# Chapter 3: Land Use, Zoning, and Public Policy

## A. INTRODUCTION

This chapter examines the Proposed Actions' potential effects on land use and development trends, its compatibility with surrounding land use, and its consistency with land use, zoning, and public policies. The Proposed Actions would result in a mixed-use development over the Development Site as well as residential development on two Additional Housing Sites ("Tenth Avenue Site" and "Ninth Avenue Site"). As described in Chapter 1, "Project Description," the Development Site would be developed with eight buildings that would include commercial space comprising retail, office, and possible hotel uses; both market-rate and affordable residential units; a public school; open space; and parking facilities. The two Additional Housing Sites would be developed primarily with permanent affordable housing.

This chapter assesses existing conditions as well as conditions in the Future with and without the Proposed Actions for the Development Site, the two Additional Housing Sites, and land use study areas surrounding each of the three project sites.

### PRINCIPAL CONCLUSIONS

The Proposed Actions would not result in a significant adverse impact on land use, zoning, or public policy. While the Proposed Actions would result in substantial changes in land use and density on the Development Site, these changes would be compatible with the mixture of uses and densities that are expected to be developed in the immediately surrounding area in the Future without the Proposed Actions. The Proposed Actions would not displace the predominant existing land use on the Development Site—a platform would be constructed over the rail yard and the existing Long Island Rail Road (LIRR) train yard and associated uses would remain. Therefore, the Proposed Actions would preserve the existing transportation use, but redevelop the Development Site to include land uses that would support and complement future development trends within the surrounding study area. Portions of the study area are already starting to transition towards high-density mixed-use development with commercial, retail, residential, and open space uses and this will continue in the Future without the Proposed Actions. Overall, the Proposed Actions would introduce new open space, a new public school, and new commercial office, residential, and retail space that would match future land use trends.

The Development Site would be rezoned from an existing M2-3 district to a C6-4 zoning district and incorporated as a new subdistrict (Subdistrict F) of the Special Hudson Yards District. The existing M2-3 zoning does not permit residential use on the Development Site and limits the density of permitted uses. Rezoning to a C6-4 district would allow for a mixture of commercial, residential, community facility, and open space uses. These uses would be permitted to a maximum floor area ratio (FAR) of 10.0 with a floor area bonus available for the provision of permanently affordable housing and a floor area allowance for the 750-seat PS/IS school. The proposed zoning would be comparable with the Special Hudson Yards District immediately east of the Development Site.

The new subdistrict would contain specific zoning controls that would regulate building envelopes, publicly accessible open space areas, streetwall controls, retail continuity and transparency. The retail continuity and transparency requirements would create active uses along the street level within the Development Site and along the surrounding streets—areas that currently lack such uses. Building envelope controls and tower requirements would ensure that the densest development be located in the northeastern portion of the Development Site—consistent with the high density zoning of the adjacent Large-Scale Plan subarea of the Special Hudson Yards District. Buildings would gradually decrease in height descending from Eleventh Avenue and West 33rd Street to Twelfth Avenue and West 30th Street, with lower building heights and bulk on the portion of the Development Site located adjacent to the Chelsea subarea. The proposed zoning would create a number of publicly accessible open space areas on the Development Site, each having core open space elements, that would need to generally meet the design standards of the privately owned public plazas or similar standards of the Zoning Resolution (ZR).

The Proposed Actions would also result in development at the two Additional Housing Sites. The Ninth Avenue Site, currently a gravel parking lot, would be redeveloped with permanently affordable housing, ground-floor retail space, and office space and parking for MTA-New York City Transit (NYCT). The Tenth Avenue Site, currently open air space above a below-grade Amtrak rail cut, would be redeveloped with permanently affordable housing and ground-floor retail space. This analysis concludes that each development would replace underutilized sites with new land uses that would match the prevailing land uses within each of the Additional Housing Site study areas, that would be developed to appropriate heights, and that would be consistent with surrounding zoning.

Finally, the Proposed Actions would be consistent with relevant public policies, including PlaNYC. Many of the recommendations, goals, and initiatives of PlaNYC are at the core of the Proposed Actions, including pursuing transit oriented development, providing new housing to meet the needs of current and future residents while making housing more affordable and sustainable, utilizing land already owned by the public, improving and capitalizing on transit access, and providing for improved open spaces.

## B. METHODOLOGY

The land use, zoning and public policy analysis has been conducted in accordance with the methodology presented in the 2001 *City Environmental Quality Review (CEQR) Technical Manual*. As described in Chapter 2, "Framework for Analysis," the reasonable worst case development scenario would comprise either a Maximum Residential Scenario or a Maximum Commercial Scenario, depending on the technical area of analysis. The land use, zoning, and public policy analysis considers both scenarios, as discussed below.

### STUDY AREAS

Overall, this analysis considers three study areas. The first, and largest, study area is generally located within a ½-mile of the Development Site (the "Development Site Study Area"). The second and third study areas encompass 400-foot radii around each of the Additional Housing Sites.

Due to the Development Site Study Area's unique character and the variety of land uses, the study area extends beyond the ½-mile boundary to West 43rd Street to the north, Seventh

Avenue to the east, and West 21st Street to the south (see Figure 3-1). The study area includes all of the Special Hudson Yards District. The Special Hudson Yards District comprises several subdistricts that have distinctive characteristics for urban development. Given the size of the study area, the larger study area is separated into nine subareas, each representing distinct neighborhoods or land use concentrations. Within the Special Hudson Yards District the land use subareas A through D are coterminous with zoning subdistricts A through D. Specifically, the land use subareas are:

- Large-Scale Plan (Subarea A): the area generally defined by West 41st Street to the north, Tenth Avenue and the midblock between Tenth and Eleventh Avenues to the east, West 30th Street to the south, and Eleventh Avenue to the west; this subarea corresponds to the Large-Scale Plan Subdistrict in the Special Hudson Yards District and its name derives from the underlying zoning regulations, which generally treat the subarea as if it were a Large-Scale Plan under the Zoning Resolution.
- Farley Corridor (Subarea B): the area defined by West 33rd Street to the north, Seventh Avenue to the east, West 31st and West 30th Streets to the south, and Tenth Avenue to the west;
- 34th Street Corridor (Subarea C): the area defined by West 35th Street to the north, Seventh Avenue to the east, West 33rd Street to the south, and Tenth Avenue to the west;
- Hell's Kitchen (Subarea D): the area generally defined by West 41st Street to the north, 100 feet east of Ninth Avenue to the east, West 35th Street to the south, and the midblock between Tenth and Eleventh Avenues to the west;
- Convention Corridor (Subarea E): the portion of the study area defined by West 41st Street to the north, Eleventh Avenue to the east, West 33rd Street to the south, and Route 9A to the west;
- 42nd Street Corridor (Subarea F): the portion of the study area generally north of West 41st Street;
- Garment Center (Subarea G): the portion of the study area between West 40th Street to the north, Seventh Avenue to the east, West 35th Street to the south, and to within 100 feet of Ninth Avenue to the west;
- Chelsea (Subarea H): the portion of the study area generally south of West 33rd and West 30th Streets; and
- Waterfront (Subarea I): the portion of the study area west of and including Route 9A.

The second and third study areas are associated with the Additional Housing Sites and located within 400-feet of the Ninth Avenue and Tenth Avenue Sites (see Figure 3-2).

## ANALYSIS YEARS

As described in Chapter 2, "Framework for Analysis," the analysis of the Proposed Actions is performed for the expected year of completion of the project—2019. In addition, an assessment of the Proposed Actions' potential environmental impacts is undertaken for an interim year of development for certain technical areas, as appropriate. The following analysis considers the potential for significant adverse impacts in the full (2019) Future with the Proposed Actions condition and then for the interim (2017) Future with the Proposed Actions condition.

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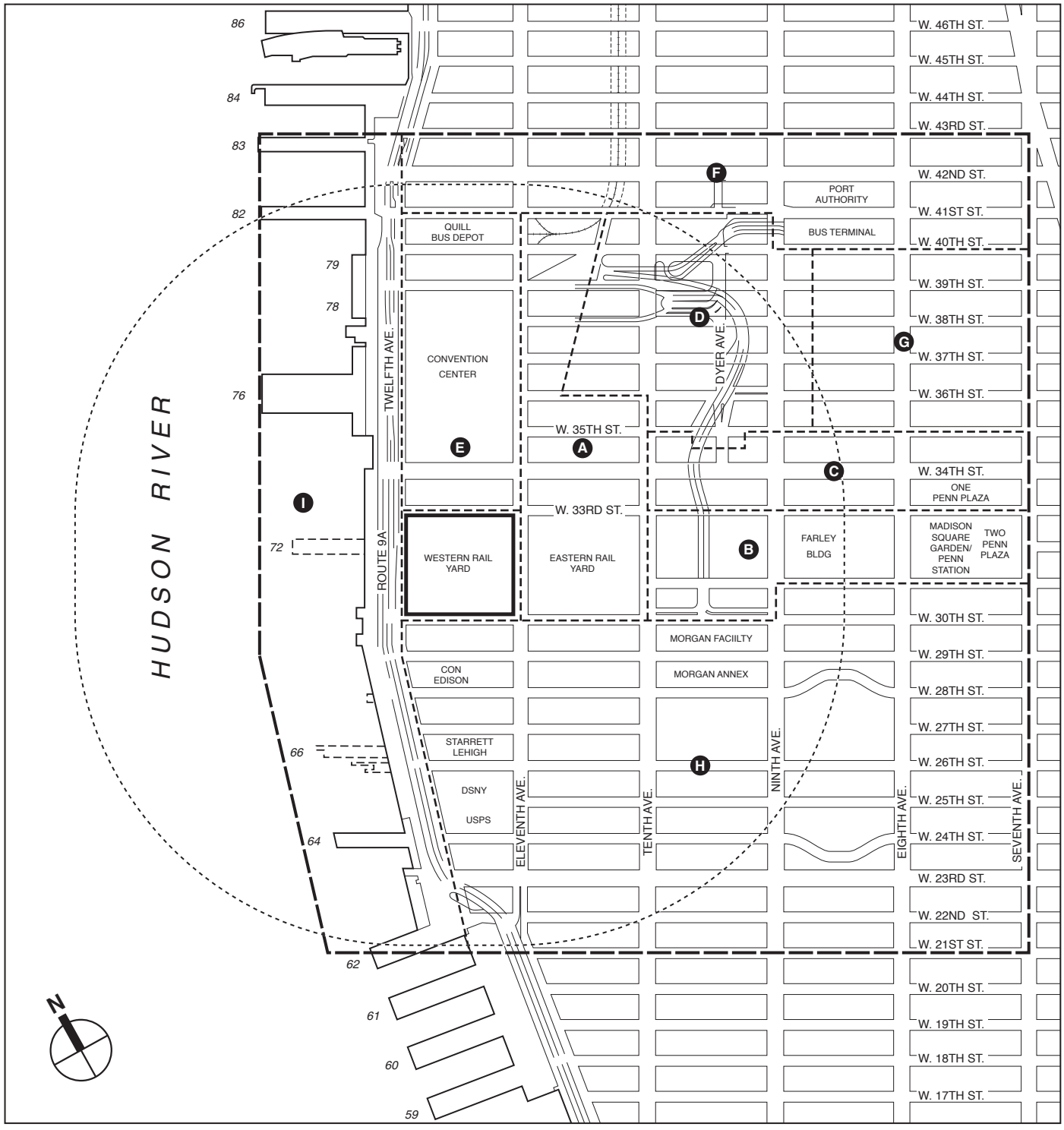



Development Site

1/2-Mile Perimeter

Study Area Boundary

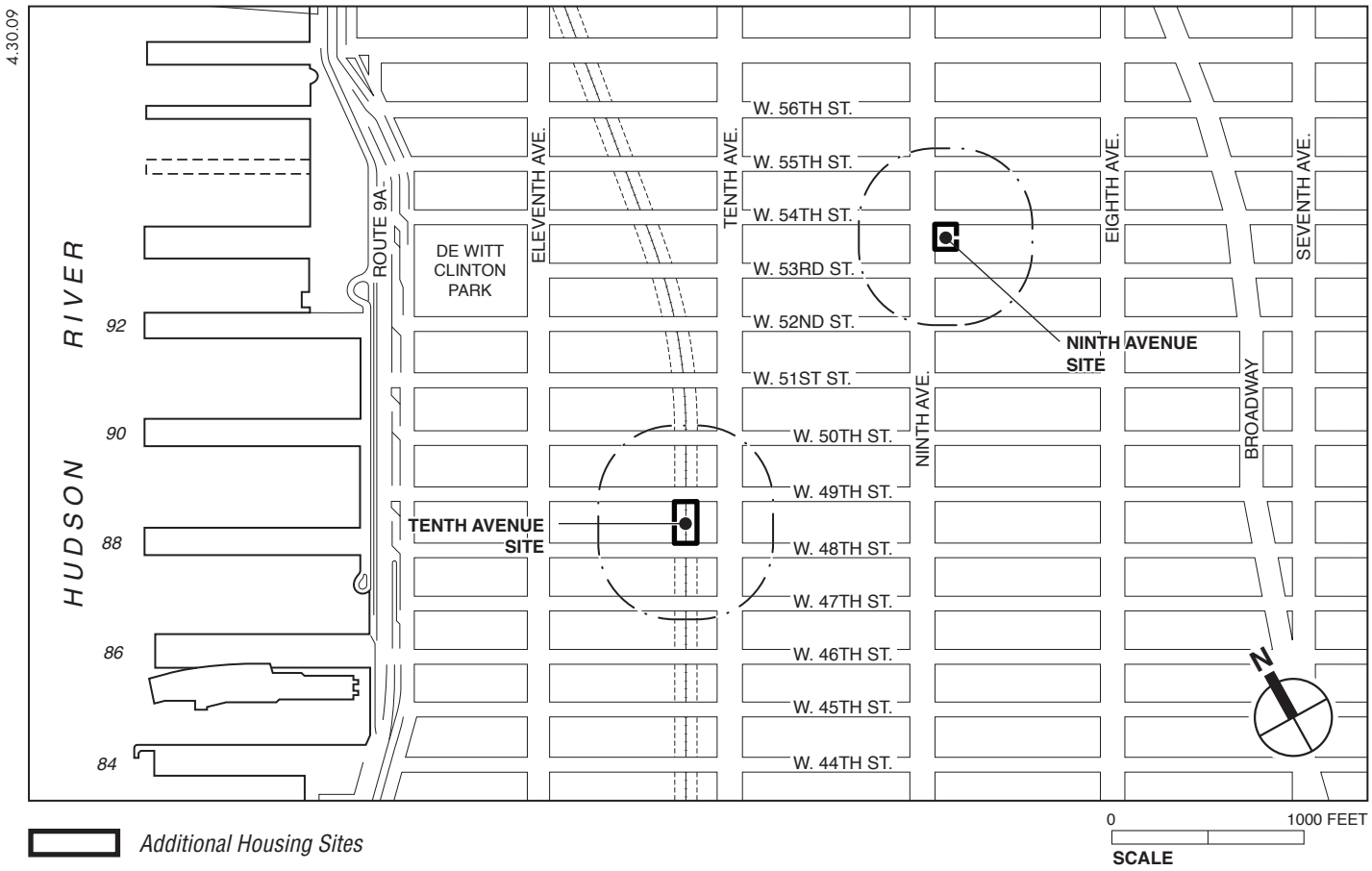
Subarea Boundary

**Subarea Boundaries**

- A Large Scale Plan
- B Farley Corridor
- C 34th Street Corridor
- D Hell's Kitchen
- E Convention Corridor
- F 42nd Street Corridor
- G Garment Center
- H Chelsea
- I Waterfront

Development Site: Land Use Study Area

**Figure 3-1**




Additional Housing Sites:
Land Use Study Area
**Figure 3-2**

# C. EXISTING CONDITIONS

The following provides a detailed description of the existing land use, zoning, and public policy at the Development Site, the Tenth Avenue Site and the Ninth Avenue Site and their respective study areas.

## LAND USE

*DEVELOPMENT SITE*

The approximately 13-acre Development Site forms a single superblock between West 33rd Street to the north, Eleventh Avenue to the east, West 30th Street to the south, and Twelfth Avenue to the west. The Development Site is situated largely below-grade and surrounded primarily by concrete walls, although a chain link fence is located along the Twelfth Avenue side.

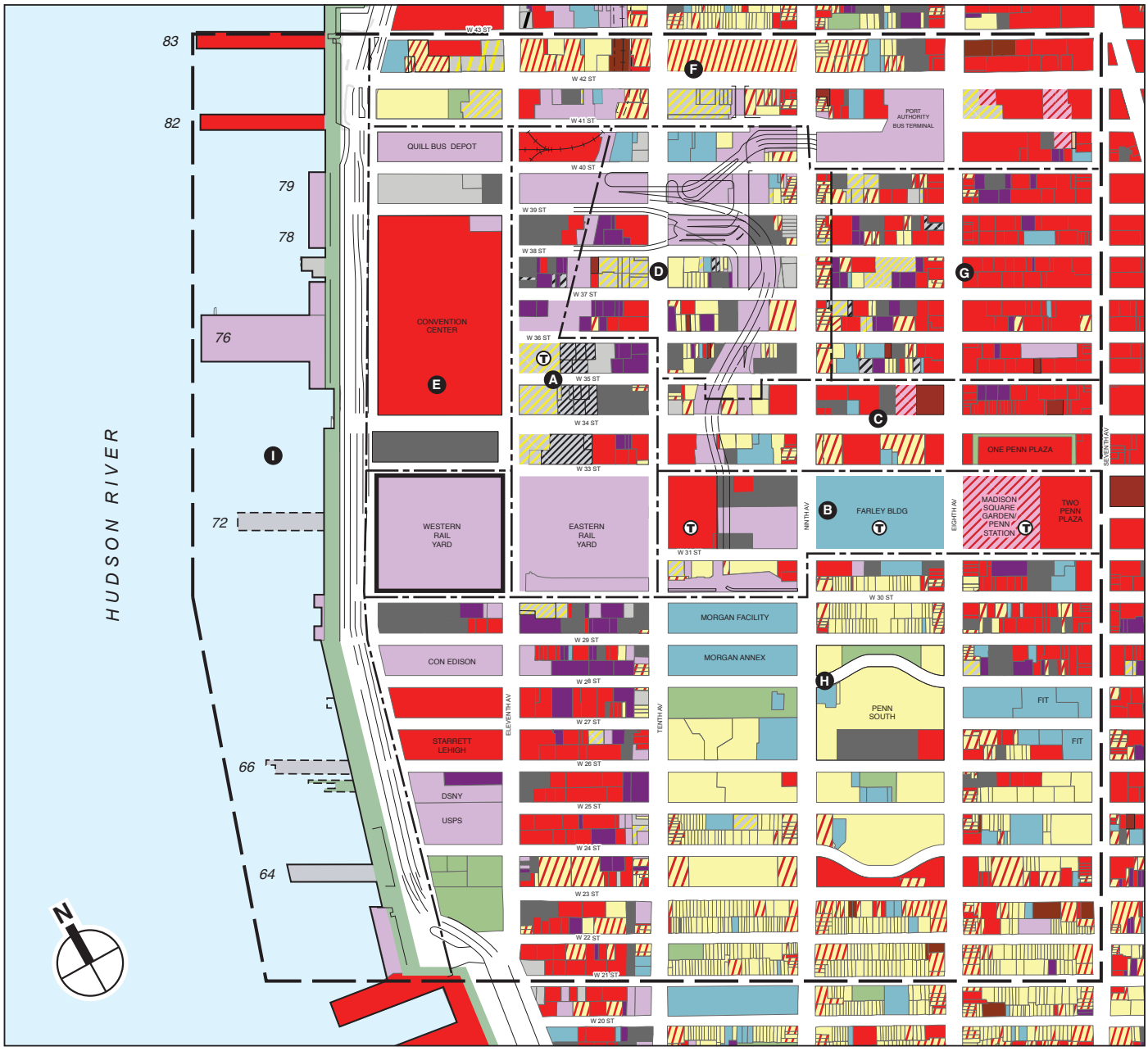
The Development Site serves as the western portion of the LIRR John D. Caemmerer West Side Yard ("Caemmerer Rail Yard"). The Caemmerer Rail Yard's location and layout permits LIRR trains arriving in Penn Station in the morning peak period to continue directly westward after discharging passengers so that they can be stored during the midday and be ready to move promptly from the yard to the platforms in Penn Station for boarding eastbound passengers during the evening peak period. This midday storage capability shortens platform dwell times, and reduces the number of conflicts in traffic patterns, effectively allowing more trains to move through Penn Station.

The Caemmerer Rail Yard is an electrified and signalized train yard storing 35 trains daily, with a capacity of 386 train cars, on 30 tracks. In addition to the tracks, the Western Rail Yard (a.k.a. the Development Site) contains several LIRR facilities that support the daily operation of the LIRR, including: a railroad interior cleaning facility with an associated platform, a yard operations building, a transportation building, an emergency facilities building, and storage. Other important transportation infrastructure is located below ground under the Development Site, including Amtrak's Hudson River and Empire Line tunnels. The southern portion of the Development Site, between West 30th Street and the approximate location of West 31st Street, includes land ("terra firma"), which is not occupied by LIRR operations (and thus would not require platform construction). A portion of the terra firma is currently occupied on a month-to-month basis by a bus operator and the New York City Department of Sanitation (DSNY). The DSNY uses include a special waste drop-off facility, vehicle storage, truck fueling, a storage shed, and a trailer office. NYCT currently uses a building, located at the southeast corner of the Development Site that extends below the High Line, for storage.

The historic High Line runs along the western and southern edges of the Development Site, along Twelfth Avenue and West 30th Street. Completed in 1934 as part of the West Side Improvement Project, the High Line replaced the New York Central Railroad along West Street and Eleventh Avenue to eliminate dangerous traffic conflicts at grade.

*DEVELOPMENT SITE STUDY AREA*

As shown on Figure 3-3, the Development Site Study Area is quite large, and its land use patterns vary depending on particular locations. In general, though, transportation uses are prevalent in the area west of Ninth Avenue and to the south of West 41st Street. This area includes ramp access to the Port Authority Bus Terminal, the Lincoln Tunnel approach and exit

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SCALE

*Development Site Boundary*

*Study Area Boundary*

*Subarea Boundary*

*Transportation Below*

*Residential*

*Residential (with Commercial Below)*

*Commercial and Office Buildings*

*Entertainment*

*Hotel*

*Public Facilities and Institutional*

*Transportation and Utility*

*Industrial and Manufacturing*

*Open Space*

*Parking Facility*

*Vacant*

*Under Construction*

*Vacant Building*

**Subarea Boundaries**

- A *Large Scale Plan*
- B *Farley Corridor*
- C *34th Street Corridor*
- D *Hell's Kitchen*
- E *Convention Corridor*
- F *42nd Street Corridor*
- G *Garment Center*
- H *Chelsea*
- I *Waterfront*

Development Site
Existing Land Use
**Figure 3-3**

roads, and major rail infrastructure, which typically cross the landscape in open cuts. Residential uses are concentrated in the area south of West 29th Street, along Ninth Avenue, and north of West 41st Street. The area to the east of Eighth Avenue is primarily characterized by commercial uses. Open space within the study area is limited and is not concentrated within any one area, although the Hudson River Park is located within the Waterfront subarea. Manufacturing uses are also limited. While the Garment Center formerly had a concentration of small manufacturing uses, this subarea has been transitioning towards a mixed use area. As a result, many of the manufacturing buildings have been converted to residential or commercial use.

The following sections describe each of the subareas in detail.

*Large-Scale Plan*

The Large-Scale Plan subarea extends from West 30th to West 41st Streets along the east side of Eleventh Avenue (see subarea A in Figure 3-3). From West 30th to West 36th Streets, the subarea includes the full blocks between Tenth and Eleventh Avenues. North of West 36th Street, the subarea's eastern boundary is defined by the western edge of the mapped Hudson Park and Boulevard system at grade, which runs north-south through the Tenth Avenue to Eleventh Avenue midblocks on a slight diagonal angle. This subarea is generally characterized by major transportation and infrastructure land uses, much of which is located below-grade in open cuts. There are limited manufacturing and commercial uses, and very few residential uses in the Large-Scale Plan subarea.

*Residential Uses*

Residential uses within this subarea are limited to three small four-story walk-up buildings along the west side Tenth Avenue.

*Commercial Uses*

The Large-Scale Plan subarea has few commercial uses, other than transportation-related commercial uses (see below). A McDonald's is located on the corner of Tenth Avenue and West 34th Street and a Mercedes-Benz dealership occupies a large site on Eleventh Avenue between West 40th and West 41st Streets. Limited office uses are located in the upper floors of buildings along West 33rd and West 40th Streets.

*Manufacturing and Industrial Uses*

Manufacturing uses are limited within the subarea. Formerly, manufacturing uses were concentrated in the area from West 33rd to West 36th Streets between Tenth and Eleventh Avenues. Many of these former manufacturing buildings are now vacant and will be demolished to accommodate the future Hudson Park and Boulevard, which is described in detail below.[1] Currently, a few other small manufacturing operations, such as auto repair and detailing operations, are scattered throughout the subarea.

*Transportation and Infrastructure Uses*

Transportation uses are the predominant land use within this subarea. The Eastern Rail Yard, the eastern portion of the Caemmerer Rail Yard, is the most prominent example. Like the Western Rail Yard, the Eastern Rail Yard serves as a storage yard and maintenance facility for LIRR. The yard forms a superblock between West 30th and West 33rd Streets from Tenth to Eleventh Avenues. LIRR facilities and operations occupy the portion of the superblock between West 31st

[1] The land use information and description of the vacant properties are current as of May 1, 2009. These buildings were vacated in anticipation of future construction of Hudson Park and Boulevard.

and West 33rd Streets, while other MTA structures and facilities are located in the southern section of this block. In addition, a portion of the southern section of the Eastern Rail Yard is serving as a construction site for the New York City Department of Environmental Protection (DEP) Water Tunnel No. 3 Project. The Eastern Rail Yard is set below-grade, not visible from the street, and surrounded by a wall on three sides.

The Lincoln Tunnel's northern entrance occupies the block between West 39th and West 40th Streets and Tenth and Eleventh Avenues. Many cars, trucks, and buses queue to enter the tunnel in this area. The open access ramps to the entrance, including exclusive bus ramps from the Port Authority Bus Terminal, cut beneath and above the City streets and are the most visible structures in the area.

The Amtrak Empire Line right-of-way runs north-south in an open, below-grade cut through the middle of every block between West 36th and West 41st Streets.

Other transportation-related uses can be found on almost every block in the area. These uses include auto repair facilities, taxi dispatch sites, gas stations, and auto parts stores. Many vacant lots are used as surface parking lots.

*Community Facilities and Open Space*

No community facilities or publicly accessible open spaces are located in the Large-Scale Plan subarea.

*Farley Corridor*

The Farley Corridor subarea extends from West 30th to West 33rd Streets and from Seventh to Tenth Avenues (see subarea B in Figure 3-3). Large superblocks between West 31st and West 33rd Streets define the corridor. The superblocks accommodate Madison Square Garden, the former U.S. General Post Office, which is now called the Farley Complex, and the Daily News Building (the former Westyard Distribution Center) on Tenth Avenue (the present Daily News Building). These uses are located above a substantial transportation infrastructure that extends from the Development Site to Penn Station.

*Residential Uses*

The Farley Corridor contains limited residential uses. Two small apartment buildings are located on the south side of West 31st Street between Ninth and Tenth Avenues.

*Commercial Uses*

Madison Square Garden and its related theater are the most prominent commercial uses within the Farley Corridor. Together, they occupy a superblock extending from West 31st to West 33rd Streets on the east side of Eighth Avenue, extending approximately 455 feet eastward towards Seventh Avenue. The Garden's main entrance is on Seventh Avenue at West 32nd Street. Madison Square Garden has a total of 19,500 seats and provides a home to the New York Knicks and Liberty basketball teams and the New York Rangers hockey team. The facility also serves as the venue for a variety of sporting events and major concerts.

Two Penn Plaza is located on the west side of Seventh Avenue and shares the superblock with Madison Square Garden. The 30-story building contains approximately 1.56 million square feet (sf) of commercial office space. The building fronts on a 0.4-acre urban plaza, which contains steps, planters, and lighting and serves as an entry and gathering place for the building and for Madison Square Garden and Penn Station.

Additional commercial uses are found within the Farley Corridor, primarily on West 31st and West 33rd Streets between Ninth and Tenth Avenues. A 13-story office building occupies 430 West 33rd Street and a building at 406-426 West 31st Street houses office and manufacturing uses. The New York Daily News' corporate headquarters is located at 450 West 33rd Street, on the eastern blockfront of Tenth Avenue between West 31st and 33rd Streets.

*Manufacturing and Industrial Uses*

There are no manufacturing or industrial uses within the Farley Corridor.

*Transportation and Infrastructure Uses*

Transportation and infrastructure uses are located throughout the Farley Corridor. Penn Station, which lies beneath Madison Square Garden, is the busiest rail passenger facility in the nation, with more than 500,000 rail trips on an average weekday. Penn Station provides regional commuter and long-distance train services, as well as New York City subway access to the A, C, E, 1, 2, and 3 trains. NJ TRANSIT and LIRR trains provide regional commuter rail service, while Amtrak provides long-distance services along the Eastern Seaboard and beyond.

The Farley Corridor also contains significant below-grade transportation infrastructure. The Farley Complex is built above platforms and train tracks that service Penn Station. Just to the west of the Farley Complex, active rail lines lie in an open cut between Ninth and Tenth Avenues. The Lincoln Tunnel approach roads (Dyer Avenue and the Lincoln Tunnel Expressway) run north-south above the rail lines, but below the street grade. Vehicles can access the Tunnel's approach roads via West 30th, West 31st, West 33rd, West 34th, West 35th, and West 36th Streets.

*Community Facilities and Open Space*

The Farley Complex is the most prominent community facility use within the Farley Corridor, covering the entire block between Eighth and Ninth Avenues between West 31st and West 33rd Streets. Until recently, the building served as Manhattan's General Post Office, and it still contains offices for the United States Postal Service (USPS) and retail postal services in the grand Eighth Avenue lobby. However, automation has eliminated many functions, and the USPS had consolidated most of its operations at the Morgan Annex Facility, which is located between West 28th and West 30th Streets from Ninth to Tenth Avenues (within the Chelsea subarea). In addition to the Farley Complex, the Fashion Institute of Technology (FIT) recently renovated and converted a loft building on West 31st Street into a 1,104-bed dormitory. This site is located in the midblock on the south side of West 31st Street between Ninth and Tenth Avenues.

Publicly accessible open space within the Farley Corridor is limited to the public plaza at Two Penn Plaza. While not designated as public open space, the steps of the Farley Complex's main entrance on Eighth Avenue are utilized as a public seating and gathering area.

*34th Street Corridor*

The 34th Street Corridor subarea extends from West 33rd to West 35th Streets between Seventh and Tenth Avenues (see subarea C in Figure 3-3). The 34th Street Corridor contains a mixture of office, residential, and commercial land uses.

*Residential Uses*

Residential uses are located throughout the 34th Street Corridor, but particularly along West 34th Street between Ninth and Tenth Avenues. This block includes five large apartment buildings, which range from 13 to 20 stories tall, creating a distinct urban neighborhood in an

area otherwise defined by commercial development. Other residential uses include walk-up residential buildings that typically include ground-floor retail along Ninth and Tenth Avenues.

*Commercial Uses*

The 34th Street Corridor includes many prominent office and commercial uses. One Penn Plaza, a 57-story office tower, flanked by a one-story retail building along Seventh Avenue, covers an entire block between West 33rd and West 34th Streets from Seventh to Eighth Avenues. One Penn Plaza is set in the center of a large paved plaza above the street level and has a through block retail arcade and pedestrian thoroughfare at street level and a concourse parallel to the LIRR concourse beneath. Ground-floor retail at the base of One Penn Plaza includes Kmart and a Staples Express.

Additional commercial uses are located along West 34th and West 35th Streets toward Eighth Avenue. These blocks include the Manhattan Theater Center, which houses the Grand Ballroom and the Hammerstein Ballroom; the Loews Theater; and the New Yorker Hotel, which occupies the western blockfront of Eighth Avenue between West 34th and West 35th Streets. GHI, a major health insurance company, occupies an eight-story building on the northwest corner of West 34th Street and Ninth Avenue. B&H Photo occupies the entire eastern blockfront on Ninth Avenue between West 33rd and West 34th Streets. The north side of West 34th Street between Seventh and Eighth Avenues includes continuous retail frontages consisting mainly of discount stores. The eastern end of the block contains large office buildings: the 45-story Nelson Building (at Seventh Avenue) and the 22-story Pennsylvania Building (14 Penn Plaza) at 225 West 34th Street. The western end of the block consists of low-rise commercial structures.

*Manufacturing and Industrial Uses*

Three manufacturing buildings, which are lined up on the south side of West 35th Street between Seventh and Eighth Avenues, are the only manufacturing uses within the 34th Street Corridor.

*Transportation and Infrastructure Uses*

There are a few transportation-related uses in the 34th Street Corridor. Dyer Avenue and the Lincoln Tunnel Expressway bisect West 34th and West 35th Streets between Ninth and Tenth Avenues. In addition, there are a few parking lots in the corridor, notably a through-block lot from West 34th to West 35th Streets between Eighth and Ninth Avenues.

*Community Facilities and Open Space*

The 34th Street Corridor contains limited publicly accessible open spaces. One Penn Plaza provides a publicly accessible urban plaza. Additionally, residents can utilize a community park ("Bob's Park") by purchasing a key from Community Board 4. This park is located on West 35th Street, just east of Tenth Avenue and on the corner of the Lincoln Tunnel Expressway, and adjacent to a residential building. The corridor contains four community facilities. The New York Police Department's (NYPD) Midtown South Precinct is located on West 34th Street just east of Ninth Avenue. The West Side Jewish Center is one block north on West 34th Street. Finally, the Saint Michael's Roman Catholic Church is also on West 34th Street, just west of Ninth Avenue. The church also includes St. Michael's Academy, an all-girls high school, which has its entrance on West 33rd Street.

*Hell's Kitchen*

The Hell's Kitchen subarea land uses are distinctly different from the land uses in the surrounding Garment Center, 42nd Street Corridor, and Large-Scale Plan subareas (see subarea D in Figure 3-3). Ninth Avenue serves as both a residential and commercial spine through the

neighborhood. Small-scale neighborhood-oriented retail shops and four- to six-story residences run the length of both sides of the avenue.

*Residential Uses*

Ninth Avenue forms the residential spine of the neighborhood. The residential character of this avenue differs markedly from the adjacent 42nd Street Corridor, particularly in the scale of its residential buildings. Overall, the subarea contains primarily four- to six-story residential buildings with ground-floor retail and very few large residential towers. Hudson Crossing and the recently completed Rockrose building on Tenth Avenue are the notable exception. The 13-story Hudson Crossing building, constructed in 2002, fronts on West 37th Street between Ninth Avenue and Dyer Avenue. The high-rise Rockrose building occupies the east side of Tenth Avenue between West 37th and West 38th Streets. While residential uses are on each side of the Lincoln Tunnel approach roads, they abruptly stop at West 38th Street. From that point north, the only residential uses are along Ninth Avenue.

*Commercial Uses*

Ground-floor retail is the predominant commercial use in the corridor. As with its residential uses, Ninth Avenue also serves as the commercial spine for the area. Restaurants, bars, delis, small grocery stores, coffee shops, and cafes are found along Ninth Avenue. There are two office buildings on Tenth Avenue between West 36th and West 37th Streets. A 50,000 sf theater building, 37 Arts, opened in 2005 at 450 West 37th Street. The facility includes the Baryshnikov Center for Dance, three theater spaces, and offices for non-profit organizations.

*Manufacturing and Industrial Uses*

The limited manufacturing uses within the subarea include garment related uses and other light industrial uses. These uses are concentrated in the area near Tenth Avenue.

*Transportation and Infrastructure Uses*

The Lincoln Tunnel approach roads dominate the northern portion of the area and starkly divide the land use pattern in this portion of the subarea. Above West 38th Street, much of the land is dedicated to the Lincoln Tunnel approach roads. Throughout the area, there are also many parking lots for Port Authority Bus Terminal buses and private automobiles.

*Community Facilities and Open Space*

The Hell's Kitchen subarea includes the following community facilities: the New York City Fire Department's (FDNY) Engine 34/Ladder 21 on West 38th Street, Covenant House on West 40th Street, Metro Baptist Church, and St. Raphael's Roman Catholic Church on West 41st Street between Tenth and Eleventh Avenues, and Astro's Community Dog Run along the south side of West 40th Street. There are no publicly accessible open spaces in the subarea.

*Convention Corridor*

The Convention Corridor subarea extends from West 41st Street on the north, Eleventh Avenue on the east, West 33rd Street on the south, and Twelfth Avenue on the west (see subarea E in Figure 3-3). The Jacob K. Javits Convention Center ("Convention Center") is the dominant use within the Convention Corridor; the Convention Center forms a superblock that extends from West 34th to West 39th Streets. Transportation-related uses are concentrated in the corridor, particularly the NYCT Michael J. Quill Bus Depot (Quill Bus Depot) located between Eleventh and Twelfth Avenues from West 40th to West 41st Streets.

*Residential Uses*

There are no residential uses within the Convention Corridor.

*Commercial Uses*

The Convention Center is the only commercial use within the corridor. The Convention Center stretches five blocks from West 34th to West 39th Streets. The approximately 1.8 million sf facility opened in 1986.

*Manufacturing and Industrial Uses*

There are no manufacturing or industrial uses within the Convention Corridor.

*Transportation and Industrial Uses*

The Quill Bus Depot occupies an entire block between West 40th and West 41st Streets and Eleventh and Twelfth Avenues. The Depot opened in 1998 as the Westside Depot and was renamed the Quill Bus Depot in 2000. It houses maintenance facilities for approximately 300 NYCT buses. There are also two large parking lots in the corridor, one just south of the Convention Center and one just north. The southern parking lot is used by private automobiles and tractor trailer trucks for the Convention Center. The northern parking lot is located on the west side of Eleventh Avenue between West 39th and West 40th Streets. In addition, as described more fully below in "The Future without the Proposed Actions," the No. 7 subway line extension is under construction in the study area.

*Community Facilities and Open Space*

No community facilities or publicly accessible open spaces are located in the Convention Corridor.

*42nd Street Corridor*

The 42nd Street Corridor subarea extends from Seventh Avenue to Twelfth Avenue between West 41st and West 43rd Streets (see subarea F in Figure 3-3). The corridor is defined by the tourist-oriented commercial and entertainment uses in the nearby Times Square and large high-rise residential development along West 42nd Street.

*Residential Uses*

The corridor's residential development is concentrated in high-rise buildings. While there are a few low-rise mixed-use residential buildings along Ninth Avenue and West 42nd Street, most of the residential buildings are over 20 stories tall. The Manhattan Plaza Apartments, River Place, Ivy Tower, Riverbank West, Theater Row, Victory, Orion, and Atelier are notable examples. Each of these residential buildings is over 40 stories tall and was constructed during the last ten to twenty years.

*Commercial Uses*

Commercial uses in the 42nd Street Corridor reflect the subarea's proximity to Times Square. Theatre Row, which is at 410-412 West 42nd Street between Ninth Avenue and Dyer Avenue, is a notable example. Theatre Row includes six separate off-Broadway theaters—the Acorn Theatre, the Beckett Theatre, the Clurman Theatre, the Kirk Theatre, the Lion Theatre, and the Studio Theatre—and is operated by the 42nd Street Development Corporation. Most of the buildings along Ninth and Tenth Avenues include ground-floor retail uses with residential uses above. A Westin Hotel is located on the corner of West 43rd Street and Eighth Avenue and a Travelers Inn is located on West 42nd Street just west of Tenth Avenue.

*Manufacturing and Industrial Uses*

Con Edison operates an electrical substation on the block of West 42nd Street between Tenth and Eleventh Avenues.

*Transportation Uses*

The Port Authority Bus Terminal is the most prominent transportation-related use in the 42nd Street Corridor. The bus terminal forms a superblock that stretches between West 40th Street and West 42nd Street from Eighth to Ninth Avenues. Buses enter and exit through approach roads that provide buses with direct access to various Bus Terminal levels; together with the Lincoln Tunnel, the approach roads play a prominent role in shaping the landscape around the terminal, both in the 42nd Street Corridor and in the surrounding subareas, most notably in the Hell's Kitchen and Large-Scale Plan subareas.

The western portion of the corridor includes other transportation uses, such as a FedEx facility on West 42nd Street and the northern terminus of Dyer Avenue, which extends to West 42nd Street and distributes traffic from the Lincoln Tunnel.

*Community Facilities and Open Space*

The community facilities within the 42nd Street Corridor include the Consulate for the People's Republic of China, on the corner of West 42nd Street and Twelfth Avenue; a U.S. Post Office adjacent to the bus terminal; Rescue Company 1 of the FDNY at 530 West 43rd Street; the Roman Catholic Church of the Holy Cross at 332 West 43rd Street; and the NYPD Manhattan South Task Force at 524 West 42nd Street. Open spaces in the area include a 0.74-acre public plaza with playground on the north side of West 41st Street that is part of the River Place development.

*Garment Center*

The Garment Center subarea extends generally from Seventh Avenue to approximately 100 feet east of Ninth Avenue between West 35th and West 40th Streets (see subarea G in Figure 3-3). The Garment Center is the most westerly portion of the City's Garment District, which lies primarily within the area bounded by Fifth Avenue on the east, West 35th Street on the south, Ninth Avenue on the west, and West 40th and West 41st Streets on the north.

While the Garment Center shares many similarities with the overall Garment District, Eighth Avenue generally divides the land uses within the Garment Center. By and large, the loft buildings west of Eighth Avenue are smaller than garment-related buildings to the east. The midblock areas between Seventh and Eighth Avenues have light industrial buildings associated with the apparel industry, as well as apparel showrooms. West of Eighth Avenue, the land use pattern changes and low-rise buildings and vacant lots are much more prominent in the midblocks. Unlike the loft buildings in the midblocks between Seventh and Eighth Avenues, many of the loft buildings along the avenues have been entirely converted to office uses. In addition, the larger Garment Center has more residential development than the Garment District.

*Residential Uses*

The limited residential land uses within the Garment Center subarea are concentrated to the west of Eighth Avenue. Typical residential buildings are between 4- to 6-stories tall and include ground-floor retail uses. A few residential buildings above 10-stories tall are scattered throughout the area in the midblock area.

*Commercial Uses*

Office uses can be found throughout the Garment Center subarea. Large loft buildings along the avenues have been converted to office space, and are typically occupied by fashion design companies, publishing houses, and design firms unrelated to the apparel industry, such as architects, engineers, and graphic designers. Ground-floor retail uses are concentrated along the avenues. Typical ground-floor uses include restaurants and retail shops.

*Manufacturing and Industrial Uses*

The Garment Center has traditionally included a concentration of manufacturing uses, but recent development trends have limited the extent of this use. The apparel industry occupies space throughout the area. Representative apparel-related uses include manufacturing and wholesaling, textiles and fabrics, accessories and jewelry, and buttons and trimming. Other manufacturing uses include printing and construction firms.

*Transportation Uses*

Transportation uses in the Garment Center are limited to parking lots scattered throughout the area, particularly along West 37th and West 38th Streets.

*Community Facilities and Open Space*

There are no publicly accessible open spaces in the Garment Center area. The only community facilities are the Fountain House, an outpatient facility for the mentally ill; the Post-Graduate Rehabilitation Center; and the NYPD Midtown South Precinct at 357 West 35th Street.

*Chelsea*

The Chelsea subarea covers a large area from Seventh Avenue on the east to Route 9A on the west between West 22nd and West 31st Streets (see subarea H in Figure 3-3). This subarea has the highest concentration of residential land uses. Residential land uses range from four-story brownstones to large residential towers in garden settings. Additional prominent uses include a burgeoning commercial arts district, particularly west of Tenth Avenue and south of West 28th Street.

*Residential Uses*

Residences are the principal land use within this subarea and are predominantly located between Eighth and Tenth Avenues from West 21st to West 28th Streets, although there are some limited residential uses west of Tenth Avenue, particularly south of West 24th Street. The housing types range from brownstone row houses to 22-story co-ops set in large open spaces. Brownstones and apartments occupy much of the area along West 24th and West 25th Streets from Ninth to Tenth Avenues. These buildings are typically three to six stories tall and range from one- to six-family units.

Two large multi-building New York City Housing Authority (NYCHA) developments are located within the Chelsea subarea—the John Lovejoy Elliott Houses between Ninth and Tenth Avenues and West 25th and West 27th Streets and the Chelsea Houses, plus the Chelsea Houses Addition. The Elliott Houses have been consolidated with the Chelsea Houses, which sit on an adjacent site. The Chelsea Houses Addition is a senior-only 14 story building with 96 apartments. The building borders Chelsea Park and West 26th Street. The Elliot Houses includes four 11- and 12-story buildings with 607 apartments. Finally, the Chelsea Houses have two 21-story buildings and 425 apartments.

The private Penn Station South Cooperative Development occupies the area between Eighth and Ninth Avenues from West 23rd to West 28th Streets. The Penn South complex includes four 22-story buildings. Two buildings are on the lot between West 25th and West 26th Streets while the other two buildings occupy the lot between West 24th and West 26th Streets.

*Commercial Uses*

Ground-floor commercial uses are concentrated along Ninth and Tenth Avenues. Typical uses include restaurants, bars, delis, small grocery stores, and coffee shops. Ground-floor commercial uses are less prevalent along the sections of the avenues north of West 25th Street.

The area of Chelsea between Tenth and Twelfth Avenues from West 24th to West 29th Streets contains many art galleries, studios, and artist spaces. Most of the buildings include gallery spaces on the ground floor and artist studios or offices above. The Starett-Lehigh Building occupies the entire block between Eleventh and Twelfth Avenues between West 26th and West 27th Streets. This 2.2 million sf building provides office space for many fashion, media, and arts organizations. Clubs and entertainment uses are prevalent in the northern section of the area along West 27th and West 28th Streets between Tenth and Eleventh Avenues.

*Manufacturing and Industrial Uses*

There are very few manufacturing or industrial uses in the Chelsea subarea. The USPS's maintenance facility and the DSNY's Manhattan Borough Repair Facility form a large superblock between West 24th and West 26th Streets from Eleventh to Twelfth Avenues. Kamco Builders Supply Company and the Central Iron and Metal Company are on West 28th Street.

*Transportation Uses*

Transportation uses in the Chelsea subarea are limited to parking lots and garages, which are particularly concentrated on the blocks between West 28th and West 30th Streets and Tenth and Twelfth Avenues. Con Edison parks trucks and stores equipment behind its Manhattan Borough Operations Center at 281 Eleventh Avenue. Greyhound has a bus parking lot on the block between West 29th and 30th Streets from Eleventh to Twelfth Avenues.

*Community Facilities and Open Space*

The Elliot Houses, Chelsea Houses, and the Penn South development have on-site open spaces and playgrounds, and two City parks also serve the Chelsea neighborhood. There are four New York City Department of Parks and Recreation (DPR)-maintained open spaces within the subarea. The Penn South Playground is located on West 26th Street between Eighth and Ninth Avenues and includes playground equipment and two basketball courts. The 3.91-acre Chelsea Park runs the entire length of West 28th Street between Ninth and Tenth Avenues. Chelsea Park includes baseball/softball fields, basketball and handball courts, and playground equipment. The Chelsea Recreation Center is located at 430 West 25th Street. This six-story 56,000 sf facility includes a 25-yard pool, a full-size basketball court, exercise rooms, a game room, and space for aerobics and yoga classes. The center also includes a computer resource room that provides Internet access. The 2.5-acre Chelsea Waterside Park, located between West 22nd and West 24th Streets, has a sports field, a dog run, a basketball court, and playground equipment with water features.

*Waterfront*

The Waterfront subarea extends west of Route 9A to the Hudson River pier head line between West 21st and West 43rd Streets.

*Residential Uses*

There are no residential uses within the waterfront.

*Commercial Uses*

Commercial uses along the waterfront are associated with tourism and include World Yacht and Circle Line cruises, on Piers 82 and 83, respectively, which offer sightseeing and dining cruise packages in the New York Harbor.

*Manufacturing and Industrial Uses*

There are no manufacturing or industrial uses within the waterfront.

*Transportation Uses*

Some transportation uses have a strong presence along the waterfront in the study area. A heliport operated by Air Pegasus is located between West 29th and West 30th Streets. The New York City Tow Pound, which operates on Pier 76 near West 34th Street, is a vehicle violations storage facility for the NYPD. The tow pound currently accommodates approximately 300 vehicles. The NYPD Mounted Troop Unit is also located at Pier 76. NY Waterway operates its ferry service and free shuttle buses from Piers 78 and 79.

*Community Facilities and Open Space*

Hudson River Park and the Hudson River Greenway stretch along the length of the waterfront in this area with continuous bikeways, walkways, and linear parks. The entirety of Hudson River Park extends from Battery Park to West 59th Street, where it connects with Riverside Park. A bicycle path runs through the park from Battery Park to West 59th Street, where it continues along the waterfront to the northern tip of Manhattan, in Inwood. The portions of the Hudson River Park within the Waterfront subarea correspond to Segments 5 through 7 of the Hudson River Park Plan, which run from West 14th to West 59th Street. The section within the subarea includes a path that can accommodate running, walking, and biking. Additional features include the historic Baltimore & Ohio Railroad Float Transfer Bridge at Pier 66a; Pier 66, which includes boat slips and non-motorized boat activities, and is located directly north of Pier 66a; and the Hudson River Skate Park located at West 30th Street.

There are no community facilities along the waterfront portion of the subarea.

*TENTH AVENUE SITE*

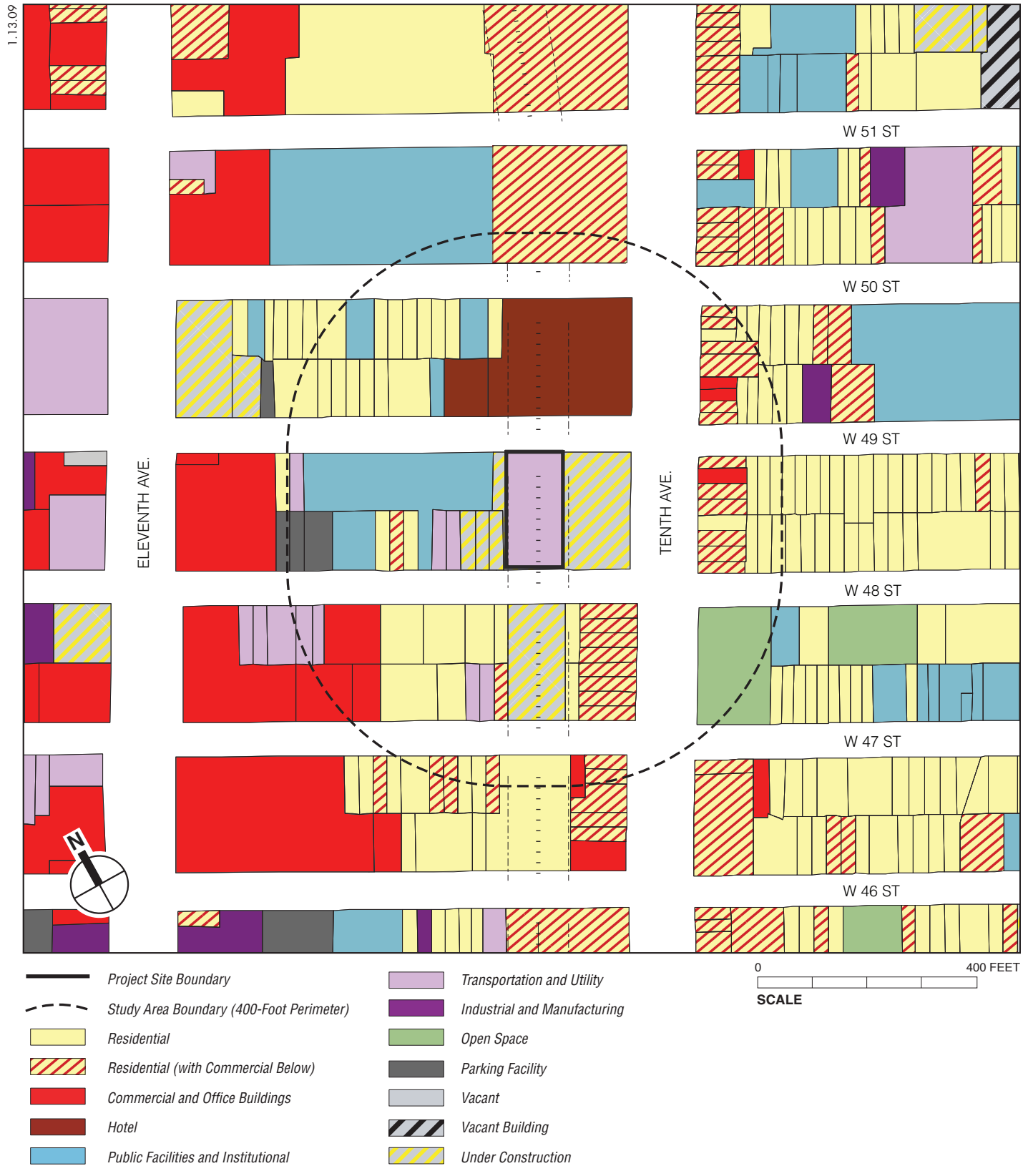
The Tenth Avenue Site is a City-owned parcel that is located between West 48th and West 49th Streets, approximately 100 feet west Tenth Avenue, which is approximately ¾-mile north of the Development Site. It occupies the western portion of Block 1077, Lot 29. Currently, the Tenth Avenue Site is occupied by a below-grade Amtrak railroad right-of-way for the Empire Line (see Figure 3-4).

*TENTH AVENUE SITE STUDY AREA*

The 400-foot study area surrounding the Tenth Avenue Site includes a mixture of residential, institutional, open space, hotel, commercial, and limited transportation uses. The majority of the buildings within the study area are between 5- and 12-stories tall. The land uses to the north and south of the Tenth Avenue Site are situated over the same below-grade rail cut. The remaining portion of Lot 29, which is located directly east of the Tenth Avenue Site, is currently a construction site for the DEP's Water Tunnel No. 3 Project.

Residential uses are found throughout the study area. These buildings are typically five- to six-stories tall and built to the lot line. The 38-story Hudson View Terrace, which occupies the western portion of Tenth Avenue between West 50th and West 51st Streets, is the only exception. Along Tenth Avenue, buildings contain ground-floor retail below the residential uses. These retail uses include markets, delis, nail parlors, restaurants, hardware stores, laundromats, and other local retail designed to serve the surrounding neighborhood.

The institutional uses within the study area are concentrated to the west of Tenth Avenue. The American Red Cross in Greater New York's headquarters is located directly west of the Tenth Avenue Site at 520 West 49th Street. This facility includes office space, an Emergency Communications Center, classroom and training space, a garage for storing emergency vehicles,




Tenth Avenue Site
Existing Land Use
**Figure 3-4**

and a gift shop. The Clinton Family Inn Community of Opportunity building is located across the street from the Tenth Avenue Site at 517 West 49th Street. A Salvation Army building is located on the project block at 535 West 48th Street. The remaining institutional uses in the study area include the Park West High School, which occupies the majority of the midblock area on West 50th Street between Tenth and Eleventh Avenues, the Bulgarian Eastern Orthodox Cathedral at 552 West 50th Street, and a Postgraduate Center for Mental Health Facility at 516 West 50th Street.

Hell's Kitchen Park is located in the southern portion of the study area on the eastern portion of Tenth Avenue between West 47th and West 48th Streets. This 0.58-acre park is maintained by DPR and includes handball courts, volleyball courts, basketball courts, playgrounds, play equipment designed for toddlers, a spray shower, game tables, and extensive plantings and trees.

The Skyline Hotel is located directly north of the Tenth Avenue Site and is the only hotel within the study area. Transportation-related uses include an auto body repair shop located to the west of the American Red Cross building on West 49th Street, four repair and parts supply shops located on the west end of West 48th Street, and an auto body repair shop located at 519 West 47th Street.

*NINTH AVENUE SITE*

The Ninth Avenue Site is a City-owned parcel that is located on the southeast corner of West 54th Street and Ninth Avenue. The project site is located approximately 1 mile north of the Development Site and⅓ -mile north of the Tenth Avenue Site. The Ninth Avenue Site is currently occupied by a gravel parking lot that serves employees of the adjoining NYCT building (see Figure 3-5).

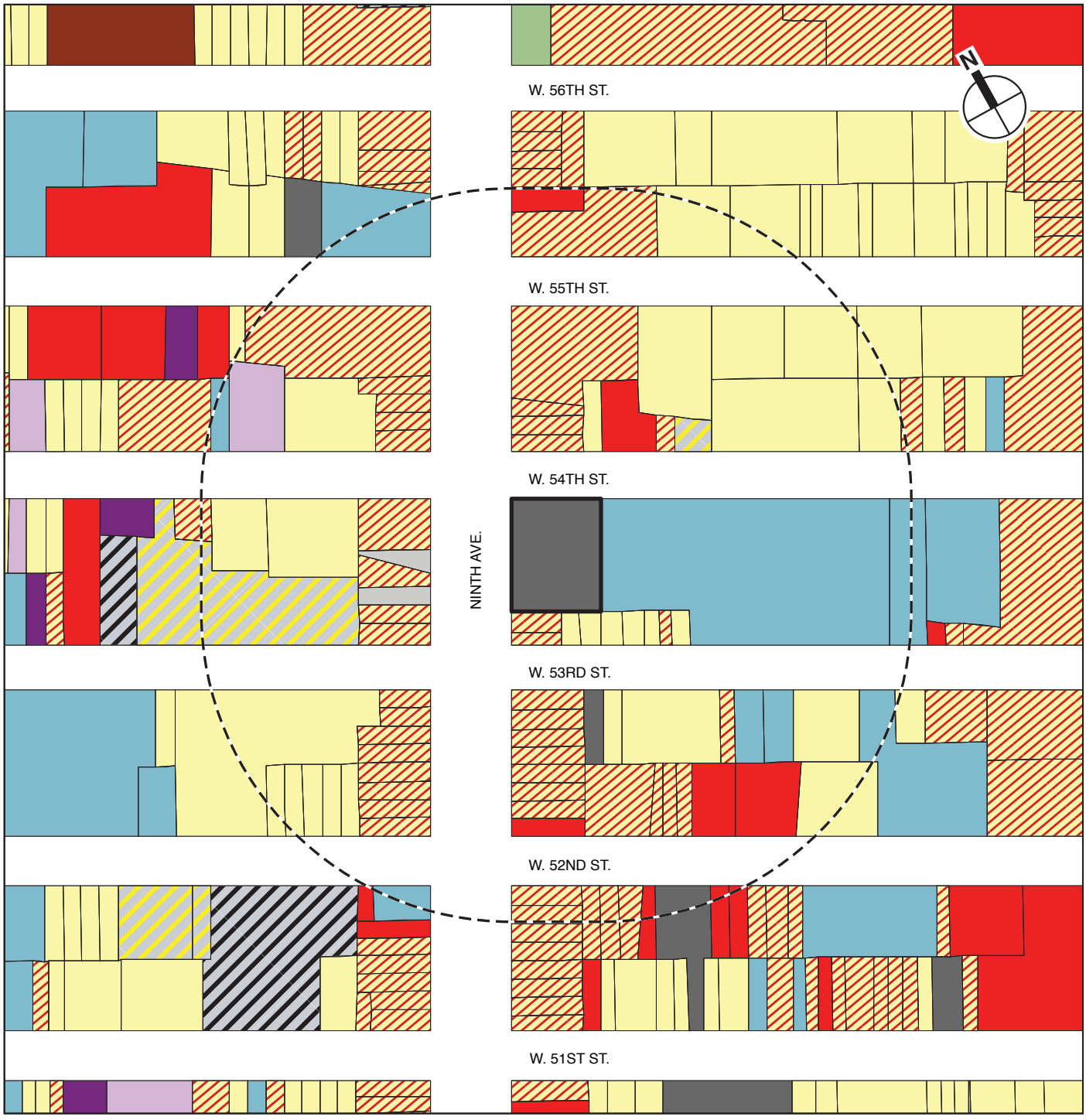
*NINTH AVENUE SITE STUDY AREA*

The commercial corridor along Ninth Avenue defines the land uses in the 400-foot study area surrounding the Ninth Avenue Site. Both sides of Ninth Avenue are continuously lined with mixed-use residential buildings with ground-floor retail and residential uses above. Representative retail uses within these buildings include nail salons, bars, restaurants, convenience stores, delis, laundromats, cleaners, and other local retail that serves the surrounding community.

A two-story NYCT office building is located immediately to the east of the Ninth Avenue Site. This building occupies most of the midblock area between Eighth and Ninth Avenues. Directly south of the Ninth Avenue Site, two mixed-use buildings occupy the northeast corner of Ninth Avenue and West 53rd Street. These buildings include ground floor retail with residential uses above. Continuing along the project block, West 53rd Street includes seven consecutive residential buildings. A dry cleaner is located on the ground-floor of one of these buildings.

The residential uses within the study area are primarily 5 to 10-stories. An 18-story residential building is located on the southwest corner of Ninth Avenue and West 55th Street is the only exception. As described above, mixed-use residential buildings almost continuously line both sides of Ninth Avenue. The Ninth Avenue Site is one of the few places where the line of ground floor retail is interrupted. The side streets primarily include multi-unit residential buildings.

Additional land uses within the study area include a two-story commercial building across West 54th Street from the Ninth Avenue Site, two commercial buildings on West 52nd Street, an auto care center on West 54th Street, and scattered institutional uses. The Alvin Ailey American




Ninth Avenue Site
Existing Land Use
**Figure 3-5**

Dance Theater, which is located on the northwest corner of West 55th Street and Ninth Avenue, is the most prominent of these institutional land uses. Other institutional land uses include the St. Benedict of the Moor Church at 342 West 53rd Street and the School for Strings at 419 West 54th Street.

## ZONING

Zoning is a tool for implementing the City's planning and development objectives by regulating land use, density, and building bulk. The study areas for the three project sites contain various commercial, residential, and manufacturing zoning districts. In portions of the study areas, these underlying zoning districts are modified for special use districts that were mapped by the City to promote specific development and urban design objectives oriented to the character and planning goals of a particular area. The study areas contain all or portions of five special purpose districts:

- Special Hudson Yards District: intended to create a new commercial district to complement the Midtown Central Business District and to create a vibrant transit-oriented mixed-use neighborhood;
- Special Midtown District: intended to strengthen the Midtown business core by guiding growth toward areas most able to accommodate new development;
- Special Garment Center District: intended to provide adequate space for the future needs of the fashion industry;
- Special Clinton District: intended to preserve the residential core of the Clinton neighborhood; and
- Special West Chelsea District: intended to encourage and guide the development of West Chelsea as a dynamic mixed use neighborhood.

In addition to the specific underlying zoning districts, and special districts in some locations, that apply to the project sites and their respective study areas, two zoning text amendments were recently approved that apply to all areas. The first text amendment requires indoor, secure, long-term bicycle parking in new multi-family residential, community facility, and commercial buildings and it applies to all zoning districts. The regulations for multi-family residential buildings (more than 10 units) require that one bicycle parking space be provided per two residential units. For commercial uses, the requirements are one bicycle parking space per 7,500 sf of floor area for commercial offices, and one bicycle parking space per 10,000 sf of floor area for retail and other commercial uses. Certain large entertainment facilities are subject to a requirement of one bicycle parking space per 20,000 sf of floor area. For community facility uses, one bicycle parking space is required per 10,000 sf of floor area. Public parking garages are required to provide one bicycle parking space per 10 vehicle spaces. These requirements apply to new buildings, enlargements of 50 percent or more, and conversions to residential use. Bicycle parking spaces must be enclosed and accessible to designated users, and the spaces must either be secured by a locked door or include a securely anchored rack to which the bicycle frame and one wheel can be locked. Bicycle parking does not count as floor area and could be provided on the ground floor, in a cellar, or in a parking garage.

The second text amendment is a street tree planting text amendment that establishes street tree planting requirements in all zoning districts, and requires a planting strip between the sidewalk and curb in lower-density residential zoning districts. The tree planting requirement establishes regulations that would require planting of street trees in all zoning districts for new developments, major enlargements, and certain conversions. The regulations do not apply to light or heavy industrial

uses. One street tree is required for every 25 feet of street frontage of the zoning lot, with a minimum requirement of one street tree. Pre-existing street trees along the street frontage count towards the requirement. The site owner is responsible for planting the trees and DPR is responsible for maintenance. Required street trees that cannot be planted due to site constraints must be planted in an alternate offsite location selected by DPR. A qualifying location is either an existing vacant street tree pit or an area owned by the City of New York. The alternate off-site location must be within the same Community District or ½-mile of the subject development site.

*DEVELOPMENT SITE*

The Development Site is currently zoned as a manufacturing M2-3 district (see Figure 3-6). M2 districts are typically located between light and heavy industrial areas. M2-3 districts permit lower-density manufacturing uses with performance standards that are lower than M1 districts. Except where M2-3 uses border a residential district, more noise and vibration are allowed, smoke is permitted, and industrial activities need not be entirely enclosed, Residential and community facilities are not permitted in the M2-3 district. New manufacturing and limited commercial uses can be developed to a maximum FAR of 2.0. There are no parking requirements in M2-3 zoning districts.

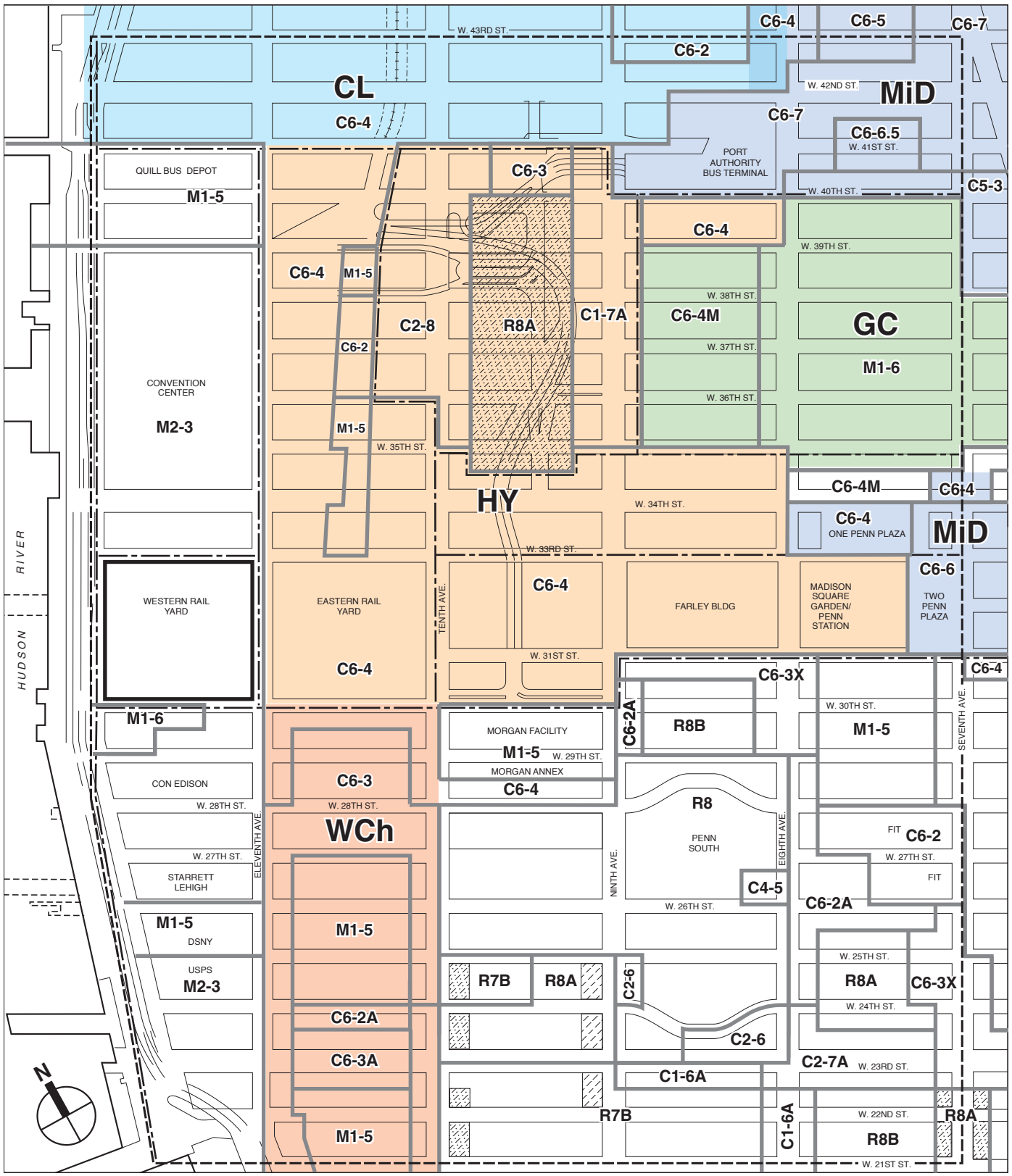
*DEVELOPMENT SITE STUDY AREA*

*Large-Scale Plan*

The majority of the Large-Scale Plan subarea is mapped with an underlying C6-4 commercial zoning district, with small portions zoned as M1-5 and C6-2 districts within the boundaries of the Hudson Park and Boulevard area. However, these underlying districts are modified by the Special Hudson Yards District, which covers the entire Large-Scale Plan subarea (see Figure 3-7).

The Special Hudson Yards District allows the FAR to exceed that permitted by the underlying zoning district through four mechanisms—two bonus provisions and two floor area transfer provisions. The District Improvement Bonus (DIB) allows for an increase in FAR through contributions to the Special Hudson Yards District Improvement Fund. The Inclusionary Housing Bonus (IHB) permits an increase in FAR in high-density residential districts. The IHB provides a zoning bonus that allows increased floor area for residential developments in exchange for the provision of permanently affordable housing. Floor area beyond the base amount may be obtained if both the DIB is utilized and affordable housing is provided through the Inclusionary Housing Program, either on-site or off-site. Off-site locations must be within Community District 4 or within an adjacent Community District if they are within ½-mile of the market-rate development. The additional floor area must be accommodated within the applicable height and setback provisions of the underlying zoning district. Floor area can be transferred from the Eastern Rail Yard and from Phase 2 of the Hudson Park and Boulevard area, which are both described in more detail below.

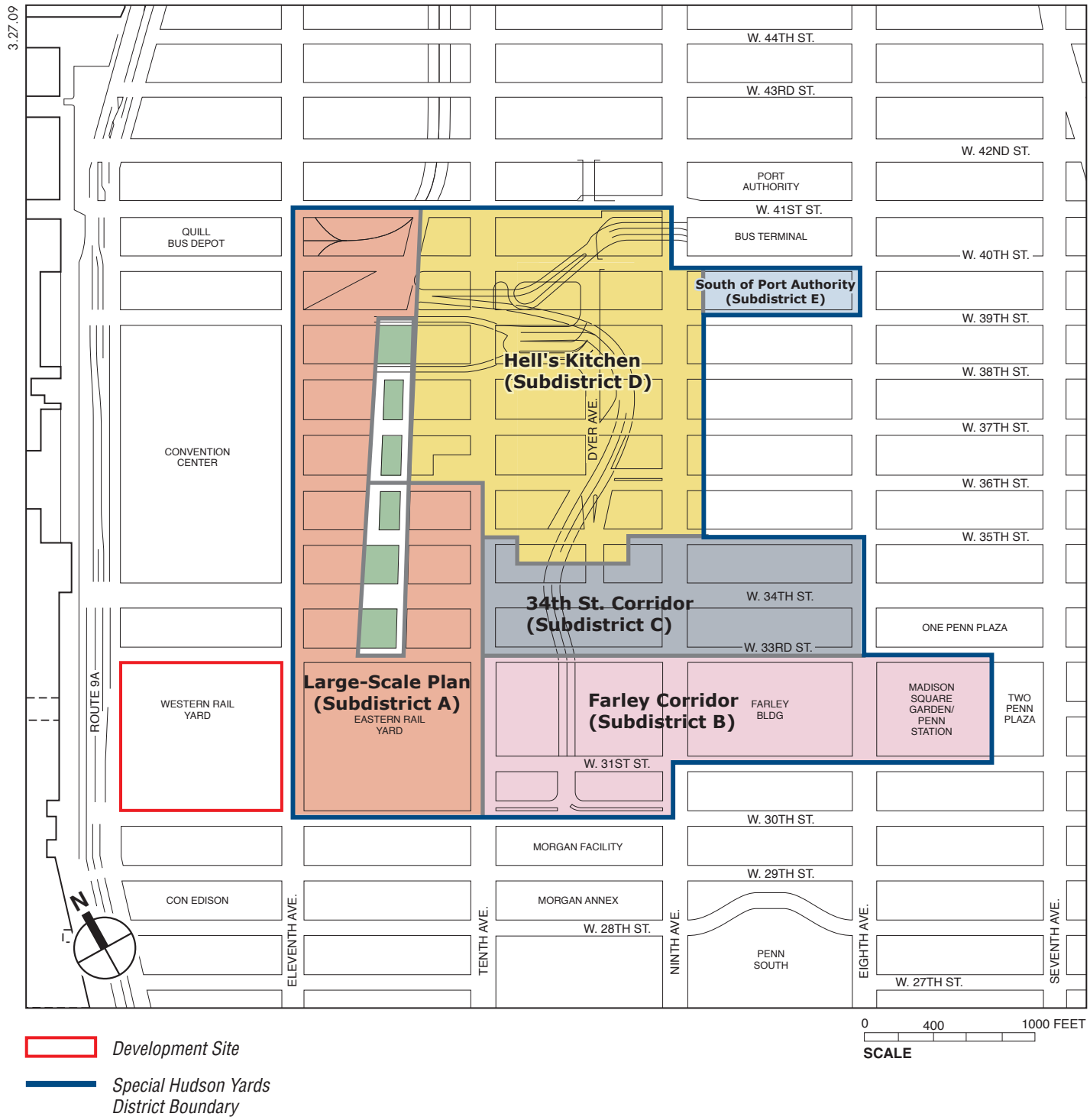
The Large-Scale Plan subarea is classified as a subdistrict (Subdistrict A) within the larger Special District. The subdistrict is divided into five subareas (see Figure 3-8). Subarea A1 covers the Eastern Rail Yard. Subarea A2 ("Four Corners Subarea") extends from West 33rd to West 35th Streets from Tenth to Eleventh Avenues. Subarea A3 covers the area between West 35th and West 36th Streets from Tenth to Eleventh Avenues. Subarea A4 is an irregularly shaped area between West 36th and West 38th Streets, from approximately midblock to Eleventh Avenue. Subarea A5 covers the remaining portion of the Large-Scale Plan Subdistrict and extends from West 38th Street to West 41st Streets from approximately Cardinal Stepinac Place (the entrance to the Lincoln Tunnel between Tenth and Eleventh Avenues) and Eleventh Avenue.




*Development Site*
*Study Area Boundary*
*Subarea Boundary*
MiD *Special Midtown District*
HY *Special Hudson Yards District*
GC *Special Garment Center District*
CL *Special Clinton District*
WCh *Special West Chelsea District*
*Zoning District Boundary*
*C1-5 Overlay*
*C2-5 Overlay*

WESTERN **RAIL YARD**

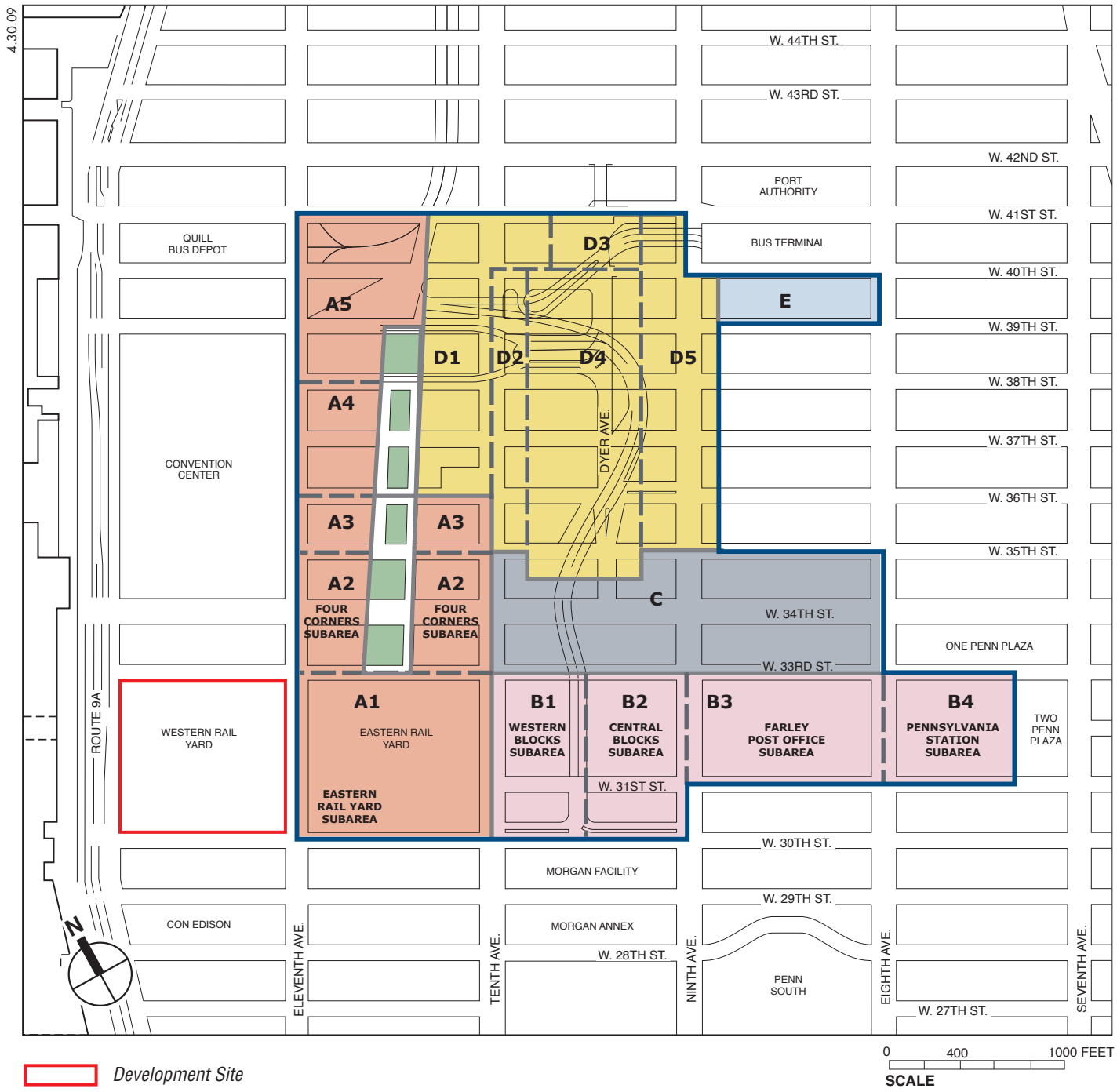
Development Site
Existing Zoning
**Figure 3-6**




WESTERN **RAIL YARD**

Special Hudson Yards District: Subdistricts

**Figure 3-7**




*Development Site*

*Special Hudson Yards District Boundary*

*Subarea Boundary*

**A1** *Subarea*



Special Hudson Yards District: Subareas
**Figure 3-8**

The Special Hudson Yards District regulations modify the underlying C6-4 FAR regulations in the Large-Scale Plan. The IHB, which is described above, is not available within the Large-Scale Plan subarea. Typically, a C6-4 district has a maximum commercial, residential, and community facility FAR of 10.0. The zoning regulations within the Large-Scale Plan Subdistrict seek to create a new central business district by encouraging the development of office towers and limiting residential development. For all subareas, the base commercial FAR is 10.0 and the base community facility FAR is 2.0. Residential development is permitted in each subarea to a maximum FAR of 6.0, but only after a specific non-residential FAR threshold has been surpassed. There are various building base height, setback, and streetwall requirements for the various subareas within the Large-Scale Plan—there are no overall maximum building height requirements.

Subarea A1, the Eastern Rail Yard, permits a maximum FAR of 19.0, but this maximum FAR can not be developed on the site. Only a maximum of up to 11.0 FAR can be developed on-site, with up to 9.0 FAR for commercial uses, 2.0 for community facility uses, and 3.0 for residential uses. Residential development is only permitted in developments that exceed a non-residential FAR threshold of 8.0. The remaining FAR above that used on the site can be transferred to other Large-Scale Plan subareas.

A proposal to amend four sections of the Zoning Resolution relating to Subarea A1 (Eastern Rail Yard) of the Special Hudson Yards District was approved by the City Council in April, 2009. The text amendments did not change the land uses or intensities of the uses for Subarea A1. Section 93-514(a)(3) of the Special Hudson Yards District zoning requirements limited the use of any building in the southwest corner of the site to community facility use. The zoning was amended to allow for residential with ground floor retail use in this southwest quadrant of the site. The text amendment also eliminated the ground floor retail requirement for any community facility building located in the southwest quadrant of the site.

The text amendment also eliminated the accessory parking requirement for commercial, residential, and community facility uses and set forth a maximum of 350 parking spaces accessory to commercial and community facility uses and a maximum of 1,000 parking spaces for all uses. The text amendment required that any parking spaces in Subarea A1 be used exclusively as accessory parking and not available to the general public, as previously permitted by that section.

Table 3-1 describes each of the maximum permitted FARs within Subareas A2 through A5 of the Large Scale Plan. Subareas A2 and A3 permit a commercial base FAR of 10.0 above which an additional 8.0 FAR can be obtained by utilizing the DIB. By transferring floor area from Subarea A1, the Eastern Rail Yard, a maximum FAR of 33.0 and 24.0 FAR is achievable in Subareas A2 and A3, respectively. For both Subareas A2 and A3, residential development to a maximum of 6.0 FAR is only permitted in developments that exceed a non-residential FAR threshold of 18.0.

Subareas A4 and A5 permit a commercial base FAR of 10.0, above which an additional 8.0 FAR can be obtained through utilization of the DIB. The maximum FAR in Subarea A4 is 21.6 while the maximum in Subarea A5 is 20.0. As with Subareas A2 and A3, the maximum FAR is reached through floor area distributed from the Eastern Rail Yard for all density above the FAR from the DIB utilization. Residential development is permitted once developments have exceeded a non-residential FAR threshold of 15.6 FAR and 14.0 FAR for Subareas A4 and A5, respectively.

**Table 3-1**
**Maximum Permitted Floor Area Ratio within Special Hudson Yards Subdistrict A**

| | Subarea A2 | Subarea A3 | Subarea A4 | Subarea A5 |
|---|---|---|---|---|
| Basic maximum FAR | 10.0 total<br>10.0 C<br>2.0 CF | 10.0 total<br>10.0 C<br>2.0 CF | 10.0 total<br>10.0 C<br>2.0 CF | 10.0 total<br>10.0 C<br>2.0 CF |
| Maximum FAR through special floor area increases[1] | 18.0 total<br>18.0 C<br>2.0 CF | 18.0 total<br>18.0 C<br>2.0 CF | 18.0 total<br>18.0 C<br>2.4 R<br>2.0 CF | 18.0 total<br>18.0 C<br>4.0 R<br>2.0 CF |
| Maximum FAR through distribution[2] | 33.0 total<br>33.0 C<br>6.0 R<br>2.0 CF | 24.0 total<br>24.0 C<br>6.0 R<br>2.0 CF | 21.6 total<br>21.6 C<br>6.0 R<br>2.0 CF | 20.0 total<br>20.0 C<br>6.0 R<br>2.0 CF |

**Notes:**
C= commercial
R= residential
CF= community facility
1. Maximum FAR is achievable pursuant to Section 93-31 (utilizing the DIB) or transfer or increase pursuant to Section 93-32 or Section 93-33 (floor area from a granting site within the Phase 2 Hudson Park and Boulevard area can be transferred to a receiving site).
2. Maximum FAR is achievable through distribution pursuant to Section 93-34 (transferring floor area from Subarea A1, the Eastern Rail Yard).
**Source:** *New York City Zoning Resolution*

The Hudson Park and Boulevard area, divided into two "Phases" in the Special Hudson Yards District, is mapped with underlying M1-5, C6-2, and C6-4 districts and extends approximately midblock from West 33rd to West 39th Streets between Tenth and Eleventh Avenues. Phase 1 extends from West 33rd Street to West 36th Streets and Phase 2 extends from West 36th to West 39th Streets with a connection to 42nd Street via a pedestrian bridge. The Special District regulations modify the underlying district regulations such that no new development or enlargements of existing uses are permitted upon the footprint of the Park and Boulevard. However, floor area from a designated granting site within the Phase 2 Hudson Park and Boulevard area can be transferred to a receiving site in Subdistrict A or the Hell's Kitchen Subdistrict (Subarea D1 and D2) of the Special Hudson Yards District.

*Farley Corridor*

The C6-4 commercial district is the underlying zoning for the majority of the Farley Corridor subarea. Except for the Two Penn Plaza site, the Farley Corridor is located within the Special Hudson Yards District (see Figure 3-7). This area is mapped as the Farley Corridor Subdistrict (Subdistrict B), and the regulations within this subdistrict seek to create opportunities for major office development, reintroduce West 32nd Street as a pedestrian corridor, and enhance connections between Midtown and the future Hudson Yards development.

The Farley Corridor Subdistrict is divided into four distinct subareas: B1-Western Blocks, B2-Central Blocks, B3-Farley Post Office, and B4-Penn Station (see Figure 3-8). The maximum FAR for community facility uses in all of the Farley Corridor Subdistrict is 2.0.

Subarea B1, the Western Blocks, covers the area west of the Lincoln Tunnel Expressway to Tenth Avenue. Within this subarea, the base commercial FAR is 10.0 (same as the underlying C6-4 district)

with a maximum of 21.6, which is achievable through the DIB. Subarea B1 permits up to 6.0 FAR for residential use but only once commercial FAR of 12.0 has been reached.

Subarea B2, Central Blocks, covers the area east of the Lincoln Tunnel Expressway to Ninth Avenue. The base commercial FAR is 12.0 with a maximum of 19.0 FAR that is achievable through DIB. Residential uses, up to 4.0 FAR, are permitted once commercial FAR has reached 15.0.

Subarea B3 is occupied entirely by the Farley Post Office. The maximum FAR is 10.0 for commercial uses (same as the underlying C6-4 district). The maximum FAR for residential uses is 6.0, which is lower than the underlying C6-4 district. Subarea B3 is the only subarea of Subdistrict B that contains no bonus mechanisms to increase FAR and the only subarea that allows residential development without a commercial minimum development.

Subarea B4 covers Penn Station. The base FAR is the same as in Subarea B3, but the maximum commercial FAR is 19.5, which is achievable with the provision of public transit improvements or significant enhancements to the pedestrian environment (see Section 93-35) and the transfer of development rights from landmark sites (see Section 74-79, as modified by paragraph (b) of 93-054). Residential development is not permitted in Subarea B4.

Table 3-2 describes the permitted FARs for non-residential and residential buildings within the Farley Corridor as well as the maximum FAR that is available with the use of floor area bonuses.

**Table 3-2**
**Maximum Permitted Floor Area Ratio within Special Hudson Yards Subdistricts B through E**

| | Farley Corridor: Subdistrict B | | | | 34th Street Corridor | Hell's Kitchen: Subdistrict D | | | South of the Port Authority Subdistrict E |
|---|---|---|---|---|---|---|---|---|---|
| | Western Blocks: Subarea B1 | Central Blocks: Subarea B2 | Farley Post Office: Subarea B3 | Penn Station: Subarea B4 | Subdistrict C | Subarea D1 | Subarea D2 | Subarea D3 | |
| Basic maximum FAR for non-residential buildings | 10.0 total<br>10.0 C<br>2.0 CF | 12.0 total<br>12.0 C<br>2.0 CF | 10.0 total<br>10.0 C<br>6.0 R<br>2.0 CF | 10.0 total<br>10.0 C<br>2.0 CF | 10.0 total<br>10.0 C<br>10.0 CF | 7.5 total<br>2.0 C<br>7.5 CF | 7.5 total<br>2.0 C<br>7.5 CF | 7.5 total<br>6.0 C<br>7.5 CF | 10.0 total<br>10.0 C<br>2.0 CF |
| Basic maximum FAR for buildings containing residences | N/A | N/A | N/A | N/A | 6.5 total<br>6.5 C<br>6.5 R<br>6.5 CF | 6.5 total<br>2.0 C<br>6.5 R<br>6.5 CF | 6.5 total<br>2.0 C<br>6.5 R<br>6.5 CF | 7.5 total<br>6.0 C<br>7.5 R<br>7.5 CF | N/A |
| Maximum FAR through special floor area increases[1] | 21.6 total<br>21.6 C<br>6.0 R<br>2.0 CF | 19.0 total<br>19.0 C<br>4.0 R<br>2.0 CF | 10.0 total<br>10.0 C<br>6.0 R<br>2.0 CF | 19.5 total<br>19.5 C<br>2.0 CF | 13.0 total<br>13.0 C<br>12.0 R<br>12.0 CF | 15.0 total<br>3.0 C<br>12.0 R<br>12.0 CF | 13.0 total<br>3.0 C<br>12.0 R<br>12.0 CF | 12.0 total<br>7.2 C<br>7.5 R<br>12.0 CF | 18.0 total<br>18.0 C<br>3.0 R<br>2.0 CF |

**Notes:**
C= commercial
R= residential
CF= community facility
1. The maximum FAR is achievable pursuant to Section 93-30, inclusive, Inclusionary Housing Section 93-23, inclusive, or Section 74-79, inclusive, as applicable.
**Source:** *New York City Zoning Resolution*

The Two Penn Plaza site is zoned as a C6-6 commercial district. Typically, C6-6 districts permit a wide range of high-bulk commercial uses requiring a central location, as well as residential and community facility uses. The Two Penn Plaza site is located within the Penn Center Subdistrict

of the Special Midtown District. Adopted in May 1982, the Special Midtown District was created to strengthen the Midtown business core by guiding growth toward the areas most able to accommodate new development; 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 Penn Center Subdistrict, Grand Central Subdistrict, Theater Subdistrict, Fifth Avenue Subdistrict, and Preservation Subdistrict. Special provisions are established in the Penn Center Subdistrict for signs, retail frontage, and streetwalls. The base maximum FAR for commercial use on this site within the Special Midtown District is 15.0 and can be increased to 18.0 with as-of-right (urban plaza), district-wide, public transportation improvements, and Penn Center Subdistrict incentives.

*34th Street Corridor*

The 34th Street Corridor is mapped with underlying commercial C6-4 and C6-4M districts as well as an M1-6 manufacturing district. The Special Hudson Yards District and Special Midtown District are also mapped in the 34th Street Corridor.

The portion of the 34th Street Corridor within the Special Hudson Yards District is located between Eighth and Tenth Avenues (see Figure 3-7). This area is classified as Subdistrict C-34th Street Corridor and mapped as an underlying C6-4 commercial district. The zoning regulations within this Subdistrict reinforce the existing mix of residential and commercial uses. Commercial and community facility uses are permitted to a base of 10.0 FAR, which can be increased to 13.0 FAR through the DIB. The base residential 6.5 FAR can be increased through a combination of the DIB and the IHB to a maximum residential FAR of 12.0. As described above, the DIB and the IHB must be used concurrently. A residential development (12.0 FAR) with ground floor retail (1.0 FAR) could achieve a maximum of 13.0 FAR (see Table 3-2). The Special Hudson Yards District regulations mandate 100 percent ground floor retail along both sides of 34th Street, Ninth Avenue, and Tenth Avenue.

The portion of the 34th Street Corridor between Seventh and Eighth Avenues and West 33rd and West 34th Streets is mapped as an underlying C6-4 district and is located within the Special Midtown District. The portion along the western block face of Seventh Avenue is within the Penn Center Subdistrict of the Special Midtown District. The Penn Center Subdistrict and the Special Midtown District are described above.

The portion of the 34th Street Corridor from approximately 100 feet of Seventh Avenue to Eighth Avenue along the north side of West 34th Street is zoned as a C6-4M commercial district. This area is not located within a special district. C6-4M districts allow the same uses and permit the same FAR as C6-4 districts, but additional regulations limit the conversion of non-residential uses to residential uses.

The south side of West 35th Street between Seventh and Eighth Avenues is zoned with an underlying M1-6 manufacturing district. This area is within the Special Garment Center District, a special district intended to provide adequate space for an interrelated network of manufacturers, suppliers, wholesalers, and showrooms that serve the fashion industry. M1-6 manufacturing districts are only mapped in Manhattan and permit commercial and light manufacturing uses to a maximum 10.0 FAR (12.0 with an urban plaza bonus). Residential uses are not permitted in M1-6 districts.

*Hell's Kitchen*

Hell's Kitchen is mapped with underlying C1-7A, C2-8, C6-3, and C6-4 commercial districts and C2-5 overlays, as well as residential R8A districts. The Hell's Kitchen subarea is also located within the Special Hudson Yards District and is mapped as the Hell's Kitchen Subdistrict (D). Therefore, the Special District regulations modify the underlying districts

The Hell's Kitchen Subdistrict is divided into five subareas (see Figure 3-8). Subareas D1 and D2 are zoned with an underlying commercial C2-8 district. The goal of the zoning regulations for the Special Hudson Yards District in these subareas is to create a new context along Tenth Avenue, which divides the two subareas. Residential, community facility, and commercial uses are permitted within each subarea. In both subareas, the Special Hudson Yards District regulations supersede the base commercial and residential FAR. Typically, C2-8 regulations permit commercial development to 2.0 FAR and residential and community facility development to 10.0 FAR. The latter two FARs can be increased to 12.0 FAR with an urban plaza or inclusionary housing bonus. Within the Special District, commercial development is permitted to a base of 2.0 FAR, residential development is permitted to a base of 6.5 FAR, and community facility development is permitted to a base of 7.5 FAR. The Special District regulations permit using the DIB to increase the commercial and community facility FAR and using the IHB and DIB to increase the residential FAR (see Table 3-2). The IHB is not available within the other Hell's Kitchen subareas. Overall, the maximum FAR in Subarea D1 is 15.0 and 13.0 within Subarea D2. In each subarea, up to 12.0 FAR of the maximum can be used for community facility or residential development and up to 3.0 FAR for commercial.

Subarea D3 is zoned with an underlying C6-3 district. Typically, commercial C6-3 regulations permit commercial development up to 6.0 FAR (7.2 with a plaza bonus), community facilities to a 10.0 FAR (12.0 with a plaza bonus), and residential development up to 7.52 FAR. The Special Hudson Yards District regulations permit residential and community facility uses at a base of 7.5 FAR, and commercial to a base of 6.0 FAR. All of these uses may be increased through the use of DIB to 7.5 FAR (residential), 7.2 FAR (commercial), and 12.0 FAR (community facility).

Subarea D4 is classified as the Hell's Kitchen's core. This subarea is zoned with an underlying R8A residential district and C2-5 commercial overlay. The Special District regulations do not supersede the underlying zoning regulations. R8A districts are contextual quality housing program districts that permit residential and community facility uses. Residential development is permitted to 6.02 FAR and community facilities are permitted to 6.5 FAR. Commercial uses are permitted to a maximum 2.0 FAR. C2-5 districts are mapped as a commercial overlay in residential districts. The residential FAR within the overlay district is governed by the underlying district. Within mixed residential/commercial building, commercial uses are limited to the first two floors and must be below the residential uses. The maximum height limit in Subarea D4 is 120 feet. For certain sites CPC may authorize an increase of the height limit to a maximum of 180 feet in exchange for the provision of public open areas as described in Section 93-543 of the Zoning Resolution.

In Subarea D5, which runs along Ninth Avenue, the underlying C1-7A zoning applies. The Special Hudson Yards District does not contain any special regulations that supersede the FAR provisions of the underlying districts in subarea D5. In this subarea, the zoning regulations maintain Ninth Avenue as the neighborhood's "Main Street." Therefore, the special district regulations mandate 100 percent ground floor retail along both sides of Ninth Avenue. C1-7A commercial districts are mapped in predominately residential areas and along major thoroughfares in medium- and higher-density portions of the City. Commercial development

within C1-7A districts is permitted to a maximum FAR of 2.0, residential development to an FAR of 6.02, and community facilities to an FAR of 6.5. As in subarea D4, the maximum height limit in subarea D5 is 120 feet. CPC may authorize an increase of the height limit to a maximum of 180 feet in exchange for the provision of public open areas as described in Section 93-543 of the Zoning Resolution.

*Convention Corridor*

The Convention Corridor is zoned entirely for manufacturing uses (see Figure 3-6). An M1-5 light manufacturing district is mapped on the northern portion of the corridor between West 39th and West 41st Streets. The remaining portion of the corridor, which is located between West 33rd and West 39th Streets, is mapped as M2-3, which is described above for the Development Site.

M1-5 districts permit manufacturing uses located within completely enclosed buildings that conform to strict performance standards for noise, vibration, smoke, and odors, which limits their impact on adjacent residential areas. Representative industries found within the district include printing, production of apparel or textiles, electrical supplies, automotive parts, paper products, machinery, and transportation uses. The M1-5 district allows for low- to moderate-density commercial development up to 5.0 FAR. New residential uses and residential conversions are not permitted. Parking is not required in M1-5 districts.

*42nd Street Corridor*

The 42nd Street Corridor's zoning regulations reinforce the existing mixed-use high-rise development. The 42nd Street Corridor is zoned almost entirely as a C6-4 commercial district, with small portions mapped as commercial C6-2, C6-5, C6-6.5, and C6-7 districts. Portions of the 42nd Street Corridor are within the Special Clinton District and the Special Midtown District (see Figure 3-6).

The Special Clinton District generally covers a portion of the 42nd Street Corridor bounded by West 41st and West 43rd Streets west of Eighth Avenue but contains one block (West 42nd to West 43rd Street, Ninth to Tenth Avenue) that is excluded from the regulations of that Special District. This Special District was established in 1974 in part to protect the Clinton neighborhood's scale. The goals of this Special District are to restrict demolition of buildings suitable for rehabilitation, ensure that Clinton is not adversely affected by new development, and improve the physical environment by providing such amenities as street trees in connection with development. In January 2005, September 2008, and January 2009, the Special Clinton District was amended to permit a floor area bonus for new legitimate theater use. This bonus is only applicable in portions of the 42nd Street Perimeter Area, specifically the block and a half between West 41st and West 42nd Streets from Dyer to Eleventh Avenues.

The Special Clinton District comprises three subareas: the Preservation, Perimeter, and Other subareas. The portion of the Special Clinton District that lies within the 42nd Street Corridor is the 42nd Street Perimeter Area, with an underlying zoning of C6-4, which permits high-density commercial (10.0 FAR) and residential (12.0 FAR with inclusionary housing) development, with the exception of the block between West 42nd and West 43rd Streets and Ninth to Tenth Avenues. As described above, a theater bonus is available in this area, which permits development up to 15.0 FAR. This area is an "Excluded Area" of the Special Clinton District, in that it is excluded from the requirements of the Special District and governed by the underlying zoning.

The portion of the 42nd Street Corridor located in the Special Midtown District contains underlying C6-2, C6-5, C6-6.5, C6-7 and C6-4. C6-2 districts permit commercial, residential, and community facility development, and the FAR is described above. C6-5 and C6-7 districts permit high-bulk commercial uses to a maximum FAR of 10.0 (12.0 with a plaza bonus) and 15.0 (18.0 with a plaza bonus), respectively. Residential uses in the C6-7 district are permitted to a maximum of 10.0 (14.4 with plaza and inclusionary housing bonuses) and 10.0 FAR (12.0 with inclusionary housing bonuses) in the C6-7 district. The underlying C6-7 commercial district is mapped on the area covered by the Port Authority Bus Terminal. This area extends from West 40th to West 41st Streets between Eighth and Ninth Avenues and is located in the Special Midtown District. The Bus Terminal occupies the entire site.

A portion of the 42nd Street Corridor from Eighth Avenue to approximately 150 feet west of Eighth Avenue is located in the Special Midtown District and in the Special Clinton District. It is mapped with an underlying C6-4 zoning district, which allows for a maximum FAR of 10.0 (12.0 FAR with Inclusionary Housing bonus).

*Garment Center*

The Development Site Study Area includes the westernmost portion of New York City's Garment Center. The Garment Center subarea is mapped with commercial C6-4 and C6-4M districts and a manufacturing M1-6 district. Portions of the subarea are also located within the Special Garment Center, Special Hudson Yards District, and Special Midtown District.

The commercial C6-4M district is mapped in the area between West 35th and West 39th Streets from 100 feet east of Ninth Avenue to 100 feet west of Eighth Avenue. C6-4M districts permit residential and commercial uses but have special regulations that limit the conversion of non-residential uses to residential uses within buildings greater than 70,000 gsf. The base FAR in this area is 6.5 for residential uses, which can be increased to a maximum of 12.0 through the IHB and DIB. The base FAR for commercial uses is 10.0, which can be increased to a maximum of 12.0 through the DIB.

The Special Garment Center District is mapped between Broadway and 100 feet east of Ninth Avenue, generally between West 35th and West 40th Streets. As described above, the Special Garment Center District is intended to provide adequate space for an interrelated network of manufacturers, suppliers, wholesalers, and showrooms that service the fashion industry. The Special Garment Center District's underlying manufacturing zoning is augmented by additional regulations for two "Preservation Areas" mapped on the midblocks starting from 100 feet in from the avenues, and excluding buildings fronting on the avenues. The P-1 Preservation Area is located in the midblocks between Seventh and Eighth Avenues and from the northern portion of the block between West 34th and 35th Street in the south to West 40th Street in the north. The portion of the Special Garment Center District P-2 Preservation Area in the study area covers the area from 100 feet west of Eighth Avenue to 100 feet east of Ninth Avenue from West 35th to West 39th Streets. Within the Preservation Area, as-of-right uses are restricted to a list of retail service, industrial, and apparel-related activities. Conversion to office use (and residential use in the P-2 Preservation Area) is permitted only if an equal amount of space is preserved for manufacturing, warehouses, packing and crating, or trucking (and in the P-2 Preservation Area, retail and service) uses elsewhere in the Special District. In this way, the Preservation Area is intended to provide a relocation area for fashion-related firms as buildings are converted to conventional office space. The P-2 Preservation Area also has a height limit of 250 feet as defined in Section 121-32 of the Zoning Resolution.

The area mapped as C6-4 between West 39th and West 40th Streets from 100 feet east of Ninth Avenue to Eighth Avenue is designated as South of the Port Authority Subdistrict E of the

Special Hudson Yards District (see Figure 3-8). The base commercial FAR is 10.0, which can be increased to 18.0 through the DIB. Residential uses are permitted up to 3.0 FAR and community facilities are permitted to a 2.0 FAR (see Table 3-2).

*Chelsea*

The Chelsea portion of the study area includes a wide variety of zoning districts including: residential R7B, R8, R8A, and R8B districts; commercial C1-5, C1-6A, C2-5, C2-6, C4-5, C6-2A, C6-3, C6-3A, C6-3X, and C6-4 districts; and manufacturing M1-5, M1-6, and M2-3 districts. A significant portion of the subarea is within the Special Chelsea District. (See Table 3-3 for the list of zoning districts in the Chelsea subarea.)

**Table 3-3**
**Zoning Districts Located in the Chelsea Subarea**

| Zoning District | Maximum FAR[1] | Uses/Zone Type |
|---|---|---|
| R7B | 3 residential or community facility | Contextual residence district, medium-density housing, low-rise buildings with greater lot coverage |
| R8 | 0.94 to 6.02 residential<br>6.5 community facility | General residence district, high-density housing |
| R8A | 6.02 residential<br>6.5 community facility | Contextual residence district, high-density housing, compatible with existing older neighborhoods; Special Hudson Yards District |
| R8B | 4 residential or community facility | Contextual residence district, high-density housing, rowhouse-style buildings |
| C1-5 overlay | 2 (in R6 to R10) commercial, follows bulk residential and community facility regulations of mapped residential district | Local shopping and services |
| C2-5 overlay | 2 (in R6 to R10) commercial, follows bulk residential and community facility regulations of mapped residential district | Local shopping and services |
| C2-6 | 2 commercial<br>0.87 to 3.44 residential<br>6.5 community facility | Commercial district, predominantly residential in character |
| C4-5 | 3.4 commercial<br>0.87 to 3.44 residential<br>6.5 community facility | General commercial district outside central business district, allowing a wide range of commercial uses and allowing residential and community facility uses |
| C6-2A | 6 commercial<br>6.02 residential<br>6.5 community facility | Contextual commercial district outside central business district, allowing a wide range of commercial uses and allowing residential and community facility uses |
| C6-2A | 6 commercial<br>6.02 residential<br>6.5 community facility | Contextual commercial district outside central business district, allowing a wide range of commercial uses and allowing residential and community facility uses |
| C6-3[3] | 5 commercial[2]<br>5 residential[2]<br>5 community facility[2] | High-density office district, wide range of high-bulk commercial uses requiring a central location; Special West Chelsea District |
| C6-3X | 6 commercial<br>9 residential<br>9 community facility | Contextual office district, wide range of high-bulk commercial uses requiring a central location |
| C6-4 | 10 commercial[4]<br>10 residential[4,5]<br>10 community facility[4] | High-density office district, wide range of high-bulk commercial uses requiring a central location |
| M1-5 | 5 commercial or manufacturing<br>6.5 community facility | Light manufacturing and most commercial uses, strict manufacturing performance standards; residential uses not permitted; Special Hudson Yards District |
| M1-6 | 10 commercial, manufacturing, or community facility[4] | Light manufacturing and most commercial uses, strict manufacturing performance standards; residential uses not permitted |
| M2-3 | 2 commercial or manufacturing | Medium manufacturing and most commercial uses, moderate manufacturing performance standards; residential uses not permitted |

**Notes:**
[1] FAR is a measure of density establishing the amount of development allowed in proportion to the base lot area. For example, a lot of 10,000 sf with a FAR of 1 has an allowable building area of 10,000 sf. The same lot with an FAR of 10 has an allowable building area of 100,000 sf.
[2] Per Special West Chelsea District regulations only.
[3] Overall maximum FAR of 7.5 is achievable per High Line Transfer Corridor and/or inclusionary housing bonuses per Special West Chelsea District.
[4] Up to 20 percent increase for plaza bonus.
[5] Up to 12 FAR for inclusionary housing bonus.
**Source:** *New York City Zoning Resolution*.

The Special West Chelsea District covers a portion of the subarea from Tenth to Eleventh Avenues from West 21st to West 30th Streets. The Special District was established to maintain West Chelsea as a mixed residential and commercial area centered on the public open space to be created by the reuse of the High Line. In general, the district preserves a midblock manufacturing district (M1-5) and promotes medium density residential development along the High Line and the avenues. At the north end of the Special District, higher density development (C6-4) is permitted, to acknowledge the transition from West Chelsea to Hudson Yards, which is more densely zoned.

The Special District regulations also strive to encourage and support the growth of arts-related uses and provide a transition to the higher density Hudson Yards area to the north. An Inclusionary Housing bonus facilitates development of affordable housing to ensure an economically diverse neighborhood.

*Waterfront*

The entire waterfront area is mapped with manufacturing M2-3 zoning, the same underlying zoning as the Development Site. The zoning designation supports medium-performance, heavy manufacturing uses.

*TENTH AVENUE SITE*

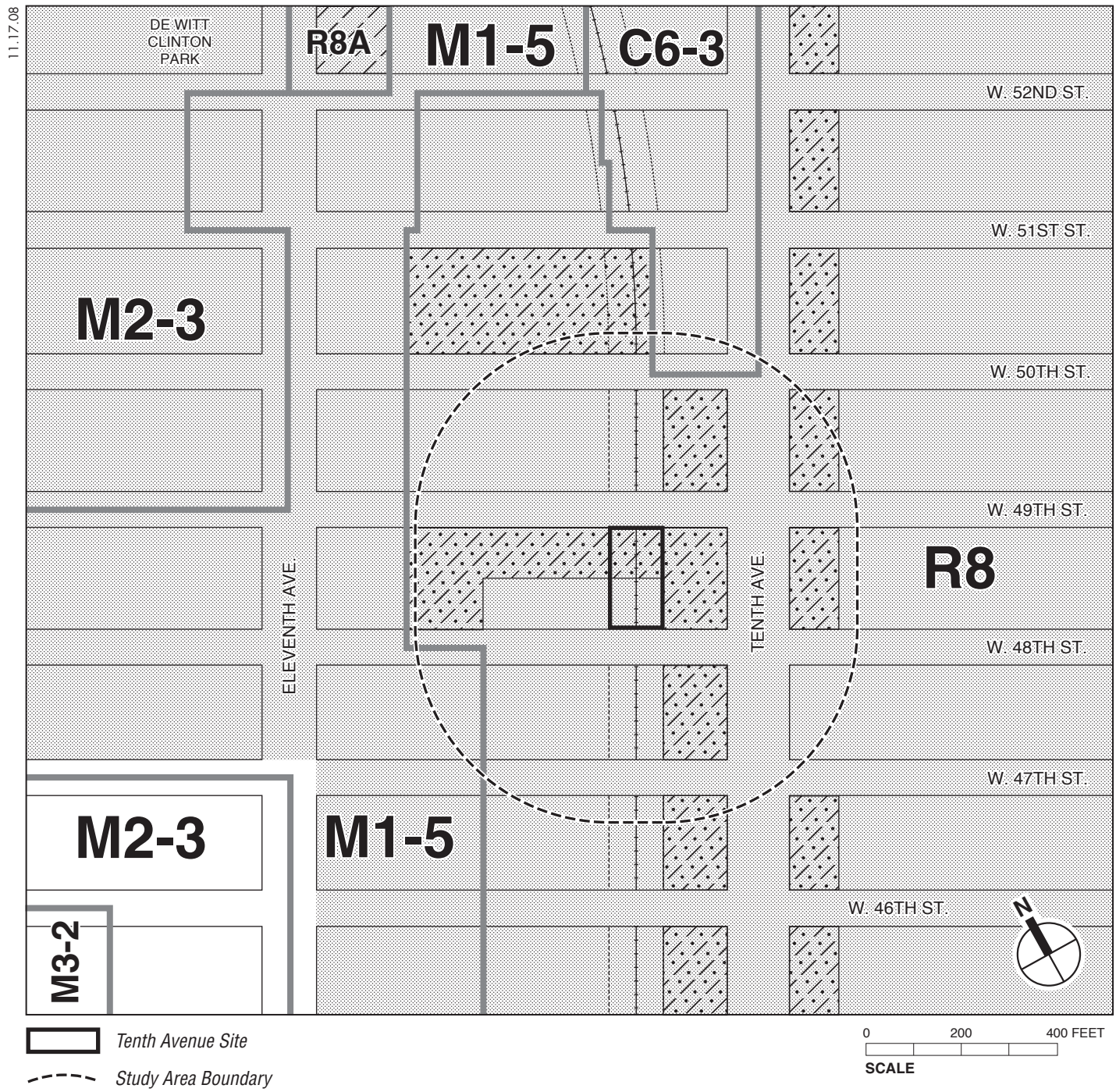
The Tenth Avenue Site is zoned as an underlying R8 residential district with a C2-5 commercial overlay on part of the site (see Figure 3-9). The project site is also partially located within the Preservation Area and the Other Area of the Special Clinton District. R8 districts within the Preservation Area and within the Other Area west of Tenth Avenue permit residential and community development to a maximum of 4.2 FAR.

C2-5 districts are mapped as commercial overlays in residential districts. Commercial uses are permitted to a maximum 2.0 FAR. The residential FAR is governed by the underlying residential district. Representative retail uses include small-scale retail such as grocery stores, beauty parlors, and restaurants that serve the surrounding neighborhood's local retail needs.

The Special Clinton District Preservation Area zoning regulations have requirements for lot coverage, yard, and building height. The Tenth Avenue Site is subject to the 60 percent maximum lot coverage and 66 foot maximum height regulations for lots beyond 100 feet on a wide street (a street 75 feet or more in width). However, CPC may grant a special permit to modify the height restriction but the maximum height cannot exceed 99 feet. Within the Other Area, the regulations of the underlying zoning district apply with respect to yard requirements and the maximum lot coverage within the Other Area shall not exceed 70 percent of the portion of the zoning lot.

*TENTH AVENUE SITE STUDY AREA*

Zoning designations within the 400-foot study area surrounding the Tenth Avenue Site include residential R8 districts, commercial C6-3 districts and C2-5 overlays, and manufacturing M1-5 districts. The entire study area is also within the Special Clinton District. The R8 district is mapped throughout the majority of the study area. The C6-3 commercial district is mapped in a small area north of West 50th Street. The C6-3 commercial district permits commercial development to a 6.0 FAR (7.2 FAR with a plaza bonus), community facilities to a 10.0 FAR (12.0 FAR with a plaza bonus), and residential FAR ranges from 0.97 to 7.52. The C2-5 commercial overlay is mapped on both sides of Tenth Avenue, on the south side of West 49th




Tenth Avenue Site
Existing Zoning
**Figure 3-9**

Street to 175 feet of Eleventh Avenue, and a small section on the north side of West 48th Street between 175 feet of Eleventh Avenue and 450 feet of Tenth Avenue. This district is described above. A small portion of the study area to the south of West 48th Street is mapped with an M1-5 manufacturing district. As described above, M1-5 districts permit light manufacturing uses with strict performance standards to limit their impact in the Special Clinton on adjacent residential areas. The M1-5 district allows for low- to moderate-density manufacturing and commercial development up to 5.0 FAR. Community facility development is permitted to 6.5 FAR.

*NINTH AVENUE SITE*

The Ninth Avenue Site is located within an underlying R8 residential district with a C1-5 commercial overlay district (see Figure 3-10). The project site is also located within the Preservation Area of the Special Clinton District. The R8 residential district and Special Clinton District regulations are described above. C1-5 districts are typically mapped along streets that serve the surrounding residential neighborhood's local retail needs. Within overlay districts, the maximum residential FAR is dictated by the underlying residential zoning district. Within a mixed residential/commercial building, commercial uses are limited to the first two floors and must be below the residential uses. The commercial FAR is 2.0.

The site is also subject to the lot coverage, height, and setback requirements of the Preservation Area—maximum heights of 85 feet on the avenue and 66 feet in the midblock. The Ninth Avenue Site is subject to the 70 percent maximum lot coverage. However, CPC may grant a special permit to modify the height restriction but the maximum height cannot exceed 115 feet within 100 feet of a wide street. Within 100 feet of a wide street, the streetwall must rise without a setback to a minimum height of 50 feet or the height of the building, whichever is less, and a maximum height of 66 feet. A setback must be provided for all portions of buildings that exceed a height of 66 feet and such setbacks must be provided at a height no lower than 50 feet and not higher than 66 feet and have a minimum depth of 10 feet, measured from any street wall facing a wide street and a minimum depth of 15 feet measured from any street wall facing a narrow street (less than 75 feet wide).

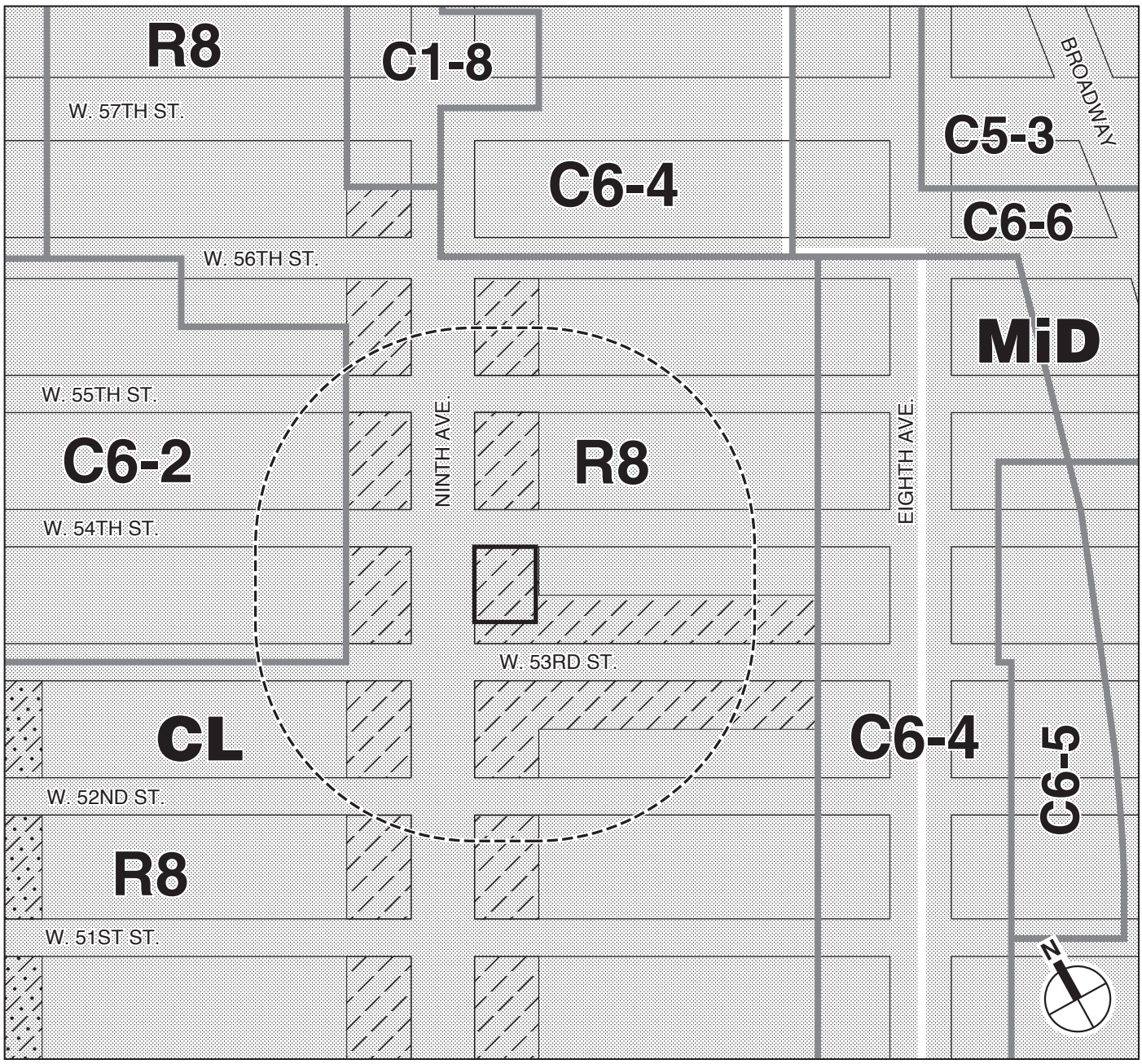
*NINTH AVENUE SITE STUDY AREA*

The 400-foot study area surrounding the Ninth Avenue Site is predominantly mapped with a R8 residential district with the western portion mapped with a C6-2 commercial district. The study area is also located within the Special Clinton District. A C1-5 commercial overlay extends along both sides of Ninth Avenue as well as both sides of West 53rd Street to within 150 feet of Eighth Avenue. The entire study area is located within the Preservation subarea of the Special Clinton District. The R8 and Preservation Area regulations are described above.

C6-2 zoning permits a wide variety of commercial uses, including large retail stores, residential, and community facility uses. The base FAR is 6.0 for commercial uses, 6.02 for residential uses, and 6.5 for community facility uses.

## PUBLIC POLICY

A number of other City policies are applicable to the project sites and their associated study areas. The majority of the public policies are location specific, associated with the waterfront, a business improvement district (BID), or a 197-a plan. PlaNYC is a City-wide policy that would




Ninth Avenue Site
Existing Zoning
**Figure 3-10**

be applicable to all three project sites. The following first describes PlaNYC and then the other public polices that would be applicable to the specific project sites and associated study areas.

*PLANYC*

In 2007, the Mayor's Office of Long Term Planning and Sustainability released *PlaNYC: A Greener, Greater New York*. PlaNYC represents a comprehensive and integrated approach to planning for New York City's future. It includes policies to address three key challenges that the City faces over the next twenty years: (1) population growth; (2) aging infrastructure; and (3) global climate change. Elements of the plan are organized into six categories—land, water, transportation, energy, air quality, and climate change—with corresponding goals and initiatives for each category.

Local Law 17 of 2008 established the New York City Office of Long-Term Planning and Sustainability and the requirement for this office to develop and coordinate the implementation of a comprehensive, long-term sustainability plan for the City. Local Law 17 of 2008 requires that sustainability plan to be updated by April 2011 and every four years thereafter. PlaNYC is the City's long-term sustainability plan until such time as it is updated by the Office of Long-Term Planning and Sustainability.

PlaNYC's policy objectives cover a broad range of the environmental considerations examined throughout this EIS. Within each appropriate technical chapter of the EIS (i.e., infrastructure, energy, air quality, etc.), the Proposed Actions will also be characterized in terms of their consistency with PlaNYC. Section E of this chapter summarizes the discussions in the technical chapters and analyzes the Proposed Actions' consistency with the specific PlaNYC goals and initiatives that relate to land use and zoning.

*DEVELOPMENT SITE*

*Local Waterfront Revitalization Program (LWRP)*

The Development Site is located within the designated New York City coastal zone. Pursuant to federal legislation, New York State and the City have adopted policies aimed at protecting resources in the coastal zone. The City's Waterfront Revitalization Program (WRP) contains 10 major policies, each with several objectives focused on improving public access to the waterfront, reducing damage from flooding and other water-related disasters, protecting water quality, sensitive habitats, such as wetlands, and the aquatic ecosystem, reusing abandoned waterfront structures, and promoting development with appropriate land uses. The principles of the WRP formed the basis for a New York City Department of City Planning (DCP) study and the resulting adoption of new waterfront zoning. CPC certifies whether a proposed action is in compliance with the City's WRP. The New York State Department of State has this responsibility on the State level. Chapter 13, "Waterfront Revitalization Program," discusses the Proposed Actions' compliance with the City's WRP in detail.

*DEVELOPMENT SITE STUDY AREA*

The City policies that can affect land use in the Development Site Study Area are described below.

*Local Waterfront Revitalization Program (LWRP)*

The portion of the Development Site Study Area generally west of Eleventh Avenue also lies within the designated coastal zone and is subject to the City's WRP, described above for the Development Site.

*Plan for the Manhattan Waterfront*

The *Plan for the Manhattan Waterfront*, issued by DCP in 1993, is a detailed study of Manhattan's waterfront conducted in conjunction with the *New York City Comprehensive Waterfront Plan*. DCP's 1992 *Comprehensive Waterfront Plan* reviewed the state of the City's waterfront and articulated a long-range vision that includes increased public recreational use of the waterfront. The *Comprehensive Waterfront Plan* envisioned a public esplanade along the entire length of Manhattan's waterfront. The *Plan for the Manhattan Waterfront* endorsed the proposals for the creation of the Hudson River Park, which was in the planning stage when the *Plan* was completed.

*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 40th Streets and Seventh and Ninth Avenues. This area is also within the Special Garment Center District. 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.

*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 and Seventh and Tenth Avenues. Through programs in the areas of sanitation and streetscape and security improvements, as well as public events, tourist assistance, and free retail services efforts, the 34th Street Partnership is aimed at promoting the district as a strategic Midtown business location.

*Chelsea 197-a Plan*

Section 197-a of the New York City Charter authorizes Community Boards and Borough Boards, as well as the Mayor, CPC, DCP, and any Borough President to sponsor plans for the development, growth, and improvement of the City, its boroughs, and communities. 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 "traditionally residential Chelsea," a 64-block area generally between West 14th and West 34th Streets east of Tenth Avenue and generally west of Sixth Avenue in Manhattan. The 197-a Plan covers the portion of the study area between West 26th and West 34th Streets and Eighth and Tenth Avenues and between West 21st and West 26th Streets, from Sixth Avenue to Tenth Avenue.

The Chelsea Rezoning approved in 1999 for the area bounded by West 14th Street, Sixth Avenue, West 31st Street, and Tenth Avenue was a significant action taken in response to the

Chelsea 197-a Plan. In order to achieve the aims of the 197-a Plan, the Chelsea rezoning mapped contextual districts, reduced permitted density in areas generally west of Eighth Avenue (including the Chelsea Historic District), and maintained existing density in other areas. The rezoning increased permitted density in appropriate locations and rezoned certain manufacturing areas to allow new residential development.

*TENTH AVENUE SITE*

There are no known public policies that apply specifically to the Tenth Avenue Site or its study area. As described above, the goals and initiatives described in PlaNYC would apply throughout the City and, therefore, would influence development on the Tenth Avenue Site.

*NINTH AVENUE SITE*

There are no known public policies that apply specifically to the Ninth Avenue Site or its study area. As described above, the goals and initiatives described in PlaNYC would apply throughout the City and, therefore, would influence development on the Ninth Avenue Site.

## D. THE FUTURE WITHOUT THE PROPOSED ACTIONS

The following section describes the Future without the Proposed Actions in 2019.

### LAND USE

*DEVELOPMENT SITE*

In the Future without the Proposed Actions, no material changes would occur on the Development Site. Therefore, the Development Site would remain in use as an open, below grade rail yard with no development above. It is also assumed that the bus operations and DSNY facilities would remain on the terra firma portion of the Site.

*DEVELOPMENT SITE STUDY AREA*

A substantial number of development projects with estimated completion dates on or before 2019 have been announced, are in the planning or approval processes or are under construction in the Development Site Study Area (see Figure 3-11), reflecting the zoning and public policy initiatives to date to accommodate and attract new development to the Far West Side. As described in Chapter 2, "Framework for Analysis," although it is unlikely that all of these plans and proposals would be complete by 2019, this EIS conservatively assumes their full build-out by that date. These projects would be located throughout the study area and are described in detail below.

*Large-Scale Plan Subarea*

The anticipated projects within the Large-Scale Plan subarea would alter its land use patterns, its scale, and its street pattern by 2019. Overall, these projects would be located between West 30th and West 36th Streets, and would include a number of new residential units, commercial development, retail use, community facility space, open space, and transportation uses.

Immediately adjacent to the Development Site, the Eastern Rail Yard will be redeveloped with five high-rise buildings containing: office, retail, community facility, residential, and hotel uses; 5.23 acres of publicly accessible open space on the site; and accessory parking. An additional




*Development Site Boundary*

*Study Area Boundary*

*Subarea Boundary*

1 *No Build Project to be Completed by 2018*

S *Subway Station Entrance for No. 7 Subway Line Extension*

***NOTE:*** *See Table 2-1 for Complete List of Projects*

No Build Projects in Development Site Study Area

**Figure 3-11**

0.70 acres of the High Line will be transformed into publicly accessible open space along West 30th Street. The Eastern Rail Yard development will be constructed on a platform above the below-grade train tracks. Most of the commercial development and approximately a third of the residential units would be located in a building facing Tenth Avenue. The base of the building along Tenth Avenue would contain primarily retail uses. A mixed-use building would be located at the northwest corner of the site and would contain ground-floor retail, hotel space, and residential units. The southwest corner would be developed with a residential building with ground-floor retail. A cultural or community facility use would be located to the east adjacent to this building.

The Eastern Rail Yard development will provide approximately 228,000 square feet of publicly accessible exterior open space and about 85,000 square feet of publicly accessible interior space, which will be arranged to draw pedestrians into and through the site. The interior space will open onto Tenth Avenue at the approximate location of West 32nd Street; designed in the manner of a "Winter Garden." People will be able to walk through the space and step outside in the center of the site (see discussion below). At this point the development will have two exterior landscaped plazas; the first will lie between the extensions of West 32nd and West 31st Street and will extend from the Hudson Park and Boulevard Extension to Eleventh Avenue. The second plaza will be located between West 32nd Street and West 33rd Street between the Hudson Park and Boulevard Extension and the proposed building on the northwest corner of the site. West of the Hudson Park and Boulevard Extension, both West 31st and West 32nd Streets will be open to both vehicular and pedestrian traffic.

In addition to the central open space areas, the portion of the High Line that runs along West 30th Street on the Eastern Rail Yard will be adaptively reused to provide approximately 0.70 acres of passive open space.

Hudson Park and Boulevard, a broad open space and boulevard system in the midblocks between Tenth and Eleventh Avenues, will extend from the large public open space at the Eastern Rail Yard south of West 33rd Street north to West 36th Street. This system will run at an angle between Tenth and Eleventh Avenues and will include a total of approximately 4 acres of open space. Hudson Park and Boulevard is expected to be built in two phases. The first segment would run from West 33rd to West 36th Streets and will be completed by 2013. The remaining segment between West 36th and West 39th Streets and a pedestrian bridge connecting the northern terminus at West 39th Street with West 42nd Street will be completed after 2019 and is not considered in this analysis.

Directly north of the Eastern Rail Yard site, it is anticipated that a mixed-use building with approximately 1.5 million sf of office space and approximately 79,000 sf of retail space will be constructed on the east side of Eleventh Avenue between West 33rd and West 34th Streets. Another high-rise mixed-use building is expected to be constructed one block north of that site, and will be located on the east side of Eleventh Avenue between West 34th and West 35th Streets. This building is projected to contain approximately 1.4 million sf of office space, 359 residential units, and approximately 75,000 sf of retail space.

Finally, the No. 7 subway line will be extended into the Large-Scale Plan subarea. This extension is designed to end at a new subway station located at West 34th Street and Eleventh Avenue. Entrances to the station will be located on the two blocks directly north of the Eastern Rail Yard. One entrance is planned to be located within Hudson Park between West 33rd and West 34th Streets and the other on the south side of West 35th Street, just west of Eleventh Avenue (see Figure 3-11).

*Farley Corridor*

The land uses within the Farley Corridor also are expected to undergo a significant transition by 2019. The actions associated with the Expanded Moynihan Station/Penn Station Redevelopment Project will spur much of the change. This project is anticipated to result in improvements to the existing Penn Station and renovation and reuse of the existing Farley Complex, as well as redevelopment of new mixed-uses at the Penn East and Penn West sites (located in the 34th Street Corridor and described below). Current plans call for the Farley Complex to be renovated with approximately 553,200 sf of retail space, 235,000 sf of office space, and 125 hotel rooms. In addition, the existing Post Office is projected to be transformed into a train station serving LIRR, NJ TRANSIT, and Amtrak.

The block between Ninth and Tenth Avenues and West 31st and West 33rd Streets is expected to be developed with approximately 4.6 million sf of office space and approximately 82,000 sf of retail space. This area is currently occupied by two parking lots and a below-grade rail cut. Along the east side of Tenth Avenue between West 30th and West 31st Streets, a site is expected to be developed with a building containing approximately 235,000 sf of hotel space and 220 residential units.

*34th Street Corridor*

Three development projects are slated for completion within the 34th Street Corridor by 2019. First, a 239-room hotel is projected to be constructed at 325 West 33rd Street. The Penn East and Penn West projects, which are associated with the Expanded Moynihan Station/Penn Station Redevelopment Project, would be developed on the One Penn Plaza block. Penn East would be located on the western block face of Seventh Avenue between West 33rd and West 34th Streets. This building would include approximately 2.0 million sf of office space and approximately 70,000 sf of destination retail space. Penn West is expected to be located on the eastern block face of Eighth Avenue between West 33rd and West 34th Streets. This building is projected to include approximately 490 residential units, approximately 575,000 sf of hotel space, and approximately 36,600 sf of retail space.

*Hell's Kitchen*

Three development projects are expected to be completed within the Hell's Kitchen subarea. The western blockface of Tenth Avenue between West 37th and West 38th Streets would be developed with a residential building with 855 units and approximately 65,000 sf of retail. Continuing east on this block, the Hudson Mews I building is expected to be constructed over the Lincoln Tunnel and is projected to contain approximately 448 residential units, approximately 7,500 sf of community facility space, and 170 parking spaces. The Hudson Mews II building is expected to be constructed on the western blockface of Ninth Avenue between West 35th and West 36th Streets and is projected to contain approximately 361 residential units, approximately 16,000 sf of retail space, and approximately 3,600 sf of open space.

*Convention Corridor*

The proposed expansion and renovation of the Javits Convention Center is the only project anticipated to be completed within the Convention Corridor in the Future without the Proposed Actions. Renovation within the existing building will include, among other work, replacing the dark glass façade, replacing the roof, replacing the rooftop mechanical units, and repairing and replacing the building's mechanical, electrical, plumbing, life safety, and security systems. In addition to the renovation of the existing building, the Convention Center will undergo an

expansion that will occupy the entire block bounded by West 40th Street to the north, Eleventh Avenue to the east, West 39th Street to the south, and Twelfth Avenue to the west. The expansion would consist of 40,000 sf of exhibition space and 60,000 sf of pre-function and registration space, support and core function space, and truck court and loading dock space.

*42nd Street Corridor*

Six development projects are planned for completion within the 42nd Street Corridor by 2019. Among these projects, two high-rise office towers—11 Times Square and the Port Authority Office Tower—are planned to be completed at the intersection of West 41st Street and Eighth Avenue. The 11 Times Square Building would be located on the south side of West 42nd Street and Eighth Avenue and would contain approximately 939,000 sf of office use and approximately 49,000 sf of retail space. An approximately 1.3 million sf office tower is expected to be built above the Port Authority Bus Terminal on the west side of Eighth Avenue between West 41st and West 42nd Streets.

The four remaining projects within the subarea are projected to include residential, hotel, retail, and office space. A mixed-use development containing approximately 774 residential units, 250 hotel rooms, an approximately 70,000 sf of theater space, a 50,000 sf health club, 12,500 sf of retail space, and a 360 car garage is expected to be constructed on the east side of Tenth Avenue between West 41st and West 42nd Streets. A 333 residential-unit building with approximately 28,000 sf of retail space is planned to be constructed at 515 West 41st Street, which is midblock between Tenth and Eleventh Avenues. The River Place development (also known as the Silver Towers project) is anticipated to be located on the west side of Eleventh Avenue between West 41st and West 42nd Streets, and is projected to include approximately 1,349 residential units and a 194-car garage. Finally, two residential buildings are planned for the south side of West 43rd Street between Eleventh and Twelfth Avenues. These two buildings are expected to contain approximately 1,000 residential units and approximately 38,000 sf of retail space.

*Garment Center*

The ten development projects that are expected to occur within the Garment Center will continue the transition away from manufacturing land uses. Of these ten projects, six hotels are projected to contain a total of approximately 2,100 rooms between Eighth and Ninth Avenues.

Three additional developments are expected to be constructed in the Garment Center subarea. One is expected to be located at 310-328 West 38th Street and is planned to contain approximately 569 residential units and approximately 11,000 sf of retail. The second building is expected to be located in the midblock area of West 38th Street between Eighth and Ninth Avenues and is projected to contain approximately 382,000 sf of office space and 8,500 sf of retail. Tower 37 is expected to be constructed near Ninth Avenue, on the south side of West 37th Street, and will contain 206 residential units.

*Chelsea*

Chelsea, particularly West Chelsea, is expected to experience significant land use changes by 2019. While a total of 24 projects are planned for this subarea, only two of those projects are located to the east of Tenth Avenue.

A number of residential development projects are planned in the area near the Development Site. First, three development projects are expected to be completed on the block to the southeast of the Development Site between Tenth and Eleventh Avenues and West 29th and West 30th

Streets. At the western end of the block, a residential building is expected to be constructed and is projected to include approximately 365 units and approximately 4,800 sf of retail space. A 382 residential unit building with approximately 30,000 sf of retail space is planned for the south-west corner of Tenth Avenue and West 30th Street. The third project is expected to be constructed along the midblock area. This building is projected to include 368 residential units and approximately 25,000 sf of retail.

One block south of this block, two developments are planned on the block bounded by West 28th and West 29th Streets. A 78-room hotel with 46 residential units is expected to be constructed on the eastern portion of the block on Tenth Avenue. Additionally, a 600-unit residential building is planned for the northeast corner of Eleventh Avenue and West 28th Street.

One block farther south, a 118-unit residential building with approximately 15,550 sf of retail space is expected to be constructed at 547 West 27th Street, a 283-unit residential building with approximately 34,000 sf of retail space is expected to be constructed midblock at 507 West 27th Street, and a 159-unit residential building with approximately 28,640 sf of retail space is expected to be constructed at 299 Tenth Avenue.

Ten development projects are anticipated to be completed in the portion of the subarea to the south of West 26th Street. The most significant of these projects includes a 175-unit residential building with approximately 9,000 sf of retail at 507 West 25th Street, a 78,500 sf art gallery at 545 West 25th Street, a 110,600 sf art gallery at 550 West 25th Street, and a 312-room hotel with approximately 156,000 sf of retail that are planned for the midblock area between West 21st and West 22nd Street.

Finally, the most notable new open space amenity in the Chelsea subarea will be the reuse of the formerly unused High Line as a new public open space. This elevated structure is planned to contain approximately 4.41 acres of passive open space.

*Waterfront*

In the Future without the Proposed Actions, portions of Segment 5 of Hudson River Park are projected to be completed. This segment is expected to include 9.2 acres of parkland along the Hudson River. This project involves the construction of Chelsea Cove and encompasses Piers 62, 63, and 64. The new park is planned to feature a large lawn, garden, a carousel, a skate park, a waterfront esplanade, a tree grove, and walking and biking paths.

*TENTH AVENUE SITE*

In the Future without the Proposed Actions, the Tenth Avenue Site will not be developed and will remain as a below-grade rail cut.

*TENTH AVENUE SITE STUDY AREA*

There are two development projects within the 400-foot study area and three additional projects located just beyond the study area boundary. Directly east of the Tenth Avenue Site, the DEP is constructing the Water Tunnel No. 3 Project. When Water Tunnel No. 3 is completed, an approximately 0.23-acre passive open space area is planned to be developed on the northern half of the block front between West 48th and West 49th Streets along the west side of Tenth Avenue, immediately adjacent to the Tenth Avenue Site. DEP would keep a permanent easement for maintenance and operations of Water Tunnel No. 3 on the southern half of the block front between West 48th and West 49th Streets. South of the Tenth Avenue Site, between West 47th

and West 48th Streets, a residential building is anticipated to be constructed over an existing below-grade rail cut and is projected to include 109 luxury residential units.

Three development projects are located just beyond the study area boundary. These projects include a new two-story Con Edison service facility located at 684 Eleventh Avenue, an existing manufacturing building located at 653 Eleventh Avenue that is expected to be converted to a 42-room hotel with a ground-floor restaurant, and an existing manufacturing building at 628 Eleventh Avenue that is being converted to an approximately 450,000 sf office building.

*NINTH AVENUE SITE*

In the Future without the Proposed Actions, the Ninth Avenue Site will remain as a parking lot.

*NINTH AVENUE SITE STUDY AREA*

One development project is planned to be completed by 2019 within the 400-foot study area. The Dillon residential building is under construction at 405 West 53rd Street. This building is expected to contain 85 luxury residential units.

## ZONING

*DEVELOPMENT SITE*

In the Future without the Proposed Actions, there are no proposed changes to the zoning for the Development Site.

*DEVELOPMENT SITE STUDY AREA*

In the Future without the Proposed Actions, there are no proposed changes to the zoning for the Development Site Study Area.

*TENTH AVENUE SITE*

In the Future without the Proposed Actions, there are no proposed changes to the zoning for the Tenth Avenue Site.

*TENTH AVENUE SITE STUDY AREA*

There are no proposed changes to the zoning districts mapped within the 400-foot study area.

*NINTH AVENUE SITE*

In the Future without the Proposed Actions, there are no changes proposed to the zoning for the Ninth Avenue Site.

*NINTH AVENUE SITE STUDY AREA*

There are no proposed changes to the zoning districts mapped within the 400-foot study area.

## PUBLIC POLICY

There are no known changes to public policy associated with all three project sites and associated study areas.

# E. PROBABLE IMPACTS OF THE PROPOSED ACTIONS–2019

The Proposed Actions would lead to substantial changes in density and land uses on the Development Site and (to a lesser degree) on the Additional Housing Sites at full build. This analysis considers two reasonable worst-case development scenarios for the Development Site—a Maximum Residential Scenario and a Maximum Commercial Scenario. As described in Chapter 2, "Framework for Analysis," these two scenarios represent the upper bounds of likely residential or commercial development. The Additional Housing Sites would be developed with permanent affordable housing, ground floor retail, and, in the case of the Ninth Avenue Site, both training facility space and below-grade emergency vehicle parking for NYCT.

## LAND USE—DEVELOPMENT SITE AND ITS STUDY AREA

### *DEVELOPMENT SITE*

The Proposed Actions are not expected to result in a significant adverse impact on land use. The Proposed Actions would result in the above-ground transformation of the Development Site from an open, largely below-grade rail yard surrounded by concrete walls, into a mixed-use development that would include market-rate and affordable residential units, commercial office space, possible hotel uses, retail, a public school, and passive and active open space uses.

Approximately two-thirds of the development would be constructed over the track area of the Western Rail Yard and would require the construction of a platform. Some of the existing LIRR on-site facilities would be demolished and temporarily relocated within the Development Site to facilitate construction, before being permanently rebuilt within the Development Site. The proposed development would not interfere with the rail yard's abilities to function as a train storage facility and there would not be any disruption to LIRR passenger service. Development on the "terra firma" portion of the Development Site would require the relocation of a bus parking lot which accommodates approximately 52 Greyhound buses.

Overall, the Development Site would be redeveloped with approximately 6.3 million gross square feet of uses within eight separate buildings. As described in Chapter 2, "Framework for Analysis," the reasonable worst case development scenario would comprise either a Maximum Residential Scenario or a Maximum Commercial Scenario, depending on the technical area of analysis. The land use, zoning, and public policy analysis considers both scenarios, as discussed below.

Both Scenarios would contain the same type of uses within eight separate buildings—with the exception of the option for a hotel in the Maximum Residential Scenario—although the distribution of square footage would be different. The residential development at the Development Site would range from approximately 3.8 million sf (approximately 4,600 units) to 4.8 million sf (approximately 5,760 units). Twenty percent of all rental units on the Development Site would be affordable housing units. The commercial development would range from 1.5 to 2.2 million sf and could include such uses as office and hotel space and up to approximately 220,500 sf of ground-floor retail space. Finally, the Development Site would include a 750-seat (approximately 120,000 sf) public school (the "PS/IS school"), approximately 5 acres of publicly accessible open space, and up to 1,600 accessory parking spaces.

The design for the Development Site as currently contemplated is intended to reflect a gradual decrease in height and mass descending from Eleventh Avenue and West 33rd Street to Twelfth Avenue and West 30th Street. It is anticipated that the tallest building would be situated at the

northeast corner of the site near the intersection of West 33rd Street and Eleventh Avenue and would contain only commercial space. Taller residential buildings would be located in the northwest corner of the Development Site. Two residential buildings would be located in the central portion of the Development Site. Finally, three buildings would be located along the southern edge of the Development Site. Two buildings would be located along West 30th Street at the intersection of Eleventh Avenue. These buildings would share a common base that would contain the proposed PS/IS school. Residential development would be located above the common base. A residential building would be located to the west of these two buildings, in the southwestern portion of the Development Site.

Approximately 5 acres of publicly accessible open space would be located throughout the Development Site. The new open space would create a visual connection to Hudson River Park and would also provide passive and active open space resources for the City and for the new residents and workers. The largest open space on the Development Site would be located in the central portion of the site. This open space is intended to be a large lawn that would include walking paths, a seating area, and a plaza. In the western portion of the Development Site, between the residential buildings to the north and south, a waterfront lawn is proposed that would allow for active and passive recreation and outdoor events. This lawn would feature walking paths, a seating area, and a plaza. A tiered open space is also proposed on the southwest corner of the site leading down from the central open space to street level on West 30th Street and Twelfth Avenue and providing street-level access from the Development Site. A small plaza and potential dog run would be located between the residential and commercial buildings along West 33rd Street.

The portion of the High Line located within the Development Site would be adaptively reused as a result of the Proposed Actions as 0.99 acres of passive open space elevated above the Development Site. This open space would provide a pedestrian pathway that would run parallel to Twelfth Avenue before curving to the east and running parallel to West 30th Street. The High Line open space would then connect to the portion of the High Line on the Eastern Rail Yard (to be developed in the Future without the Proposed Actions) to the east of the Development Site and then continue south to form one continuous open space resource from Gansevoort Street to West 33rd Street.

As described above, many of the new land uses would be constructed above the Western Rail Yard on a platform. Constructing a platform over the rail yard would allow the development to occur without affecting operation of the LIRR rail yard. Therefore, the Proposed Actions would not materially alter the existing land use but would create new land uses on the Development Site that would complement and support the anticipated land use changes within the neighboring subareas.

The following section describes how the Proposed Actions would relate to the surrounding subareas within the Development Site Study Area.

*DEVELOPMENT SITE STUDY AREA*

Land use issues associated with the Proposed Actions in the surrounding primary study area focus on the compatibility of the new land uses with those already established, and the effect on adjacent land use patterns of introducing new land uses above the existing transportation infrastructure on the Development Site.

Overall, the Proposed Actions and resulting development would be compatible and consistent with land use development trends in the Development Site Study Area. In the Future without the Proposed Actions, the subareas that surround the Development Site will continue to transition from a predominance of low-rise manufacturing, industrial, and transportation related uses to medium- to high-density mixed-use areas. By full build, that transition would have substantially progressed, such that the immediately surrounding subareas would be characterized by commercial, office, and residential land uses.

The location of the land uses on the site, specifically concentrating the commercial development at the intersection of West 33rd Street and Eleventh Avenue would complement the proposed commercial development on the adjoining Eastern Rail Yard. Additionally, situating the lower density buildings along the southern edge of the Development Site would be more consistent with the bulk and land uses within the Chelsea subarea to the south. Finally, the addition of a new PS/IS school as a land use would be compatible with the residential component on the Development Site as well as the residential uses in the adjoining subareas.

The following section describes how the new land uses on the Development Site would relate to the future land uses within the Development Site Study Area.

*Large-Scale Plan*

The Proposed Actions would create land uses that would be compatible with this subarea's transformation in the Future without the Proposed Actions towards mixed-use buildings with commercial, residential, and community uses with adjoining open space. Immediately to the east of the Development Site, a platform will be constructed over the Eastern Rail Yard and this site will be developed with residential, commercial office, retail, hotel, community facility, and open space uses. A building with retail and commercial office space will be constructed on the block to the north of the Eastern Rail Yard. These developments will create a concentration of uses at the intersection of West 33rd Street and Eleventh Avenue. The proposed commercial building on the Development Site would also be located at this intersection. Therefore, the Proposed Actions would create land uses that would support the future concentration of commercial uses near this intersection and within the Large-Scale Plan subarea generally.

In the Future without the Proposed Actions, the new West 34th Street Station of the No. 7 subway line would provide future residents and workers with transit access. This new station would benefit the residents and workers on the Development Site and surrounding area by providing subway access.

In the Future without the Proposed Actions, a substantial amount of open space will be within the Large-Scale Plan subarea, particularly on the Eastern Rail Yard and as part of Hudson Park and Boulevard. The five acres of proposed open space on the Development Site would create a western extension to and from these future open spaces. Therefore, the Proposed Actions would not have a significant adverse land use impact on the Large-Scale Plan subarea.

*Farley Corridor*

The proposed land uses on the Development Site would complement the land use transition that will occur within this subarea in the Future without the Proposed Actions. As described earlier, the Expanded Moynihan Station/Penn Station Redevelopment project will improve the Penn Station transportation hub and will introduce new office, retail, and hotel uses. Furthermore, the open rail cut located between Ninth and Tenth Avenues will be redeveloped into an office building with a retail component. The proposed land uses on the Development Site, in

combination with these projects, would extend the Midtown business district to the west and create new uses in an area defined by superblocks. Therefore, the Proposed Actions would complement and would not have a significant adverse land use impact on the Farley Corridor subarea.

*34th Street Corridor*

As described above, new office, retail, and hotel uses will be added to the 34th Street Corridor subarea, all west of Ninth Avenue, in the Future without the Proposed Actions. The proposed office, retail, and hotel uses for the Development Site would be consistent with this trend. The proposed land uses would also be consistent with the existing residential and commercial uses in the western portion of the 34th Street Corridor. Therefore, the Proposed Actions would not have a significant adverse land use impact on the 34th Street Corridor subarea.

*Hell's Kitchen*

In the Future without the Proposed Actions, the Hell's Kitchen subarea will primarily continue to be defined as a primarily low-rise mixed use neighborhood. The Hell's Kitchen subarea is quite a distance away from the Development Site, separated by the land uses within the Large-Scale Plan and Farley Corridor subareas. This distance and separation would likely minimize any perceptible differences in bulk and scale. Therefore, the Proposed Actions would not have a significant adverse land use impact on the Hell's Kitchen subarea.

*Convention Corridor*

The Proposed Actions would provide land uses that would support and enhance the expanded Convention Center use within the Convention Corridor. The potential hotel component for the Development Site would be compatible with and support convention uses. Additionally, the proposed open space would provide Convention Center users with publicly accessible passive and active open space in an area that is largely devoid of this resource. Therefore, the Proposed Actions would not have a significant adverse land use impact on the Convention Corridor subarea.

*42nd Street Corridor*

The 42nd Street Corridor contains existing and future developments that include a mix of high-rise residential and commercial buildings; these will occupy virtually all the available land area in the corridor by 2019. In addition, the development in the corridor is similar in use, bulk and size to the proposed land uses on the Development Site. Therefore, the Proposed Actions would not have a significant adverse land use impact on the 42nd Street Corridor.

*Garment Center*

In the Future without the Proposed Actions, new hotel, commercial, and residential development is expected to occur within the Garment Center. The Development Site's proposed land uses would be similar to these uses, although at a higher density and scale. Any perceptible differences in scale would be minimized by the Garment Center's location in relation to the Development Site. The Garment Center is separated from the Development Site by the Large-Scale Plan, the Farley Corridor, the 34th Street Corridor, and Hell's Kitchen subareas. Therefore, the Proposed Actions would not have a significant adverse land use impact on the Garment Center.

*Chelsea*

As described above, a substantial amount of development is expected to occur within the Chelsea subarea, and particularly within the West Chelsea section, in the Future without the Proposed Actions. This subarea is transitioning towards higher density, mixed-use development, particularly in the area closest to the Development Site. As described above, by full build the subarea is expected to contain significant residential and retail uses. The Proposed Actions would be consistent with this development trend. Specifically, the Development Site would be redeveloped with residential and retail uses, which would be consistent with the West Chelsea development that is expected to occur in the Future without the Proposed Actions. The proposed open space would provide a new recreational opportunity for new residents and workers. The proposed open space for the High Line on the Development Site would connect to the High Line open space at the Eastern Rail Yard and from there to the High Line Park to the south in Chelsea. Thus, the Proposed Actions would provide the northernmost link in a continuous open space resource from the start of the High Line Park at Gansevoort Street in the south to West 33rd Street in the north.

The site plan has been arranged with Chelsea land uses in mind. The tallest building would be located in the northeastern corner of the Development Site, farthest away from Chelsea. From this point, building heights would decrease across the site such that shorter buildings would be located on the western and southern portions of the Development Site, which is closer to the Chelsea subarea. The residential buildings and PS/IS school at the southern portion of the Development Site closer to Chelsea would be compatible with the existing and future residential land uses in West Chelsea. Therefore, the Proposed Actions would not have a significant adverse land use impact on the Chelsea subarea.

*Waterfront*

The Proposed Actions, in particular the proposed open space on the Development Site, would support the land uses found within the Waterfront subarea. The new housing, school, open space and office uses resulting from the Proposed Actions would be substantially more compatible with the park and other waterfront uses in the Waterfront subarea than the existing transportation and municipal uses on the development site. While there would not be a dedicated bridge to Hudson River Park, the new open space on the Development Site would create a visual relationship with the adjoining Hudson River Park, particularly along the western portion of the Development Site. At this location, a waterfront lawn is proposed to be developed. The design for this lawn area as currently proposed would allow for active and passive recreation and may allow for occasional outdoor events. To the west of the lawn, amphitheater seating would abut the High Line along its Twelfth Avenue frontage on the Development Site. The amphitheater seating would provide unobstructed views of the Hudson River and Hudson River Park. Furthermore, the southwest corner of the Development Site would contain a tiered open space that would lead down to the existing street level at West 30th Street and Twelfth Avenue. This tiered open space would provide access from the Development Site to the adjacent Waterfront subarea. Therefore, the Proposed Actions would enhance the uses in the Waterfront subarea and would not have a significant adverse land use impact on the Waterfront subarea.

*TENTH AVENUE SITE*

The Proposed Actions would result in the construction of a residential affordable housing building with approximately 204 affordable residential units and approximately 10,800 sf of

ground-floor neighborhood retail. The building would be constructed over an existing Amtrak rail line, which would require the construction of a platform.

Residential development on the Tenth Avenue Site would be consistent with the existing residential uses of the surrounding neighborhood, and those that will be constructed in the Future without the Proposed Actions, to the north, east, and south of the site. The proposed ground floor retail use would be in keeping with the concentration of retail uses found within the study area, particularly along Tenth Avenue. Furthermore, the proposed development would occur over the existing rail-cut. This type of development is located throughout the study area and a similar development is occurring to the south of the Tenth Avenue Site. Overall, the proposed development at the Tenth Avenue Site would be consistent with land uses within the study area. Therefore, the proposed development of the Tenth Avenue Site would not result in a significant adverse land use impact.

*NINTH AVENUE SITE*

The Ninth Avenue Site would redevelop an existing parking lot with a mixed-use building with approximately 108 affordable residential units, approximately 6,750 sf of ground-floor retail, and approximately 30,000 sf of NYCT office space. The office space would be used as a training facility for NYCT employees at the adjacent NYCT building. The development would also allow for NYCT below-grade parking for approximately 15 emergency vehicles.

By replacing the existing parking lot with residential development, the proposed development would match the concentration of residential uses found throughout the surrounding study area, particularly along Ninth Avenue. Furthermore, the proposed building's ground-floor retail uses would extend the commercial development found along both sides of Ninth Avenue. Currently, the parking lot on the Ninth Avenue Site interrupts the flow of retail uses along the east side of Ninth Avenue. Overall, the proposed building would redevelop an existing surface parking lot and would complement the mixture of uses in the surrounding area. Therefore, the proposed development at the Ninth Avenue Site would not result in a significant adverse impact on land use.

## ZONING

*DEVELOPMENT SITE*

The Proposed Actions would not result in a significant adverse zoning impact. The Development Site would be rezoned from an existing M2-3 district to a C6-4 zoning district and incorporated as a new subdistrict (Subdistrict F) of the Special Hudson Yards District. The area immediately adjacent to the Development Site in the Special Hudson Yards District is also zoned C6-4. Rezoning to a C6-4 district would allow for a mixture of commercial, residential, and community facility uses. The zoning controls established specifically for Subdistrict F would regulate building envelopes, publicly accessible open space areas, streetwall controls, retail continuity, and transparency. Appendix A, "Proposed Zoning Text," provides for a complete version of the proposed zoning for Subdistrict F.

The mix of uses allowed in the district would be permitted to a maximum of 10.0 FAR. Additional floor area would be available through a bonus provision for the creation of permanently affordable housing and a floor area allowance for the establishment of a 750-seat PS/IS school on the Development Site. Specifically, a five percent floor area bonus would be available for each individual residential building on the Development Site if permanent

affordable housing is provided. A special exemption would be allowed such that space provided for the public school that would be developed would be exempt from the definition of floor area.

The zoning text amendments would govern building envelopes for the proposed buildings within the Development Site. Tower controls would govern the heights and dimensions of each building above the base height. Development envelope controls would establish maximum tower dimensions and maximum tower floor plate sizes. Specifically, within the commercial building in the northeast corner of the Development Site, floor plates located above 250 feet could not exceed 40,000 square feet. Within the residential buildings, the floor plates located above the tower base could not exceed 12,000 square feet. Tower top rules would govern tower heights based on the location of a building on the Development Site, as well as its location in relation to other buildings on the site. The Development Site would have specific streetwall height requirements for key frontages on Eleventh Avenue, West 30th and West 33rd Streets, and along the internal streets on the north side of the northern internal street and the south side of the southern internal street. These rules would help to create a differential of streetwall and overall building heights to create a skyline effect that is a compatible transition from the Hudson Yards area to the east and north, West Chelsea to the south and east, and the Hudson River to the west. Chapter 9, "Urban Design and Visual Resources," provides a more detailed assessment of the Proposed Actions relationship to the surrounding area.

The proposed zoning controls would require ground-floor retail and transparency along specific portions of the Development Site. On the existing streets surrounding the Development Site, ground-floor retail and transparency would be required along Eleventh Avenue and along West 30th Street. On the new interior roadways, ground-floor retail and transparency would be required on the northern side of the proposed northern roadway and along the southern side of the proposed southern roadway. Furthermore, there would be sidewalk width regulations for the proposed roadways within the Development Site. The sidewalk along the northern side of the proposed northern roadway would have to be 20 feet wide. The southern side of this roadway would have to be 25 feet wide. On the southern roadway, the northern sidewalk would have to be 15 feet wide and the southern sidewalk would have to be 20 feet wide.

The proposed zoning controls would create several zones of publicly accessible open spaces on the Development Site, with core open space elements defined for each zone. These zones would include the: Western Open Space, Southwest Open Space, Central Open Space, the High Line, the Midblock Connection and the Northeast Plaza. Within each zone, the zoning would mandate specific features and core elements, as well as connection requirements between zones. Amenities in the open spaces would need to generally meet the privately owned public plaza standards of the Zoning Resolution. In addition, there would be design regulations for the private roadways (Northern and Southern roadways) and the pedestrian ways (Midblock Connection and Connector) on the site.

Parking regulations on the Development Site would be governed by the terms of Article I, Chapter 3 of the Zoning Resolution. Based on these regulations, special permits are required for the proposed on-site accessory parking (see identification of Proposed Actions in Chapter 1, "Project Description").

*DEVELOPMENT SITE STUDY AREA*

The proposed zoning changes would only affect the Development Site and not the surrounding areas. While the rezoning would permit increased density on the Development Site, this density would be in keeping with the permitted density found in the surrounding area. The Eastern Rail

Yard, which is located across Eleventh Avenue from the Development Site, permits development to a maximum of 11.0 FAR on-site. The new zoning on the Development Site would be consistent with this scale of development. Furthermore, the rezoning would also be consistent with the recent rezoning actions in Chelsea and the Hudson Yards. The Hudson Yards rezoning intended to create a new commercial district to complement the Midtown Central Business District and to create a vibrant transit-oriented mixed-use neighborhood and the Special West Chelsea rezoning intended to encourage and guide the development of West Chelsea as a dynamic mixed use neighborhood.

*TENTH AVENUE SITE*

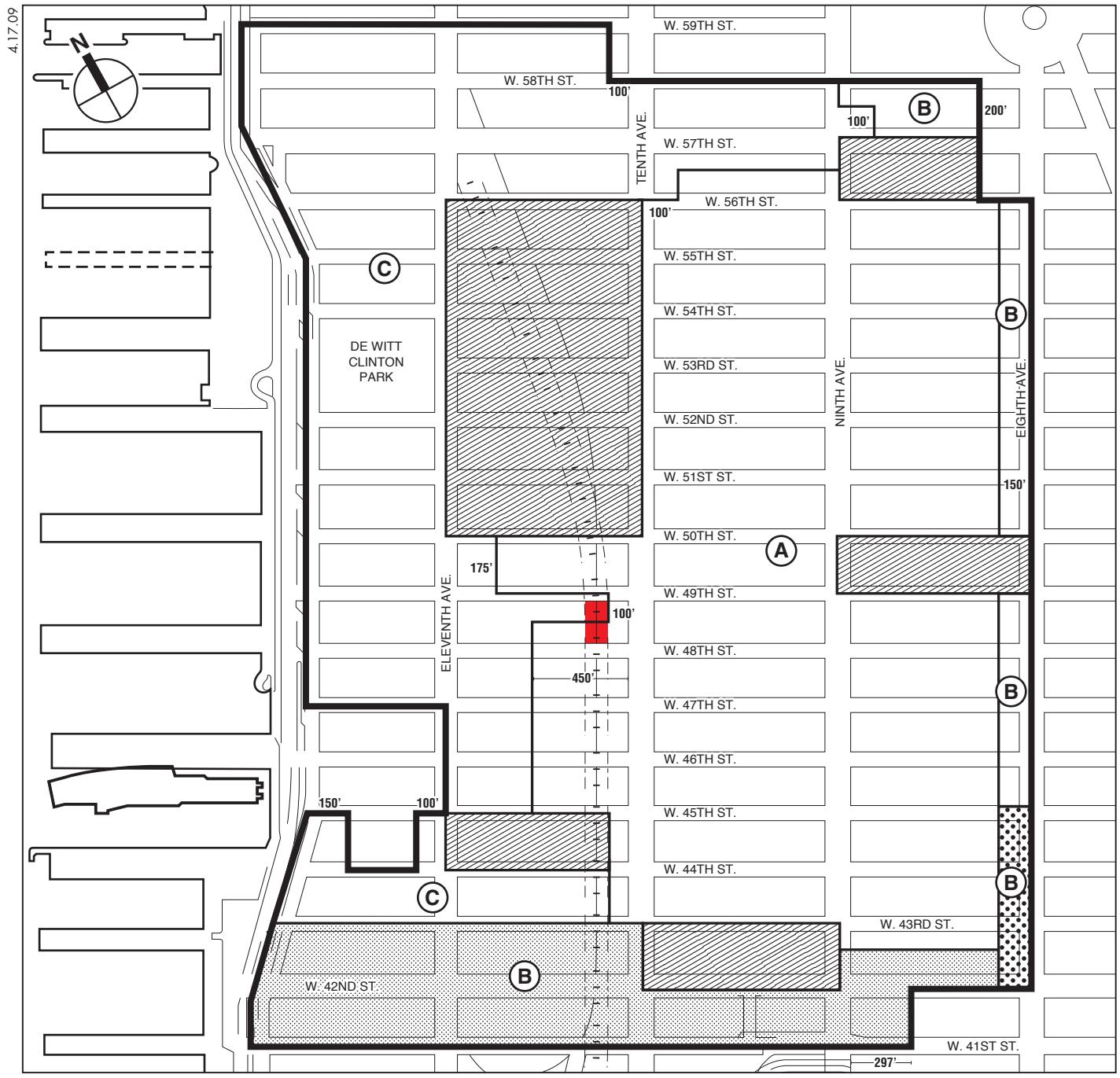
As described above, the northern portion of the Tenth Avenue Site is located in the Other Area of the Special Clinton District (see Figure 3-12). Developing the Tenth Avenue Site would require a text map amendment to extend the Other Area to cover the entirety of the project site, as well as 100 feet to the east to cover the adjacent lot that fronts on Tenth Avenue (see Figure 3-13). Within the Other Area, the underlying yard regulations apply as does a higher permitted lot coverage than currently allowed on the portions of the site not within the Other Area. The Proposed Actions would not modify the underlying R8 residential or C2-5 commercial zoning regulations. In addition to maximize the provision of permanently affordable housing, the future developer (selected through an RFP process) must seek two special permits from the CPC to develop the site. One special permit would be pursuant to ZR Section 74-681 to allow for construction over the Amtrak railroad right-of-way. The other special permit would be pursuant to ZR Section 96-104 to allow the height of the building to rise from the Special Clinton District's as-of-right 66 feet to 99 feet. The proposed text amendment and special permits would result in development consistent with the surrounding area in terms of density, use, and scale. Therefore, the Proposed Actions would not result in a significant adverse impact on zoning.

*NINTH AVENUE SITE*

The Proposed Actions would extend the C1-5 commercial overlay district to within approximately 275 feet of Eighth Avenue. The extended overlay district would only cover the entirety of the tax lot on which the site is located, which includes the adjacent NYCT office building (see Figure 3-14). In addition to maximize the provision of permanently affordable housing, the future developer (selected through an RFP process) must seek two special permits from the CPC to develop the site. One special permit would be pursuant to ZR Section 74-74 (General Large Development) to waive the Special Clinton District Preservation Area's lower lot coverage and more strict rear yard requirements for this site. The other special permit would be pursuant to ZR Section 96-104 to allow the height of the building to rise from the Special Clinton District's as-of-right 85 feet to 115 feet along the Ninth Avenue frontage. As described above, the Proposed Actions would permit new construction that would be in character with the scale found in the surrounding area, would provide new ground-floor retail, and would provide new affordable housing. Therefore, the Proposed Actions would not result in a significant adverse impact on zoning.

## PUBLIC POLICY

As described earlier, several public policies apply to the Development Site and associated study area. PlaNYC is applicable to all three projects sites. No other public polices are specifically applicable to the Additional Housing Sites. Changes anticipated as a result of the Proposed Actions are anticipated to be consistent with the applicable public policies, as described below.




*Tenth Avenue Site*

*Special Clinton District Boundary*

*Area Boundary*

A *Preservation Area*

B *Perimeter Area*

B *Portion of Perimeter Area B also subject to additional 42nd Street Perimeter Area regulations*

B *Portion of Perimeter Area B also subject to Article VIII, Chapter I (Special Midtown District)*

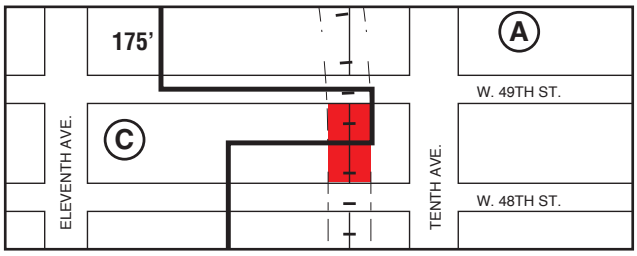
C *Other Area*

*Excluded Area*

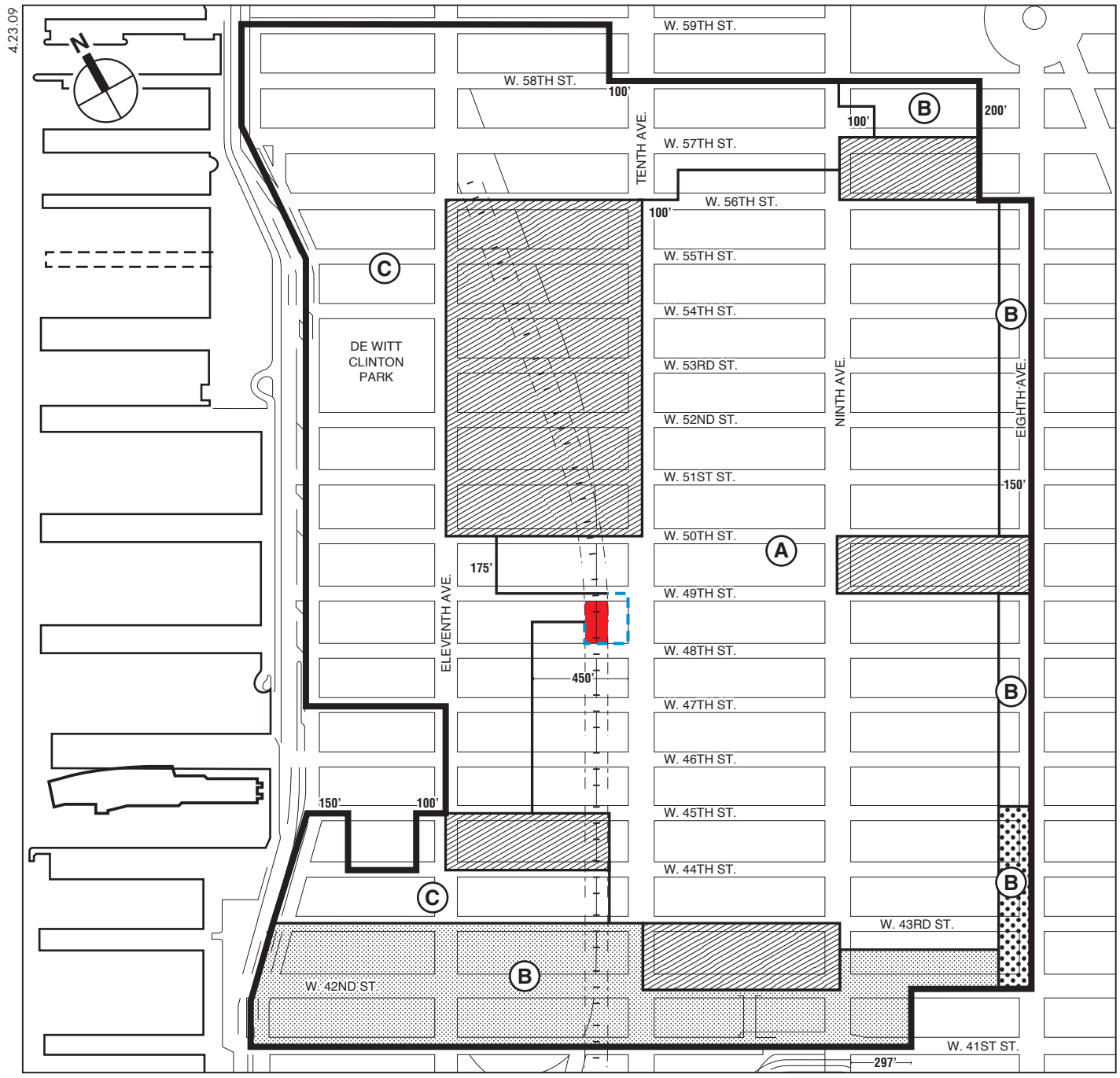
0 200 500 FEET

SCALE

**Project Site Inset**




Tenth Avenue Site
Existing Special Clinton District
**Figure 3-12**




*Special Clinton District Boundary*

*Area Boundary*

A *Preservation Area*

B *Perimeter Area*

B *Portion of Perimeter Area B also subject to additional 42nd Street Perimeter Area regulations*

B *Portion of Perimeter Area B also subject to Article VIII, Chapter I (Special Midtown District)*

C *Other Area*

*Excluded Area*

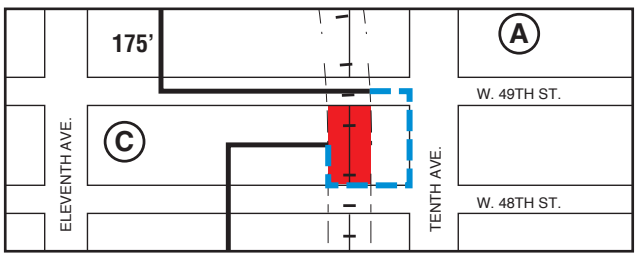
*Tenth Avenue Site*

*Proposed Boundary of Other Area*

0 200 500 FEET

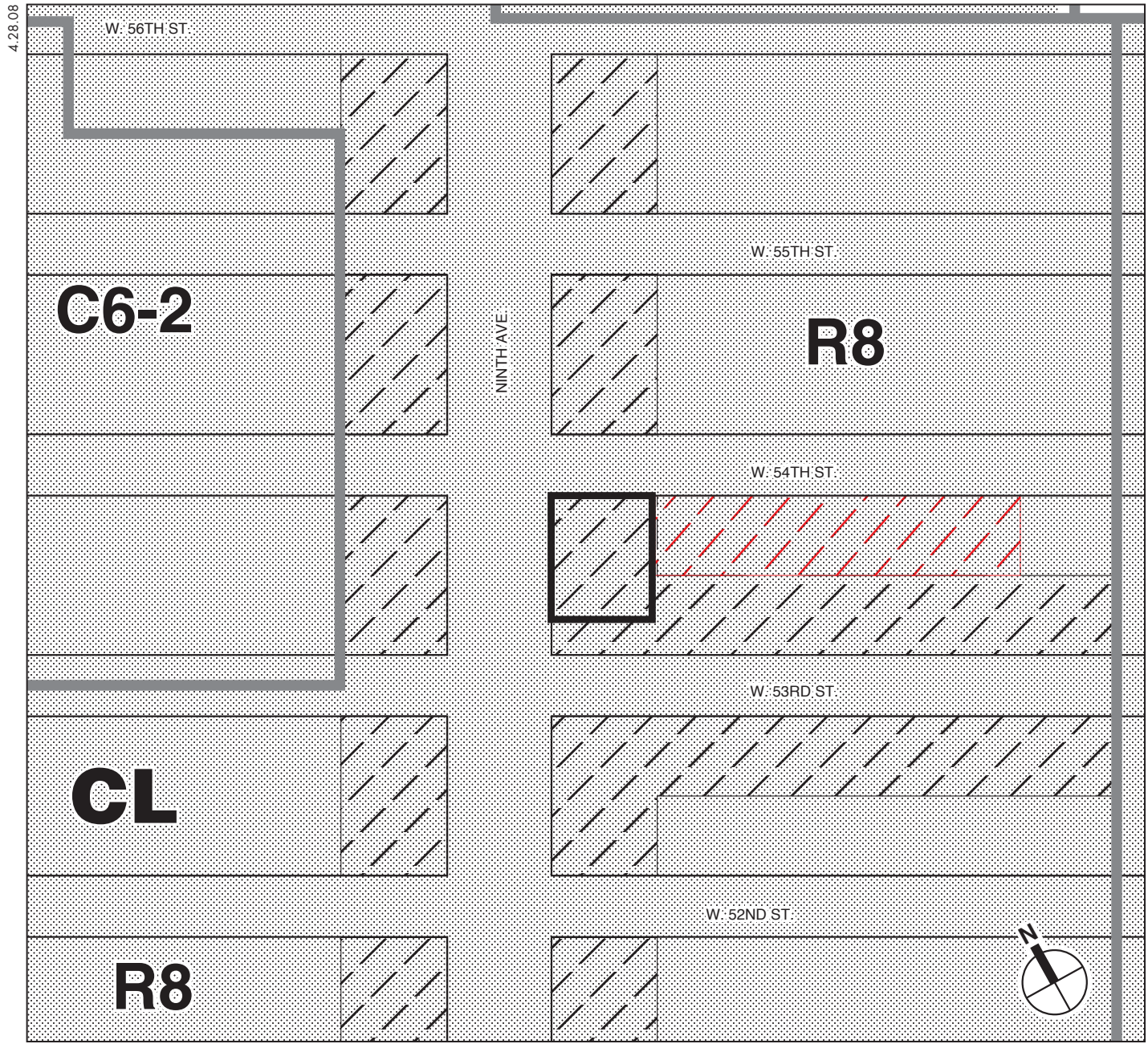
SCALE

**Project Site Inset**




WESTERN **RAIL YARD**

Tenth Avenue Site
Proposed Special Clinton District
**Figure 3-13**




Ninth Avenue Site
Proposed Zoning
**Figure 3-14**

*PLANYC*

As described earlier, PlaNYC is the City's long-term sustainability plan. The Proposed Actions embody many of the planning goals and objectives established in PlaNYC and overall would be consistent with PlaNYC. As described above, elements of PlaNYC are organized into six categories—land, water, transportation, energy, air quality, and climate change—with corresponding goals and initiatives for each category. The following section summarizes the Proposed Actions' consistency with PlaNYC elements, with a particular emphasis on the land use and zoning based goals and objectives of the plan. Other elements are also summarized but are primarily evaluated within the relevant and specific technical chapters of the EIS, such as energy, infrastructure, and air quality. Many of the PlaNYC goals and objectives relating to City-wide programs and adaptive re-use or enhancements to existing buildings and systems are not directly applicable to the Proposed Actions.

*Land*

Overall, the Proposed Actions are consistent with the PlaNYC land goals. Many of the recommendations, goals, and initiatives of PlaNYC are at the core of the Proposed Actions, including pursuing transit-oriented development, providing new housing to meet the needs of current and future residents while making housing more affordable and sustainable, utilizing land already owned by the public, improving and capitalizing on transit access, and providing for improved open spaces.

*Housing*

The Proposed Actions would be consistent with the goals of PlaNYC with regards to housing. The Proposed Actions would result in the creation of several thousand market-rate and affordable housing units on the Development Site. In addition, the City would provide $40 million in subsidy for the construction of affordable housing at the Additional Housing Sites. More specifically, the Proposed Actions are consistent with the following initiatives associated with housing:

- Pursue transit-oriented development and use rezonings to direct growth towards area with transit infrastructure.

The Proposed Actions would rezone the Development Site to permit high-density, mixed-use transit-oriented development. The Development Site is located near existing and proposed transit infrastructure and multiple transportation options. Penn Station is nearby, with LIRR, NJ TRANSIT, Amtrak, and the A/C/E and 1/2/3 subway lines. In addition, the extension of the No. 7 subway line will provide future residents and workers with additional transit infrastructure. Therefore, the Proposed Actions would be consistent with this initiative of PlaNYC.

- Expand co-locations with government agencies and pursue partnerships with City and State agencies.

PlaNYC notes that City of New York owns a considerable amount of land. Significant opportunities exist to use that land to create housing on this land through productive alliances with other government agencies. The Proposed Actions would include the Metropolitan Transportation Authority's lease of, with option to purchase, the air space over the Western Rail Yard to the Developer to create a significant amount of new housing as well as commercial, community facility, and open space uses. Additionally, new affordable housing would be developed at the Ninth Avenue Site and Tenth Avenue Site on City-owned property. The

Proposed Actions illustrate a strategic partnership between the City, State, and a private developer. Therefore, the Proposed Actions would be consistent with this initiative.

- Develop underused areas to knit neighborhoods together and identify underutilized areas that are well served by transit and other infrastructure.

The Development Site is an underutilized area that is well served by existing and future transit and other infrastructure. Redeveloping the Development Site with a mix of uses would link together the growing mixed-use neighborhoods to the south, east, and north. The Development Site, which occupies an inaccessible superblock, currently divides the adjacent neighborhoods and separates uses from the adjacent waterfront. The Proposed Actions would permit land uses that would be consistent with and support development in the surrounding areas. In particular, the linked open space networks would improve the relationship with the Hudson River waterfront. At the Additional Housing Sites, the Proposed Actions would create new uses that would be consistent with the land uses in the surrounding area. In particular, the redevelopment of the Ninth Avenue Site would replace an underutilized surface parking lot that interrupts a continuous frontage of retail uses. Therefore, the Proposed Actions would be consistent with this initiative.

- Capture the potential of transportation infrastructure investment

The Proposed Actions would result in the development of housing on the Development Site that would benefit from the No. 7 subway line extension. As described above, the extension will end at a new subway station located at 34th Street and Eleventh Avenue. Entrances to the station will be located northeast of the Development Site. The extension would support the Proposed Actions by providing residents and workers with easy access to transit. Furthermore, PlaNYC specifically describes how the No. 7 subway line extension and development on the Development Site illustrate how to capture the potential of transportation infrastructure investments. Therefore, the Proposed Actions would be consistent with this initiative.

- Deck over railyards, rail lines, and highways

PlaNYC notes that while highway and rail infrastructure divide neighborhoods, they also provide opportunities for development. The Proposed Actions would result in the construction of a platform above the Caemmerer Rail Yard to develop new housing and other land uses. PlaNYC specifically notes Caemmerer Rail Yard as an example of how this initiative would create new development. Therefore, the Proposed Actions would be consistent with this initiative.

- Develop new financing strategies. Pursue creative financing strategies to reach new income brackets.

This goal describes specific City-sponsored funding initiatives that can be utilized to create affordable housing. The Proposed Actions would include affordable units on the Development Site and at the Affordable Housing Sites that would expand the amount of housing available for low-income residents. This housing would benefit low-, moderate-, and middle-income residents and help the City reach its affordable housing goals.

- Expand inclusionary zoning.

The Proposed Actions would be consistent with this goal, which seeks opportunities to expand the use of inclusionary zoning to create economically-integrated communities. On the Development Site, the Proposed Actions would include a five percent floor area bonus if permanently affordable housing is provided. Therefore, the Proposed Actions would be consistent with the goal of using inclusionary zoning bonuses.

- Encourage homeownership. Develop programs to encourage homeownership, emphasizing affordable apartments over single-family homes.

PlaNYC suggests that programs should encourage homeownership and emphasize the provision of affordable apartments over single-family homes. The affordable housing at the Development Site and at each of the Additional Housing Sites would be rental apartments. Although this would not promote homeownership, it would provide affordable apartments and would be consistent with this initiative.

*Open Space*

PlaNYC includes three open space goals. As a new mixed-use development, the Proposed Actions are not intended to meet the goals of making existing sites available to more residents and expanding usable hours at existing sites, and thus do not address those specific elements of PlaNYC. The Proposed Actions would, however, be consistent with PlaNYC's third open space goal of re-imagining the public realm. The Proposed Actions include the creation of 5 acres of open space on the Development Site. The new publicly accessible open space would provide passive recreational opportunities and attractive pedestrian connections between the Development Site, the High Line, the open space planned for the Eastern Rail Yard in the Future without the Proposed Actions and surrounding neighborhoods—areas long separated visually and physically by the largely below-grade rail yard. Specifically, the Proposed Actions would be consistent with the initiatives necessary to achieve the goal of re-imagining the public realm as described below.

- Create or enhance a public plaza in every community.

The Proposed Actions would create approximately 5 acres of open space on the Development Site, including several plaza areas. This open space would provide a connection to other open spaces planned on the Eastern Rail Yard and a visual connection to the adjacent Hudson River Park. The portion of the High Line located within the Development Site would be adaptively reused as a result of the Proposed Actions as 0.99 acres of passive open space elevated above the Development Site, providing a pedestrian pathway that would run parallel to Twelfth Avenue before curving to the east and running parallel to West 30th Street. This High Line open space would then connect to the portion of the High Line on the Eastern Rail Yard (to be developed in the Future without the Proposed Actions) to the east of the Development Site, which will in turn connect with the 4.41 acres of High Line park that continues south to Gansevoort Street. Therefore, the Proposed Actions would be consistent with this initiative.

- Green underutilized street and sidewalk space

The proposed 5 acres of open space on the Development Site would include landscaping, plantings, and other open space features. In addition, development at all three project sites would comply with the street tree planting zoning text amendment described above. This would result in a substantial number of street trees on the streets surrounding the Development Site. Currently, there are none. Therefore, the Proposed Actions would be consistent with this initiative.

*Brownfields*

The Brownfield elements of the PlaNYC overall are not applicable to specific projects, such as the Proposed Actions.

*Water*

Chapter 14, "Infrastructure," describes more specifically the Proposed Actions' consistency with PlaNYC regarding water. Of note, the proposed drainage system for the northern portion of the Development Site would discharge to a separate storm sewer that will be constructed within West 33rd Street in the Future without the Proposed Actions. The Proposed Actions would also incorporate various source control features into the proposed buildings on the Development Site and open space design to promote stormwater collection and management to reduce the quantity of off-site discharges and improve the quality of runoff discharged into the Hudson River. The Proposed Actions would also incorporate measures to promote the efficient use and conservation of domestic water to reduce sewage generation rates. By reducing the load on the combined sewer system, these measures would improve the quality of stormwater runoff discharges to the Hudson River, thus contributing to the improvement of the quality of surface waters surrounding New York City.

*Energy*

Chapter 16, "Energy," describes more specifically the Proposed Actions' consistency with PlaNYC regarding energy. As described in Chapter 16, the design for the Development Site would include sustainable measures to reduce energy consumption. For the Additional Housing Sites, the New York City Department of Housing Preservation and Development (HPD) would require compliance with New York State Energy Research and Development Authority's (NYSERDA's) Green Affordable Housing Component and Enterprise Community Partners' Green Communities, which are described in detail in Chapter 16, "Energy."

*Air Quality and Climate Change*

Chapter 19, "Air Quality and Greenhouse Gas Emissions," and Chapter 21, "Construction Impacts," describe more specifically the Proposed Actions' consistency with PlaNYC regarding air quality. As described in Chapter 19, ""Air Quality and Greenhouse Gas Emissions," the Proposed Actions would be consistent with the air quality goals described in PlaNYC by utilizing heating systems that burn fuels, creating a transit oriented development, and utilizing the most effective construction technologies during the construction of the Development Site platform and buildings. The Proposed Actions would also implement measures to reduce greenhouse gas emissions. As described in Chapter 21, "Construction Impacts," an emissions reduction program would be implemented during construction at all three project sites.

*DEVELOPMENT SITE*

The Proposed Actions would be consistent with relevant public policies on the Development Site and within the surrounding study area. The City's stated goal is to redevelop and revitalize the Far West Midtown area. The Proposed Actions would further this goal by allowing for the development above a rail yard. The Proposed Actions would also develop a mixture of uses on the Development Site that would contribute to the economic, social, and recreational life of the Far West Midtown area.

Land use changes anticipated as a result of the Proposed Actions would be consistent with the known public policies, as described below.

*Local Waterfront Revitalization Program (LWRP)*

As described in Chapter 13, "Waterfront Revitalization Program," the Proposed Actions would be consistent with the goals of the LWRP. The Proposed Actions would facilitate the

development above a rail yard and that development would increase public access to the waterfront, by attracting the public through open space toward the Hudson River Park. Therefore, the Proposed Actions would be consistent with the goals of the LWRP.

*Plan for the Manhattan Waterfront*

As described above in "Existing Conditions," the *Comprehensive Waterfront Plan* envisioned a public esplanade along the entire length of Manhattan's waterfront. The *Plan for the Manhattan Waterfront* endorsed the proposals for the creation of the Hudson River Park, which was in the planning stage when the *Plan* was completed. The addition of the open space on the Development Site would support the Hudson River Park. While the new open space would not have a physical connection to Hudson River Park, as described above, the open spaces along the western portion of the Development Site would provide an important visual connection with the adjoining Park. Furthermore, the tiered open space in the southwest corner would lead to street level at West 30th Street and Twelfth Avenue. The relationship between these open spaces and the adjoining waterfront area would help to support the continued development of Hudson River Park as a destination park.

*Fashion Center Business Improvement District*

The Fashion Center BID promotes New York City's apparel industry and strives to improve the quality of life and economic vitality of the Garment Center District. The portion of the BID located within the Development Site Study Area generally covers the area between West 35th and West 40th Streets and Seventh and Ninth Avenues.

As described above, the Development Site's proposed land uses would be similar to the uses that would occur in the Garment Center in the Future without the Proposed Actions. While the proposed land uses would be developed to a higher density and scale, the Garment Center's distance from the Development Site would minimize any perceptible differences. Therefore, the Proposed Actions would not affect the BID's public policy goals.

*34th Street Partnership*

The portion of the 34th Street Partnership located within the Development Site Study Area generally includes the blocks between West 31st and West 35th Streets and Seventh and Tenth Avenues. Overall, the 34th Street Partnership promotes the district as a strategic Midtown business location. The new land uses on the Development Site, particularly the introduction of commercial office, retail, and open space uses, would support Midtown's continued growth as a business center. Therefore, the Proposed Actions would be compatible with the goals of the 34th Street Partnership.

*Chelsea 197-a Plan*

The Proposed Actions would facilitate the construction of land uses on the Development Site that would not conflict with the development resulting from the Chelsea and Special West Chelsea rezoning—both of which reflect the principles of the 197-a Plan. As described above, the Chelsea subarea is transitioning towards higher-density mixed use development particularly in the areas generally closer to the Development Site. The Development Site's uses would be similar to this development. Additionally, the Proposed Actions would introduce new open space uses and a new PS/IS school, and each of these uses would support the future implementation of the 197-a Plan. Therefore, the land uses with the Proposed Actions would be compatible with the 197-a Plan.

## F. PROBABLE IMPACTS OF THE PROPOSED ACTIONS–2017

As described in Chapter 2, "Framework for Analysis," for analysis purposes, the interim year of development of the Proposed Actions is 2017. By 2017, construction on the Development Site is anticipated to be complete for the three buildings closest to Eleventh Avenue, the central open space area, and a plaza located at the northwest corner of the site. Total program floor area would comprise 1.49 million gsf of office space or a 1,200 room convention-style hotel in the north building, retail space of up to 162,750 sf gsf, and up to 1,558 residential units in the two southerly buildings. The interim development would also include the PS/IS school, and 850 accessory parking spaces. This mixture of land uses that is the same for the interim 2017 Future with the Proposed Actions condition as the full 2019 Future with the Proposed Actions condition—residential, commercial, community facility, open space, and parking. Given the similarity of uses between the interim and full Build years and that the analysis of the 2019 Future with the Proposed Actions condition concludes that the Proposed Actions would not create a significant adverse impact on land use, zoning, and public policy (see section E, above), this analysis concludes that the Proposed Actions would not create a significant adverse impact on land use, zoning, and public policy in the interim 2017 Future with the Proposed Actions condition. ✷