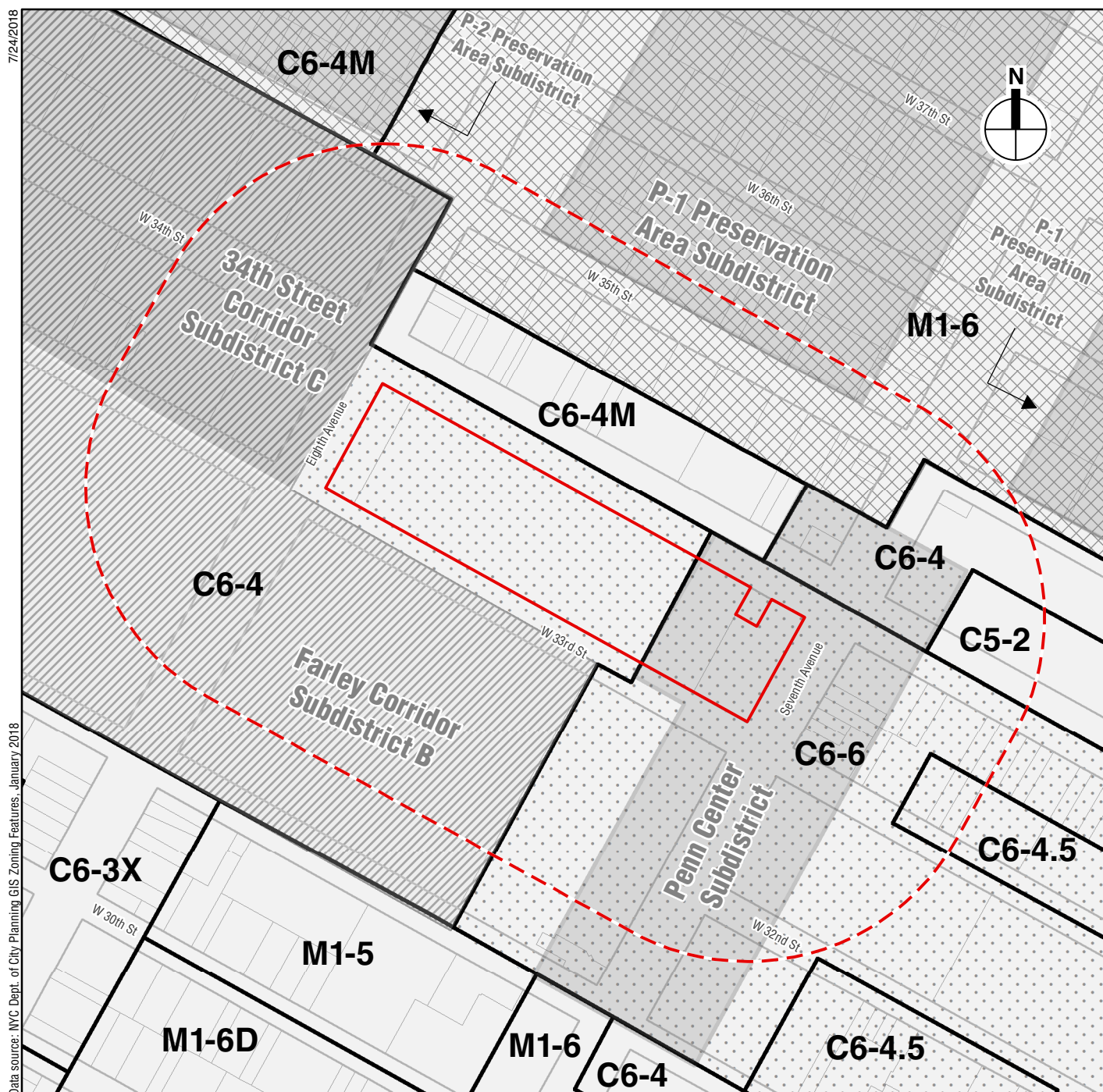


- Project Site
- Study Area Boundary (400-foot perimeter)
- Commercial and Office Buildings
- Hotels
- Industrial and Manufacturing
- Parking Facilities

- Public Facilities and Institutions
- Residential
- Residential with Commercial Below
- Transportation and Utility
- Vacant Land

0 200 FEET

Data source: NYC Dept. of City Planning GIS Zoning Features, January 2018



-  *Project Site Boundary*
-  *Study Area Boundary (400-foot perimeter)*
-  *Zoning District Boundaries*
-  *Special Garment Center District*
-  *Special Hudson Yards District*
-  *Special Midtown District*
-  *Special Purpose Sub-Districts*

0 200 FEET



1. View of Pearson Park facing north from West 33rd Street (Site at left)



2. View of the Site facing northeast from West 33rd Street.



3. View of the Site facing northwest from West 33rd Street.





4. View of West 33rd Street facing west (Site at right).



5. View of the Site facing northeast from West 33rd Street.



6. View of the Site facing north from West 33rd Street.





7. View of the intersection of Eighth Avenue and West 33rd Street facing northeast.



8. View of the Site facing south from West 34th Street.



9. View of the Site facing southeast from West 34th Street.





10. View of the Site facing southwest from West 34th Street.



11. View of the Site facing southeast from West 34th Street.



12. View of West 34th Street facing west (Site at left).





13. View of the north side of West 34th Street facing northeast from the Site.



14. View of the north side of West 34th Street facing northwest from the Site.



15. View of the sidewalk along the south side of West 34th Street facing west (Site at left).





16. View of the Site facing southwest from West 34th Street.



17. View of the Site facing south from West 34th Street.



18. View of the Site facing southeast from West 34th Street.





19. View of the sidewalk along the south side of West 34th Street facing east (Site at right).



20. View of the Site facing southeast from West 34th Street.



21. View facing northwest from within the Site.





22. View facing northwest from within the Site.



23. View facing southeast from within the Site.



24. View facing east from within the Site.





25. View facing northeast from within the Site.



26. View facing southwest from within the Site.



27. View facing southwest from within the Site.





28. View facing southwest from within the Site.



29. View facing west from within the Site.



30. View facing northwest from within the Site.





31. View facing northeast from within the Site.



32. View facing north from within the Site.



33. View facing northwest from within the Site.





34. View facing southwest from within the Site.



35. View facing south from within the Site.



36. View facing southeast from within the Site.





37. View facing northeast from within the Site.



38. View facing northeast from within the Site.



39. View of the sidewalk along the north side of West 33rd Street





40. View of the Site facing northeast from West 33rd Street.



41. View of the Site facing north from West 33rd Street.



42. View of the Site facing northwest from West 33rd Street.





43. View of the sidewalk along the north side of West 33rd Street facing west (Site at right).



44. View of the south side of West 33rd Street facing southwest from the Site.



45. View of the south side of West 33rd Street facing southeast from the Site.





46. View of the Site facing northwest from the intersection of Seventh Avenue and West 33rd Street.



47. View of West 33rd Street facing west from Seventh Avenue (Site at right).



48. View of the Site facing southwest from the intersection of Seventh Avenue and West 34th Street.





49. View of the Site facing south from West 34th Street.



50. View facing southeast within the Site toward West 33rd Street.



51. View facing northeast within the Site toward West 34th Street.





52. View of the Site facing southeast from the intersection of Eighth Avenue and West 34th Street.



53. View of the Site facing northeast from the intersection of Eighth Avenue and West 33rd Street.



## DESCRIPTION OF EXISTING AND PROPOSED CONDITIONS

The information requested in this table applies to the directly affected area. The directly affected area consists of the project site and the area subject to any change in regulatory control. The increment is the difference between the No-Action and the With-Action conditions.

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
<b>LAND USE</b>				
<b>Residential</b>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," specify the following:				
Describe type of residential structures	N/A	N/A	N/A	
No. of dwelling units	N/A	N/A	N/A	
No. of low- to moderate-income units	N/A	N/A	N/A	
Gross floor area (sq. ft.)	N/A	N/A	N/A	
<b>Commercial</b>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," specify the following:				
Describe type (retail, office, other)	Use Group 6 Office/Retail	Use Group 6 Office/Retail	Use Group 6 Office/Retail	
Gross floor area (sq. ft.)	2,515,000 (3 bldgs)	2,515,000 (3 bldgs)	2,511,143: (3,035 gsf One Penn Plaza lobby expansion and demolition of 6,892 gsf on the 2 <sup>nd</sup> and 3 <sup>rd</sup> floors of One Penn Plaza.	-3,857 gsf
<b>Manufacturing/Industrial</b>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," specify the following:				
Type of use	N/A	N/A	N/A	
Gross floor area (sq. ft.)	N/A	N/A	N/A	
Open storage area (sq. ft.)	N/A	N/A	N/A	
If any unenclosed activities, specify:	N/A	N/A	N/A	
<b>Community Facility</b>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," specify the following:				
Type	N/A	N/A	N/A	
Gross floor area (sq. ft.)	N/A	N/A	N/A	
<b>Vacant Land</b>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," describe:	N/A	N/A	N/A	
<b>Publicly Accessible Open Space</b>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," specify type (mapped City, State, or Federal parkland, wetland—mapped or otherwise known, other):	53,917 gsf of public plazas and arcades	53,917 gsf of public plazas and arcades	48,497 gsf of public plazas and arcades	-5,420 gsf
<b>Other Land Uses</b>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," describe:	N/A	N/A	N/A	
<b>PARKING</b>				
<b>Garages</b>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," specify the following:				
No. of public spaces	600	600	600	no change
No. of accessory spaces				
Operating hours	24/7	24/7	24/7	no change
Attended or non-attended	Attended	Attended	Attended	
<b>Lots</b>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," specify the following:				
No. of public spaces	N/A	N/A	N/A	
No. of accessory spaces	N/A	N/A	N/A	
Operating hours	N/A	N/A	N/A	
<b>Other</b> (includes street parking)	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," describe:	N/A	N/A	N/A	

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
<b>POPULATION</b>				
<b>Residents</b>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," specify number:	N/A	N/A	N/A	
Briefly explain how the number of residents was calculated:				
<b>Businesses</b>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," specify the following:				
No. and type	34 retail tenants; 170 office tenants	no change	no change	no change
No. and type of workers by business	approximately 575 retail workers; approximately 8,000 office workers	no change	no change	no change
No. and type of non-residents who are not workers	N/A	N/A	N/A	
Briefly explain how the number of businesses was calculated:	Information provided by the applicant/owner			
<b>Other</b> (students, visitors, concert-goers, etc.)	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If any, specify type and number:	N/A	N/A	N/A	
Briefly explain how the number was calculated:				
<b>ZONING</b>				
Zoning classification	C6-6/C6-4 (MiD)	no change	no change	
Maximum amount of floor area that can be developed	C6-4: 10 FAR C6-6: 15 FAR	no change	no change	
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	Commercial office with ground floor retail (C6-2, C6-4.5, C6-4M, M1-6)	no change	no change	
Attach any additional information that may be needed to describe the project.				
If your project involves changes that affect one or more sites not associated with a specific development, it is generally appropriate to include total development projections in the above table and attach separate tables outlining the reasonable development scenarios for each site.				

**Part II: TECHNICAL ANALYSIS**

**INSTRUCTIONS:** For each of the analysis categories listed in this section, assess the proposed project's impacts based on the thresholds and criteria presented in the CEQR Technical Manual. Check each box that applies.

- If the proposed project can be demonstrated not to meet or exceed the threshold, check the "no" box.
- If the proposed project will meet or exceed the threshold, or if this cannot be determined, check the "yes" box.
- For each "yes" response, provide additional analyses (and, if needed, attach supporting information) based on guidance in the CEQR Technical Manual to determine whether the potential for significant impacts exists. Please note that a "yes" answer does not mean that an EIS must be prepared—it means that more information may be required for the lead agency to make a determination of significance.
- The lead agency, upon reviewing Part II, may require an applicant to provide additional information to support the Full EAS Form. For example, if a question is answered "no," an agency may request a short explanation for this response.

	YES	NO
<b>1. LAND USE, ZONING, AND PUBLIC POLICY:</b> <a href="#">CEQR Technical Manual Chapter 4</a>		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Is there the potential to affect an applicable public policy?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) If "yes," to (a), (b), and/or (c), complete a preliminary assessment and attach. See Attachment B		
(e) Is the project a large, publicly sponsored project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," complete a PlaNYC assessment and attach.		
(f) Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," complete the <a href="#">Consistency Assessment Form</a> .		
<b>2. SOCIOECONOMIC CONDITIONS:</b> <a href="#">CEQR Technical Manual Chapter 5</a>		
(a) Would the proposed project:		
o Generate a net increase of more than 200 residential units or 200,000 square feet of commercial space?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
▪ If "yes," answer both questions 2(b)(ii) and 2(b)(iv) below.		
o Directly displace 500 or more residents?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
▪ If "yes," answer questions 2(b)(i), 2(b)(ii), and 2(b)(iv) below.		
o Directly displace more than 100 employees?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
▪ If "yes," answer questions under 2(b)(iii) and 2(b)(iv) below.		
o Affect conditions in a specific industry?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
▪ If "yes," answer question 2(b)(v) below.		
(b) If "yes" to any of the above, attach supporting information to answer the relevant questions below. If "no" was checked for each category above, the remaining questions in this technical area do not need to be answered.		
<b>i. Direct Residential Displacement</b>		
o If more than 500 residents would be displaced, would these residents represent more than 5% of the primary study area population?	<input type="checkbox"/>	<input type="checkbox"/>
o If "yes," is the average income of the directly displaced population markedly lower than the average income of the rest of the study area population?	<input type="checkbox"/>	<input type="checkbox"/>
<b>ii. Indirect Residential Displacement</b>		
o Would expected average incomes of the new population exceed the average incomes of study area populations?	<input type="checkbox"/>	<input type="checkbox"/>
o If "yes:"		
▪ Would the population of the primary study area increase by more than 10 percent?	<input type="checkbox"/>	<input type="checkbox"/>
▪ Would the population of the primary study area increase by more than 5 percent in an area where there is the potential to accelerate trends toward increasing rents?	<input type="checkbox"/>	<input type="checkbox"/>
o If "yes" to either of the preceding questions, would more than 5 percent of all housing units be renter-occupied and unprotected?	<input type="checkbox"/>	<input type="checkbox"/>
<b>iii. Direct Business Displacement</b>		
o Do any of the displaced businesses provide goods or services that otherwise would not be found within the trade area, either under existing conditions or in the future with the proposed project?	<input type="checkbox"/>	<input type="checkbox"/>
o Is any category of business to be displaced the subject of other regulations or publicly adopted plans to preserve,	<input type="checkbox"/>	<input type="checkbox"/>

	YES	NO
enhance, or otherwise protect it?		
<b>iv. Indirect Business Displacement</b>		
o Would the project potentially introduce trends that make it difficult for businesses to remain in the area?	<input type="checkbox"/>	<input type="checkbox"/>
o Would the project capture retail sales in a particular category of goods to the extent that the market for such goods would become saturated, potentially resulting in vacancies and disinvestment on neighborhood commercial streets?	<input type="checkbox"/>	<input type="checkbox"/>
<b>v. Effects on Industry</b>		
o Would the project significantly affect business conditions in any industry or any category of businesses within or outside the study area?	<input type="checkbox"/>	<input type="checkbox"/>
o Would the project indirectly substantially reduce employment or impair the economic viability in the industry or category of businesses?	<input type="checkbox"/>	<input type="checkbox"/>
<b>3. COMMUNITY FACILITIES:</b> <a href="#">CEQR Technical Manual Chapter 6</a>		
<b>(a) Direct Effects</b>		
o Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, health care facilities, day care centers, police stations, or fire stations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>(b) Indirect Effects</b>		
<b>i. Child Care Centers</b>		
o Would the project result in 20 or more eligible children under age 6, based on the number of low or low/moderate income residential units? (See Table 6-1 in <a href="#">Chapter 6</a> )	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the project result in a collective utilization rate of the group child care/Head Start centers in the study area that is greater than 100 percent?	<input type="checkbox"/>	<input type="checkbox"/>
o If "yes," would the project increase the collective utilization rate by 5 percent or more from the No-Action scenario?	<input type="checkbox"/>	<input type="checkbox"/>
<b>ii. Libraries</b>		
o Would the project result in a 5 percent or more increase in the ratio of residential units to library branches? (See Table 6-1 in <a href="#">Chapter 6</a> )	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the project increase the study area population by 5 percent or more from the No-Action levels?	<input type="checkbox"/>	<input type="checkbox"/>
o If "yes," would the additional population impair the delivery of library services in the study area?	<input type="checkbox"/>	<input type="checkbox"/>
<b>iii. Public Schools</b>		
o Would the project result in 50 or more elementary or middle school students, or 150 or more high school students based on number of residential units? (See Table 6-1 in <a href="#">Chapter 6</a> )	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the project result in a collective utilization rate of the elementary and/or intermediate schools in the study area that is equal to or greater than 100 percent?	<input type="checkbox"/>	<input type="checkbox"/>
o If "yes," would the project increase this collective utilization rate by 5 percent or more from the No-Action scenario?	<input type="checkbox"/>	<input type="checkbox"/>
<b>iv. Health Care Facilities</b>		
o Would the project result in the introduction of a sizeable new neighborhood?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the project affect the operation of health care facilities in the area?	<input type="checkbox"/>	<input type="checkbox"/>
<b>v. Fire and Police Protection</b>		
o Would the project result in the introduction of a sizeable new neighborhood?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the project affect the operation of fire or police protection in the area?	<input type="checkbox"/>	<input type="checkbox"/>
<b>4. OPEN SPACE:</b> <a href="#">CEQR Technical Manual Chapter 7</a>		
<b>(a)</b> Would the project change or eliminate existing open space?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>(b)</b> Is the project located within an under-served area in the <a href="#">Bronx</a> , <a href="#">Brooklyn</a> , <a href="#">Manhattan</a> , <a href="#">Queens</a> , or <a href="#">Staten Island</a> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>(c)</b> If "yes," would the project generate more than 50 additional residents or 125 additional employees?	<input type="checkbox"/>	<input type="checkbox"/>
<b>(d)</b> Is the project located within a well-served area in the <a href="#">Bronx</a> , <a href="#">Brooklyn</a> , <a href="#">Manhattan</a> , <a href="#">Queens</a> , or <a href="#">Staten Island</a> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>(e)</b> If "yes," would the project generate more than 350 additional residents or 750 additional employees?	<input type="checkbox"/>	<input type="checkbox"/>
<b>(f)</b> If the project is located in an area that is neither under-served nor well-served, would it generate more than 200 additional residents or 500 additional employees?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>(g)</b> If "yes" to questions (c), (e), or (f) above, attach supporting information to answer the following:		
o If in an under-served area, would the project result in a decrease in the open space ratio by more than 1 percent?	<input type="checkbox"/>	<input type="checkbox"/>
o If in an area that is not under-served, would the project result in a decrease in the open space ratio by more than 5	<input type="checkbox"/>	<input type="checkbox"/>

	YES	NO
percent?		
<ul style="list-style-type: none"> <li>o If "yes," are there qualitative considerations, such as the quality of open space, that need to be considered? Please specify:</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>
<b>5. SHADOWS:</b> <a href="#">CEQR Technical Manual Chapter 8</a>		
(a) Would the proposed project result in a net height increase of any structure of 50 feet or more?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) If "yes" to either of the above questions, attach supporting information explaining whether the project's shadow would reach any sunlight-sensitive resource at any time of the year.		
<b>6. HISTORIC AND CULTURAL RESOURCES:</b> <a href="#">CEQR Technical Manual Chapter 9</a>		
(a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; that is listed or eligible for listing on the New York State or National Register of Historic Places; or that is within a designated or eligible New York City, New York State or National Register Historic District? (See the <a href="#">GIS System for Archaeology and National Register</a> to confirm)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) If "yes" to either of the above, list any identified architectural and/or archaeological resources and attach supporting information on whether the proposed project would potentially affect any architectural or archeological resources. The project site is located across West 34th Street from the southern boundary of the S/NR-listed Garment Center Historic District. The proposed actions would have no significant adverse impacts on the district.		
<b>7. URBAN DESIGN AND VISUAL RESOURCES:</b> <a href="#">CEQR Technical Manual Chapter 10</a>		
(a) Would the proposed project introduce a new building, a new building height, or result in any substantial physical alteration to the streetscape or public space in the vicinity of the proposed project that is not currently allowed by existing zoning?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Would the proposed project result in obstruction of publicly accessible views to visual resources not currently allowed by existing zoning?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) If "yes" to either of the above, please provide the information requested in <a href="#">Chapter 10</a> .		
<b>8. NATURAL RESOURCES:</b> <a href="#">CEQR Technical Manual Chapter 11</a>		
(a) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of <a href="#">Chapter 11</a> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," list the resources and attach supporting information on whether the project would affect any of these resources.		
(b) Is any part of the directly affected area within the <a href="#">Jamaica Bay Watershed</a> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," complete the <a href="#">Jamaica Bay Watershed Form</a> and submit according to its <a href="#">instructions</a> .		
<b>9. HAZARDOUS MATERIALS:</b> <a href="#">CEQR Technical Manual Chapter 12</a>		
(a) Would the proposed project allow commercial or residential uses in an area that is currently, or was historically, a manufacturing area that involved hazardous materials?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Does the proposed project site have existing institutional controls (e.g., (E) designation or Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Would the project require soil disturbance in a manufacturing area or any development on or near a manufacturing area or existing/historic facilities listed in <a href="#">Appendix 1</a> (including nonconforming uses)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Would the project result in the development of a site where there is reason to suspect the presence of hazardous materials, contamination, illegal dumping or fill, or fill material of unknown origin?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) Would the project result in development on or near a site that has or had underground and/or aboveground storage tanks (e.g., gas stations, oil storage facilities, heating oil storage)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f) Would the project result in renovation of interior existing space on a site with the potential for compromised air quality; vapor intrusion from either on-site or off-site sources; or the presence of asbestos, PCBs, mercury or lead-based paint?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(g) Would the project result in development on or near a site with potential hazardous materials issues such as government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, coal gasification or gas storage sites, railroad tracks or rights-of-way, or municipal incinerators?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(h) Has a Phase I Environmental Site Assessment been performed for the site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify:		
(i) Based on the Phase I Assessment, is a Phase II Investigation needed?	<input type="checkbox"/>	<input type="checkbox"/>
<b>10. WATER AND SEWER INFRASTRUCTURE:</b> <a href="#">CEQR Technical Manual Chapter 13</a>		
(a) Would the project result in water demand of more than one million gallons per day?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) If the proposed project located in a combined sewer area, would it result in at least 1,000 residential units or 250,000	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	YES	NO
square feet or more of commercial space in Manhattan, or at least 400 residential units or 150,000 square feet or more of commercial space in the Bronx, Brooklyn, Staten Island, or Queens?		
(c) If the proposed project located in a <a href="#">separately sewered area</a> , would it result in the same or greater development than that listed in Table 13-1 in <a href="#">Chapter 13</a> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Would the project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) If the project is located within the <a href="#">Jamaica Bay Watershed</a> or in certain <a href="#">specific drainage areas</a> , including Bronx River, Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek, would it involve development on a site that is 1 acre or larger where the amount of impervious surface would increase?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f) Would the proposed project be located in an area that is partially sewered or currently unsewered?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or contribute contaminated stormwater to a separate storm sewer system?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(i) If "yes" to any of the above, conduct the appropriate preliminary analyses and attach supporting documentation.		
<b>11. SOLID WASTE AND SANITATION SERVICES:</b> <a href="#">CEQR Technical Manual Chapter 14</a>		
(a) Using Table 14-1 in <a href="#">Chapter 14</a> , the project's projected operational solid waste generation is estimated to be (pounds per week): 149,425 (existing condition based on number of office and retail workers at the project site which will not change)		
o Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the proposed project comply with the City's Solid Waste Management Plan?	<input type="checkbox"/>	<input type="checkbox"/>
<b>12. ENERGY:</b> <a href="#">CEQR Technical Manual Chapter 15</a>		
(a) Using energy modeling or Table 15-1 in <a href="#">Chapter 15</a> , the project's projected energy use is estimated to be (annual BTUs): 2,511,143 gsf commercial use (with-action condition) x 216.3 MBtu/sf = 543,160,230.9 MBtu		
(b) Would the proposed project affect the transmission or generation of energy?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>13. TRANSPORTATION:</b> <a href="#">CEQR Technical Manual Chapter 16</a>		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in <a href="#">Chapter 16</a> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) If "yes," conduct the appropriate screening analyses, attach back up data as needed for each stage, and answer the following questions:		
o Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	<input type="checkbox"/>	<input type="checkbox"/>
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? **It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of <a href="#">Chapter 16</a> for more information.	<input type="checkbox"/>	<input type="checkbox"/>
o Would the proposed project result in more than 200 subway/rail or bus trips per project peak hour?	<input type="checkbox"/>	<input type="checkbox"/>
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction) or 200 subway/rail trips per station or line?	<input type="checkbox"/>	<input type="checkbox"/>
o Would the proposed project result in more than 200 pedestrian trips per project peak hour?	<input type="checkbox"/>	<input type="checkbox"/>
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop?	<input type="checkbox"/>	<input type="checkbox"/>
<b>14. AIR QUALITY:</b> <a href="#">CEQR Technical Manual Chapter 17</a>		
(a) <i>Mobile Sources:</i> Would the proposed project result in the conditions outlined in Section 210 in <a href="#">Chapter 17</a> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) <i>Stationary Sources:</i> Would the proposed project result in the conditions outlined in Section 220 in <a href="#">Chapter 17</a> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in <a href="#">Chapter 17</a> ? (Attach graph as needed)	<input type="checkbox"/>	<input type="checkbox"/>
(c) Does the proposed project involve multiple buildings on the project site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) Does the proposed project site have existing institutional controls (e.g., (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation.		
<b>15. GREENHOUSE GAS EMISSIONS:</b> <a href="#">CEQR Technical Manual Chapter 18</a>		
(a) Is the proposed project a city capital project or a power generation plant?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the proposed project fundamentally change the City's solid waste management system?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	YES	NO
(c) Would the proposed project result in the development of 350,000 square feet or more?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) If "yes" to any of the above, would the project require a GHG emissions assessment based on guidance in <a href="#">Chapter 18</a> ?	<input type="checkbox"/>	<input type="checkbox"/>
o If "yes," would the project result in inconsistencies with the City's GHG reduction goal? (See <a href="#">Local Law 22 of 2008</a> ; § 24-803 of the Administrative Code of the City of New York). Please attach supporting documentation.	<input type="checkbox"/>	<input type="checkbox"/>
<b>16. NOISE:</b> <a href="#">CEQR Technical Manual Chapter 19</a>		
(a) Would the proposed project generate or reroute vehicular traffic?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the proposed project introduce new or additional receptors (see Section 124 in <a href="#">Chapter 19</a> ) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Does the proposed project site have existing institutional controls (e.g., (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation.		
<b>17. PUBLIC HEALTH:</b> <a href="#">CEQR Technical Manual Chapter 20</a>		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality; Hazardous Materials; Noise?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) If "yes," explain why an assessment of public health is or is not warranted based on the guidance in <a href="#">Chapter 20</a> , "Public Health." Attach a preliminary analysis, if necessary.		
<b>18. NEIGHBORHOOD CHARACTER:</b> <a href="#">CEQR Technical Manual Chapter 21</a>		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; Transportation; Noise?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) If "yes," explain why an assessment of neighborhood character is or is not warranted based on the guidance in <a href="#">Chapter 21</a> , "Neighborhood Character." Attach a preliminary analysis, if necessary.		
<b>19. CONSTRUCTION:</b> <a href="#">CEQR Technical Manual Chapter 22</a>		
(a) Would the project's construction activities involve:		
o Construction activities lasting longer than two years?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, etc.)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o The operation of several pieces of diesel equipment in a single location at peak construction?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Closure of a community facility or disruption in its services?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Activities within 400 feet of a historic or cultural resource?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o Disturbance of a site containing or adjacent to a site containing natural resources?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap or last for more than two years overall?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) If any boxes are checked "yes," explain why a preliminary construction assessment is or is not warranted based on the guidance in <a href="#">Chapter 22</a> , "Construction." It should be noted that the nature and extent of any commitment to use the Best Available Technology for construction equipment or Best Management Practices for construction activities should be considered when making this determination. The planned expansion of a lobby, reduction and improvements to public plaza areas, and enhanced transit access to Penn Station would result in temporary impediments to pedestrian access (plazas and arcades) on the project site. However, these activities would be performed in accordance with all applicable New York City Department of Buildings and Department of Transportation construction regulations. Pedestrian circulation would not be significantly impacted by construction since no work is proposed within the sidewalks around the project site. With regard to historic resources, the project site is located across West 34th Street from the southern boundary of the S/NR-listed Garment Center Historic District, however as discussed in this EAS the proposed actions would have no significant adverse impacts on the historic district. No further analysis regarding construction is warranted.		
<b>20. APPLICANT'S CERTIFICATION</b>		
I swear or affirm under oath and subject to the penalties for perjury that the information provided in this Environmental Assessment Statement (EAS) is true and accurate to the best of my knowledge and belief, based upon my personal knowledge and familiarity with the information described herein and after examination of the pertinent books and records and/or after inquiry of persons who		

have personal knowledge of such information or who have examined pertinent books and records.

Still under oath, I further swear or affirm that I make this statement in my capacity as the applicant or representative of the entity that seeks the permits, approvals, funding, or other governmental action(s) described in this EAS.

APPLICANT/REPRESENTATIVE NAME

Aaron Werner, Technical Director, AKRF  
Inc.

SIGNATURE




DATE

February 28, 2019

**PLEASE NOTE THAT APPLICANTS MAY BE REQUIRED TO SUBSTANTIATE RESPONSES IN THIS FORM AT THE DISCRETION OF THE LEAD AGENCY SO THAT IT MAY SUPPORT ITS DETERMINATION OF SIGNIFICANCE.**

**Part III: DETERMINATION OF SIGNIFICANCE (To Be Completed by Lead Agency)**

**INSTRUCTIONS:** In completing Part III, the lead agency should consult 6 NYCRR 617.7 and 43 RCNY § 6-06 (Executive Order 91 or 1977, as amended), which contain the State and City criteria for determining significance.

1. For each of the impact categories listed below, consider whether the project may have a significant adverse effect on the environment, taking into account its (a) location; (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude.		Potentially Significant Adverse Impact	
IMPACT CATEGORY	YES	NO	
Land Use, Zoning, and Public Policy	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Socioeconomic Conditions	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Community Facilities and Services	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Open Space	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Shadows	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Historic and Cultural Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Urban Design/Visual Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Natural Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Hazardous Materials	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Water and Sewer Infrastructure	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Solid Waste and Sanitation Services	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Energy	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Transportation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Air Quality	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Greenhouse Gas Emissions	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Noise	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Public Health	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Neighborhood Character	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Construction	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
2. Are there any aspects of the project relevant to the determination of whether the project may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
If there are such impacts, attach an explanation stating whether, as a result of them, the project may have a significant impact on the environment.			
3. Check determination to be issued by the lead agency:			
<input type="checkbox"/> <b>Positive Declaration:</b> If the lead agency has determined that the project may have a significant impact on the environment, and if a Conditional Negative Declaration is not appropriate, then the lead agency issues a <i>Positive Declaration</i> and prepares a draft Scope of Work for the Environmental Impact Statement (EIS).			
<input type="checkbox"/> <b>Conditional Negative Declaration:</b> A <i>Conditional Negative Declaration</i> (CND) may be appropriate if there is a private applicant for an Unlisted action AND when conditions imposed by the lead agency will modify the proposed project so that no significant adverse environmental impacts would result. The CND is prepared as a separate document and is subject to the requirements of 6 NYCRR Part 617.			
<input checked="" type="checkbox"/> <b>Negative Declaration:</b> If the lead agency has determined that the project would not result in potentially significant adverse environmental impacts, then the lead agency issues a <i>Negative Declaration</i> . The <i>Negative Declaration</i> may be prepared as a separate document (see <a href="#">template</a> ) or using the embedded Negative Declaration on the next page.			
<b>4. LEAD AGENCY'S CERTIFICATION</b>			
TITLE	Acting Director, Environmental Assessment and Review Division	LEAD AGENCY	Department of City Planning, acting on behalf of the City Planning Commission
NAME	Olga Abinader	DATE	March 8, 2019
SIGNATURE 			

**NEGATIVE DECLARATION (Use of this form is optional)**

**Statement of No Significant Effect**

Pursuant to Executive Order 91 of 1977, as amended, and the Rules of Procedure for City Environmental Quality Review, found at Title 62, Chapter 5 of the Rules of the City of New York and 6 NYCRR, Part 617, State Environmental Quality Review, assumed the role of lead agency for the environmental review of the proposed project. Based on a review of information about the project contained in this environmental assessment statement and any attachments hereto, which are incorporated by reference herein, the lead agency has determined that the proposed project would not have a significant adverse impact on the environment.

**Reasons Supporting this Determination**

The above determination is based on information contained in the EAS, which finds that the proposed project and related actions sought before the City Planning Commission would have no significant effect on the quality of the environment.

*Land Use, Zoning, and Public Policy:*

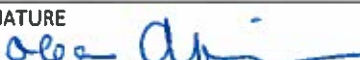
A land use, zoning, and public policy analysis was prepared. The study area contains predominately commercial, office, and transportation uses with some residential, institutional, open space, and manufacturing uses interspersed throughout. The proposed actions would allow for an expansion of the northern lobby of One Penn Plaza with a program of improvements to the public plaza area. The analysis concludes that the proposed actions would not result in any significant adverse land use, zoning, or public policy impacts to the project site or the surrounding study area.

*Open Space:*

A preliminary open space analysis was prepared. The CEQR threshold for an open space impact is a 5% decrease in the ratio of population per acre of open space. The proposal would result in a 4.76% decrease in the ratio of population per acre of open space; this does not constitute a significant adverse impact because the ratio is below the threshold, and the population of the study area and the project site would continue to have access to a number of surrounding open space resources. The analysis concludes that the proposed actions would not result in any significant adverse impacts on open space resources.

*Transportation:*

A preliminary transportation screening was prepared. There are no incremental uses or square footage resulting from the action that would count toward the CEQR transportation screening thresholds. The proposed pedestrian entrance on the western end of the North Plaza is not expected to draw a notable increase of pedestrians to this location or significantly alter pedestrian flow patterns. Collectively, neither this proposed lobby entrance or the other elements of the proposed project would result in an incremental increase in vehicular, transit, and pedestrian traffic. Therefore, the proposed project would not have the potential to result in any significant adverse transportation impacts.

TITLE Acting Director, Environmental Assessment and Review Division	LEAD AGENCY Department of City Planning
NAME Olga Abinader	DATE March 8, 2019
SIGNATURE 	

TITLE Chair, Department of City Planning	
NAME Marisa Lago	DATE March 11, 2019
SIGNATURE	

## **A. INTRODUCTION**

The applicant and project site owner, One Penn Plaza LLC, is seeking approval of several actions (the “proposed actions”) to facilitate the planned expansion of a lobby, reduction and improvements to public plaza areas, and enhanced transit access to Penn Station at the One Penn Plaza property (the “proposed project”). To facilitate the building lobby expansion and related public plaza modifications/reductions, including the addition of a new lobby entrance providing connections to Penn Station, the applicant is seeking approval of the following actions (described further in Section D below):

- Special Permit pursuant to Zoning Resolution (ZR) Section 74-761 (Elimination or reduction in size of bonused public amenities);
- Zoning Authorization pursuant to ZR Section 37-327 (Hours of access);
- Chairperson’s Certification pursuant to ZR Section 37-73 and 81-231(b) (Kiosks and Open Air Cafes); and
- Chairperson’s Certification pursuant to ZR Section 37-625 (Design changes)

## **B. PROJECT SITE**

The project site consists of Manhattan Block 783, Lots 1, 34, and 70, which is bounded by Seventh Avenue, West 33rd Street, Eighth Avenue, and West 34th Street. The project site measures approximately 156,023 square feet (sf) and is currently improved with two single-story commercial buildings (Lots 1 and 34), one at each avenue end of the block, and a large 55-story commercial/office building, One Penn Plaza (Lot 70). Approximately 118,500 sf of the project site is zoned C6-4 with the remaining 37,523 sf currently zoned C6-6. The project site is also located within the Special Midtown District (MiD). The buildings on Lots 1 and 34 have a total gross floor area of approximately 58,000 sf). One Penn Plaza occupies the majority of the remaining central portion of the project site and has a gross floor area of approximately 2,457,000sf. In addition to the three buildings, which contain a total of approximately 2,515,000 sf of gross floor area, the project site is currently improved with approximately 50,095 sf and 3,822 sf of outdoor plaza and arcade areas, respectively. The grade levels of the plazas and arcades range from being at grade on the Seventh Avenue side of the block to substantially above grade within the through-block plaza that is closest to Eighth Avenue.

Areas to be affected by the proposed actions include the lobby of One Penn Plaza, located midblock along the south side of West 34th Street, and several separate outdoor plaza/arcade areas located throughout the project site, which are defined herein as the North Plaza, Northern Arcade, South Plaza, Southern Arcade, East Plaza, West Plaza (including the north and south corner circulation plazas along Eighth Avenue ), South West Plaza, North East Seventh Avenue Plaza, and South East Seventh Avenue Plaza.

## 1 Penn Plaza

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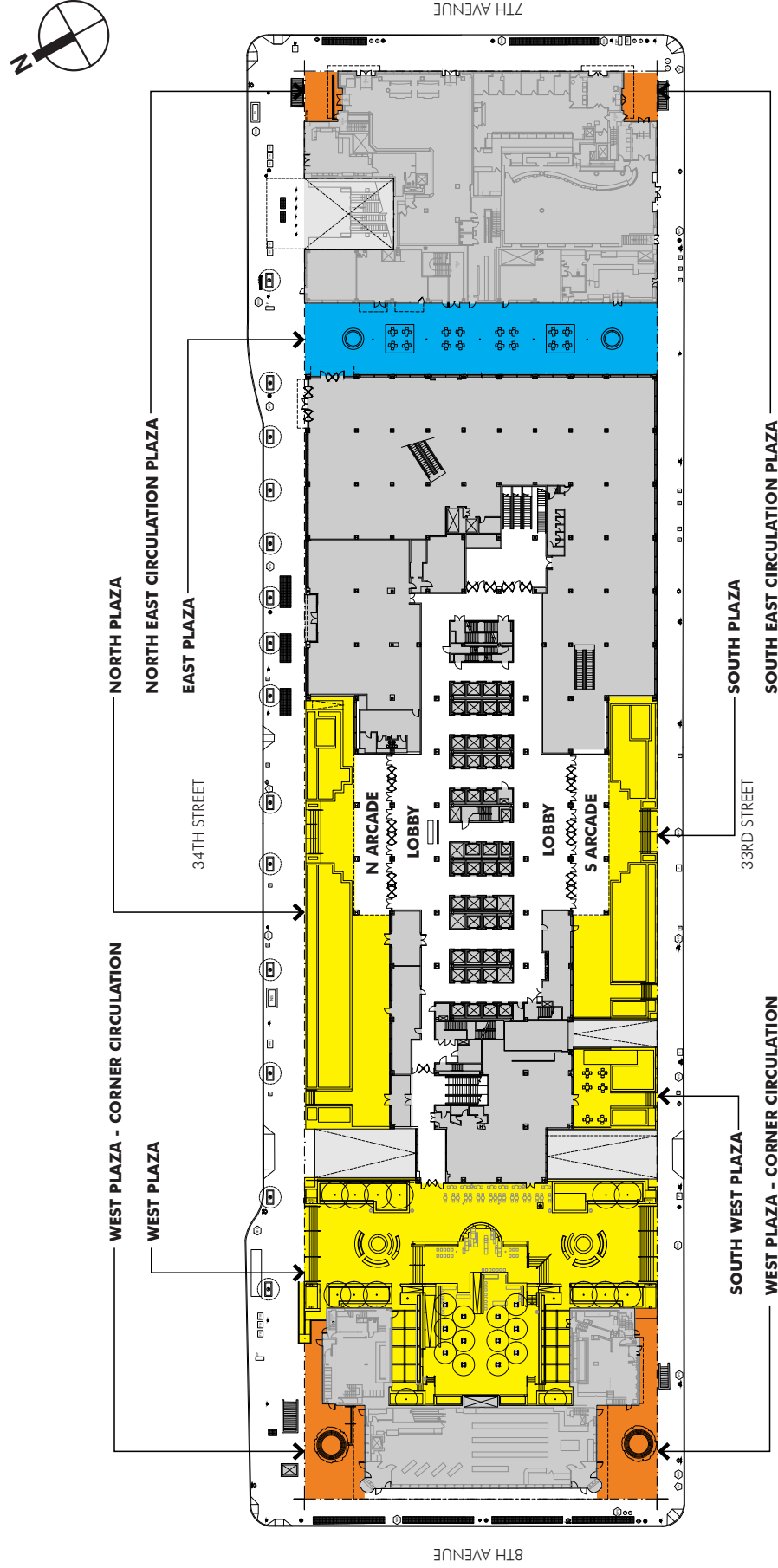
The size and general location of the affected areas is as follows (refer to **Figure A-1**):

- One Penn Plaza Lobby: South side of West 34th Street between Seventh and Eighth Avenues;
- North Plaza (8,880 sf) : South side of West 34th Street between Seventh and Eighth Avenues; generally bounded by the West 34th Street sidewalk to the north, a ramp to a subterranean parking lot to the west, building retail space to the east, and the One Penn Plaza lobby and retail space to the south;
- Northern Arcade (1,911 sf): Arcade adjacent to the North Plaza that provides a transition from the North Plaza to the entry to the One Penn Plaza lobby from West 34th Street;
- South Plaza ( 5,978 sf): North side of West 33rd Street between Seventh and Eighth Avenues; generally bounded by the One Penn Plaza lobby and retail spaces to the north, the West 33rd Street sidewalk to the south, a ramp to the subterranean loading dock to the west, and One Penn Plaza retail space to the east.
- Southern Arcade (1,911 sf): Arcade adjacent to the South Plaza that provides a transition from the South Plaza to the entry to the One Penn Plaza lobby from West 33rd Street;
- East Plaza (7,900 sf): North/south oriented through-block plaza connecting West 33rd and West 34th Streets, generally bounded by the West 34th Street sidewalk to the north, One Penn Plaza retail space to the west, the one-story Seventh Avenue retail building to the east, and the West 33rd Street sidewalk to the south.
- West Plaza (24,109 sf): North/south oriented through-block plaza between the west end of One Penn Plaza and the one-story building at Eighth Avenue. The West Plaza for the purposes of this EAS includes the two small north and south corner circulation plazas along Eighth Avenue;
- Southwest Plaza (2,174 sf): North side of West 33rd Street, generally bounded by the One Penn Plaza building retail space to the north, the West 33rd Street sidewalk to the south, a ramp to the subterranean loading dock to the east, and a ramp to the subterranean parking lot the west;
- Northeast Seventh Avenue Plaza (527 sf): Circulation space at the corner of Seventh Avenue and West 34th Street; and
- Southeast Seventh Avenue Plaza (527 sf): Circulation space at the corner of Seventh Avenue and West 33rd Street.

## C. BACKGROUND

One Penn Plaza is a 57-story commercial office tower with ground floor retail that was built on an as-of-right basis in accordance with the regulations in effect in 1972 for a C6-4 zoning district. In addition to the office tower, there are one-story retail buildings on both Seventh and Eighth Avenues and approximately 50,095.5 sf of bonused public plaza areas and a combined total of 3,822 sf of bonused arcade areas located on the north side and south side of the commercial tower. The zoning lot, comprised of Tax Lots 1, 34, and 70 in Block 783, has an area of 156,023 sf and encompasses nearly all of Block 783. The bonus floor area generated by the as-of-right public plazas (300,573 sf ) and by the arcade areas (11,466 sf ) totaled 312,039 sf, which was slightly less than the 2.0 FAR maximum bonus permitted (312,046 sf) when the building was developed.

In 1982, the Seventh Avenue frontage of the zoning lot was rezoned from C6-4 (10 FAR) to C6-6 (15 FAR) and was included within the Special Midtown District (“MiD”). As result of this upzoning, a split lot condition was created whereas the portion of the zoning lot in the C6-6 district became underbuilt by approximately 542,175 sf of floor area, and the portion of the zoning lot in the C6-4 district became overbuilt by approximately 391,289 sf of floor area (net unbuilt floor



**PUBLIC PLAZA AREA = 1.15 ACRES**

Existing Conditions Site Plan  
Figure A-1

area on the zoning lot is 150,886 square feet). Since the zoning lot existed prior to the rezoning, the allowable distribution of floor area on the zoning lot is governed by the provisions of ZR Section 77-22. The one out-parcel on the block (Lot 48) is not now, nor has ever been, part of the zoning lot for the One Penn Plaza building.

In the late 1990s, in conjunction with a prospective application for a nighttime closing of sections of the bonused plaza, a prior owner developed plans to substantially upgrade the public plazas and arcades. Although an application for a nighttime closing was never advanced, certain plaza upgrades were undertaken in conjunction with the 2001 approval of two open air cafés on a portion of the West Plaza and on the Southwest Plaza (CPC No. N 00017 ZCN). In June of 2010, the CPC approved design changes to the West Plaza (CPC No. N 100266 ZCM) in conjunction with approval of an open air café and kiosk (CPC No N. 080337 ZCM). The operator of the open air café is currently pursuing an application to re-establish the approval for the open air café and the three kiosks, which expired on June 22, 2013.

The western portion of the One Penn Plaza site including the western throughblock plaza and the single-story retail structures, comprising approximately 35,352 square feet, is subject to an override of local zoning pursuant to the January 23, 2017 Modified Supplement to the General Project Plan for the Moynihan Station Civic and Land Use Improvement Project (the “GPP”). The GPP provides for the construction of up to one million square feet of retail, residential, and hotel uses, along with a new entrance to Penn Station. The GPP mandates certain design and other controls with respect to the development, including by reference to a December 1, 2016 letter from the New York City Planning Commission, which provides City consent for the override of local zoning so long as certain conditions are respected.

#### **D. DESCRIPTION OF THE PROPOSED ACTIONS**

The following actions, which are subject to City Planning Commission (CPC) approval, are necessary to facilitate the proposed project:

- Special Permit pursuant to Zoning Resolution (ZR) Section 74-761 (Elimination or reduction in size of bonused public amenities) to allow: (a) a proposed 3,240 sf reduction in the area of the North Plaza; (b) the proposed elimination of the 1,911 sf Northern Arcade; and (c) a 157 sf reduction in the area of the West Plaza, a 21 sf reduction in the area of the Southwest Plaza and a 91 sf reduction in the area of the Southern Arcade;
- Authorization pursuant to ZR Section 37-727 (Hours of access) to allow nighttime closure of the raised portion of the West Plaza (between 10:00 PM and 7:00 AM from April 15th through October 31st; and between 8:00 PM and 7:00 AM from November 1st through April 14th) and the entire East Plaza (between 12:00 AM and 5:00 AM);
- Chairperson’s certification pursuant to ZR Sections 37-73 and 81-231(b) (Kiosks and Open Air Cafes) to allow kiosks on the West Plaza and on the East Plaza; and
- Chairperson’s certification pursuant to ZR Section 37-625 (Design changes) to upgrade the East Plaza, the South Plaza and the two Seventh Avenue circulation plazas (no changes are proposed to the Seventh Avenue circulation plazas).

#### **E. PURPOSE AND NEED FOR THE PROPOSED PROJECT**

One Penn Plaza, designed by Kahn and Jacobs and completed in 1972, is a 57-story, 2.5 million-gsf skyscraper. Set back on raised bonused plazas and entered through dark arcades on both 33rd

## 1 Penn Plaza

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and 34th Streets, the building was a strong form in the skyline but violated what is now known to be good urban planning principles for public space interaction with the street. The plazas, as originally designed, are separated and elevated from the sidewalk in many locations. This separation, coupled with a lack of amenities, serves to make many of these areas underutilized as passive open space for the pedestrian. Later alterations built wider and more extensive planters at the building's perimeter, which made the plazas less accessible and the lobby entrances and retail less visible and inviting.

The Proposed Project is part of an overall building repositioning to provide a modern lobby and an improved tenant experience that will reframe how the building and the plazas provide an inviting public realm within its commercial neighborhood. The current lobby, which is set back 50 feet from the sidewalk, will be extended to within 15 feet of the street line, and the proposed 35-foot-tall, 90-foot-wide glass lobby will provide visual transparency and will better engage with the street. Pedestrian circulation and visual transparency into the public plazas and arcades will be improved and plaza areas within the property will be upgraded with new landscaping, seating, lighting, and finishes.

The proposed actions are also intended to improve safety in certain locations by limiting hours of public access. Specifically, the nighttime closure of two through-block plazas, the raised portion of the West Plaza (not inclusive of the two small Eighth Avenue circulation plaza spaces) and the entire East Plaza, would ensure public safety within and the proper maintenance of these areas.

The West Plaza poses a unique set of challenges that prevent or substantially diminish the public from utilizing the open space. The West Plaza is elevated approximately 4.75 feet and 3 feet above the entrances from West 33rd and West 34th Streets, respectively, and its western portion is concealed from the street by a single-story retail building that surrounds the plaza on the north, south and west. An open air café, which is the subject of a separate application, operates in this space and has attracted evening users in good weather, particularly when there are events at Madison Square Garden. In accordance with ZR Section 37-727(f), the raised portion of the West Plaza is proposed to be closed between the hours of 10:00 PM and 7:00 AM from April 15th to October 31st and from 8:00 PM to 7:00 AM from November 1st to April 14th. However, the West Plaza will remain open to the public during the hours when the café is in operation. The East Plaza presents a similar set of security issues due to its long and narrow configuration, especially at night when the small shops fronting on the space are closed. Although the proposed seating and landscaping improvements will enhance the attractiveness of this space to the public during the daytime hours, the space will still essentially function as a circulation path during the nighttime hours. In fact, the proposed additional planters and amenities will unfortunately provide more places for hiding drug paraphernalia and other illicit activities. In accordance with ZR Section 37-727(f), the East Plaza is proposed to be closed year-round between the hours of 12:00 AM and 5:00 AM.

The proposed improvements to public plaza areas will enliven them with retail, cafes and kiosks that provide improved safety, services, food, and beverage. Improved accessibility to the raised plazas is achieved with wider entries, additional openings to the street and handicap access as applicable.

Lastly, a new entrance at the western edge of the North Plaza along West 34th Street, providing connections to Penn Station, will be beneficial to transit users and for the overall utilization of this public space.

## **F. FRAMEWORK FOR ANALYSIS**

This document has been prepared in accordance with the guidelines presented in the 2014 *City Environmental Quality Review (CEQR) Technical Manual*. For each technical area warranting further analysis, the analysis includes a description of existing conditions, an assessment of conditions in the future without the proposed project, and an assessment of future conditions with the proposed project.

### **EXISTING CONDITIONS**

The analysis framework begins with an assessment of existing conditions on the project site and in the relevant study area because these can be most directly measured and observed. The assessment of existing conditions does not represent the condition against which the proposed project is measured, but serves as a starting point for the projection of future conditions with and without the proposed project and the analysis of project impacts. The existing conditions of the project site are summarized in Section B above.

### **ANALYSIS YEAR**

Assuming approval of the proposed actions in 2019, construction of the proposed project is expected to occur over 24 months with completion expected in 2021. Therefore, 2021 serves as the analysis year for environmental review purposes.

### **THE FUTURE WITHOUT THE PROPOSED PROJECT**

The future without the proposed project (the No Action condition) describes a future baseline condition to which the changes that are expected to result from the proposed project are compared. For each technical analysis, approved or designated development projects within the appropriate study area that are likely to be completed by the 2021 analysis year are considered.

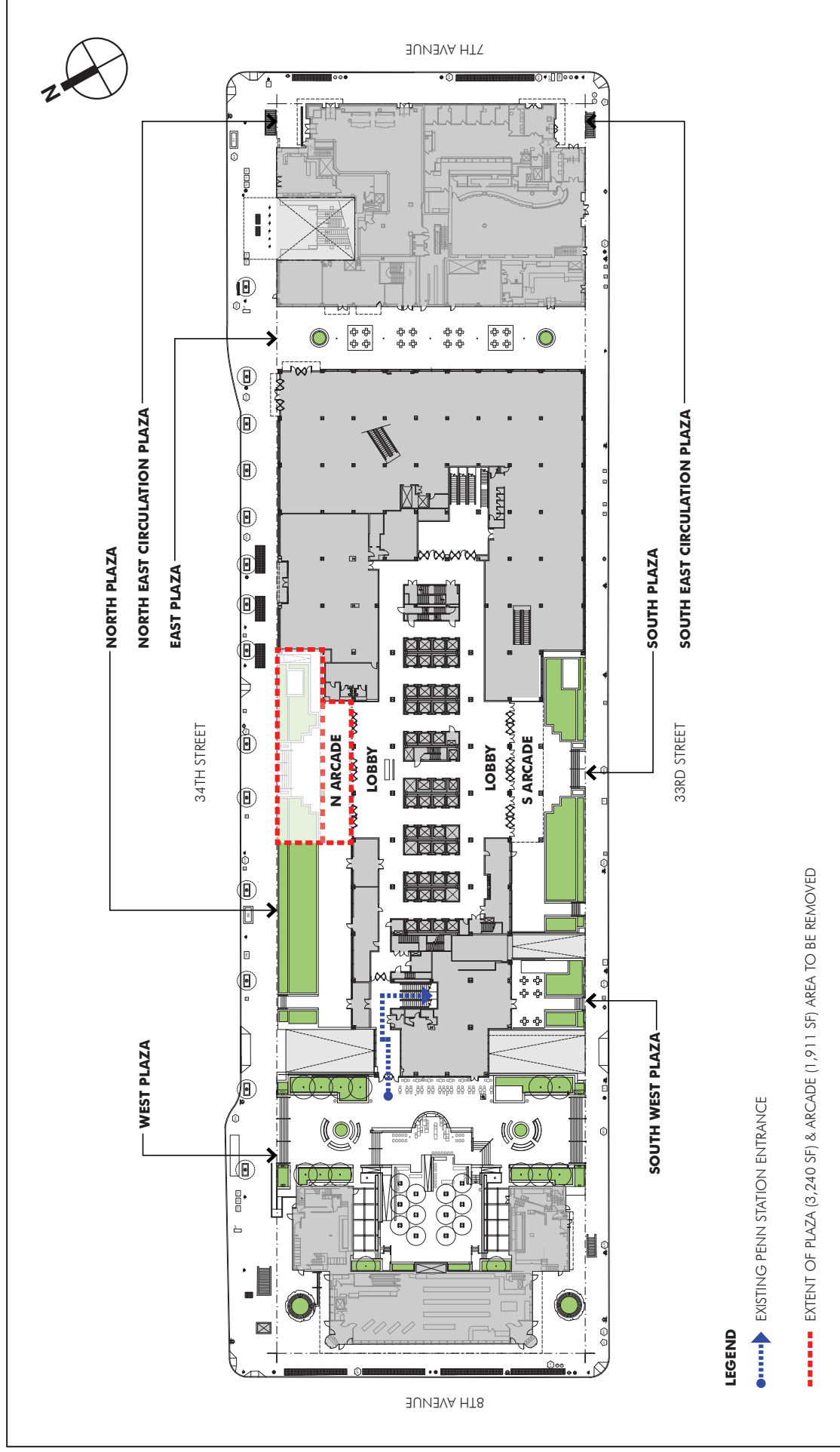
While not all of the proposed actions would require full CPC approval (e.g. the Chairperson's Certifications), the collective and interdependent modifications to the project site being sought by the applicant would not be possible without CPC approval of the proposed special permit and authorization actions. For these reasons, absent the proposed actions, the project site is not expected to change from its existing condition by 2021.

### **THE FUTURE WITH THE PROPOSED PROJECT**

The identification of potential environmental impacts is based upon the comparison of the No Action condition to conditions in the future with the proposed project (the With Action condition). In certain technical areas (e.g., traffic, air quality, and noise) this comparison can be quantified and the severity of impact rated in accordance with the *CEQR Technical Manual*. In other technical areas, (e.g., neighborhood character) the analysis is qualitative in nature. The methodology for each analysis is presented at the start of each technical analysis.

#### ***WITH ACTION CONDITION: EXPANSION OF ONE PENN PLAZA LOBBY***

Under the With Action condition, the lobby of One Penn Plaza would be expanded into a portion of the public plaza and the arcade area along the south side of West 34th Street (aka the North Plaza and Northern Arcade). As shown in **Figure A-2**, the proposed lobby would be expanded by 3,035 sf, which consists of construction within the entire footprint of the Northern Arcade (1,911 sf) and



## 1 Penn Plaza

a portion of the North Plaza (1,124 sf). In addition, a new portico on the north side of the lobby expansion (1,405 sf) would further reduce the size of the North Plaza, and since the open area of the North Plaza east of the expanded lobby no longer qualifies as bonusable plaza, the North Plaza would be reduced by an additional 711 sf (for a total North Plaza reduction of 3,240 sf).

The applicant also plans to demolish approximately 6,892 sf of second and third floor slab areas on the north and south sides of the building, increasing the lobby height and increasing the height of the Southern Arcade from approximately 16 feet to approximately 30 feet (see **Figure A-3**). Increasing the height of the arcade and adjoining lobby will provide increased light and air at the building entry and greater visibility to the South Plaza.

In addition to the approximately 6,892-sf reduction on the second and third floors, approximately 1,000 gsf of existing commercial floor area located on the 1st floor (adjacent to the proposed lobby expansion) would be repurposed from retail use to lobby use.

A new pedestrian entrance to the lobby, which would provide connections to Penn Station, would be provided near the western edge of the North Plaza, accessible from West 34th Street (see **Figure A-4**). This new entrance will be beneficial to Penn Station users and for the overall usage of the plaza. This proposed new lobby entrance would replace an existing 300-gsf retail tenant in this location (currently a FedEx store).

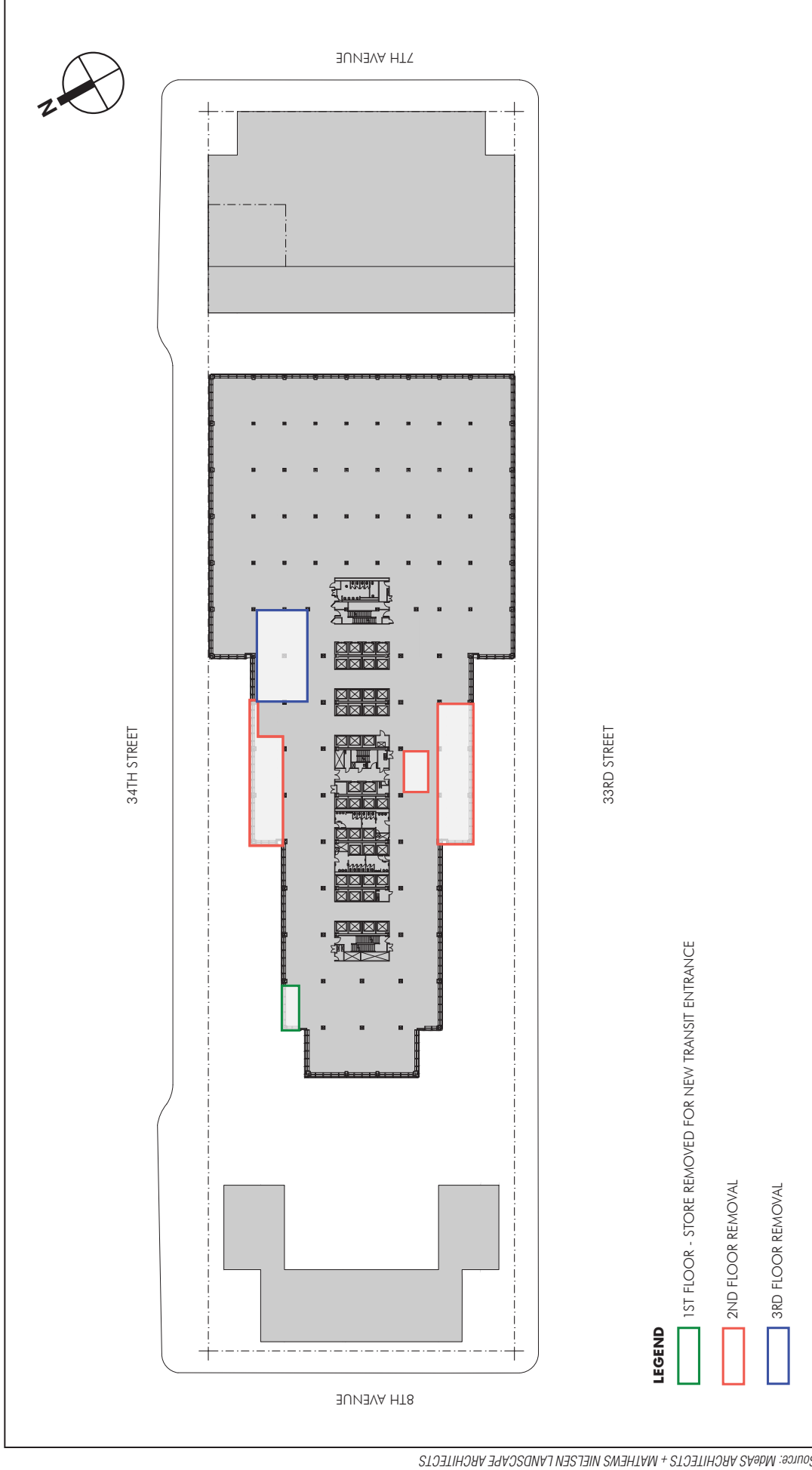
As shown in **Table A-1**, the expansion of the One Penn Plaza lobby and related expansions and reductions in floor area outlined above, results in a total commercial floor area of 2,511,143 gsf on the project site in the With Action condition. This translates to a net decrease of approximately 3,857 gsf of commercial floor area on the project site between the No Action and With Action conditions. The total number of retail outlets on the project site would remain the same.

**Table A-1**  
**Project Site: Future No Action and With Action Assumptions**

Components	Existing/No Action	With Action (Proposed Project)	Increment
Commercial (gsf)	2,515,000	2,511,143 <sup>1</sup>	-3,857
Publicly Accessible Open Space (gsf)	53,917	48,497 <sup>2</sup>	-5,420
<b>Notes:</b>			
<sup>1</sup> Represents the total gross floor area of commercial use on the project site (all buildings) following the 3,035-gsf One Penn Plaza lobby expansion and the demolition of 6,892 gsf on the 2nd and 3rd floors of One Penn Plaza.			
<sup>2</sup> Represents the total gross square footage of publicly accessible open space lost as a result of the proposed One Penn Plaza lobby expansion and other improvements proposed at plaza and arcade areas throughout the project site. The total of 5,420 gsf accounts for proposed reductions from the North Plaza (3,240 gsf), the Northern Arcade (1,911 gsf), the West Plaza (157 gsf), the Southwest Plaza (21 gsf), and the Southern Arcade (91 gsf).			

### *WITH ACTION CONDITION: PUBLIC PLAZAS AND ARCADES*

Approval of the proposed actions would facilitate proposed functional and aesthetic improvements to several public plaza and arcade spaces located throughout the project site, resulting in adjusted hours of public accessibility (West Plaza and East Plaza) and new public amenities including new kiosks, landscaping, seating, lighting, signage, and finishes (see **Figures A-4 through A-9**). Under the With Action condition, these areas would maintain their existing size, with the exception of the North Plaza, Northern Arcade, West Plaza, and Southern Arcade.



Floor Area Removal Diagram  
**Figure A-3**

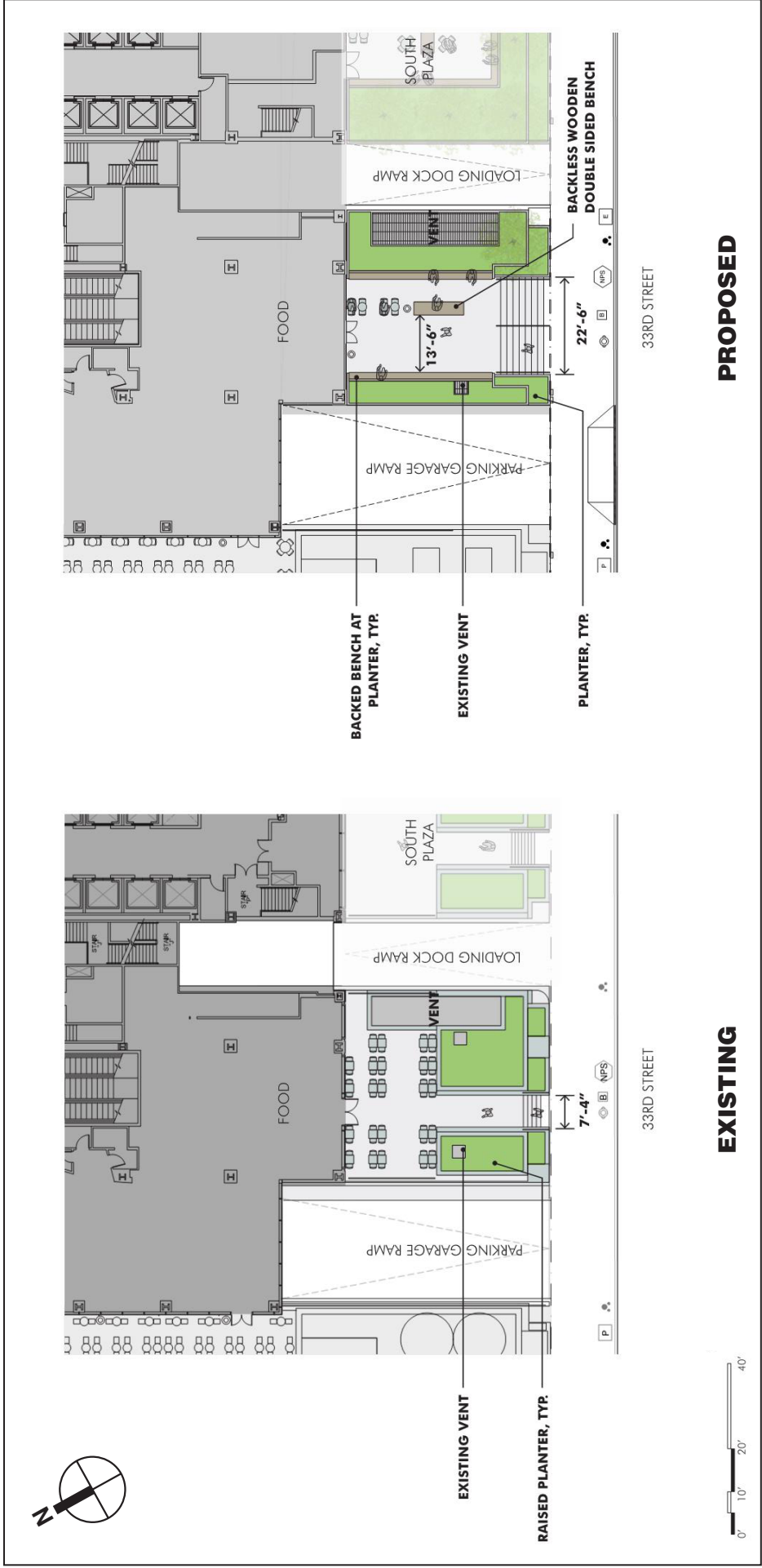


Source: MdeAS ARCHITECTS + MATTHEWS NIELSEN LANDSCAPE ARCHITECTS

North Plaza—Existing and Proposed  
Figure A-4

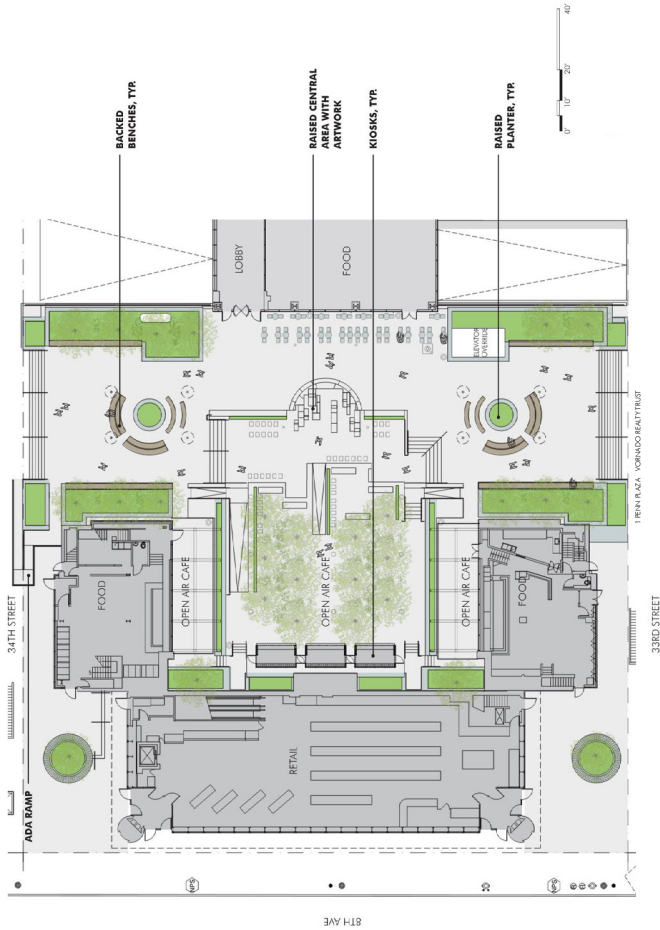


South Plaza—Existing and Proposed  
Figure A-5

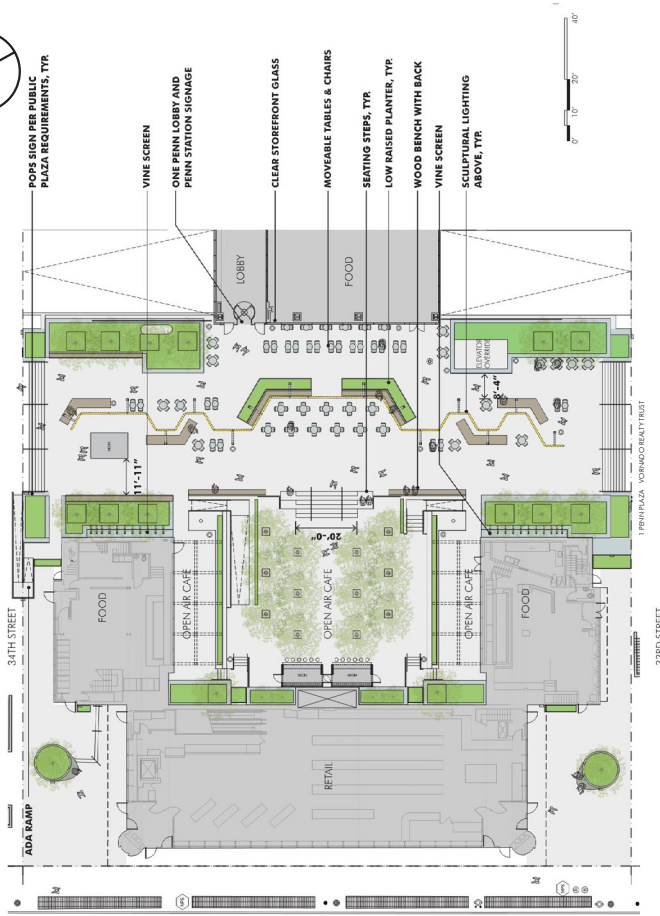


Southwest Plaza—Existing and Proposed

Figure A-6



**EXISTING**

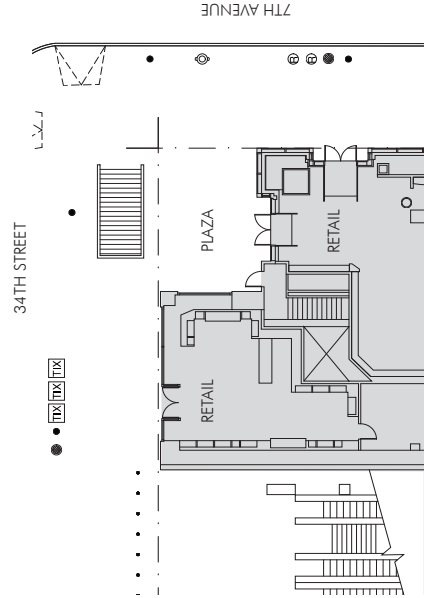


**PROPOSED**

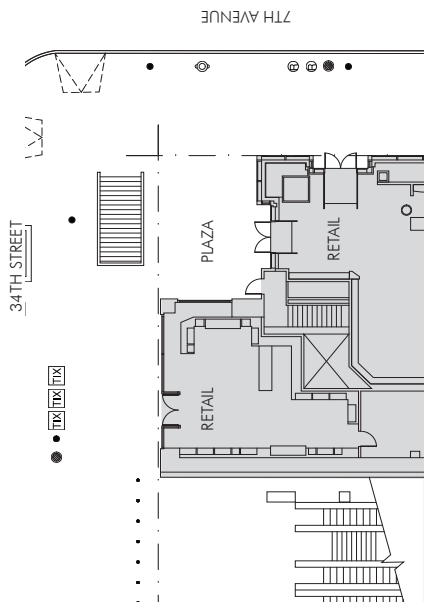
West Plaza—Existing and Proposed  
Figure A-7



East Plaza—Existing and Proposed  
Figure A-8



**NORTH EAST 7TH AVE CIRCULATION PLAZA - EXISTING**



**NORTH EAST 7TH AVE CIRCULATION PLAZA - NO CHANGE**

**EXISTING NORTH EAST 7TH AVE CIRCULATION PLAZA - 527.3 SF**

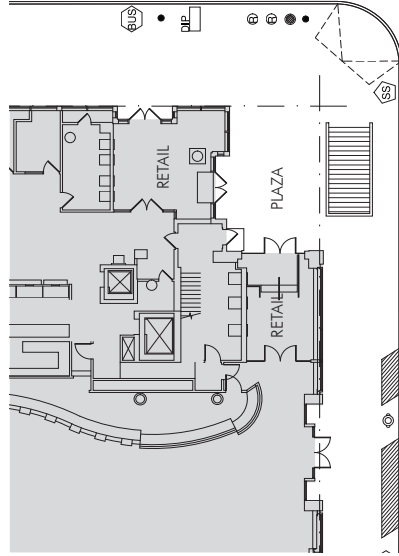
**SIDEWALK FRONTAGE:** 100% UNOBSERVED - PLANTER (50% UNOBSERVED REQUIRED - COMPLIES)

**PLANTING:** 0 SF - 0% PLANTING SF, 0 TREES (105.5 SF [20% PLANTING] & 4 TREES REQUIRED - NON-COMPLIANT)

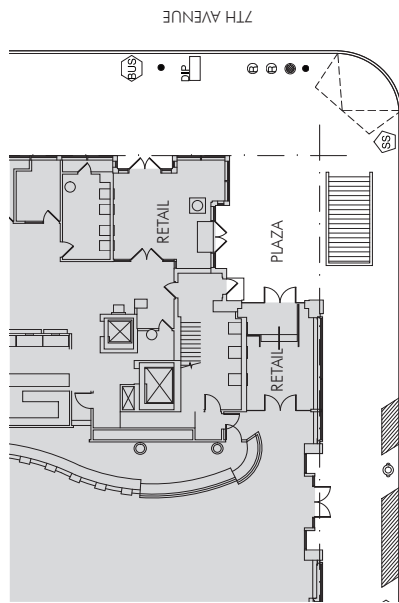
**SEATING:** 0 TYPES - 0'-0" LF TOTAL (2 TYPES, 17'-6" REQUIRED - NON-COMPLIANT)

**AMENITY:** 0 - FOOD SERVICE (0 REQUIRED - COMPLIES)

**ACCESSIBLE ROUTE:** PLAZA AT GRADE (NONE REQUIRED - COMPLIES)



**SOUTH EAST 7TH AVE CIRCULATION PLAZA - EXISTING**



**SOUTH EAST 7TH AVE CIRCULATION PLAZA - NO CHANGE**

**EXISTING SOUTH EAST 7TH AVE CIRCULATION PLAZA - 527.3 SF**

**SIDEWALK FRONTAGE:** 100% UNOBSERVED - PLANTER (50% UNOBSERVED REQUIRED - COMPLIES)

**PLANTING:** 0 SF - 0% PLANTING SF, 0 TREES (105.5 SF [20% PLANTING] & 4 TREES REQUIRED - NON-COMPLIANT)

**SEATING:** 0 TYPES - 0'-0" LF TOTAL (2 TYPES, 17'-6" REQUIRED - NON-COMPLIANT)

**AMENITY:** 0 - FOOD SERVICE (0 REQUIRED - COMPLIES)

**ACCESSIBLE ROUTE:** PLAZA AT GRADE (NONE REQUIRED - COMPLIES)



Northeast and Southeast Circulation  
Plazas—Existing and Proposed  
**Figure A-9**

The proposed actions are also intended to improve safety in certain locations by adjusting hours of public access. Approval of the requested Zoning Authorization pursuant to ZR Section 37-727 (hours of access) would authorize the nighttime closure of both the West Plaza and East Plaza between certain hours depending on the time of year (as discussed above) to eliminate these unsafe conditions (see **Figures A-10 and A-11**).

As shown in **Table A-1**, the proposed lobby expansion and other improvements would result in a total reduction of 5,420 gsf of publicly accessible open space from the project site, as follows:

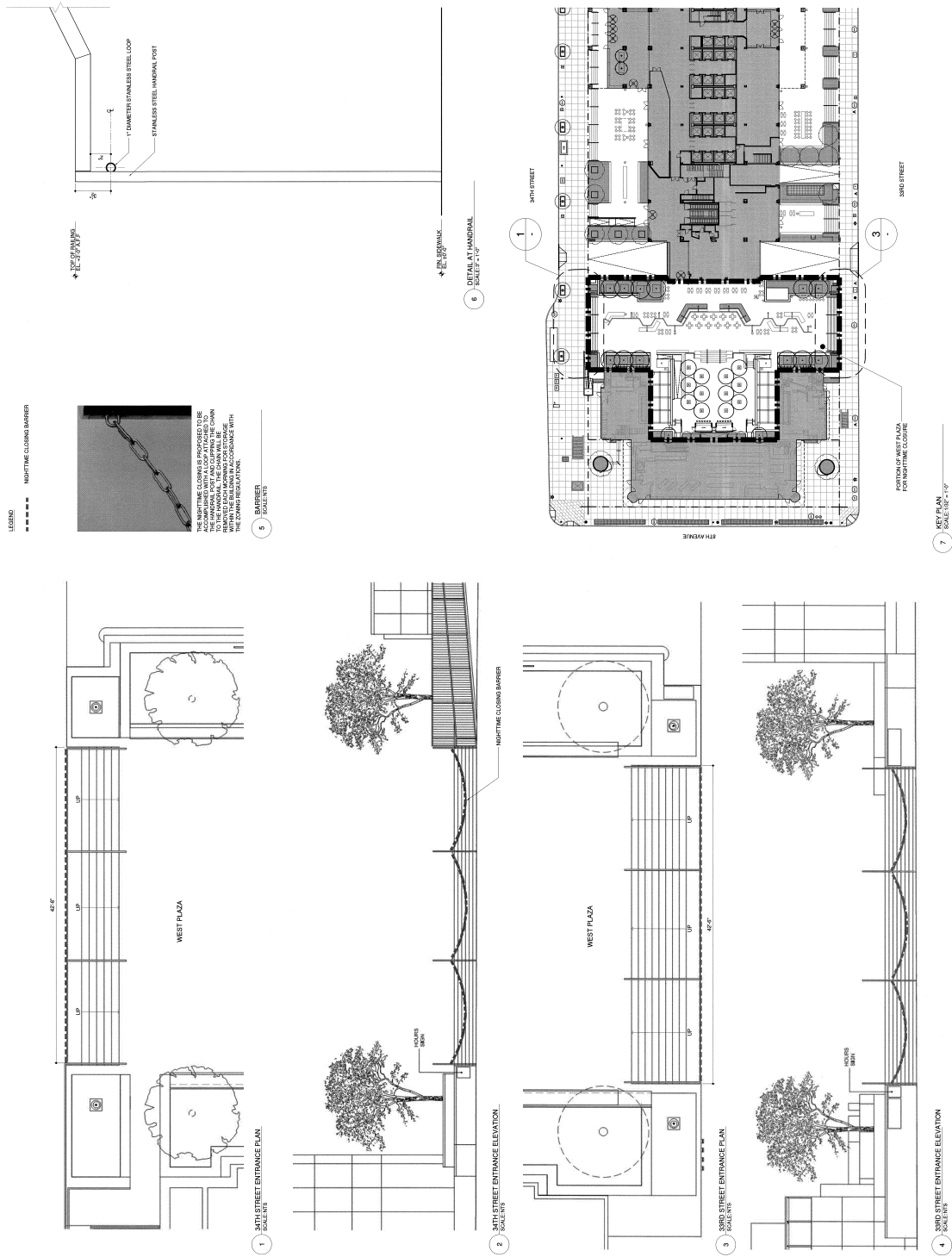
- 3,240 gsf from the North Plaza;
- 1,911 gsf from the Northern Arcade;
- 157 gsf from the West Plaza;
- 21 gsf from the Southwest Plaza; and
- 91 gsf from the Southern Arcade

*SUMMARY AND INCREMENT FOR ANALYSIS*

**Table A-1** provides a comparison of the development program assumptions under the future No Action and With Action conditions, as described in detail above, and provides a summary of the increment for analysis in this EAS. \*



### East Plaza—Proposed Nighttime Closure



West Plaza—Proposed Nighttime Closure  
Figure A-11

## **A. INTRODUCTION**

The proposed actions would facilitate the planned expansion of a lobby, reduction and improvements to public plaza areas, and enhanced transit access to Penn Station at the One Penn Plaza property.

In accordance with the 2014 *City Environmental Quality Review (CEQR) Technical Manual*, the analysis of land use, zoning, and public policy assesses the project site and the area within 400 feet of the project site, which defines the study area.

This attachment assesses the potential impacts of the proposed actions on the land use, zoning and public policy on the project site and in the surrounding study area. The assessment concludes that the proposed actions would result in project site improvements that are compatible with existing and planned land uses, zoning, and public policy in the surrounding area, and that the proposed actions would not result in any significant adverse impacts to land use, zoning or public policy.

## **B. METHODOLOGY**

The project site consists of Manhattan Block 783, Lots 1, 34, and 70, which is bounded by Seventh Avenue, West 33rd Street, Eighth Avenue, and West 34th Street (see **Figure B-1**). The project site measures approximately 156,023 square feet (sf) and is currently improved with two single-story commercial buildings (Lots 1 and 34), one at each avenue end of the block, and a large 55-story commercial/office building, One Penn Plaza (Lot 70).

As discussed in Attachment A – “Project Description,” the proposed actions would facilitate construction of an expanded lobby for One Penn Plaza, constructed over a portion of the public plaza and arcade area along the south side of West 34th Street (aka the North Plaza and Northern Arcade). The proposed lobby expansion totals approximately 3,035 gsf. In addition, approval of the proposed actions would facilitate aesthetic and functional improvements/modifications to the existing public plaza areas, resulting in adjusted hours of public accessibility (West Plaza and East Plaza); new public amenities including new kiosks, landscaping, seating, lighting, signage, and finishes; and enhanced transit access to Penn Station. All public plaza areas would maintain their existing size, with the exception of the North Plaza, Northern Arcade, West Plaza, and Southern Arcade.

This analysis of land use, zoning, and public policy examines the area within 400 feet of the project site—the area in which, according to the *CEQR Technical Manual*, the proposed actions could reasonably be expected to cause potential effects. The land use study area is generally bounded by West 35th Street to the north, an area approximately 300 feet west of Eighth Avenue to the west, an area approximately 300 feet east of Seventh Avenue to the east, and West 31st Street to the south (see **Figure B-1**).

The analysis begins by considering existing conditions on the project site and in the study area in terms of land use, zoning, and public policy. The analysis then projects land use, zoning, and



Land Use, Zoning, and Public Policy Study Area  
**Figure B-1**

public policy in the future without the proposed actions (2021 analysis year) by identifying any developments, potential zoning actions, and potential policy changes expected to occur within that timeframe. Probable impacts of the proposed actions are then identified by comparing future conditions with the proposed actions to those future conditions absent the proposed actions.

### C. EXISTING CONDITIONS

#### LAND USE

##### *PROJECT SITE*

The project site consists of Manhattan Block 783, Lots 1, 34, and 70, which is bounded by Seventh Avenue, West 33rd Street, Eighth Avenue, and West 34th Street. The project site measures approximately 156,023 square feet (sf) and is currently improved with two single-story commercial buildings (Lots 1 and 34), one at each avenue end of the block, and a large 55-story commercial/office building, One Penn Plaza (Lot 70). Approximately 118,500 sf of the project site is zoned C6-4 with the remaining 37,523 sf currently zoned C6-6. The project site is also located within the Special Midtown District (MiD). The buildings on Lots 1 and 34 have a total gross floor area of approximately 58,000 sf). One Penn Plaza occupies the majority of the remaining central portion of the project site and has a gross floor area of approximately 2,457,000sf. In addition to the three buildings, which contain a total of approximately 2,515,000 sf of gross floor area, the project site is currently improved with approximately 50,095 sf and 3,822 sf of outdoor plaza and arcade areas, respectively. The grade levels of the plazas and arcades range from being at grade on the Seventh Avenue side of the block to substantially above grade within the through-block plaza that is closest to Eighth Avenue.

As discussed in Attachment A, “Project Description,” the public plaza and arcade areas are defined as follows:

- North Plaza (8,880 sf): South side of West 34th Street between Seventh and Eighth Avenues; generally bounded by the West 34th Street sidewalk to the north, a ramp to a subterranean parking lot to the west, building retail space to the east, and the One Penn Plaza lobby and retail space to the south;
- Northern Arcade (1,911 sf): Arcade adjacent to the North Plaza that provides a transition from the North Plaza to the entry to the One Penn Plaza lobby from West 34th Street;
- South Plaza (5,978 sf): North side of West 33rd Street between Seventh and Eighth Avenues; generally bounded by the One Penn Plaza lobby and retail spaces to the north, the West 33rd Street sidewalk to the south, a ramp to the subterranean loading dock to the west, and One Penn Plaza retail space to the east.
- Southern Arcade (1,911 sf): Arcade adjacent to the South Plaza that provides a transition from the South Plaza to the entry to the One Penn Plaza lobby from West 33rd Street;
- East Plaza (7,900 sf): North/south oriented through-block plaza connecting West 33rd and West 34th Streets, generally bounded by the West 34th Street sidewalk to the north, One Penn Plaza retail space to the west, the one-story Seventh Avenue retail building to the east, and the West 33rd Street sidewalk to the south.
- West Plaza (24,109 sf): North/south oriented through-block plaza between the west end of One Penn Plaza and the one-story building at Eighth Avenue. The West Plaza for the

purposes of this EAS includes the two small north and south corner circulation plazas along Eighth Avenue;

- Southwest Plaza (2,174 sf): North side of West 33rd Street, generally bounded by the One Penn Plaza building retail space to the north, the West 33rd Street sidewalk to the south, a ramp to the subterranean loading dock to the east, and a ramp to the subterranean parking lot the west
- Northeast Seventh Avenue Plaza (527 sf): Circulation space at the corner of Seventh Avenue and West 34th Street; and
- Southeast Seventh Avenue Plaza (527 sf): Circulation space at the corner of Seventh Avenue and West 33rd Street.

The grade levels of the public plaza areas range from being at grade on the Seventh Avenue side of the block to substantially above grade within the West Plaza closest to Eighth Avenue and accessed by means of nine steps up at West 33rd Street (approximately 4.75 feet in height) and six steps up at West 34th Street (approximately 3 feet in height).

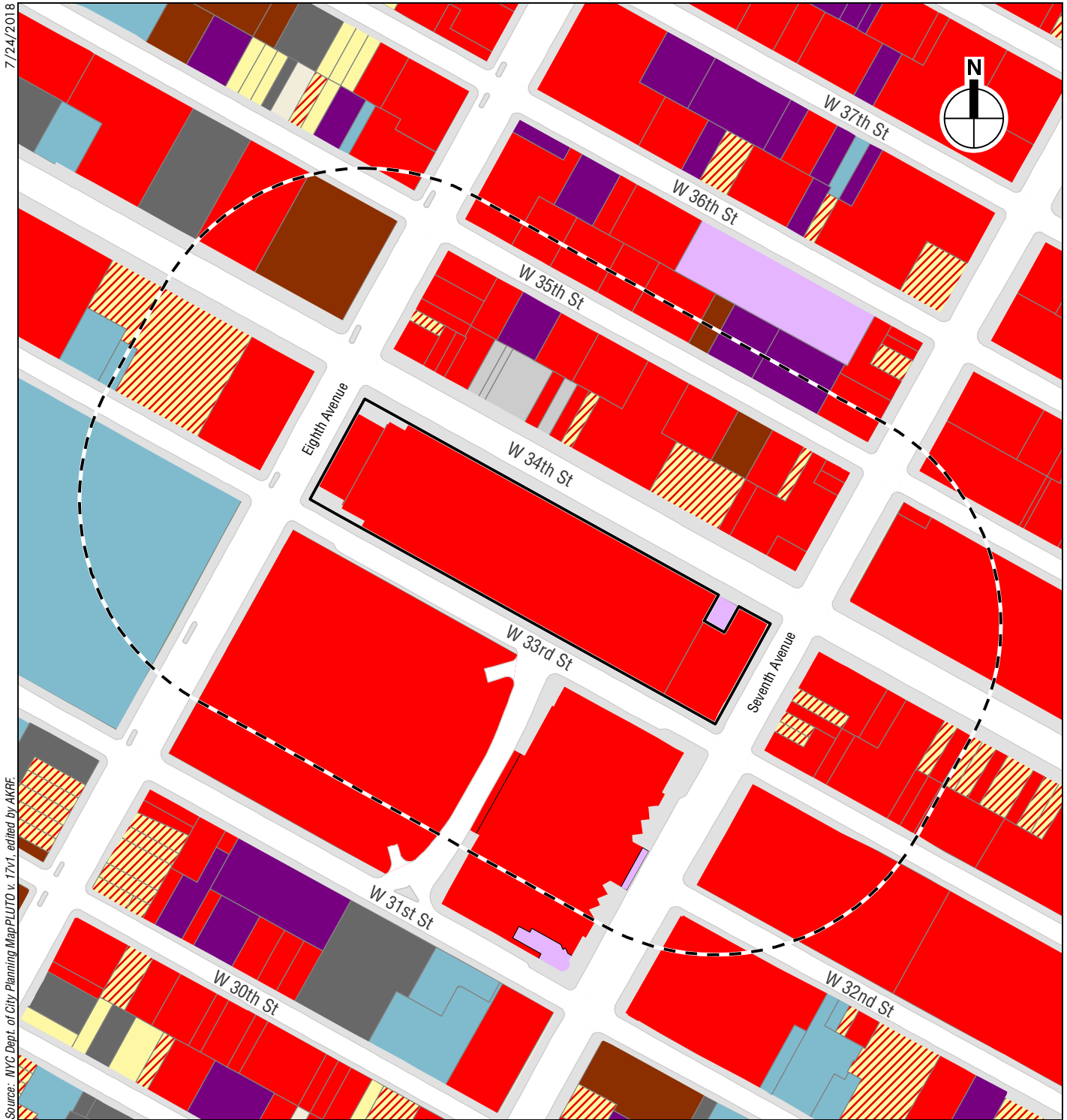
#### *STUDY AREA*

The 400-foot study area contains predominately commercial, office, and transportation uses with some residential, institutional, open space, and manufacturing uses interspersed throughout the area (see **Figure B-2**). Built conditions in the study area range from one-story buildings to large modern skyscrapers. There are three hotels, The New Yorker Wyndham Hotel at 481 Eighth Avenue, the Renaissance New York Midtown at 218 West 35th Street, and the Wingate by Wyndham Manhattan Midtown at 235 West 35th Street. Along West 35th Street there are three lots with light industrial use in the form of fabric manufacturing. Five fenced vacant lots exist just north of the project site along West 34th Street, surrounded by commercial uses. Madison Square Garden, 2 Penn Plaza, and Penn Station are located immediately south of the project site. Penn Station is accessible from West 31st to West 34th Streets between Seventh and Eighth Avenues. It also has underground connections to the Seventh and Eighth Avenue subway lines. It provides access to LIRR, New Jersey Transit, and Amtrak trains at various mezzanine areas and track locations underground. The James A. Farley Post Office Building is located across Eighth Avenue from Madison Square Garden. Parts of this building are being adaptively reused to expand Penn Station.

#### **ZONING**

##### *PROJECT SITE*

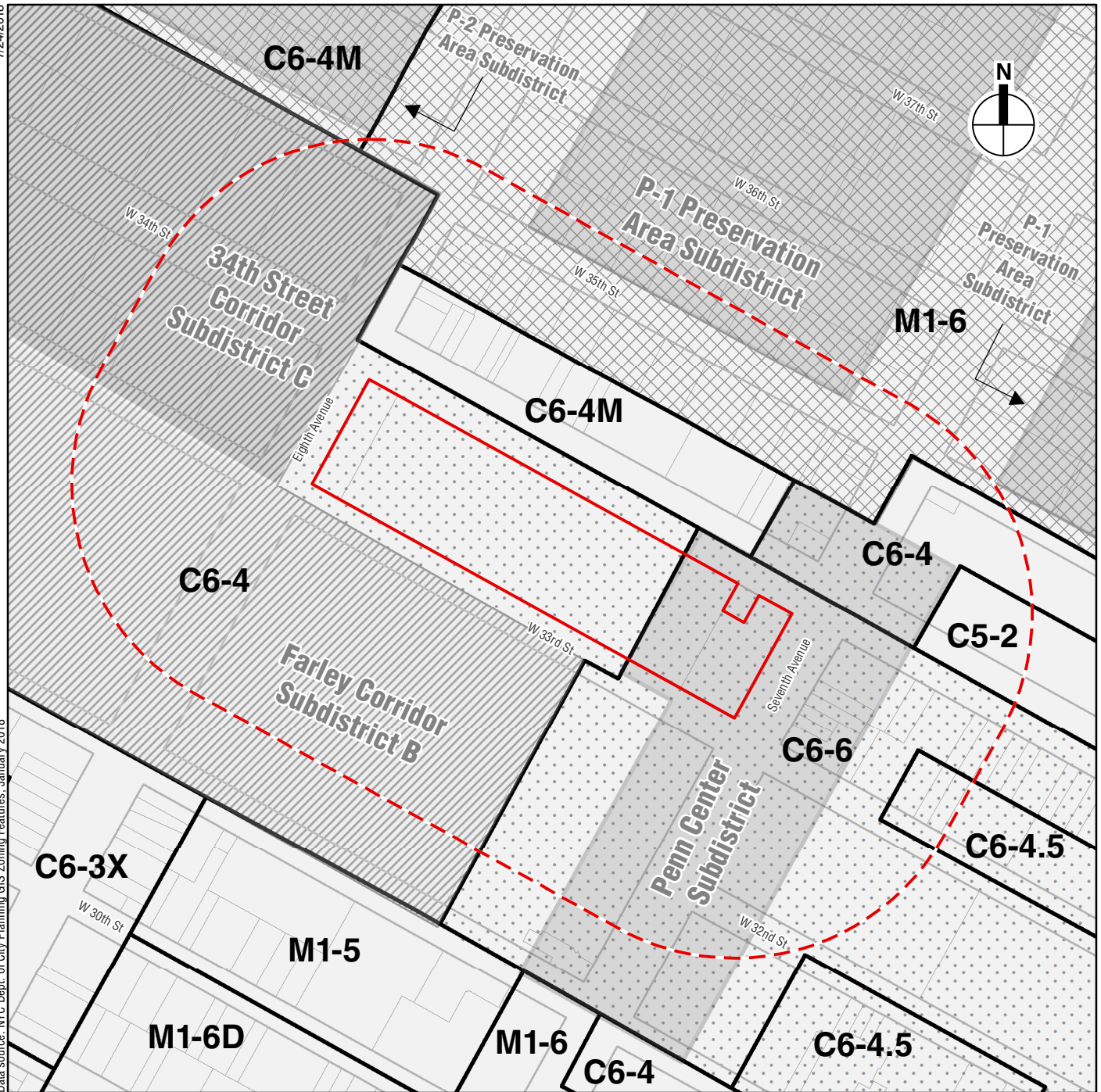
Approximately 118,500 sf of the project site is zoned C6-4 with the remaining 37,523 sf currently zoned C6-6 (see **Figure B-3**). C6 commercial districts permit a wide range of high-density commercial uses requiring a central location, such as corporate headquarters, large hotels, entertainment facilities, retail stores, and high-rise residences. C6-4 districts have a base commercial and community facility Floor Area Ratio (FAR) of 10.0, which can be increased to a maximum of 12.0 FAR with a bonus for an urban plaza. High-density residential development is permitted in C6-4 districts up to a base FAR of 10.0 (maximum 12.0 FAR with the plaza bonus). Within C6-6 commercial districts, commercial and community facility development is permitted to a base FAR of 15.0 (up to a maximum FAR of 18.0 with bonus), and residential development is permitted to a maximum FAR of 12.0.



- Project Site
- Study Area Boundary (400-foot perimeter)
- Commercial and Office Buildings
- Hotels
- Industrial and Manufacturing
- Parking Facilities

- Public Facilities and Institutions
- Residential
- Residential with Commercial Below
- Transportation and Utility
- Vacant Land

0 200 FEET



- Project Site Boundary
- Study Area Boundary (400-foot perimeter)
- Zoning District Boundaries
- Special Garment Center District
- Special Hudson Yards District
- Special Midtown District
- Special Purpose Sub-Districts

0 200 FEET

## 1 Penn Plaza

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The project site is also located within the Special Midtown District (MiD). The MiD was established in 1982 to strengthen the Midtown business core by guiding growth toward the areas most able to accommodate new development (primarily the West Side); preserving historic areas, landmarks, and the Theater District; protecting the Fifth Avenue shopping district; and fostering a substantially better pedestrian environment. To that end, special subdistricts were established within the Special Midtown District, including the Grand Central, Theater, Penn Central, Fifth Avenue, and Preservation Subdistricts. The easternmost 200 feet of the project site fronting Seventh Avenue is located in the Penn Center Subdistrict. The Penn Center Subdistrict was established in October 2001 and included a limited geographic expansion of the previously adopted Special Midtown District. The Penn Center Subdistrict generally extends to a depth of 100–200 feet along both sides of the Seventh Avenue frontage between West 31st and West 34th Streets. Special provisions were created for signs, retail frontage, and streetwalls as a means of establishing the Penn Center Subdistrict as a destination, enhancing its retail, entertainment, and commercial character, and expanding accessibility to its transportation network. Special FAR bonus provisions for subway station and rail mass transit facility improvements are also available.

One Penn Plaza was built on an as-of-right basis in accordance with the regulations in effect in 1972 for a C6-4 zoning district. In addition to the office tower, there are one-story retail buildings fronting both Seventh and Eighth Avenues and approximately 50,095.5 square feet of bonused public plaza areas and a combined total of 3,822 square feet of bonused arcade areas located on the perimeter of the commercial tower. The zoning lot—comprised of Tax Lots 1, 34, and 70 on Block 783—has an area of 156,023 sf and encompasses nearly all of Block 783. The bonus floor area generated by the as-of-right public plazas (300,573 square feet) and by the arcade areas (11,466 square feet) totaled 312,039 square feet, which was slightly less than the 2.0 FAR maximum bonus permitted (312,046 square feet) when the building was constructed.

In 1982, the Seventh Avenue frontage of the zoning lot was rezoned from C6-4 (10 FAR) to C6-6 (15 FAR) and was included within the Special Midtown District (“MiD”). As result of this upzoning, a split lot condition was created whereas the portion of the zoning lot in the C6-6 district became underbuilt by approximately 542,175 square feet of floor area, and the portion of the zoning lot in the C6-4 district became overbuilt by approximately 391,289 square feet of floor area (net unbuilt floor area on the zoning lot is 150,886 square feet). Since the zoning lot existed prior to the rezoning, the allowable distribution of floor area on the zoning lot is governed by the provisions of ZR Section 77-22. The one out-parcel on the block (Lot 48) is not now, nor has ever been, part of the zoning lot for the One Penn Plaza building.

While not depicted on the zoning map and not under consideration as part of the proposed actions, a previously approved transfer of development rights permits up to an additional 1,000,000 sf of floor area on the western portion of the project site. The potential for transfer of development rights is part of an approved General Project Plan (GPP) by the State of New York connected to the planned adaptive reuse of the existing James A. Farley Post Office building at 421 Eighth Avenue to accommodate “Moynihan Station” – a planned new transit center for Penn Station with related retail spaces. The first phase of Moynihan Station is currently under construction. Through the approved GPP, the permitted transfer of development rights, if it were to happen, would not occur until a future phase beyond the analysis year for the proposed actions.

*STUDY AREA*

As shown in **Figure B-3** and **Table B-1**, the 400-foot study area contains a mix of C6-4, C6-6, C5-2, C6-4M, C6-4.5, and M1-6 zoning districts. In addition, portions of the MiD, Special Hudson Yards, and Special Garment Districts are located within the study area.

**Table B-1**  
**Zoning Districts Located in the 400-foot Study Area**

Zoning District	Maximum FAR	Uses/Zone Type
C6-4	12.0 commercial <sup>1</sup> 14.4 residential <sup>2</sup> 12.0 community facility <sup>1</sup>	High-density office district, wide range of high-bulk commercial uses requiring a central location
C6-6	18.0 commercial or community facility <sup>2</sup> 12.0 residential <sup>3</sup>	High bulk commercial district for uses requiring central location
C5-2	12.0 commercial <sup>1</sup> 14.4 residential <sup>1,2</sup> 12.0 community facility <sup>1</sup>	General commercial district intended for offices and high-end retail establishments for streets where continuous retail frontage is desired
C6-4M	10.0 commercial, community facility and residential	Contextual office district, wide range of high-bulk commercial uses requiring a central location, special regulations governing conversion of non-residential space to residential use
C6-4.5	12.0 residential 14.4 commercial and community facility <sup>2</sup>	High bulk commercial district mapped only within the Special Midtown District
M1-6	12.0 manufacturing <sup>1</sup> 12.0 commercial <sup>1</sup> 12.0 community facility <sup>1</sup>	Light manufacturing and most commercial uses, strict manufacturing performance standards
<b>Notes:</b> <sup>1</sup> Maximum FAR achieved through as-of-right urban plaza <sup>2</sup> Maximum FAR achieved through as-of-right and District-wide bonuses <sup>3</sup> FAR can be increased with provision of tenant recreation space <b>Source:</b> <i>New York City Zoning Resolution.</i>		

In addition to being mapped on the western extent of the project site (as described above), the study area's C6-4 zoning district is generally found west of Eighth Avenue between West 35th Street to the north and West 31st Street to the south. A part of this C6-4 District, east of Eighth Avenue between West 33rd and West 34th Streets—lies within the MiD Special District, while the remainder of this C6-4 lies within the Special Hudson Yards District. There is a smaller C6-4 District in the northeastern part of the study area that is mapped north of West 34th Street bounded by lines approximately 100 on either side of Seventh Avenue. This C6-4 District continues 100 feet north of West 34th Street and then continues eastward outside of the study area. A portion of this C6-4 District is also in the MiD Special District.

In addition to being mapped on the eastern extent of the project site (as described above), the study area's C6-6 zoning district is generally located on the east and west sides of Seventh Avenue between West 34th and West 31st Streets, with the exception of a small portion of the study area north of West 33rd Street and east of Seventh Avenue which is mapped C6-4.5. The C6-4.5 district is mapped only within the MiD. Commercial and community facility development is permitted to a maximum FAR of 12.0 (up to 14.4 FAR with bonus), and residential development is permitted to 12.0 FAR.

## 1 Penn Plaza

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The study area includes a C5-2 district that is mapped along the north side of West 34th Street, east of Seventh Avenue. This zoning district continues eastward outside of the study area. C5-2 commercial districts permit commercial and community facility development to 10.0 FAR. Residential development is permitted to 10.0 FAR.

The study area's C6-4M district is directly north of the project site, along the north side of West 34th Street between Eighth Avenue to the west and the western boundary of the C6-4 district found in the northeastern portion of the study area. C6-4M commercial districts are loft districts that permit commercial, residential (in new developments only), and community facility development to 10.0 FAR. Loft district requirements apply to the residential conversion of non-residential buildings in existence prior to December 15, 1961.

The study area's M1-6 district is located directly north of the study area's C6-4 district, and extends westward to a line 100 feet west of Eighth Avenue and outside of the study area to the north and east. In M1-6 districts, manufacturing, community facility, and commercial uses are permitted to a maximum FAR of 10.0, which can be increased to 12.0 with an urban plaza bonus. As described above, the study area's land uses are predominately commercial, with very few manufacturing uses. As such, while manufacturing uses are permitted, they are not prevalent in the 400-foot study area.

In addition to the MiD Special District which is mapped on the project site and the eastern extent of the study area, the 400-foot study area also includes portions of the Special Hudson Yards District, which is mapped in conjunction with the C6-4 district located to the west and south of the project site; and portions of the Special Garment Center District, which is mapped in conjunction with the M1-6 and C6-4M districts located north of West 35th Street.

The Special Hudson Yards District was established in 2005 to foster a mix of uses and densities, provide new publicly accessible open space, extend the Midtown Central Business District by providing opportunities for substantial new office development, reinforce existing residential neighborhoods, and encourage new housing on Manhattan's far west side. Portions of the Farley Post Office, 34th Street Corridor, and Penn Station subareas are located within the study area. The Farley Post Office Subarea is mapped over the entire Farley Complex, located on the west side of Eighth Avenue between West 31st and West 33rd Streets. The maximum FAR is 10.0 for commercial uses (same as the underlying C6-4 district), and 6.0 for residential uses, which is lower than the underlying C6-4 district. The 34th Street Corridor Subarea is found to the north of the Farley Post Office Subarea, mapped to the west of Eighth Avenue and north of West 33rd Street. In this subarea, commercial and community facility uses are permitted to a base of 10.0 FAR, which can be increased to 13.0 FAR through bonuses. The base residential 6.5 FAR can be increased through a combination of the bonuses to a maximum residential FAR of 12.0. The Penn Station subarea is mapped over Madison Square Garden and Penn Station directly south of the project site on the east side of Eighth Avenue between West 31st and West 33rd Streets. Within this subarea, the base commercial FAR is 10.0, which can be increased to a maximum commercial FAR of 19.5 with the provision of public transit improvements or significant enhancements to the pedestrian environment. Residential development is not permitted in this subarea.

The Special Garment Center District was created in 1987 to maintain opportunities for apparel production, wholesale, and showroom uses in designated preservation areas on selected midblocks between West 35th and West 40th Streets west of Broadway. The Special Garment Center District's underlying manufacturing zoning is augmented by additional regulations mapped on the midblocks starting 100 feet in from the avenues, and excluding buildings fronting on the avenues.

A portion of Preservation Area 1 is located within the study area. In this area, residences and hotels are not permitted and the conversion of industrial space to office use is restricted.

## **PUBLIC POLICY**

### *PROJECT SITE*

In addition to the MiD Special District regulations described above, the project site is located within the 34th Street Partnership's focus area.

#### *34th Street Partnership*

Founded in 1992, the 34th Street Partnership, a not-for-profit corporation, is a coalition of property owners, tenants, and city officials working to revitalize a 31-block district in the heart of Midtown Manhattan. The portion of the Partnership located within the study area generally includes the blocks between West 31st and West 35th Streets between Seventh and Eighth Avenues. The 34th Street Partnership promotes the district as a strategic Midtown business location by providing programs in the areas of sanitation and streetscape and security improvements, as well as public events, tourist assistance, and free retail services efforts.

### *STUDY AREA*

In addition to the 34th Street Partnership and the Special District regulations described above, the additional public policies applicable to portions of the study area include the Fashion Center Business Improvement District (BID) and the Chelsea 197-a Plan.

#### *Fashion Center Business Improvement District*

The Fashion Center BID, a not-for-profit corporation, was established in 1993 to promote New York City's apparel industry and to improve the quality of life and economic vitality of the Garment Center District. The portion of the BID located within the study area generally covers the area between West 35th and West 37th Streets from Fifth to Eighth Avenues. Through programs in the areas of streetscape improvements, sanitation and security services, marketing and promotions, economic development, and community service, efforts are aimed at promoting the BID as a strategic Midtown business location.

#### *Chelsea 197-a Plan*

The Chelsea 197-a plan was developed by Community Board 4 and adopted by the City Council in 1999. The plan sets forth recommendations for zoning changes intended to balance the need for new development with the need to preserve the neighborhood context within a 64-block area generally between West 14th and West 34th Streets west of Sixth Avenue in Manhattan. The portion within the study area generally includes the area between West 31st and West 34th Streets and Seventh and Eighth Avenues. In response to the Chelsea 197-a plan, the City approved the Chelsea Rezoning in 1999; this rezoning mapped contextual districts, reduced permitted density in areas generally west of Eighth Avenue, and maintained existing density in other areas, including the Ladies Mile Historic District. The rezoning also increased permitted density in appropriate locations and rezoned certain manufacturing areas to allow new residential development.

## D. FUTURE WITHOUT THE PROPOSED ACTIONS

### LAND USE

#### *PROJECT SITE*

While not all of the proposed actions would require full CPC approval (e.g. the Chairperson's Certifications), the collective and interdependent modifications to the project site being sought by the applicant would not be possible without CPC approval of the proposed special permit and authorization actions. For these reasons, absent the proposed actions, the project site is not expected to change from its existing condition by 2021.

#### *STUDY AREA*

There are three planned as-of-right commercial development projects in the 400-foot study area that are expected to be completed by the 2021 analysis year (see **Figure B-4**):

- An approximately 27,350-gsf commercial building planned for 263 West 34th Street (Block 784, Lot 8);
- An approximately 122,436-gsf hotel with approximately 300 rooms planned for 255 West 34th Street (Block 784, Lot 12);
- An approximately 12,207-gsf commercial building planned for 245 West 34th Street (Block 784, Lot 17); and
- An approximately 700,000-sf adaptive reuse<sup>1</sup> of the existing James A. Farley Post Office building at 421 Eighth Avenue to accommodate "Moynihan Station," a planned new transit center for Penn Station with related retail spaces (Block 755, Lot 40).

These proposed developments would be consistent with the land use characteristics of the project site and the study area.

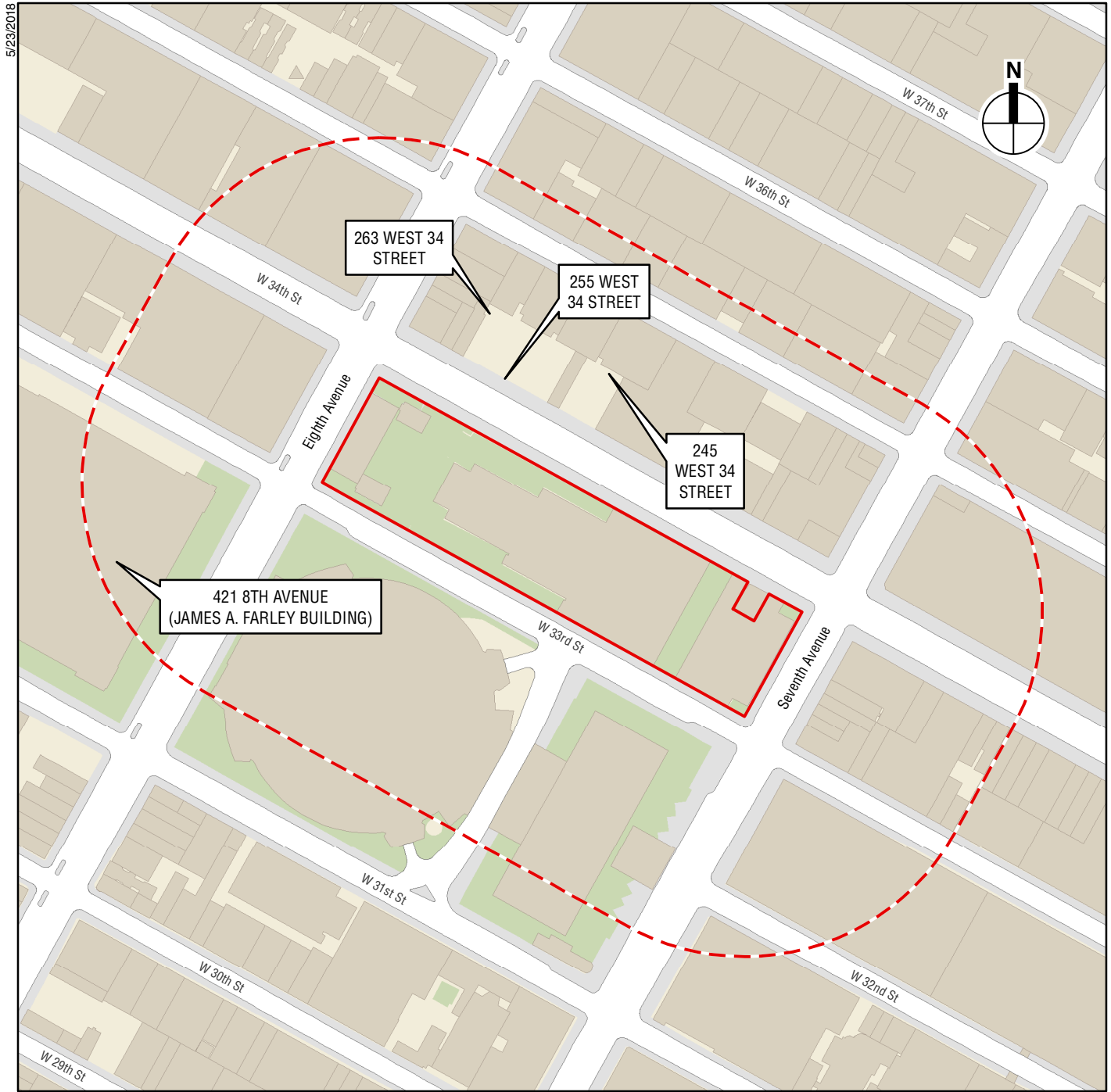
In addition, while not expected to be completed by the proposed project's 2021 analysis year and therefore not considered quantitatively in this EAS, it is worth noting that an application is expected to be filed in the near future with DCP for neighboring Two Penn Plaza. The application would involve a Chairperson's Certification to take approximately 15,598 square feet of open area that never generated a floor area bonus and have it de-designated as a "Public Plaza." This de-designation will enable the construction of a new monumental canopy across the east side of Two Penn Plaza. The canopy would be approximately 45-feet high, above which approximately 100,000 square feet of new office space would be constructed within a cantilevered building addition. The proposed enlargement will include an upgraded entrance to the train station, additional ground floor retail and an enhanced entry to the existing building.

### ZONING AND PUBLIC POLICY

There are currently no known proposed zoning changes or public policy changes expected to occur on the project site or within the study area by the 2021 analysis year. As such, the existing zoning would remain in place in the No Action condition. Existing public policies, as described above, are also expected to remain unchanged.

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<sup>1</sup><https://esd.ny.gov/moynihan-station-development-corporation-subsidiary>



0 200 FEET

- Project Site
- Study Area Boundary (400-foot perimeter)

## E. FUTURE WITH THE PROPOSED ACTIONS

### LAND USE

#### PROJECT SITE

Under the With Action condition, an expanded lobby for One Penn Plaza would be constructed over a portion of the public plaza and arcade area along the south side of West 34th Street (aka the North Plaza and Northern Arcade). The proposed lobby expansion totals approximately 3,035 gsf. In addition, approval of the proposed actions would facilitate aesthetic and functional improvements/modifications to the existing public plaza areas, resulting in adjusted hours of public accessibility (West Plaza and East Plaza); new public amenities including new kiosks, landscaping, seating, lighting, signage, and finishes; and enhanced transit access to Penn Station. All public plaza areas would maintain their existing size, with the exception of the North Plaza, Northern Arcade, West Plaza, and Southern Arcade.

In the With Action condition, land uses that currently exist on the project site, which are characterized as high density commercial and office use with associated publicly accessible open spaces, would not change. Rather, as shown in **Table B-2** below, both of these land uses would undergo modest net reductions in size to accommodate the applicant's plans for the site.

**Table B-2**  
**Project Site: Future No Action and With Action Assumptions**

Components	Existing/No Action	With Action (Proposed Project)	Increment
Commercial (gsf)	2,515,000	2,511,143 <sup>1</sup>	-3,857
Publicly Accessible Open Space (gsf)	53,917	48,497 <sup>2</sup>	-5,420
<b>Notes:</b> <sup>1</sup> Represents the total gross floor area of commercial use on the project site (all buildings), following the 3,035-gsf One Penn Plaza lobby expansion and the demolition of 6,892 gsf on the 2nd and 3rd floors of One Penn Plaza. <sup>2</sup> Represents the total gross square footage of public plaza/arcade area lost as a result of the proposed One Penn Plaza lobby expansion and other improvements proposed at plaza and arcade areas throughout the project site. The total of 5,420 gsf accounts for proposed reductions from the North Plaza (3,240 gsf), the Northern Arcade (1,911 gsf), the West Plaza (157 gsf), the Southwest Plaza (21 gsf), and the Southern Arcade (91 gsf).			

A new lobby entrance at the western edge of the North Plaza along West 34th Street, providing connections to Penn Station, will be beneficial to transit users and for the continued utilization of this public space. The proposed improvements to public plaza areas will enliven them with retail, cafes and kiosks that provide improved safety, services, food, and beverage. Improved accessibility to the raised plazas is achieved with wider entries, additional openings to the street and handicap access as applicable.

For the reasons outlined above, the proposed actions would not result in any significant adverse impacts on land use at the project site.

#### STUDY AREA

The proposed actions would not change land uses in the study area, and the applicant's proposed improvements to the project site's plaza areas would be compatible with existing land uses

## 1 Penn Plaza

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within the study area and would provide benefits to the population of plaza users. The proposed actions would not result in any significant adverse impacts on land use within the study area.

### ZONING

#### *PROJECT SITE*

As described in Attachment A, “Project Description,” the following discretionary actions, which are subject to CPC approval and ULURP, are necessary to facilitate the proposed project:

- Special Permit pursuant to Zoning Resolution (ZR) Section 74-761 (Elimination or reduction in size of bonused public amenities) to allow: (a) a proposed 3,240 sf reduction in the area of the North Plaza; (b) the proposed elimination of the 1,911 sf Northern Arcade; and (c) a 157 sf reduction in the area of the West Plaza, a 21 sf reduction in the area of the Southwest Plaza and a 91 sf reduction in the area of the Southern Arcade;
- Authorization pursuant to ZR Section 37-727 (Hours of access) to allow nighttime closure of the raised portion of the West Plaza (between 10:00 PM and 7:00 AM from April 15th through October 31st; and between 8:00 PM and 7:00 AM from November 1st through April 14th) and the entire East Plaza (between 12:00 AM and 5:00 AM);
- Chairperson’s certification pursuant to ZR Sections 37-73 and 81-231(b) (Kiosks and Open Air Cafes) to allow kiosks on the West Plaza and on the East Plaza; and
- Chairperson’s certification pursuant to ZR Section 37-625 (Design changes) to upgrade the East Plaza, the South Plaza and the two Seventh Avenue circulation plazas (no changes are proposed to the Seventh Avenue circulation plazas).

The necessity of each of these actions, along with an assessment of their potential to result in any significant adverse impacts to zoning, is described as follows:

#### *Special Permit (ZR Section 74-761)*

Approval of the special permit pursuant to ZR Section 74-761 is necessary primarily due to the applicant’s plan to construct an approximately 3,035 sf enclosed lobby expansion on the north side of the One Penn Plaza building, over a portion of the public plaza and arcade area in this location (aka the North Plaza and Northern Arcade). Since these areas are technically characterized as bonused public amenities (i.e., open public amenities for which a floor area bonus has been utilized), reducing them in size to accommodate the lobby expansion is not permitted under zoning without approval of a special permit by the CPC. The applicant is also proposing design improvements (including minor size reductions) for other existing public plaza and arcade areas on the block (described below).

The applicant also plans to demolish approximately 6,892 sf of second and third floor slab areas on the north and south sides of the building, increasing the lobby height and increasing the height of the Southern Arcade from approximately 16 feet to approximately 30 feet. Increasing the height of the arcade and adjoining lobby will provide increased light and air at the building entry and greater visibility to the South Plaza.

In addition to the approximately 6,892-sf reduction on the second and third floors, approximately 1,000 gsf of existing commercial floor area located on the 1st floor (adjacent to the proposed lobby expansion) would also be repurposed from retail use to lobby use. Lastly, a new pedestrian entrance to the lobby, which would provide connections to Penn Station, would be provided near the western edge of the North Plaza, accessible from West 34th Street.

Although this proposed new lobby entrance would replace an existing retail tenant in this location (currently a FedEx store), it would provide a significant public benefit in combination with the improvements proposed to the remaining bonused plaza areas on the block.

The existing public plaza and arcade spaces on the project site, while expansive, are underutilized and disconnected from the public right of way. The North, South and Southwest Plazas are each less than 20 percent open and are closed in by deep raised planters that give the plazas the appearance of private spaces that are additionally unwelcoming since they have no or limited movable seating and planter walls that do not meet the current requirements of fixed seating. The existing South and Southwest plazas have no ADA access, though they are two feet six inches to four feet two inches above sidewalk level moving from east to west along West 33rd Street. The North Plaza is one foot two inches to two feet six inches above sidewalk level. While the height of the plaza and arcade spaces is constrained by existing loading docks and the Penn Station Concourse and retail below them, the proposed project will open up these areas to the public realm. Widened access, a focus on engagement with the sidewalk frontage, and an increase in the number of accessible entry points will improve the physical and visual access to encourage increased utilization and enliven the plazas. Although the area of the North Plaza is proposed to be reduced by 3,240 square feet, approximately 1,860 square feet of this area is currently raised planters and unusable gratings that hide the useable plaza from the public. Another 110 square feet are for an ADA ramp that will remain but does not count as plaza area. Though approximately 1,270 square feet of usable plaza area will be eliminated, its use primarily as stairs and building entry plaza gives little current public benefit.

Other improvements to make the plaza and arcade spaces more attractive and inviting include new and upgraded amenities to animate the space and benefit the public in accordance with current plaza standards. Proposed improvements across all plazas include the addition of a variety of seating types, in some areas where none exist today. These seating types include seating steps, movable tables and chairs, fixed seating with backs and fixed seating without backs. Along with these seating improvements, appropriately size planting areas within the plazas will allow for quality “placemaking” through the establishment of new and inviting gathering spaces of different scales. New trees, planting screens in front of the currently blank walls at the South and West Plazas, and an artwork at the North Plaza will introduce engaging elements to define and soften these spaces, providing a wide range of spatial and visual experiences across the block. Upgraded lighting that meets or exceeds illumination requirements is also proposed, including an overhead light fixture element on the West Plaza that will provide pedestrian scale lighting and enhance visibility and safety during the evenings and nights. This element has been designed to be an attractive feature visible from both the West 33<sup>rd</sup> and 34<sup>th</sup> Streets sidewalks. Lastly, the provision of other amenities integral to public life such as litter receptacles, retail kiosks, and upgraded plaza finishes will strengthen the perception of these plazas as attractive spaces for the community.

#### *Zoning Authorization (ZR Section 37-727)*

Approval of the authorization pursuant to ZR Section 37-727 (Hours of Access) is intended to improve safety in certain locations by limiting hours of public access. Specifically, the nighttime closure of two through-block plazas, the raised portion of the West Plaza (not inclusive of the two small Eighth Avenue circulation plaza spaces) and the entire East Plaza, would ensure public safety within and the proper maintenance of these areas.

The West Plaza poses a unique set of challenges that prevent or substantially diminish the public from utilizing the open space. The West Plaza is elevated approximately 4.75 feet and 3 feet above the entrances from West 33rd and West 34th Streets, respectively, and its western portion is

## 1 Penn Plaza

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concealed from the street by a single-story retail building that surrounds the plaza on the north, south and west. An open air café, which is the subject of a separate application, operates in this space and has attracted evening users in good weather, particularly when there are events at Madison Square Garden. In accordance with ZR Section 37-727(f), the raised portion of the West Plaza is proposed to be closed between the hours of 10:00 PM and 7:00 AM from April 15th to October 31st and from 8:00 PM to 7:00 AM from November 1st to April 14th. However, the West Plaza will remain open to the public during the hours when the café is in operation. The East Plaza presents a similar set of security issues due to its long and narrow configuration, especially at night when the small shops fronting on the space are closed. Although the proposed seating and landscaping improvements will enhance the attractiveness of this space to the public during the daytime hours, the space will still essentially function as a circulation path during the nighttime hours. In fact, the proposed additional planters and amenities will unfortunately provide more places for hiding drug paraphernalia and other illicit activities. In accordance with ZR Section 37-727(f), the East Plaza is proposed to be closed year-round between the hours of 12:00 AM and 5:00 AM.

The nighttime closing is proposed to be accomplished with barriers consisting of a rope or chain attached to loops installed on the handrails at the entrances to the plaza. The barriers will be fully removed each morning and stored within the building in accordance with the zoning regulations.

### *Chairperson's Certification (ZR Section 37-73)*

Approval of the certification pursuant to ZR 37-73 (Kiosks and Open Air Cafes) is necessary due to the applicant's proposal to place kiosks near the center of the East Plaza and near the 34th Street entry to the West Plaza. The kiosks will promote public use and enjoyment of the public plaza areas. The kiosks will be provided in accordance with all requirements set forth in ZR Section 37-73. The kiosks are part of a general improvement plan for the East Plaza and West Plaza that includes increased planting areas and trees, increased seating and upgraded lighting and plaza finishes. Each kiosk would provide food or drink service or other activity that will draw the public into the space.

### *Chairperson's Certification (ZR Section 37-625)*

Approval of the certification pursuant to ZR Section 37-625 (Design Changes) is necessary with respect to the changes proposed to plaza areas. As outlined above, there are a number of significant upgrades being proposed with respect to frontage, planting, seating, and lighting. The Applicant is requesting that the CPC certify to the Department of Buildings (DOB), pursuant to ZR Section 37-625, that the proposed design changes result in these plazas being in greater conformance with the current standards of ZR Section 37-70 (Public Plazas).

### *Conclusion*

In conclusion, the proposed actions would allow for an expansion of the northern lobby of One Penn Plaza together with an extensive program of improvements to the public plaza areas and enhanced transit access to Penn Station. Approval of the proposed actions would provide physical, functional, and security improvements at the project site to benefit not only the tenants of One Penn Plaza but the surrounding neighborhood as well. Specifically, approval of the special permit, authorizations, and Chairperson's certifications would allow these improvements to be undertaken in a manner consistent with the requirements of the underlying zoning district. The proposed project would not result in any significant adverse zoning impacts on the project site.

*STUDY AREA*

The proposed actions are site-specific actions that would only affect the project site and would not affect zoning within the surrounding study area. The proposed project would be consistent with zoning in the surrounding area, and would not have a significant adverse impact on zoning in the study area.

**PUBLIC POLICY**

The proposed actions would only affect the project site and would be consistent with many goals of the applicable public policies described above under “Existing Conditions.” The proposed actions would allow for an expansion of the northern lobby of One Penn Plaza together with an extensive program of improvements to the public plaza areas and enhanced transit access to Penn Station. Approval of the proposed actions would provide physical, functional, aesthetic, and security improvements at the project site to benefit not only the tenants of One Penn Plaza but the surrounding neighborhood as well. The proposed actions would not result in any significant adverse public policy impacts to the project site or the surrounding study area. \*

## **A. INTRODUCTION**

This attachment assesses the potential impacts of the proposed actions on open space resources. Open space is defined in the 2014 *City Environmental Quality Review (CEQR) Technical Manual* as publicly accessible, publicly or privately owned land that is available for leisure, play, or sports or serves to protect or enhance the natural environment. An open space assessment should be conducted if a project would have a direct effect on open space such as eliminating or altering a public open space, or an indirect effect, such as when a substantial new population could place added demand on an area's open spaces.

As described in Attachment A, "Project Description," the proposed actions would facilitate the planned expansion of a lobby, reduction and improvements to public plaza areas, and enhanced transit access to Penn Station at the One Penn Plaza property (the "proposed project"). In accordance with *CEQR Technical Manual* guidelines, an open space assessment was conducted to determine whether the proposed actions would result in significant adverse open space impacts.

This assessment finds that the proposed actions would not result in significant adverse open space impacts.

## **B. METHODOLOGY**

As defined by the *CEQR Technical Manual*, public open space is accessible to the public on a constant and regular basis, including for designated daily periods. Public open space may be under government or private jurisdiction and typically includes city, state, and federal parkland, esplanades, and plazas designated through regulatory approvals such as zoning. Private open space is not publicly accessible or is available only to limited users. It is not available to the public on a regular or constant basis. Examples of private open space are natural areas with no public access, front and rear yards, rooftop recreational facilities, and stoops or landscaped grounds used by community facilities, such as public and private educational institutions, where the open space is accessible only to the institution-related population.

Open spaces can be characterized as either active or passive depending on the activities the space allows. In many cases open space may be used for both active and passive recreation. Open space that is used for sports, exercise, or active play is classified as "active open space," and consists primarily of recreational facilities. Passive open spaces are used for relaxation, such as sitting or strolling. Active and passive open spaces are further defined in Section C, "Existing Conditions."

## **DIRECT EFFECTS ANALYSIS**

According to the *CEQR Technical Manual*, a proposed project would directly affect open space if it causes the loss of public open space, changes the use of an open space so that it no longer serves the same user population, limits public access to an open space, or results in increased noise or air

## 1 Penn Plaza

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pollutant emissions, odor, or shadows that would temporarily or permanently affect the usefulness of a public open space.

Under the proposed actions, the lobby of One Penn Plaza would be expanded by 3,035 sf, which consists of construction within the entire footprint of the Northern Arcade (1,911 sf) and a portion of the North Plaza (1,124 sf). In addition, a new portico on the north side of the lobby expansion (1,405 sf) would further reduce the size of the North Plaza, and since the open area of the North Plaza east of the expanded lobby no longer qualifies as bonusable plaza, the North Plaza would be reduced by an additional 711 sf (for a total North Plaza reduction of 3,240 sf) (See **Figure C-1**).

In addition to the lobby expansion and related public plaza and arcade reductions, a significant component of the proposed project is to improve pedestrian circulation into the project site's public plazas and arcades and to increase public amenities including landscaping, seating, lighting, signage and finishes. The proposed project promotes public use and improved pedestrian circulation throughout the public plaza spaces to the extent possible given the constraints from initial construction in 1972. Widened access, a focus on engagement with the sidewalk frontage, and an increase in the number of accessible entry points will improve both physical and visual access to encourage increased utilization and enliven the plazas. These areas would maintain their existing size (with the exception of the North Plaza, Northern Arcade, West Plaza, and Southern Arcade) and when paired with proposed improvements, would become more attractive and inviting public spaces.

As described in Attachment A – “Project Description,” the proposed lobby expansion and other improvements would result in a total reduction of 5,430 sf of publicly accessible open space from the project site, as follows:

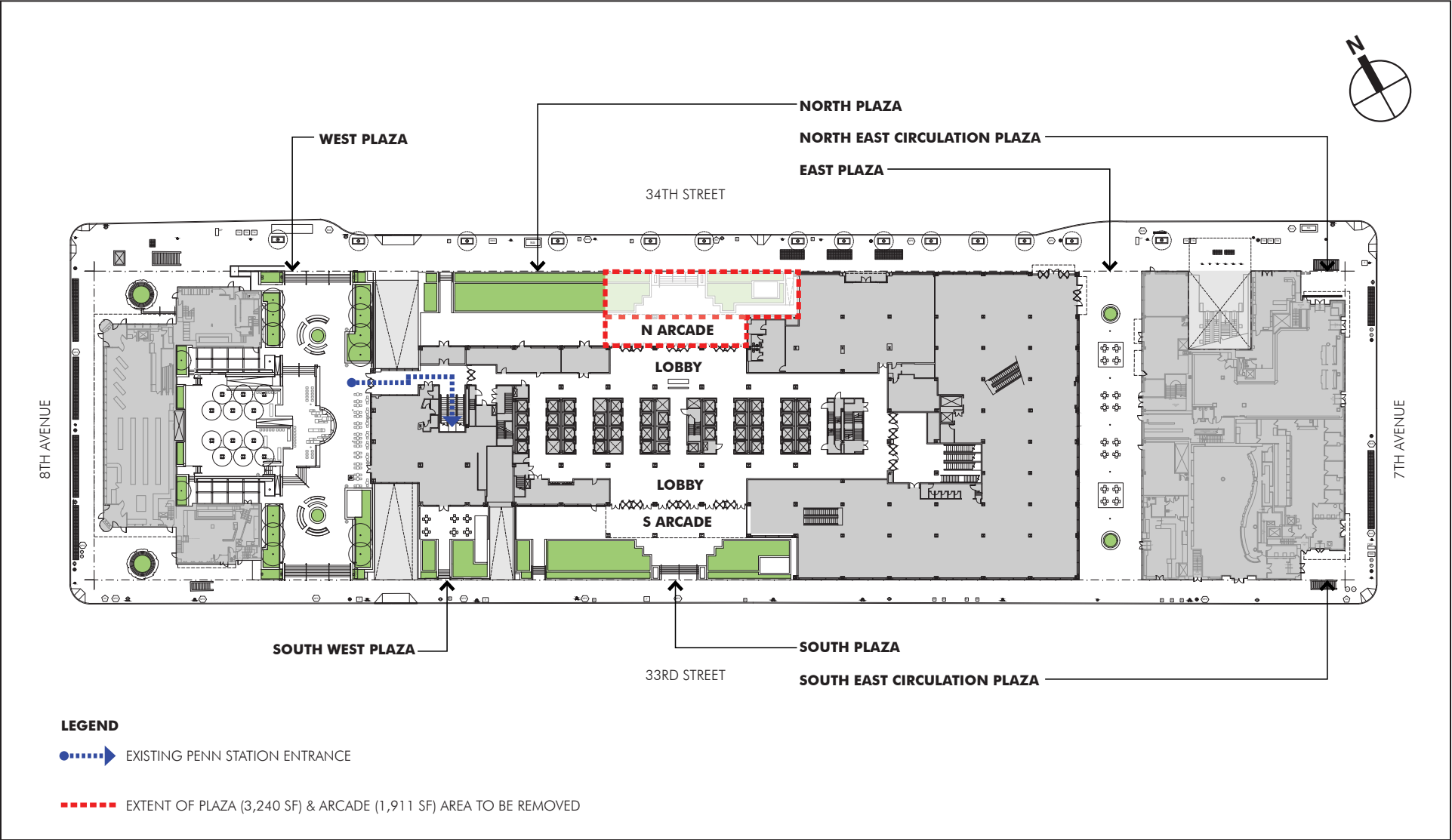
- 3,240 sf from the North Plaza;
- 1,911 sf from the Northern Arcade;
- 157 sf from the West Plaza;
- 21 sf from the Southwest Plaza; and
- 91 sf from the Southern Arcade.

According to the *CEQR Technical Manual* guidance on direct effects to open space, when the direct effect would be small and also result in improvements that create enhanced facilities (such as those described above), significant adverse impacts are unlikely and a full assessment may not be needed. However, due to the project site's location and user population, the proposed action's direct effect on the North Plaza and North Arcade would have an effect on open space ratios in the study area. Therefore, an assessment of indirect effects resulting from the lobby expansion is provided below.

### INDIRECT EFFECTS ANALYSIS

As described in the *CEQR Technical Manual*, open space can be indirectly affected by a proposed action if the project would add enough population, either residential or non-residential, to noticeably diminish the capacity of open space in the area to serve the future population. The project site is located in an area of Manhattan that is dominated by commercial, office, and hotel uses, with a major transit hub (Penn Station) providing public transportation options to area workers and tourists. Furthermore, the passive open spaces in this area of Manhattan are heavily utilized by a population that is non-residential in nature. For these reasons, the assessment of indirect effects focuses on the non-residential (worker) population. Typically, an assessment of indirect effects is conducted when a project would introduce more than 500 workers to an area;

Source: MadaS Architects + Mathews Nielsen Landscape Architects



1 PENN PLAZA

Lobby Expansion Area  
Figure C-1

however, the thresholds for assessment are slightly different for areas of the City that have been identified as either underserved or well-served by open space. For areas underserved by open space, the threshold for assessment is more than 125 workers, and for areas well-served by open space, the threshold for assessment is more than 750 workers. If a project is not located within an underserved or well-served area, an open space assessment should be conducted if that project would generate more than 500 employees. The project site is located within an area that is neither underserved nor well-served.

The proposed actions would facilitate the planned expansion of a lobby, reduction and improvements to public plaza areas, and enhanced transit access to Penn Station. The proposed actions would result in no change to the worker population of the project site or study area. However, as stated above, the proposed actions would reduce publicly accessible open space on the project site by approximately 5,420 sf, resulting in a slight decrease to the total open space acreage of the study area, creating an effect on open space ratios.

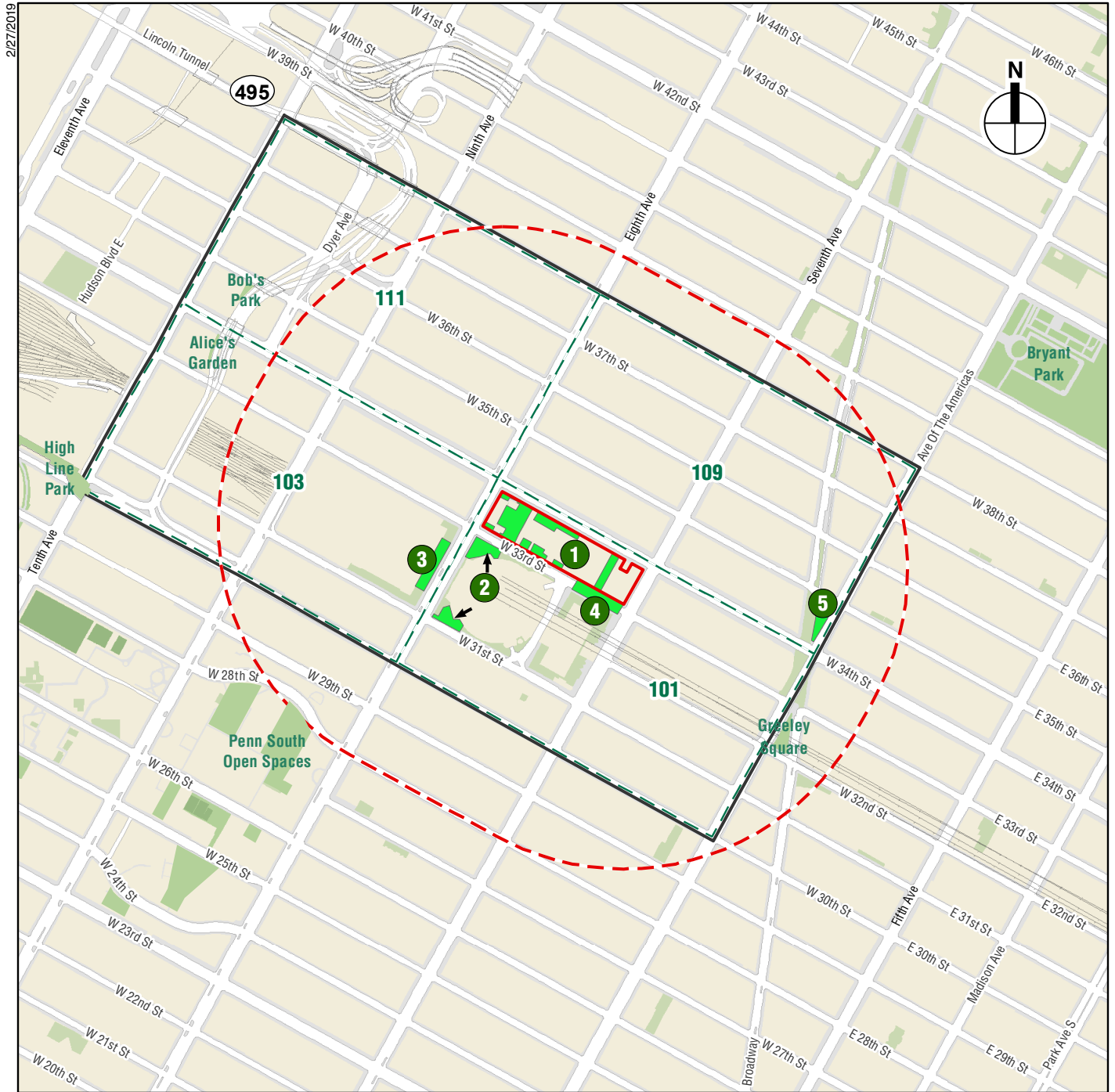
#### *STUDY AREA*

The *CEQR Technical Manual* recommends establishing a study area as the first step in an open space assessment. The study areas are based on the distances that respective users—workers and residents—are likely to walk to an open space. As stated above, the assessment of indirect effects focuses on the non-residential (worker) population of open space users. According to the *CEQR Technical Manual*, workers are assumed to walk approximately 10 minutes, or ¼-mile from their place of work to an open space. In accordance with this guidance, the adequacy of open space resources was assessed for the ¼-mile (worker) study area. This study area was adjusted to include all census tracts with at least 50 percent of their area within the ¼-mile boundary. In this way, the study area allows for analysis of both the open spaces in the area as well as population data. As shown on **Figure C-2**, the ¼-mile open space study area is defined as Census Tracts 101, 103, 109, and 111. The open space study area is generally bounded by West 34th Street to the north, Eighth Avenue to the west, Seventh Avenue to the east, and West 33rd Street to the south.

#### *INVENTORY OF OPEN SPACE RESOURCES AND ANALYSIS APPROACH*

Publicly accessible open spaces and recreational facilities were inventoried to determine their size, character, utilization, amenities, and condition. Open spaces that are not accessible to the general public or that do not offer usable recreational areas, such as spaces where seating is unavailable, were generally excluded from the survey. In accordance with the *CEQR Technical Manual*, publicly accessible open space is defined as facilities open to the public at designated hours on a regular basis and is assessed for impacts using both a quantitative and qualitative analysis, whereas private open space is not accessible to the general public on a regular basis and is considered qualitatively. Field surveys conducted in March 2018 and secondary sources, such as the New York City Department of Parks and Recreation (NYC Parks) and New York City Department of Informational Technology and Telecommunications (DoITT) Geographic information system (GIS) data, were used to determine the number, availability, and condition of publicly accessible open space resources in the study area.

Each open space was determined to be active or passive by the uses that the design of the space allows. Active open space is part of a facility used for active play such as sports or exercise and may include playground equipment, playing fields and courts, swimming pools, skating rinks, golf courses, lawns, and paved areas for active recreation. Passive open space is used for sitting, strolling, and relaxation, and typically contains benches, walkways, and picnicking areas.



Open Space Study Area and Resources  
Figure C-2

However, some passive spaces can be used for both passive and active recreation; a green lawn or a riverfront walkway, for example, can also be used for ball playing, jogging, or rollerblading.

With an inventory of available open space resources and potential users, the adequacy of open space in the study area can be assessed both quantitatively and qualitatively. The quantitative approach computes the ratio of open space acreage to the population in the study area and compares this ratio with certain guidelines. The qualitative assessment examines other factors that may affect conclusions about adequacy, including proximity to additional resources beyond the study area, the availability of private recreational facilities, and the demographic characteristics of the area's population. Specifically, the analysis in this attachment includes:

- Open space study area population. The non-residential population of the ¼-mile open space study area was compiled from ESRI Business Summaries based on study area census tracts.
- An inventory of all publicly accessible passive and active recreational facilities in the ¼-mile open space study area.
- An assessment of the quantitative ratio of open space in the ¼-mile study area, which is calculated by computing the ratio of open space acreage to the non-residential population in the study area and comparing this open space ratio with certain guidelines. Typically, for the assessment of both direct and indirect effects, citywide local norms have been calculated for comparison and analysis. For large-scale projects (and for planning purposes), the City also seeks to attain its planning goal of a balance of 80 percent active open space and 20 percent passive open space. For non-residential open space ratios, the goal is 0.15 acres of passive open space per 1,000 non-residents. These goals are often not feasible for many areas of the City and they do not constitute an impact threshold. Rather, it is a benchmark that represents how well an area is served by its open space.
- An evaluation of qualitative factors affecting open space use.
- A determination of the adequacy of open space in the non-residential ¼-mile open space study area in the existing condition, the No Action condition, and the With Action condition.
- An assessment of expected changes in future levels of open space supply and demand in the 2021 analysis year, based on other planned development projects within the open space study area. To estimate the non-residential population expected in the study area in the No Action condition, employment ratio assumptions were used for office uses (250 sf per employee), retail uses (400 sf per employee), retail uses with dining (333 sf per employee), residential uses (1 employee per 25 units), and hotel uses (1 employee per 3 rooms) expected to be completed within the study area by 2021. Any new open space or recreational facilities that are anticipated to be operational by the analysis year are also accounted for. Open space ratios are calculated for No Action and With Action conditions and compared to determine changes in future levels of adequacy.

### *IMPACT ASSESSMENT*

Impacts are based in part on how a project would change the open space ratios in the study areas as well as other qualitative considerations. According to the *CEQR Technical Manual*, a decrease in an open space ratio of 5 percent or more compared to the No Action condition is generally considered to be a significant adverse impact. If a study area exhibits a low open space ratio, indicating a shortfall of open space, smaller decreases in that ratio as a result of the action may constitute significant adverse impacts. In addition to the quantitative factors cited above, the *CEQR Technical Manual* also recommends consideration of qualitative factors in assessing the

potential for open space impacts. These include the availability of nearby destination resources, the beneficial effects of new open space resources provided by a project, and the comparison of projected open space ratios with established City guidelines. As noted above, it is recognized that the open space ratios of the City guidelines presented are not feasible for many areas of the City, and they are not considered impact thresholds on their own. Rather, these are benchmarks that indicate how well an area is served by open space. When assessing the effects of a change in the open space ratio, the assessment should consider the balance of passive and active open space resources appropriate to support the affected population and the condition of existing open spaces within the study area. Determinations as to what constitutes a significant adverse open space impact are not based solely on the results of the quantitative assessment. Qualitative considerations such as the distribution of open space, whether an area is considered “well-served” or “underserved” by open space, the distance to regional parks, the connectivity of open space, and any additional open space provided by the proposed project, should be considered in a determination of significance.

## C. EXISTING CONDITIONS

### NON-RESIDENTIAL (¼-MILE) STUDY AREA POPULATION

As shown in **Table C-1**, the open space study area has a non-residential (or worker) population of approximately 135,508.

**Table C-1**  
**Study Area Worker Population**

Census Tract	Non-Residential Population
101	39,313
103	24,233
109	57,031
111	14,931
<b>Non-Residential Study Area Total</b>	<b>135,508</b>
<b>Note:</b> See <b>Figure C-2</b> for a map of census tracks included in the study area. <b>Source:</b> U.S. Census Bureau, 2012–2016 ACS Five-Year Estimates	

### STUDY AREA OPEN SPACE INVENTORY

As shown in **Table C-2** and **Figure C-2**, the non-residential study area contains a total of approximately 2.55 acres of publicly accessible open space. The five open space resources consists of a public park, three privately owned public spaces (POPS), and a series of publicly utilized ornate steps in front of the James A. Farley Post Office building. The 2.55 acres of publicly accessible open space in the study area is entirely made up of passive space.

Table C-2

## Inventory of Publicly Accessible Open Space in the Non-Residential Study Area

Map No.	Name	Location	Owner/Agency	Amenities	Total Acres	Active Acres	Passive Acres	Condition	Utilization
1	One Penn Plaza POPS	Between West 33rd and 34th Streets and Seventh and Eighth Avenues	KORPENN LLC	Outdoor seating (steps, plant beds)	1.24	0.00	1.24	Good	Moderate
2	Madison Square Garden POPS	East side of Eighth Avenue between West 31st and West 33rd Streets	Madison Square Garden Corp.	POPS signage, upgraded paving, public circulation and gathering space	0.41	0.00	0.41	Good	High
3	James A. Farley Post Office Building Steps	West side of Eighth Avenue between West 31st and West 33rd Streets	New York State Urban Development Corporation	Ornate steps utilized by the public for seating and respite	0.33	0.00	0.33	Good	Low
4	Plaza 33	Eastern extent of West 33rd Street between Seventh and Eighth Avenues	New York City Department of Transportation	Outdoor seating and gathering space, plantings	0.41	0.00	0.41	Good	High
5	Herald Square	Between Broadway and Sixth Avenue and West 34th and West 35th Streets	NYC Parks	Public Restroom, refreshment stand, statue, tables, and chairs	0.21	0.00	0.21	Excellent	High
<b>Totals</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>2.60</b>	<b>0.00</b>	<b>2.60</b>	<b>N/A</b>	<b>N/A</b>

**Notes:**See **Figure C-2** for a map of open space resources.

Total may not sum due to rounding.

**Sources:**

NYC Parks; Field Surveys, March 2017; MapPLUTO;

The largest open space resource in the study area is found on the project site (One Penn Plaza), totaling approximately 1.24 acres of open space, of which all is characterized as passive space. Major features include various outdoor seating areas, some of which are raised and some of which are adjacent to stores and restaurants. The One Penn Plaza open spaces are in good condition and experiences moderate usage.

The second largest open space resource in the study area is the Madison Square Garden POPS, which is also an entirely passive open space and consists of two separate circulation plazas totaling 0.41 acres (approximately 18,000 sf) along the east side of Eighth Avenue between West 31st and 33rd Streets – specifically the northeast corner of Eighth Avenue and West 31st Street and the southeast corner of Eighth Avenue and West 33rd Street. These circulation plazas are adjacent to access points for Penn Station and Madison Square Garden. The Madison Square Garden POPS are in good condition and experiences high usage.

The James A. Farley Post Office building contains 0.33 acres of passive open space which is found in the form of its front steps located on Eighth Avenue between West 31st and 33rd Streets. These steps are often utilized for seating purposes by workers in the area for lunch hour recreation and respite, are in good condition, and experience low use level (See **Figure C-3**).

Plaza 33 provides approximately 0.41 acres (approximately 18,000 sf) of public plaza located at the eastern extent of West 33rd Street between Seventh and Eighth avenues, where it intersects with Seventh Avenue. This space was created through coordination among Vornado Realty Trust and the New York City Department of Transportation (DOT). This portion of West 33rd Street is closed off to traffic year-round and allows for pedestrian access from Seventh Avenue to the east side of Madison Square Garden. The plaza includes seating areas and event space, plantings, and is frequented by food carts. It is managed by the 34th Street Partnership on behalf of DOT where they promote public use and enjoyment of the space with seasonal programming. According to information available online, the plaza has remained a year-round closure of this portion of West 33rd Street since at least 2016, and there are no known plans for DOT to reopen Plaza 33 to traffic<sup>1</sup>. Therefore, it is assumed that this open space resource will continue to exist through the 2021 analysis year for the proposed actions. Plaza 33 is in good condition and experiences high usage (See **Figure C-4**).

Herald Square is a New York City public park located between Broadway and Sixth Avenue and West 34th and 35th Streets. This 0.21 passive open space contains tables and chairs, as well as a public restroom and a refreshment stand. Herald Square is in excellent condition and experiences high usage.

A full list of these spaces and their amenities, condition, and utilization can be found in **Table C-2**.

## **ADEQUACY OF OPEN SPACES**

### *QUANTITATIVE CONSIDERATIONS*

The study area's passive open space ratio is 0.0192 acres per 1,000 non-residents, which does not meet the *CEQR Technical Manual* guidelines of 0.15 acres of passive open space per 1,000 non-residents (see **Table C-3**). However, as noted earlier, this guideline is often not feasible for many areas of the City and it does not constitute an impact threshold. Rather, it represents a benchmark that represents how well an area is served by its open space.

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<sup>1</sup> <https://nyc.streetsblog.org/2016/07/21/eyes-on-the-street-the-return-of-plaza-33-maybe-for-good/>





Table C-3

**Adequacy of Study Area Open Space Resources: Existing Conditions**

Existing Non-Residential Population	Open Space Acreage			Open Space Ratios per 1,000 Persons			City Open Space Guidelines		
	Total	Active	Passive	Total	Active	Passive	Total	Active	Passive
135,508	2.60	0.00	2.60	0.0192	0.00	0.0192	N/A	N/A	0.15

*QUALITATIVE CONSIDERATIONS*

There are several additional open space resources located within the study area or just outside of it that would be readily accessible to non-residents of the study area. These include open spaces within the Penn South Mutual Redevelopment Houses, which offer access to a playground, a basketball court, a small fenced recreation field, and some benches for seating. These open spaces are in good condition with moderate usage.

Greeley Square Park is another entirely passive open space located 0.3 miles from the project site between Broadway, Sixth Avenue, West 33rd Street, and West 32nd Street. Similar to Herald Square Park, this 0.14-acre resource is in excellent condition and experiences high usage. Amenities in the park include tables and chairs along with a public restroom and refreshment stand.

Alice's Garden is a small 0.05-acre community garden located on 34th Street between Dyer Street and Tenth Avenue. The space is run in cooperation between Hell's Kitchen Neighborhood Association (HKNA) and the Clinton Housing Development Company (CHDC), which maintains the community garden, paved pathway, and offers plots for individual gardeners. To access the garden a key must be purchased from Community Board 4 for \$2.

Bob's Park is a small 0.05-acre open space resource with 0.035 acres characterized as passive and 0.015 acres characterized as active. Located on West 35th Street between Dyer and Tenth Avenues, the park consists of a small playground with benches and seating areas and run is by Clinton Housing Development Group (CHDC). To access the park a key must be purchased from Community Board 4 for \$2.

Finally, just outside the study area towards the Hudson River is an entrance to the High Line Park. This 1.45-mile long park formed by a repurposed railroad viaduct is a popular destination for residents and tourists. The park offers many seating areas, plant beds, viewing areas, Wi-Fi hot spots, and public restrooms. High Line Park is in excellent condition and experiences high usage.

**D. FUTURE WITHOUT THE PROPOSED ACTIONS****STUDY AREA POPULATION**

No new workers would be added to the project site in the No Action condition as no new development would occur. However, there are six known development projects within the ¼-mile study area that are anticipated to add approximately 13,772 additional workers to the study area by 2021:

- An approximately 27,350-gsf commercial building planned for 263 West 34th Street (Block 784, Lot 8);
- An approximately 122,436-gsf hotel with approximately 300 rooms planned for 255 West 34th Street (Block 784, Lot 12);

- An approximately 12,207-gsf commercial building planned for 245 West 34th Street (Block 784, Lot 17);
- An approximately 1,688,591-gsf commercial building planned for 400 West 33rd Street (Block 729, Lot 60);
- An approximately 2,431,881-gsf mixed-use building including 844 dwelling units and 1,693,220 gsf of commercial space planned for 401 West 31st Street (Block 729, Lot 51); and
- An approximately 700,000-sf<sup>2</sup> adaptive reuse of the existing James A. Farley Post Office Building to accommodate a new transit center for Penn Station with related retail spaces (Block 755, Lot 40).

These planned developments would increase the total worker population of the study area in the No Action condition to 151,370. One of the study area's No Action development projects (401 West 31st Street) would add a total of 844 dwelling units. These units would result in 33.76 employees which were added to the non-residential population for the No Action condition.

## STUDY AREA OPEN SPACE RESOURCES

There are no changes expected to existing open space resources in the study area by 2021 in the No Action condition. However, the interior of the James A. Farley Building (located on Eighth Avenue between West 31st and West 33rd Streets) is currently undergoing an adaptive re-use in efforts to transform the post office into expanded transit facility. This adaptive re-use would not affect the ornate steps of the Farley Building.

## ASSESSMENT OF OPEN SPACE ADEQUACY

As shown below in **Table C-4**, in the No Action condition, the total open space ratio is projected to be 0.0172 acres per 1,000 non-residents. Similar to existing conditions, the passive open space ratio would continue to be below the City's guidelines.

**Table C-4**  
**Adequacy of Study Area Open Space Resources: No Action Condition**

2021 Non-Residential Population	Open Space Acreage			Open Space Ratios per 1,000 Persons			City Open Space Guidelines		
	Total	Active	Passive	Total	Active	Passive	Total	Active	Passive
151,370	2.60	0.00	2.60	0.0172	0.000	0.0172	N/A	N/A	0.15

## E. FUTURE WITH THE PROPOSED ACTIONS

### STUDY AREA POPULATION

The proposed actions would result in no change to the number of non-residents on the project site. Therefore, the With Action condition would result in the same non-residential (worker) population as the No Action condition (151,370 workers).

<sup>2</sup> <https://esd.ny.gov/moynihan-station-development-corporation-subsidiary>

## STUDY AREA OPEN SPACE RESOURCES

The proposed actions would result in the reduction in the amount of passive open space in the study area. Specifically, the proposed lobby expansion on the project site would result in the removal of 0.124 acres (5,420 sf) of passive open space from the study area. As a result, the With Action condition would have 2.48 acres of passive open space in the study area compared to the existing/No Action passive open space total of 2.60 acres.

## ASSESSMENT OF OPEN SPACE ADEQUACY

As shown below in **Table C-5**, in the With Action condition the passive open space ratio is projected to decrease to 0.0164 acres per 1,000 non-residents. As in the No Action condition, the passive open space ratio would remain below the City guidelines of 0.15 acres of passive open space per 1,000 non-residents.

**Table C-5**  
**Adequacy of Study Area Open Space Resources: With Action Condition**

2021 Non-Residential Population	Open Space Acreage			Open Space Ratios per 1,000 Persons			City Open Space Guidelines		
	Total	Active	Passive	Total	Active	Passive	Total	Active	Passive
151,370	2.48	0.00	2.48	0.0164	0.000	0.0164	N/A	N/A	0.15

## DETERMINING IMPACT SIGNIFICANCE

According to the *CEQR Technical Manual*, if the decrease in the open space ratio approaches or exceeds 5 percent, it is generally considered a substantial change. However, the change in the open space ratio should be balanced against how well-served an area is with open space. If the study area exhibits a low open space ratio, even a small decrease may be substantial. Likewise, if the study area exhibits an open space ratio that approaches or exceeds the planning goal of 0.15 acres of passive space per 1,000 non-residents, a greater percentage of change in the ratio may be acceptable.

**Table C-6** shows the percentage change in open space ratio for the study area between the No Action condition and the With Action condition. Although the study area would have low open space ratios in both the No Action and With Action conditions, the small decrease in passive open space resulting from the proposed actions would not constitute a direct or indirect significant adverse impact. Many of the study area open space resources were observed to have moderate utilization and additional resources are located just outside the study area, including notable well maintained open spaces such as Greeley Square Park and the High Line. On the project site, the proposed actions would produce the same non-residential population as the No Action condition and this working population would still utilize the remaining public plaza and arcade spaces which will undergo functional and aesthetic improvements under the proposed actions, as previously discussed.

**Table C-6**  
**Future with the Proposed Actions: Open Space Ratio Summary**

Ratio	City Open Space Guideline	Open Space Ratios per 1,000 Persons		Percent Change (Future No Action to Future With Action)
		No Action	With Action	
Passive—Non-Residents	0.15	0.0172	0.0164	-4.65%

Though the passive open space ratio in the study area would be below the City's guidelines, the reduction in open space resulting from the proposed actions would result in a 4.76 percent decrease to this ratio, which falls below the *CEQR Technical Manual* threshold of a 5 percent reduction in an open space ratio to constitute a significant adverse impact. The project site is also not located in an area of Manhattan that is considered "underserved" by the City (The project site is located within an area that is neither underserved nor well-served). Furthermore, the predominately non-residential population of the study area and the project site would continue to have access to several additional open space resources such as Greeley Square Park, the High Line Park, and Penn South Mutual Redevelopment Housing open spaces near or within the study area that have not been included in the quantitative assessment. Therefore, the proposed actions would not result in any significant adverse impacts on open space resources. \*

## **A. INTRODUCTION**

This attachment considers the potential of the proposed actions to affect urban design and visual resources. The proposed actions would facilitate the planned expansion of a lobby, reduction and improvements to public plaza areas, and enhanced transit access to Penn Station at the One Penn Plaza property.

Under the 2014 *City Environmental Quality Review (CEQR) Technical Manual*, urban design is defined as the totality of components that may affect a pedestrian's experience of public space. These components include streets, buildings, visual resources, open spaces, natural resources, and wind. An urban design assessment under CEQR must consider whether and how a project may change the experience of a pedestrian in a project area. The *CEQR Technical Manual* guidelines recommend the preparation of a preliminary assessment of urban design and visual resources, followed by a detailed analysis, if warranted based on the conclusions of the preliminary assessment. The analysis provided below addresses urban design characteristics and visual resources for existing conditions and the future without and with the proposed project.

As described below, approval of the proposed actions would allow the applicant to construct aesthetic and functional improvements to the existing One Penn Plaza lobby and the public plaza areas located throughout the project site. The proposed project would be consistent with the urban design characteristics of the study area and would not affect any visual resources. The proposed improvements to public plaza areas would result in benefits to urban design conditions on the project site. As such, the proposed actions would not result in significant adverse impacts on urban design or visual resources, nor the pedestrian's experience of these characteristics. For these reasons, further analysis beyond the preliminary analysis provided below is not warranted.

## **B. METHODOLOGY**

Based on the *CEQR Technical Manual*, a preliminary assessment of urban design and visual resources is appropriate when there is the potential for a pedestrian to observe, from the street level, a physical alteration beyond that allowed by existing zoning. Examples include projects that permit the modification of yard, height, and setback requirements, and projects that result in an increase in built floor area beyond what would be allowed "as-of-right" or in the future without the proposed actions.

The proposed actions include a special permit, a zoning authorization, and two Chairperson's certifications to facilitate the planned expansion of a lobby, reduction and improvements to public plaza and arcade areas, improvements to public safety, and enhanced transit access to Penn Station at the One Penn Plaza property. These actions would allow for development of a project that includes physical alterations observable by pedestrians that are not permitted as-of-right. Therefore, the proposed project meets the threshold for a preliminary assessment of potential impacts to urban design and visual resources.

According to the *CEQR Technical Manual*, the study area for urban design is the area where the project may influence land use patterns and the built environment, and is generally consistent with that used for the land use analysis. For visual resources, the view corridors within the study area from which such resources are publicly viewable should be identified. Consistent with *CEQR* methodologies, the study area for the urban design and visual resources analysis has been defined as a 400-foot radius around the project site, consistent with the study area used for the analysis of land use, zoning, and public policy (see **Figure D-1**).

## C. EXISTING CONDITIONS

### URBAN DESIGN

#### *PROJECT SITE*

The project site (Block 783, Lots 1, 34, and 70) is bounded by Seventh Avenue, West 33rd Street, Eighth Avenue, and West 34th Street and occupied by three commercial buildings, associated public plaza/arcade areas, and underground parking. The single-story commercial building on Lot 34, fronting Seventh Avenue, contains a Duane Reade drug store and two restaurants. The single-story commercial building on Lot 1, fronting Eighth Avenue, contains numerous retail tenants including Bank of America and Modell's Sporting Goods. Access to the Long Island Railroad (LIRR) and New York City subway trains is also provided at this location. One Penn Plaza, a 55-story office tower with ground floor commercial uses, occupies the majority of the remaining central portion of the project site (Lot 70) and has a gross floor area of approximately 2,515,000 sf. Beneath One Penn Plaza is a parking garage with approximately 600 spaces, accessible from both West 33rd Street and West 34th Street. In total, the existing buildings on the project site accommodate approximately 34 retail tenants and 170 office tenants. In addition to the three buildings, the project site is currently improved with approximately 50,095 sf and 3,822 sf of outdoor plaza and arcade areas, respectively.

As discussed in Attachment A, "Project Description," the public plaza and arcade areas are defined as follows:

- North Plaza (8,880 sf): South side of West 34th Street between Seventh and Eighth Avenues; generally bounded by the West 34th Street sidewalk to the north, a ramp to a subterranean parking lot to the west, building retail space to the east, and the One Penn Plaza lobby and retail space to the south;
- Northern Arcade (1,911 sf): Arcade adjacent to the North Plaza that provides a transition from the North Plaza to the entry to the One Penn Plaza lobby from West 34th Street;
- South Plaza (5,978 sf): North side of West 33rd Street between Seventh and Eighth Avenues; generally bounded by the One Penn Plaza lobby and retail spaces to the north, the West 33rd Street sidewalk to the south, a ramp to the subterranean loading dock to the west, and One Penn Plaza retail space to the east.
- Southern Arcade (1,911 sf): Arcade adjacent to the South Plaza that provides a transition from the South Plaza to the entry to the One Penn Plaza lobby from West 33rd Street;
- East Plaza (7,900 sf): North/south oriented through-block plaza connecting West 33rd and West 34th Streets, generally bounded by the West 34th Street sidewalk to the north, One Penn Plaza retail space to the west, the one-story Seventh Avenue retail building to the east, and the West 33rd Street sidewalk to the south.



- West Plaza (24,109 sf): North/south oriented through-block plaza between the west end of One Penn Plaza and the one-story building at Eighth Avenue. The West Plaza for the purposes of this EAS includes the two small north and south corner circulation plazas along Eighth Avenue;
- Southwest Plaza (2,174 sf): North side of West 33rd Street, generally bounded by the One Penn Plaza building retail space to the north, the West 33rd Street sidewalk to the south, a ramp to the subterranean loading dock to the east, and a ramp to the subterranean parking lot the west;
- Northeast Seventh Avenue Plaza (527 sf): Circulation space at the corner of Seventh Avenue and West 34th Street; and
- Southeast Seventh Avenue Plaza (527 sf): Circulation space at the corner of Seventh Avenue and West 33rd Street.

The grade levels of the public plaza areas range from being at grade on the Seventh Avenue side of the block to substantially above grade within the West Plaza closest to Eighth Avenue and accessed by means of nine steps up at West 33rd Street (approximately 4.75 feet in height) and six steps up at West 34th Street (approximately 3 feet in height).

As shown in EAS Form Figures 5 through 23 (Existing Photographs), the existing public plaza and arcade space on the block, while expansive, is underutilized and disconnected from the public right of way. The primary reason for the underutilization is that the majority of the plazas are raised and separated from the sidewalk. This separation, coupled with a lack of amenities, serves to make many of these areas underutilized as passive open space for the pedestrian. Later alterations built wider and more extensive planters at the building's perimeter, which made the plazas less accessible and the lobby entrances and retail less visible and inviting.

The existing access point to Penn Station provided through the One Penn Plaza lobby lacks direct access to West 34th Street through the North Plaza. In addition, the visibility of the existing mass transit access from West 34th Street is limited by large existing planters on the North Plaza.

The East Plaza functions as a through block passage with retail on both sides. It also acts as a spillover space for events at Plaza 33. The East Plaza has movable seating and some low raised seating platforms. Two tree planters bookend this plaza on the north and south access points.

The West Plaza has the greatest grade change of all of the public plazas along West 33rd Street. It also has a higher raised platform in a central area that blocks visibility from the street. As described in Attachment A, "Project Description," and Attachment B, "Land Use, Zoning, and Public Policy," this condition poses significant safety and security challenges including frequent illegal and unpermitted uses. The requested zoning authorization pursuant to ZR Section 37-327 seeks to remedy this condition.

The Northeast Seventh Avenue Plaza and Southeast Seventh Avenue Plaza are both small spaces accommodating heavy pedestrian traffic to adjacent retail spaces and the subway below. These areas are heavily utilized during rush hours.

### *STUDY AREA*

This area of Manhattan has a regular north-south rectangular street grid consisting of streets and avenues, typically creating 200-foot by 800-foot blocks. Some of the blocks in this immediate area are superblocks, including the site of Madison Square Garden which is across West 33rd Street from the project site and the James A. Farley building immediately west of Madison Square Garden (across Eighth Avenue).

## 1 Penn Plaza

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The buildings in the study area were developed incrementally over time and do not present a cohesive urban form. They range from low-rise buildings of one or two stories, to taller buildings rising more than 30 stories. Building types vary substantially throughout the study area, and include office towers, large- and low-scale institutional structures, residential/hotel towers, low-rise residential buildings with ground-floor retail, and low-rise commercial buildings. Both the Madison Square Garden structure and the James A. Farley Building to its west are distinctly different from other buildings in the area, and are visible on adjacent streets and avenues. Each of these buildings dominates its superblock site and stands distinctly separate from the other major structures in the area. The landmarked James A. Farley building, located on the west side of Eighth Avenue (a wide street), is a building in the form of a Corinthian temple set upon a pedestal that creates its monumental steps. Two Penn Plaza, a 30-story office building, is located immediately to the east of Madison Square Garden and south of the project site.

The study area combines a mixture of ground-floor retail, office and institutional land uses, but very limited open space outside of the plazas provided at the project site. The adjacent portions of the Seventh Avenue and West 34th Street corridors are located within the Penn Center Subdistrict of the Special Midtown District. Multi-story vinyl signage and billboards have been erected above low-scale buildings and affixed to the sides of larger buildings within this subdistrict. Examples of signage in this area include the large digital display board in front of Two Penn Plaza for Madison Square Garden; and a number of other projecting and illuminated signs throughout the area.

The study area is very urban in character, with streets flanked by concrete sidewalks that are typically wider on the north-south avenues. In general, north-south avenues are major thoroughfares, and east-west streets are side streets, except for West 34th Street, which acts as a major east-west, two-way, river-to-river collector. The wider north-south avenues generally provide long view corridors, while the east-west side streets have shorter view corridors and narrower widths. The study area is fully urbanized and developed, and contains no notable natural features.

## VISUAL RESOURCES

### *PROJECT SITE*

As defined in the *CEQR Technical Manual*, “a visual resource is the connection from the public realm to significant natural or built features, including views of the waterfront, public parks, landmark structures or districts, otherwise distinct buildings or groups of buildings, or natural resources.” As described above, the project site consists of three commercial structures and surrounding public plaza space. There are no visual resources on the project site.

### *STUDY AREA*

The study area contains predominately commercial, office, and transportation uses with some residential, institutional, open space, and manufacturing uses interspersed throughout the area. Built conditions in the study area range from one-story buildings to large modern skyscrapers. Madison Square Garden, Two Penn Plaza, and Penn Station are located immediately south of the project site. The James A. Farley Post Office Building, which is listed on the State and National Register of Historic Places, is partially located within the study area, southwest of the project site and across Eighth Avenue from Madison Square Garden. The building was designed by McKim, Mead & White as a companion to Penn Station, which stood across the street (on the site currently partially occupied by Madison Square Garden) until 1963. The building was

constructed between 1910 and 1913, and originally only covered the eastern half of the block; an expansion in 1934 extended the building to Ninth Avenue.

## **D. FUTURE WITHOUT THE PROPOSED ACTIONS**

### **URBAN DESIGN AND VISUAL RESOURCES**

#### *PROJECT SITE*

While not all of the proposed actions would require full CPC approval (e.g. the Chairperson's Certifications), the collective and interdependent modifications to the project site being sought by the applicant would not be possible without CPC approval of the proposed special permit and authorization actions. For these reasons, absent the proposed actions, the project site is not expected to change from its existing condition by 2021.

#### *STUDY AREA*

As discussed in Attachment B, "Land Use, Zoning, and Public Policy," there are three planned as-of-right commercial development projects in the 400-foot study area that are expected to be completed by the 2021 analysis year:

- An approximately 27,350 gsf commercial building planned for 263 West 34th Street (Block 784, Lot 8);
- An approximately 122,436 gsf hotel with approximately 300 rooms planned for 255 West 34th Street (Block 784, Lot 12);
- An approximately 12,207 gsf commercial building planned for 245 West 34th Street (Block 784, Lot 17); and
- An approximately 700,000<sup>1</sup> sf adaptive reuse of the existing James A. Farley Post Office Building to accommodate a new transit center for Penn Station with related retail spaces (Block 755, Lot 40).

These developments would be consistent with the land uses and urban design characteristics of the study area, and would not affect any visual resources.

In addition, while not expected to be completed by the proposed project's 2021 analysis year and therefore not considered quantitatively in this EAS, it is worth noting that an application is expected to be filed in the near future with DCP for neighboring Two Penn Plaza. The application would involve a Chairperson's Certification to take approximately 15,598 square feet of open area that never generated a floor area bonus and have it de-designated as a "Public Plaza." This de-designation will enable the construction of a new monumental canopy across the east side of Two Penn Plaza. The canopy would be approximately 45-feet high, above which approximately 100,000 square feet of new office space would be constructed within a cantilevered building addition. The proposed enlargement will include an upgraded entrance to the train station, additional ground floor retail and an enhanced entry to the existing building.

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<sup>1</sup> <https://esd.ny.gov/moynihan-station-development-corporation-subsidiary>

## E. FUTURE WITH THE PROPOSED ACTIONS

### URBAN DESIGN

#### *PROJECT SITE*

Under the With Action condition, an expanded lobby for One Penn Plaza would be constructed over a portion of the public plaza and arcade area along the south side of West 34th Street (aka the North Plaza and Northern Arcade). The proposed lobby expansion totals approximately 3,035 gsf. In addition, approval of the proposed actions would facilitate aesthetic and functional improvements/modifications to the existing public plaza areas, resulting in adjusted hours of public accessibility (West Plaza and East Plaza); new public amenities including new kiosks, landscaping, seating, lighting, signage, and finishes; and enhanced transit access to Penn Station. All public plaza areas would maintain their existing size, with the exception of the North Plaza, Northern Arcade, West Plaza, and Southern Arcade.

The proposed project aims to improve the urban street wall along West 34th Street by creating a new 3,035 square foot expansion of the One Penn Plaza building lobby onto existing arcade and plaza areas. The lobby will be extended to within 15 feet of the street line, and the proposed 35-foot-tall, 90-foot-wide glass box will provide visual transparency and will better engage with the street. . As discussed in Attachment B, “Land Use, Zoning, and Public Policy,” the Applicant also plans to demolish approximately 6,892 sf of second and third floor slab areas on the north and south sides of the building, increasing the lobby height and increasing the height of the Southern Arcade from approximately 16 feet to approximately 30 feet. Increasing the height of the arcade and adjoining lobby will provide increased light and air at the building entry and greater visibility to the South Plaza (see **Figures D-2 and D-3**).

In addition to the lobby expansion and North Plaza reduction, a significant component of the proposed project is to improve pedestrian circulation into the project site’s public plazas and arcades and to increase public amenities including landscaping, seating, lighting, signage and finishes. The proposed project promotes public use and improved pedestrian circulation throughout the public plaza spaces to the extent possible given the constraints from initial construction in 1972. Widened access, a focus on engagement with the sidewalk frontage, and an increase in the number of accessible entry points will improve both physical and visual access to encourage increased utilization and enliven the plazas. The proposed design elements would not impede public circulation, visual or physical access within or between the public plazas during hours of public operation.

**Figures D-4 through D-12** depict the site plan and elevation drawings for each plaza area. **Figures D-13 through D-26** depict existing and proposed pedestrian scale views/renderings for each plaza area.

Throughout the project site, large planters currently located along the sidewalks will be removed and rebuilt to substantially increase the visibility of the access to the expanded lobby and existing ground floor retail uses to remain.

The requested nighttime closing of the West Plaza and East Plaza would be paired with proposed improvements that will make these more attractive and inviting public spaces. Improvements for the West Plaza include eliminating a raised section at its center to improve sightlines, changing tinted glass to clear glass at the restaurant on the eastern edge and adding a light canopy along the central north-south spine to draw people into the space. On the Eighth Avenue Circulation

**ZONING DATA**  
206 WEST 34TH STREET - PUBLIC PLAZA  
BLOCK: 783  
LOT: 1, 70, 34  
ZONING LOT AREA: 198,039 SF  
ZONING DISTRICT: C6-4 (C6-4)  
ZONING MAP: 60  
COUNCIL: MANHATTAN COMMUNITY BOARD DISTRICT 5  
YEAR BUILDING COMPLETED: 1972  
TOTAL FLOORS: 57

**ACTIONS**  
SPECIAL PERMIT PURSUANT TO SECTION 74-761  
(Elimination or reduction in size of bonused public amenities)

**ZONING CALCULATIONS**

ZONING CALCULATIONS 1972		PROPOSED/BUILT		COMMENTS
24 SECTION	REQUIRED/PERMITTED			
33-122 (2072)	MAX BASE PERMITTED	= 10,000	MAX BASE PROPOSED	= 10,000
	MAX PLAZA/ARCADE BONUS PERMITTED	= 2,000	MAX PLAZA/ARCADE	= 1,995
	TOTAL	= 12,000	TOTAL	= 11,995
	MAX BASE FA PERMITTED = 156,023 X 1.0	= 1,560,230 SF		
	MAX PLAZA/ARCADE BONUS PERMITTED = 156,023 X 2	= 312,046 SF		
	MAX TOTAL FA FOR ZONING LOT	= 1,872,276 SF		
FOR PROVIDED PLAZA/ARCADE				
PLAZA BONUS = 150,095.50 X 1.6		= 240,152.80 SF		
	ARCADE BONUS = 1,832.00 X 3	= 5,496.00 SF		
	TOTAL BONUS	= 245,648.80 SF		
MAX PERMITTED FA = 1,560,230 + 312,046		= 1,872,276 SF	TOTAL PROPOSED/BUILT FA	= 1,871,482 SF
				** INCLUDES BASE FA OF 1,560,230 SF & UTILIZED BONUS OF 311,252 SF
ZONING CALCULATIONS 2015				
MAX BASE PERMITTED = 156,023 X 1.12**		= 1,747,437.6 SF		
	MAX PLAZA/ARCADE BONUS PERMITTED = 156,023 X 2	= 312,046 SF		
	TOTAL MAX PERMITTED	= 2,059,483.60 SF		
FOR PROPOSED/PROVIDED PLAZA/ARCADE AFTER REDUCTION***				
PLAZA BONUS = 150,095.50 X 1.6		= 240,152.80 SF		
	ARCADE BONUS = 1,832.00 X 3	= 5,496.00 SF		
	TOTAL BONUS	= 245,648.80 SF		
MAX PERMITTED FA = 1,747,437.6 + 245,648.80		= 2,059,483.60 SF	TOTAL PROPOSED FA	= 1,867,435.04 SF
				*** SPECIAL PERMIT PURSUANT TO SECTION 74-76 OF ZONING LOT INFORMATION REGARDING THE SURROUNDING PROPERTIES AND EXISTING STRUCTURES IS FOR ILLUSTRATIVE PURPOSES ONLY.



**EXISTING PLAZA CALCULATIONS & EXISTING ARCADE CALCULATIONS**  
(REFERENCE KAHN + JACOBS, DCB NO. 485 OF 1968)

C6-4	
AREA	
(1) 52.45' x 33.75'	1,770.19 SF
(2) 52.45' x 33.75'	1,770.19 SF
(3) 10.00' x 54.50'	545.00 SF
(4) 10.00' x 54.50'	545.00 SF
(5) 99.50' x 54.50'	5,402.75 SF
(6) 197.50' x 16.00' (100')	3,160.00 SF
(7) 3.00' x 62.00'	186.00 SF
(8) 3.00' x 62.00'	186.00 SF
(9) 120.00' x 47.00'	5,640.00 SF
(10) 46.25' x 47.00'	2,173.75 SF
(11) 58.25' x 47.00'	2,737.75 SF
(12) 120.00' x 27.00'	3,240.00 SF
(13) 120.00' x 27.00'	3,240.00 SF
SUBTOTAL:	41,142.82 SF
C6-6	
AREA	
(14) 40.00' x 187.50'	7,500.00 SF
(15) 28.20' x 18.75'	527.54 SF
(16) 28.20' x 18.75'	527.54 SF
SUBTOTAL:	8,555.08 SF
PLAZA TOTAL:	49,697.90 SF

**EXISTING ARCADE CALCULATIONS**  
(REFERENCE KAHN + JACOBS, DCB NO. 485 OF 1968)

C6-4	
AREA	
(8) 91.00' x 21.00'	1,911.00 SF
(9) 91.00' x 21.00'	1,911.00 SF
ARCADE TOTAL:	3,822.00 SF

**PROPOSED PLAZA CALCULATIONS & PROPOSED ARCADE CALCULATIONS**

C6-4	
AREA	
(1) 52.45' x 33.75' - 18.88 SF	1,751.30 SF
(2) 52.45' x 33.75' - 18.88 SF	1,751.30 SF
(3) 10.00' x 54.50'	545.00 SF
(4) 10.00' x 54.50'	545.00 SF
(5) 99.50' x 54.50' - 119.31'	5,303.44 SF
(6) 197.50' x 16.00' (100')	3,160.00 SF
(7) 3.00' x 62.00'	186.00 SF
(8) 3.00' x 62.00'	186.00 SF
(9) 120.00' x 47.00'	5,640.00 SF
(10) 46.25' x 47.00'	2,173.75 SF
(11) 58.25' x 47.00'	2,737.75 SF
(12) 120.00' x 27.00'	3,240.00 SF
(13) 120.00' x 27.00'	3,240.00 SF
SUBTOTAL:	37,743.73 SF
C6-6	
AREA	
(14) 40.00' x 187.50'	7,500.00 SF
(15) 28.20' x 18.75'	527.54 SF
(16) 28.20' x 18.75'	527.54 SF
SUBTOTAL:	8,555.08 SF
PLAZA TOTAL:	46,298.81 SF

**PROPOSED ARCADE CALCULATIONS**

C6-4	
AREA	
(8) 91.00' x 20.00'	1,820.00 SF
ARCADE TOTAL:	1,820.00 SF

- LEGEND**
- BUILDING OUTLINE
  - PROPERTY LINE
  - PLAZA
  - ARCADE
  - AREA LINE
  - ZONING DISTRICT LINE

APPLICANT'S STAMP AND SEAL CORRESPONDS TO THE INFORMATION REGARDING THE DEVELOPMENT SITE AND ZONING LOT INFORMATION REGARDING THE SURROUNDING PROPERTIES AND EXISTING STRUCTURES IS FOR ILLUSTRATIVE PURPOSES ONLY.

8TH AVENUE

34TH STREET



7TH AVENUE

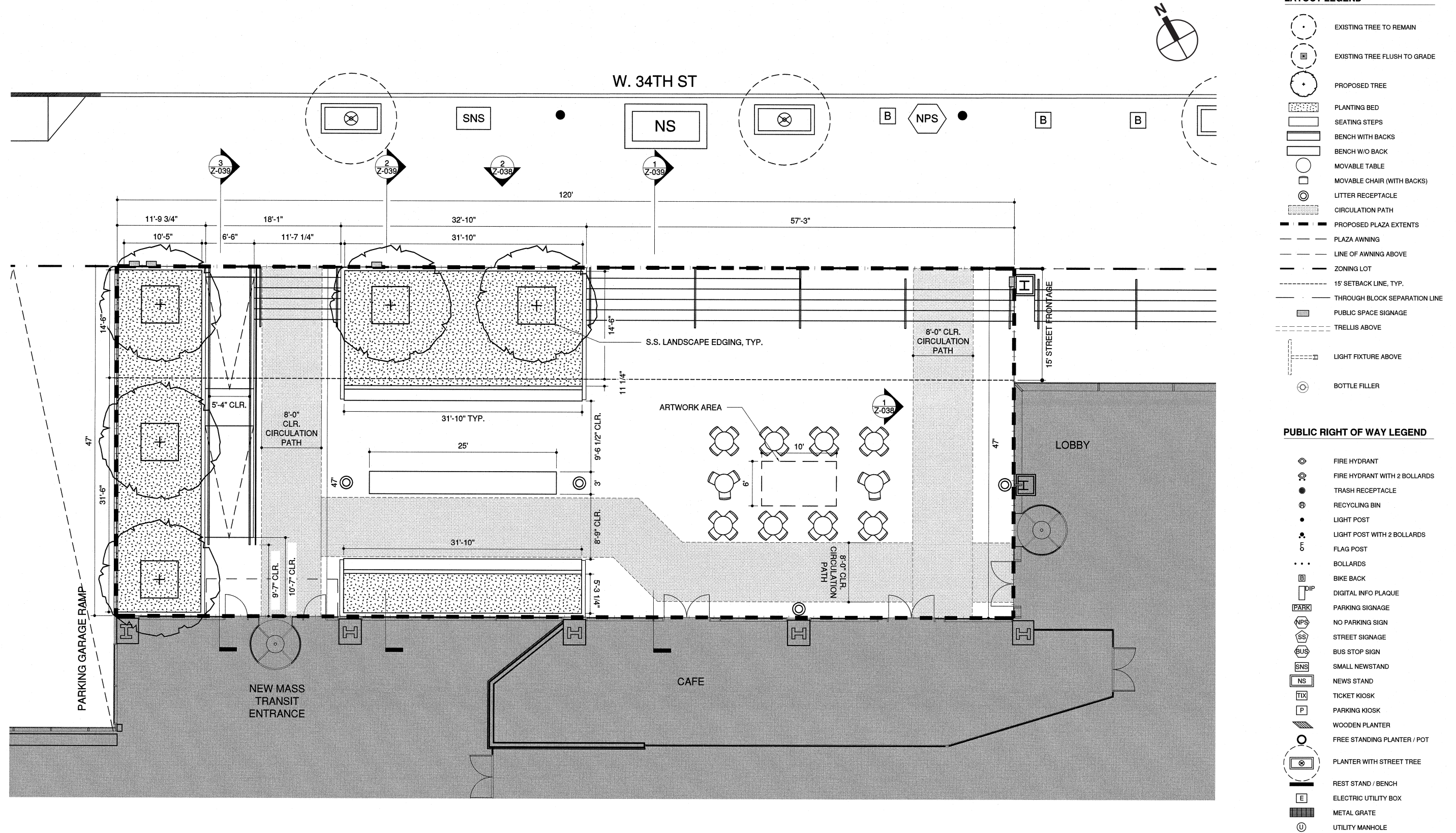
33RD STREET

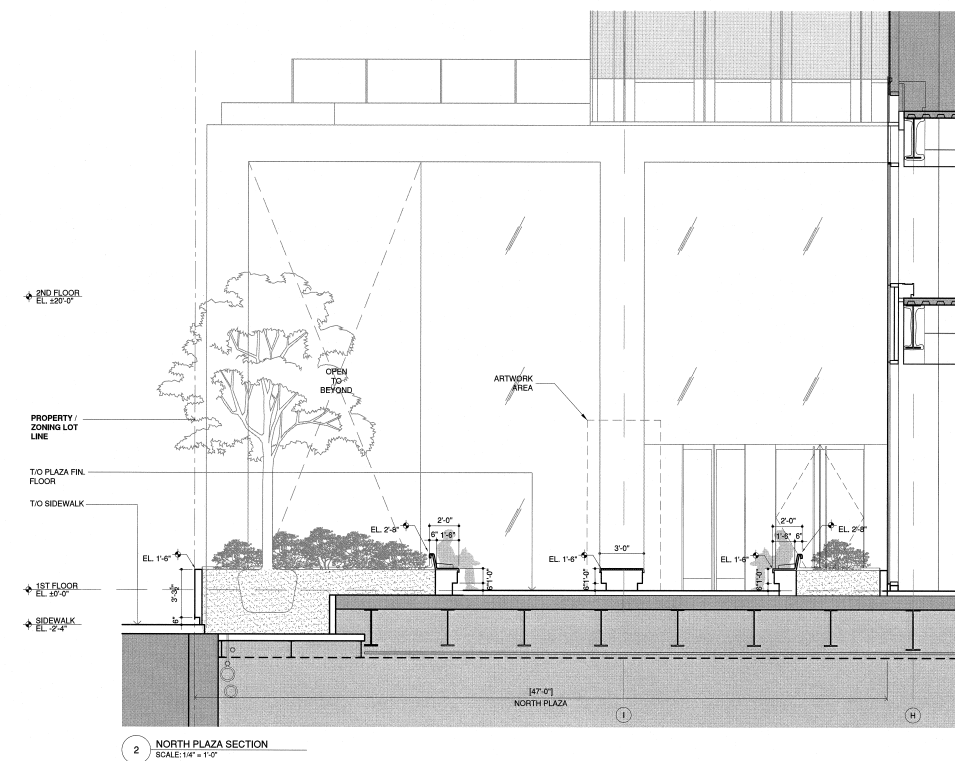
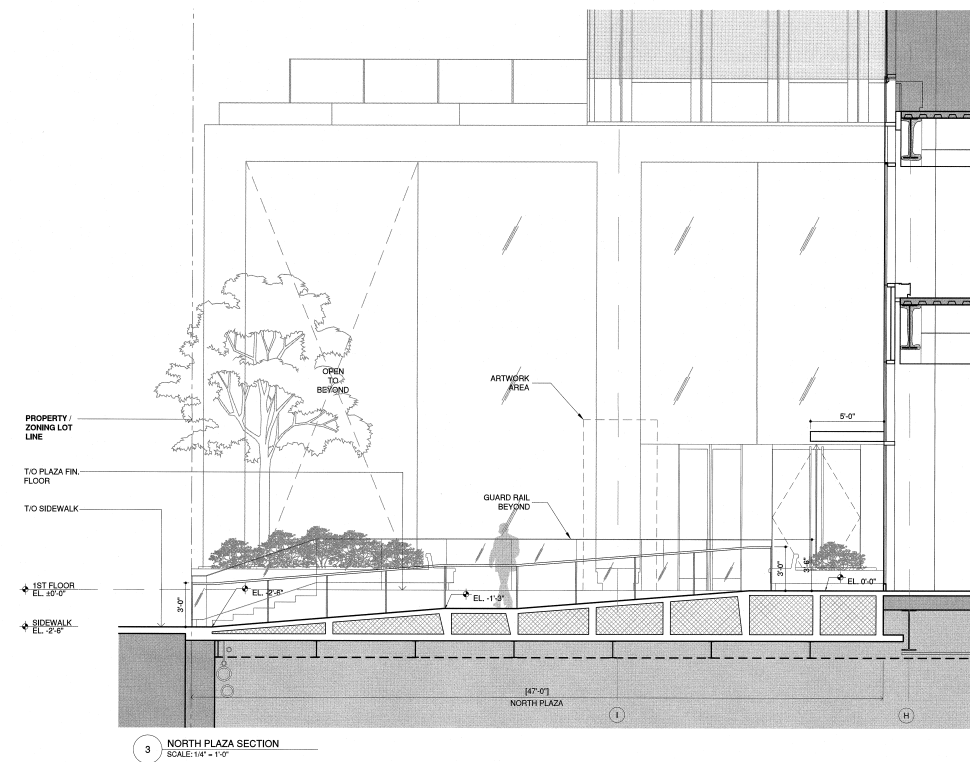
**LEGEND**

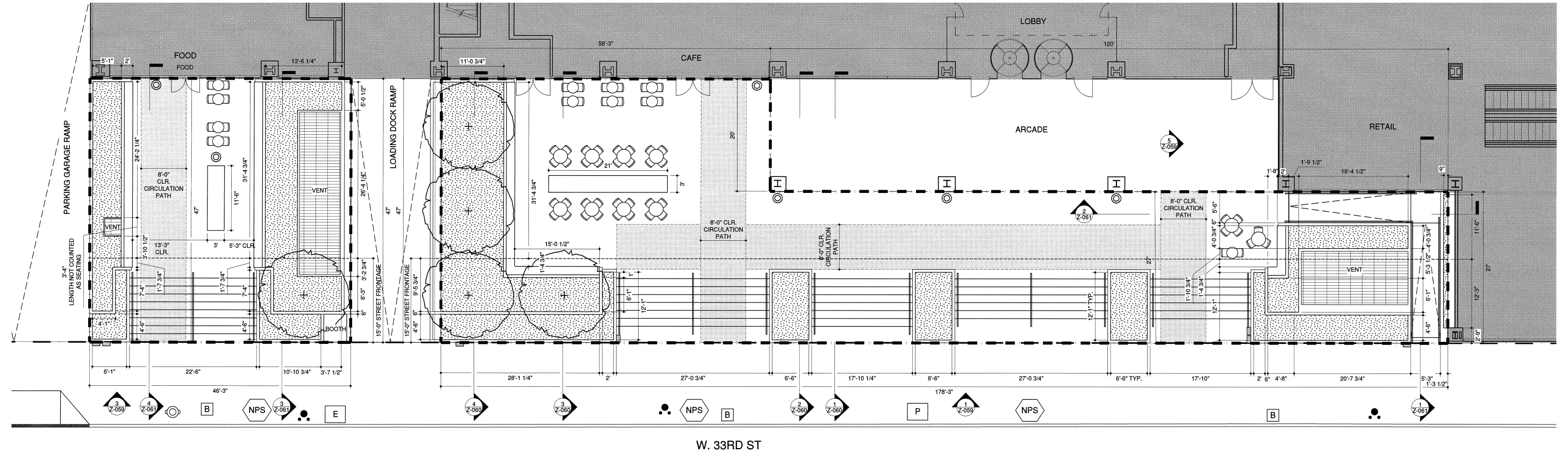
 1ST FLOOR - STORE REMOVED FOR NEW TRANSIT ENTRANCE

 2ND FLOOR REMOVAL

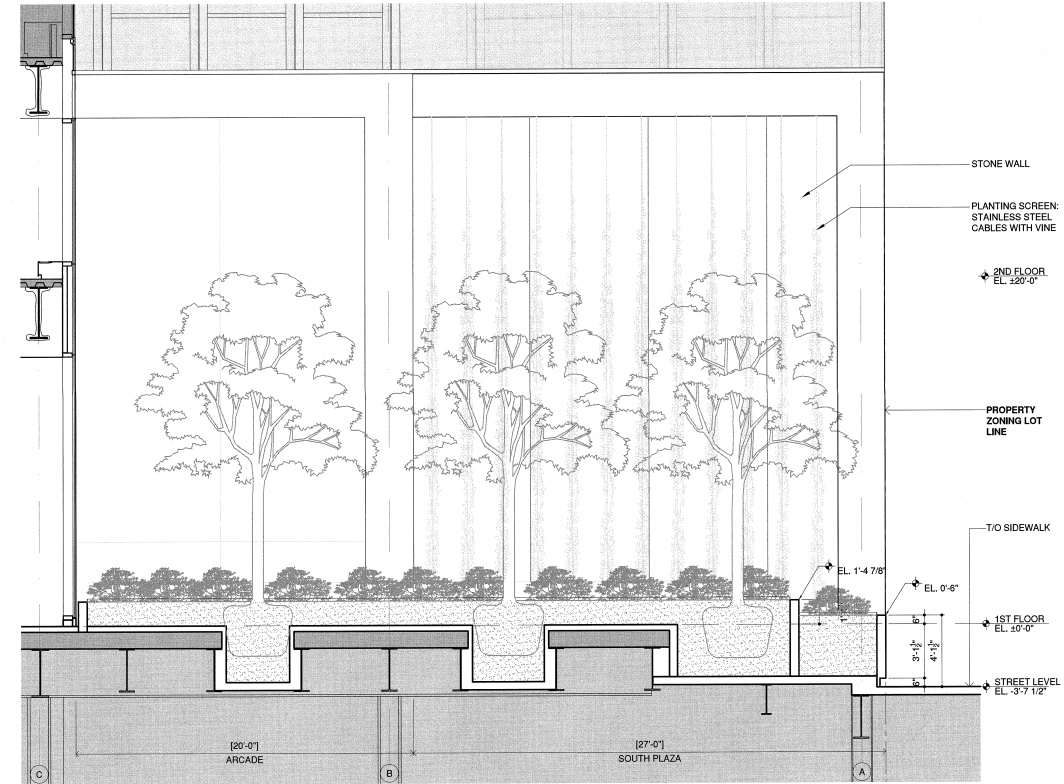
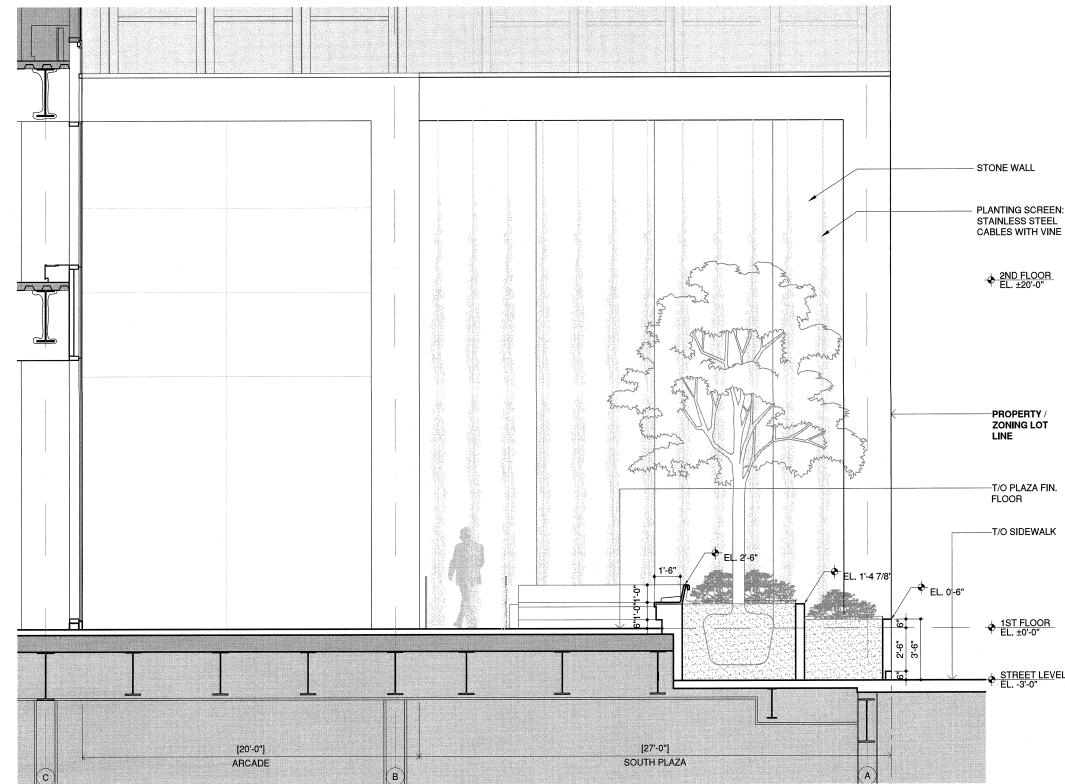
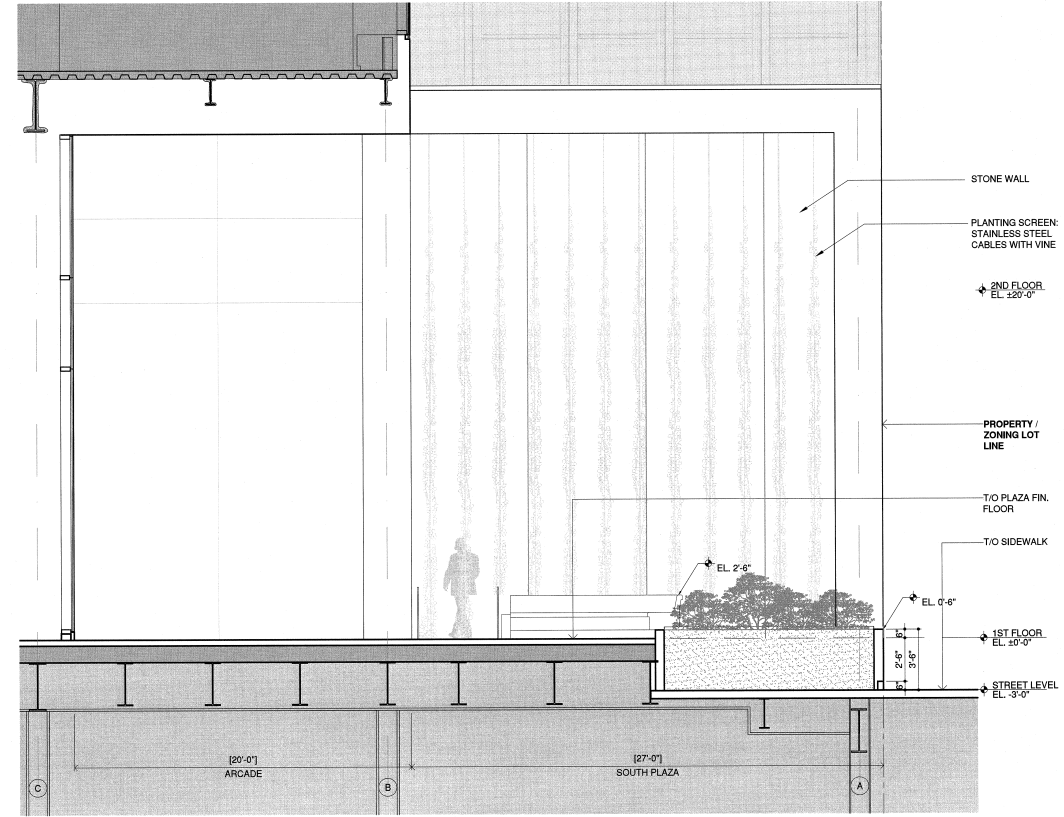
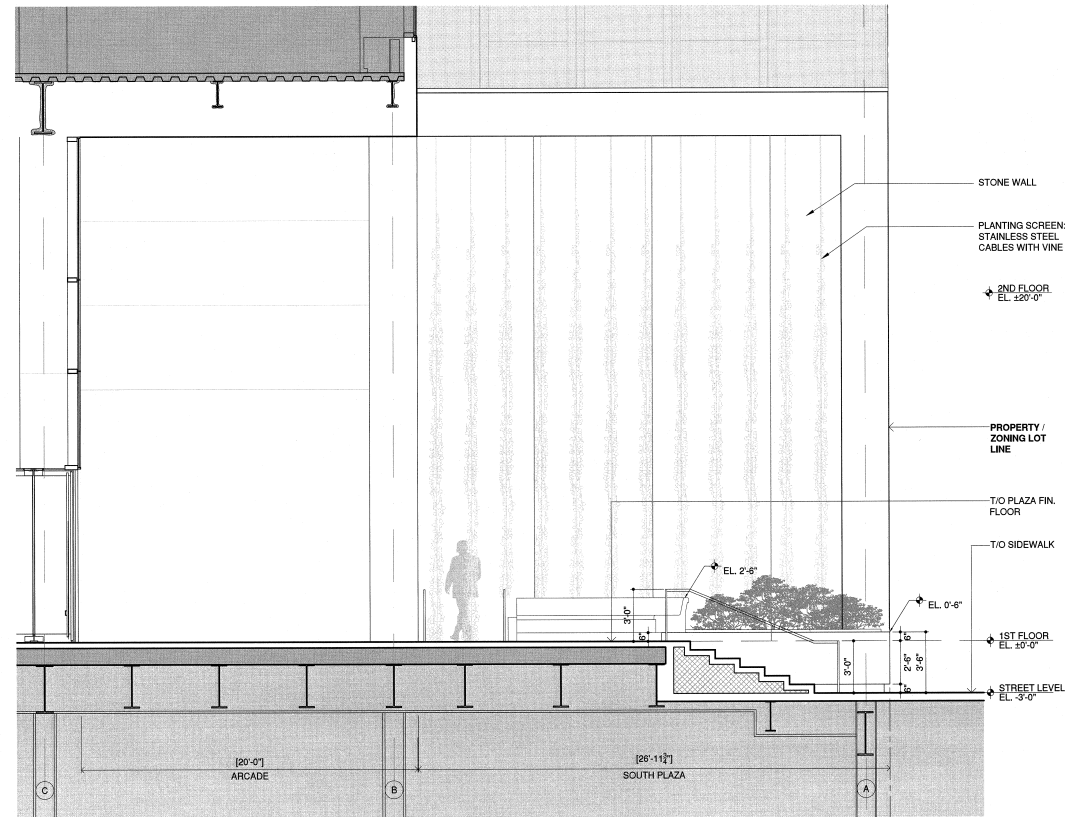
 3RD FLOOR REMOVAL



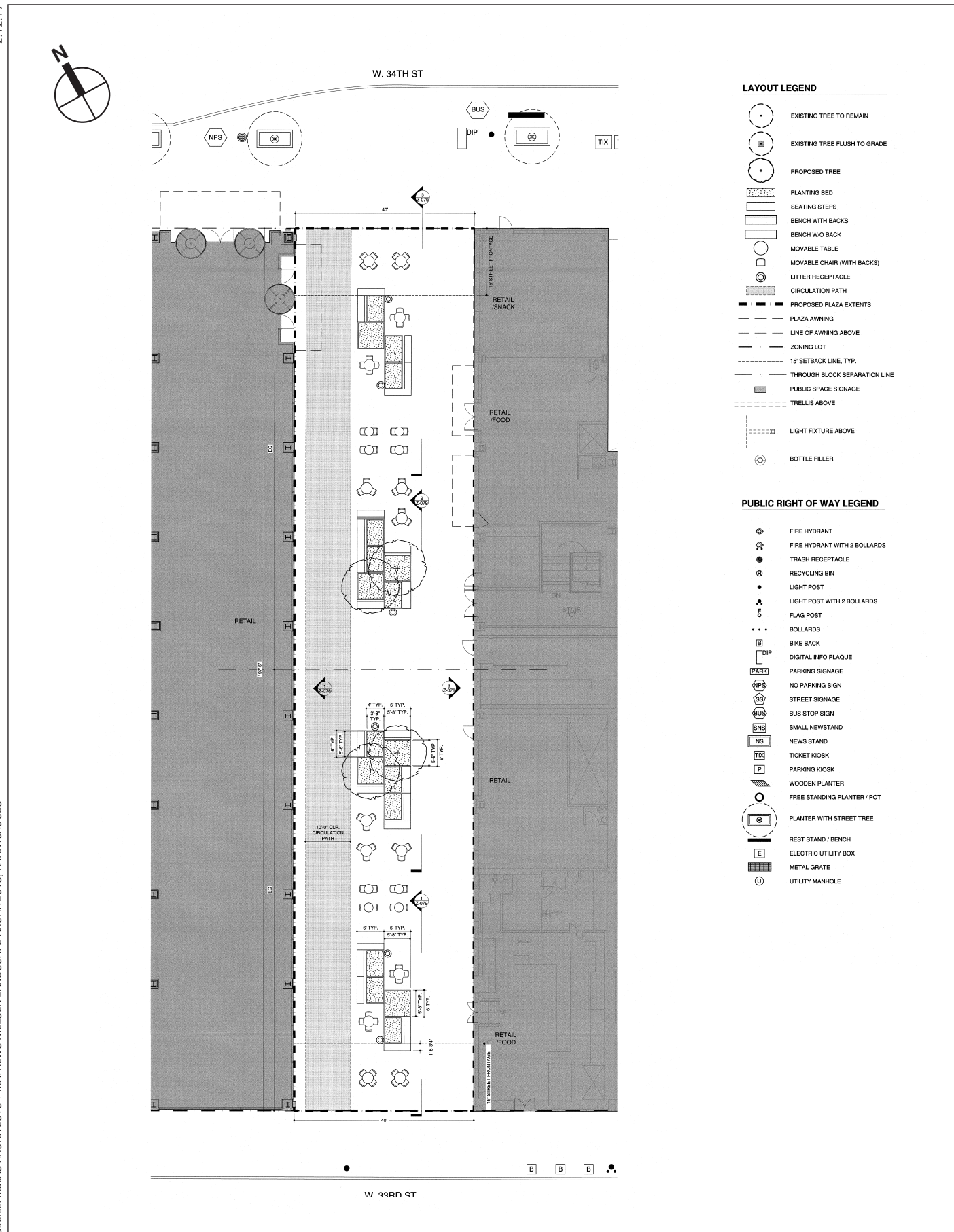




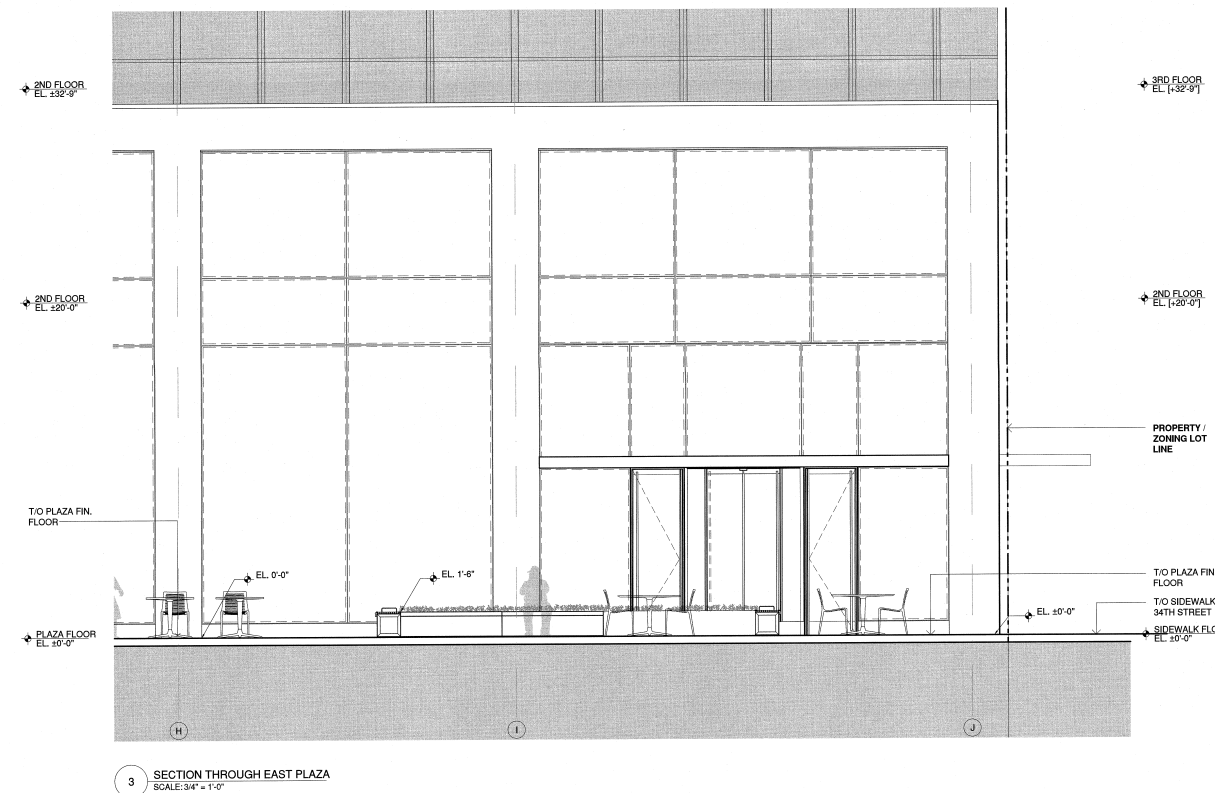
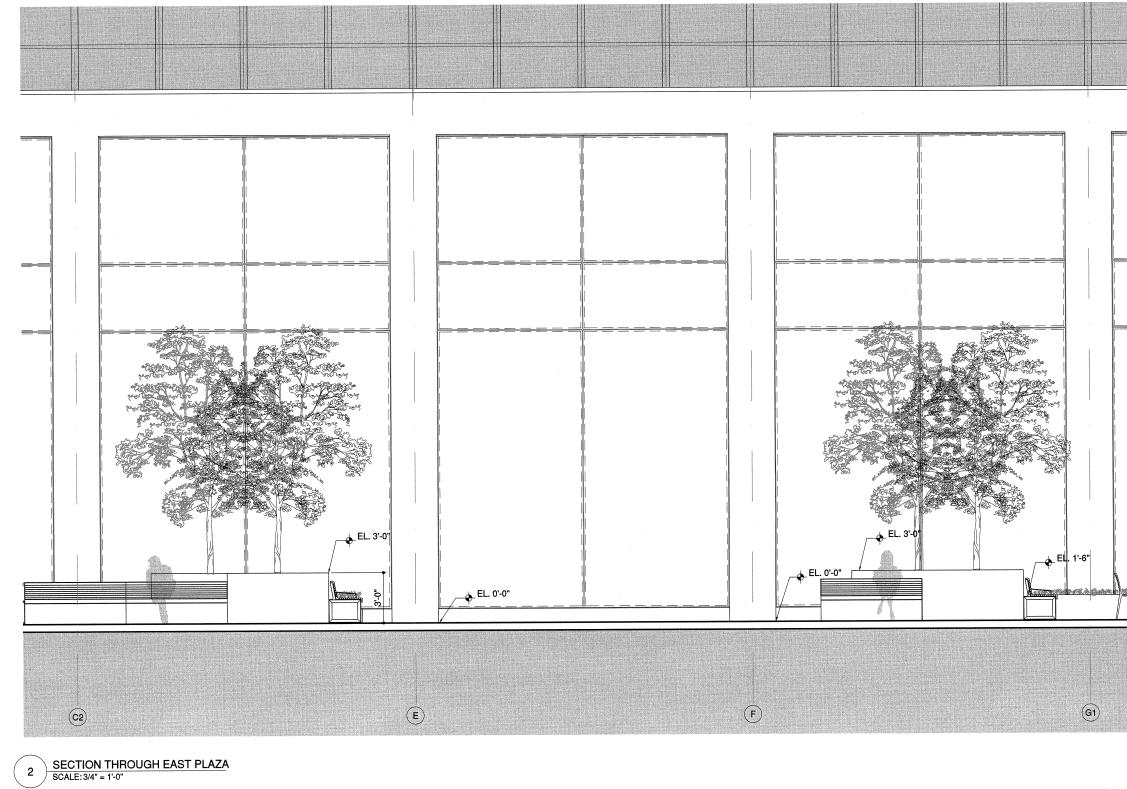
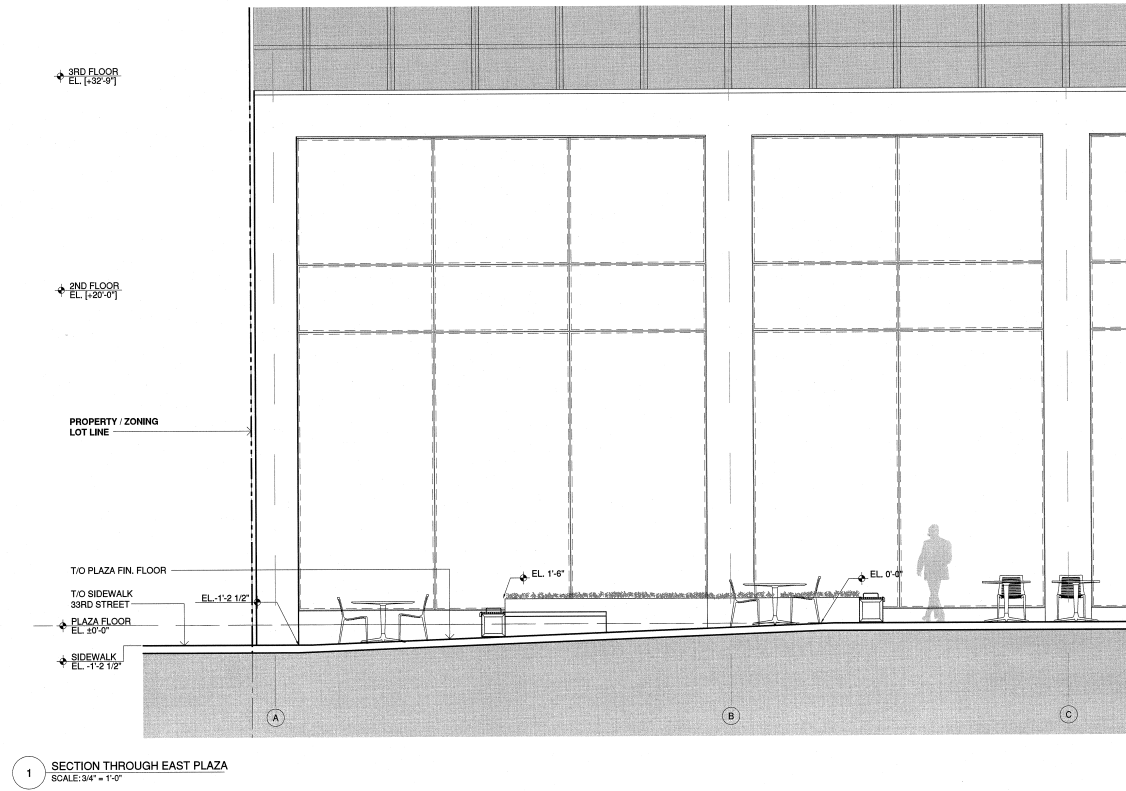
South and Southwest Plazas—  
Proposed Layout  
Figure D-6

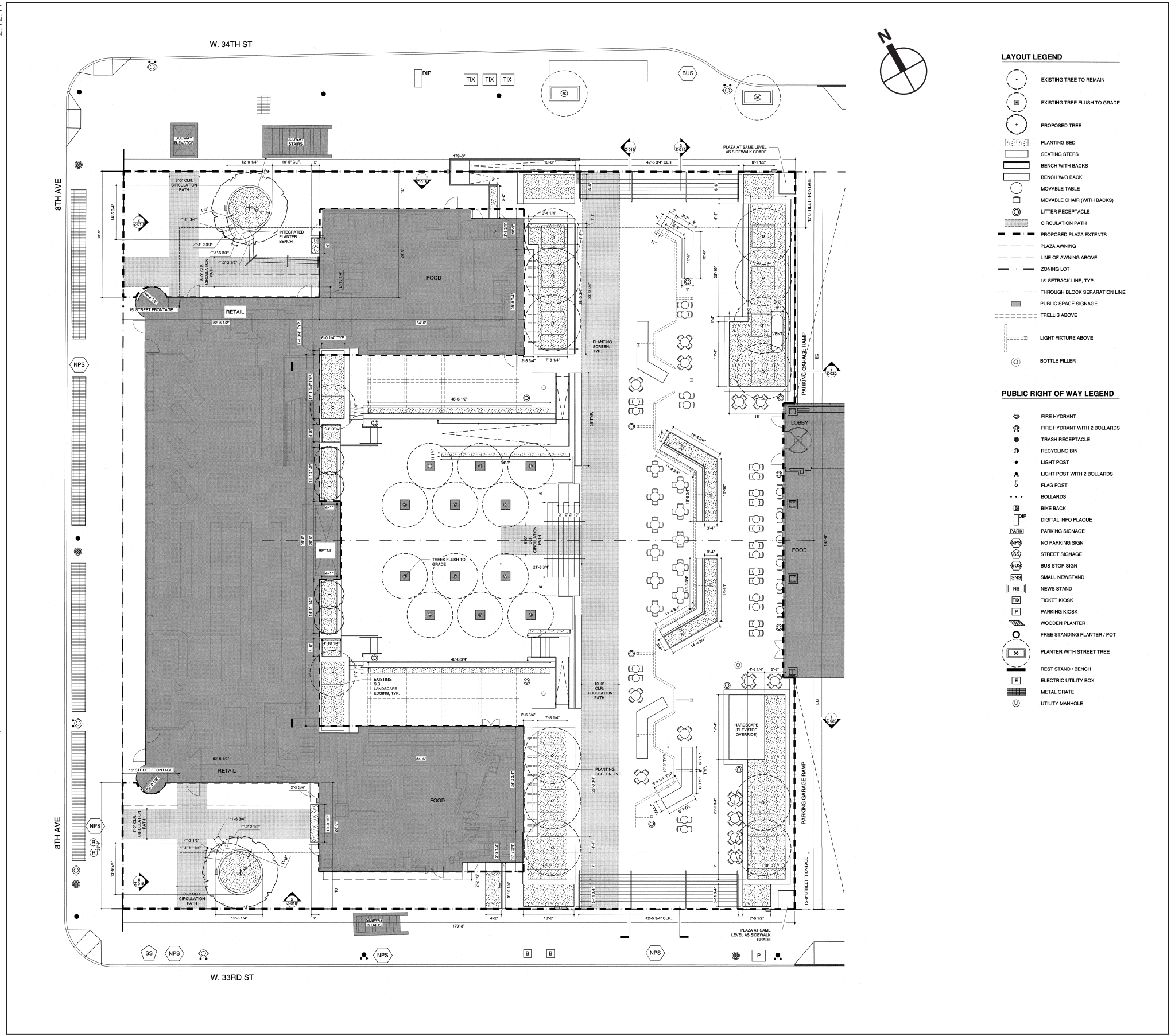


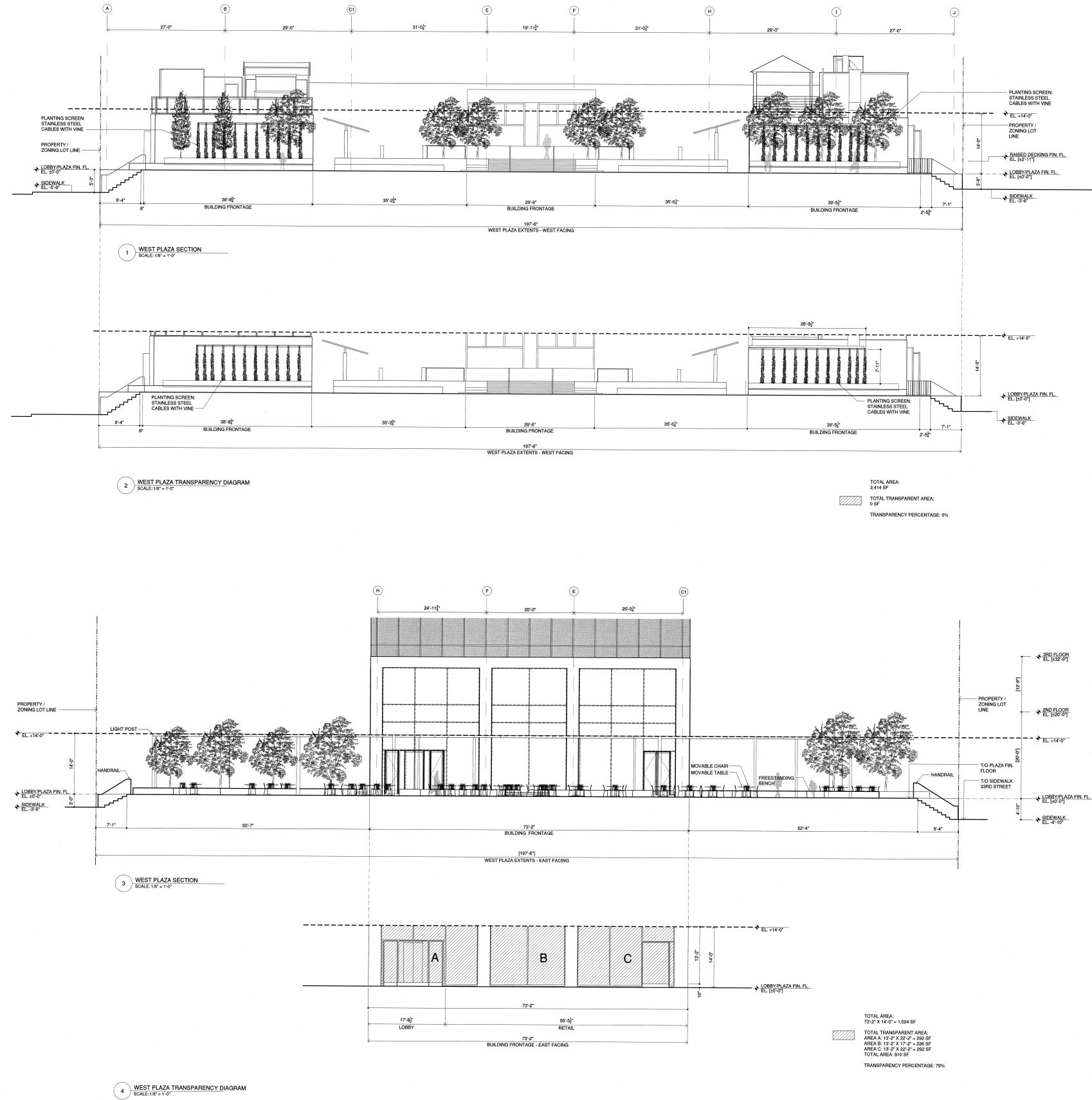
South and Southwest Plazas—  
Proposed Sections  
Figure D-7



East Plaza—Proposed Layout  
**Figure D-8**





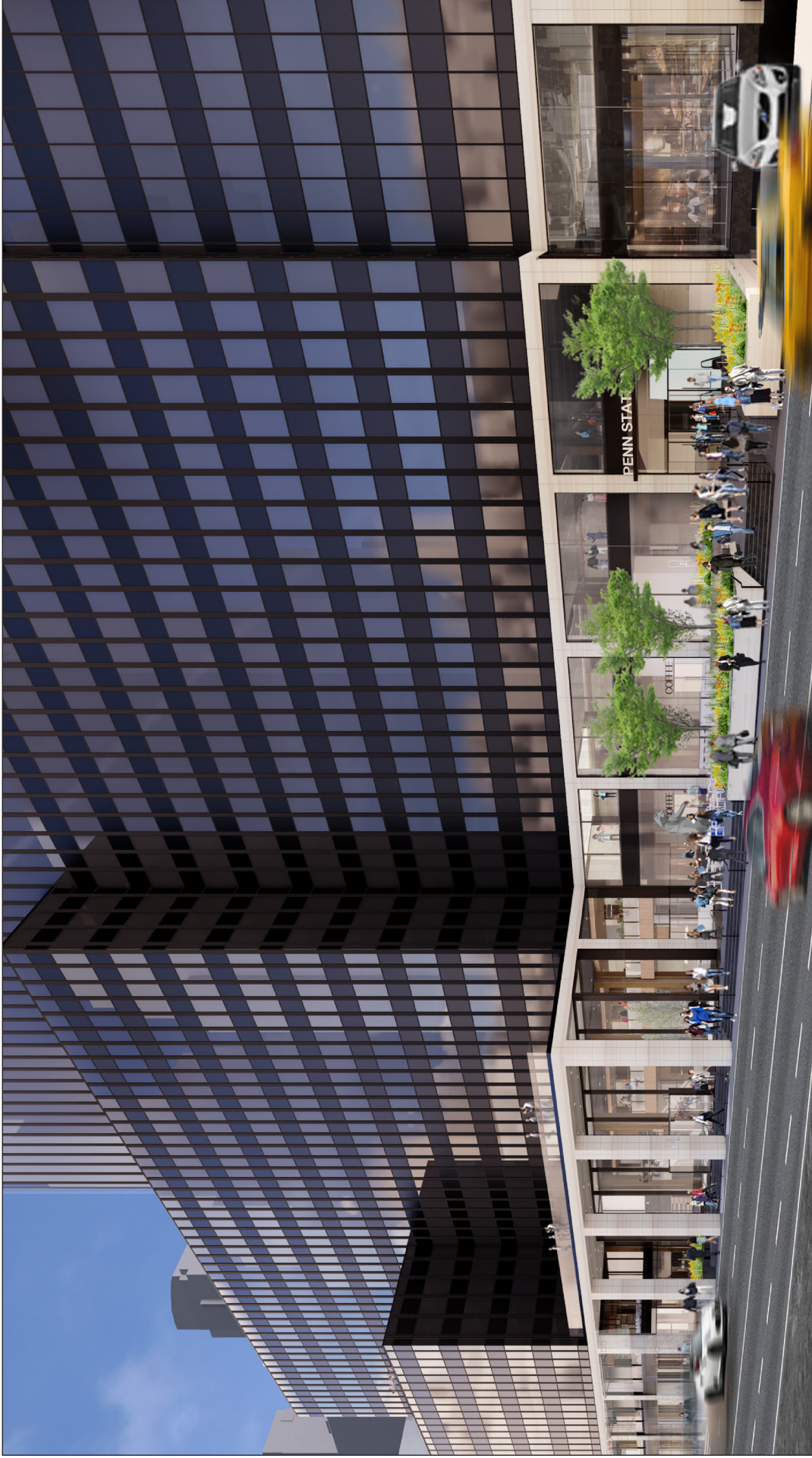


West Plaza—Proposed Sections  
Figure D-11



Northeast and Southeast  
Seventh Avenue Plazas—  
Proposed Layout  
**Figure D-12**

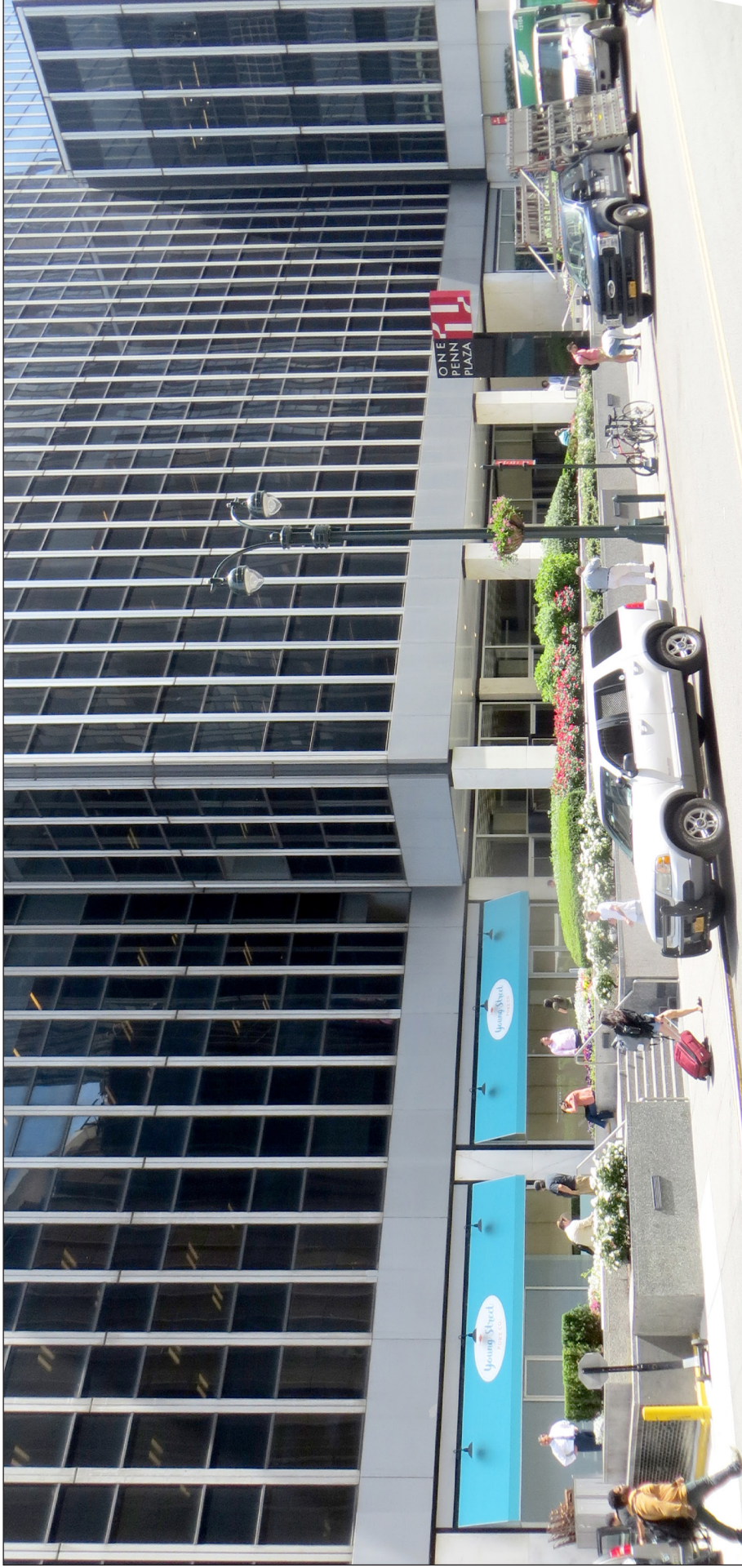








North Plaza—Proposed Rendering  
**Figure D-16**





South Plaza—Proposed Rendering  
**Figure D-18**

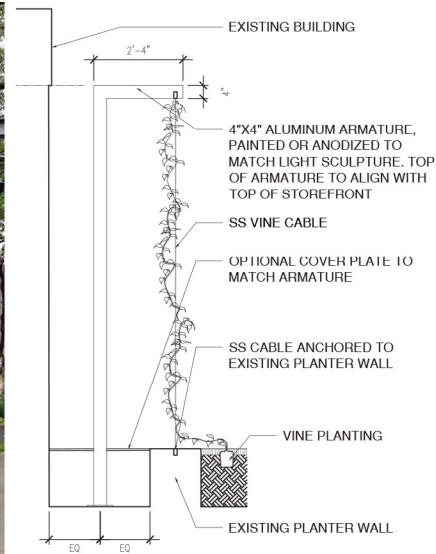




Southwest Plaza—Proposed Rendering  
**Figure D-20**



West Plaza—Existing Photograph  
**Figure D-21**



VINE SCREENS CONCEPT



LIGHTING PRECEDENT/CONCEPT - SANTA & COLE





West Plaza—Existing Photograph  
**Figure D-23**



West Plaza—Proposed Rendering  
**Figure D-24**



East Plaza—Existing Photograph  
**Figure D-25**



Plazas, the proposed project would slim the tree planters and provide more circulation space and seating. Planters will be introduced against the stone walls and the lighting will be upgraded.

At the East Plaza, the proposed project would increase visibility of the space and open up the plaza at both ends. Existing trees bookending the plaza at the north and south entrances would be relocated to the center of the space, and a variety of seating would be introduced. The amount of planting would be increased to an appropriate amount that maintains circulation and access to both the adjacent retail and nearby Plaza 33.

The nighttime closing of the West Plaza and East Plaza is proposed to be accomplished with barriers consisting of a chain attached to loops installed on the handrails at the entrances to the plaza. The barriers will be fully removed each morning and stored within the building in accordance with the zoning regulations.

The Northeast and Southeast Seventh Avenue Circulation Plazas provide purely circulation space and are too small to be considered public plazas by current standards. No changes are proposed for these areas.

Other improvements to make the public plaza areas more functional include new and upgraded amenities to benefit the public in accordance with current plaza standards. Proposed improvements include a variety of seating types, creating an appropriate amount of planting within the plazas, and “placemaking” through the establishment of a variety of new gathering spaces.

The location of the proposed kiosks, in the center of the East Plaza and near the West 34th Street entry to the West Plaza, ensures that the kiosks will not adversely impact visual or physical access to the plaza areas. The West Plaza, which is approximately 24,109 square feet in area with a through-block frontage width of over 72 feet; and the East Plaza, which is approximately 7,900 square feet in area and approximately 40 feet wide, are sufficiently large enough to allow circulation on either side of the proposed kiosks. The food and drink service provided by the kiosks are anticipated to enhance the relationship of the East Plaza and West Plaza to the buildings and other amenities in the surrounding areas.

Overall, the proposed actions intend to enhance and modernize the originally conceived urban design goals of the project site as constructed in 1972, and would not result in any significant adverse impacts on urban design.

#### *STUDY AREA*

As discussed above, it is the applicant’s intention to improve and modernize existing urban design characteristics of the project site to the extent possible given existing site constraints. The proposed actions are site-specific actions that would only affect the project site and would not introduce land uses substantially different from what currently exist. Similar to the existing conditions and functionality of the project site, the improvements facilitated by the proposed actions would be consistent with the urban design characteristics of the study area. The area immediately surrounding the project site has extensive pedestrian flows in addition to commercial office uses, ground-floor retail uses, entertainment venues, and a number of hotels. Providing pedestrians with attractive reasons to stop in a plaza will support and promote plaza usage. The study area contains limited open space resources outside of those provided on the project site, which would be substantially improved under the proposed actions. For these reasons, the proposed actions would serve to benefit the urban design characteristics of the project site and surrounding neighborhood. The proposed actions would not adversely affect any urban design features of the study area or the overall pedestrian experience.

## **VISUAL RESOURCES**

### *PROJECT SITE*

As there are no visual resources located on the project site, the proposed actions would have no significant adverse impacts on such resources.

### *STUDY AREA*

Approval of the proposed actions would allow the applicant to construct improvements to the existing One Penn Plaza lobby and the public plaza areas located throughout the project site. The proposed project would not obstruct view corridors along West 33rd Street, West 34th Street, Seventh Avenue, or Eighth Avenue. The proposed project would not obstruct views of Madison Square Garden, The James A. Farley Post Office Building, or any other prominent architectural features in the study area. The proposed project would serve to improve the view corridors along West 33rd Street and West 34th Street in certain locations by lowering plazas to grade and removing obstructions such as raised planters and staircases. The proposed actions would have no significant adverse impact on visual resources within the study area. \*

As described in Attachment A, “Project Description,” the proposed actions would facilitate the expansion of a lobby as well as spatial and circulation enhancements at several outdoor plaza and arcade areas surrounding One Penn Plaza. These improvements would be accompanied by a net reduction of approximately 3,857 gross square feet (gsf) of commercial floor area and a net reduction of approximately 5,420 gsf of publicly accessible open space on the project site between the No Action and With Action condition. The proposed lobby expansion includes the replacement of approximately 300 gsf of first floor commercial space (currently a FedEx store) to accommodate a new pedestrian entrance to the lobby, which would provide underground connections to Penn Station.

Transportation studies under City Environmental Quality Review (CEQR) typically involve the assessment of five distinct impact areas—traffic, parking, transit, pedestrians, and vehicular and pedestrian safety. The determination of which of these areas warrant detailed analyses begins with the preparation of travel demand projections. This work involves identifying reasonable travel characteristics and projecting the incremental number of person and vehicle trips that can be attributed to a proposed action. The 2014 *CEQR Technical Manual* states that quantified transportation analyses may be warranted if a proposed action results in 50 or more vehicle-trips and/or 200 or more transit/pedestrian trips during a given peak hour.

Under the proposed actions, there would not be any new or increased square footage of active uses on the project site. The proposed plaza improvements would provide more open access to One Penn Plaza. In addition to creating more opened visual corridors and publicly accessible circulation space next to the building entrances, the reconfigured North and South Plazas on the West 34th and West 33rd Street sides of the building, respectively, would disperse building entry/exit flows to different parts of the adjacent sidewalks. Therefore, these changes would not result in an increase in vehicular, transit, and pedestrian traffic that would warrant further evaluations of potential transportation-related impacts.

Regarding the new pedestrian entrance that would replace the current FedEx retail store, it would be a multi-purpose access point for people coming to the building and to Penn Station. It would connect directly to the One Penn Plaza lobby, which already has internal connections, via two switchback escalators, to Penn Station below. Currently, the building lobby can be accessed from the street via its entrances on West 34th and West 33rd Streets, as well as at the West Plaza podium. All of these existing entrances are unmarked, while the new entrance would have its own canopy and signage indicating Penn Station access, and which would be connected to an improved public plaza on the north frontage of One Penn Plaza.

In addition, the existing entrance from the West Plaza podium would be upgraded. It is anticipated that the higher quality nature of the entrances and greater visibility could attract additional users particularly during inclement weather. However, by studying the desire lines of Penn Station and subway users compared to the location and convenience of the new entrance, it is clear that the enhancements would not result in a notable increase of users at this location. The

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main additional users of the new and visible entrance would be people who want to experience the new and improved plazas and their amenities on their way to and from Penn Station.

**Figure E-1** shows the current entrances to Penn Station, overlaid with the pedestrian paths of travel to these locations. Peak hour travelers are mostly commuters and are known to follow the quickest and most convenient route to reach their train platforms. Pedestrians coming from Seventh Avenue would use one of the Seventh Avenue entrances at West 31st, West 32nd, and West 34th Streets. Pedestrians coming from the west or the south along Eighth Avenue would use the Eighth Avenue entrances at West 31st and West 33rd Streets located on both sides of the Avenue. Similarly, pedestrians walking along the west side of Eighth Avenue coming from the north would use the new and improved entrances along the west side of Eighth Avenue at West 33rd Street. Finally, the pedestrians traveling south along the east side of Eighth Avenue toward Penn Station would not save any total steps if they head east on the One Penn Plaza block and then into the new entrance when compared to their alternative at the southeast corner of Eighth Avenue and West 33rd Street.

Based on the above, the proposed pedestrian entrance on the western end of the North Plaza (One Penn Plaza's West 34th Street frontage) is not expected to draw a notable increase of Penn Station riders to this location. Collectively, neither this proposed new lobby entrance or the other elements of the proposed project would result in an incremental increase in vehicular, transit, and pedestrian traffic that would exceed the above CEQR thresholds to warrant a detailed impact analysis. Therefore, the proposed project would not have the potential to result in any significant adverse transportation-related impacts. \*

