



August 20, 2020

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Re: Empire Station Complex Project (“Project”) Draft Scope of Work

Dear Mr. Zemsky and Ms. Leicht:

We appreciate the opportunity to provide our responses and comments on the Draft Scope of Work for the proposed Empire Station Complex project (the “Project”) by the Empire State Development (“ESD”).

We thank the Governor for focusing his energy on improving Penn Station and the surrounding neighborhood which we have the honor of representing. For too long, despite being one of the most transit accessible locations in North America, this neighborhood has failed to live up to its potential – limited by the poor quality of the public realm – below grade and at grade. People cannot comfortably navigate this neighborhood. We’re acutely aware that the goal is not to just improve the neighborhood but to re-invest in Penn Station to ensure it can meet the needs of the 21st Century by supporting economic growth in the region and favoring climate-friendly public transit over the private automobile.

This process is a unique opportunity, so we offer these comments in the hope that we can work together to create a planning framework that addresses the needs of the very diverse communities this area serves: community residents, office workers, transit riders from all over the region, existing companies and new ones that might relocate here.

We believe the following principles will help refine a proposal that balances the needs of these different users and will ultimately create the kind of train station and neighborhood that serves local as well as regional needs.

1. Prioritize the transit connections & wayfinding below grade. ESD has shared a rough development framework but we have yet to see proposed improvements for Penn Station.

2. Invest in the public realm. If we can ambitiously rethink the public spaces and streets in and around Penn Station and prioritize pedestrians, we can address the mistakes of the past. This means looking beyond the project boundaries to include Herald Square and reclaiming space from cars to give back to pedestrians, buses, and bicycles wherever possible.
3. Take advantage of the multi-modal opportunities. We need to expand bike access to the station and in surrounding developments, improve the bike infrastructure north/south and east/west, and look to improve bus service on 34th Street so Penn Station can be more fully a transit node for different users.
4. Development needs to include more than office space. A successful district will need to include a broader range of uses, including some percentage of affordable housing and community uses – including arts and culture, public buildings such as a library, or other uses that the community may identify as potential needs. We need to ensure that buildings achieve the highest levels of environmental performance and create inviting ground floors with public uses – instead of fortress-like office buildings – and design guidelines which embrace the architectural legacies of this neighborhood while still looking to the future.

Although part of a transit-oriented scheme, there is a lack of detailed transportation solutions, improvements to the existing station, and an overall vision for the public realm and pedestrian experience. There should be clearer approaches to outlining the capital needs and projecting how much revenue would be generated as a result of the proposed development.

With regard to the programming and principal goals, we believe a more careful and multi-modal-oriented analysis of transportation improvement needs is necessary. Simply adding track capacity may not be the solution. As detailed below, for example, a through-running station could be a better large-scale investment and should be studied as an alternative.

On a more micro-level, smaller investments may provide ways to address projected capacity needs: extended platforms; better access for riders with disabilities; improved wayfinding and combined station signage; better vertical circulation; and widened concourses and corridors with better connections to the subways and street. These improvements could achieve, in part, some of the same goals as adding tracks and platforms.

In terms of the planning program, we urge a more thoughtful and varied approach to considering proposed uses. For example, as we have heard from many in the affected communities, the proposal should carefully consider the area's needs for community facilities and local and regional affordable housing.

In summary, the scope as presented to date for this project is too narrow, and it's too soon to be foreclosing on broader opportunities. We need a thoughtful vision of how the below-ground and above-ground pieces of the puzzle will fit together. This proposed development will have impacts that reach farther than the small radius included in the scope. The ongoing review should consider the effects of the project on Hudson Yards, Midtown, and East Midtown.

Lastly, we hope ESD will engage in a robust public engagement framework. A clear process is necessary in which stakeholders have a real say in the decision-making process and some oversight over the development as it progresses. This process should include local residents, elected officials, and other stakeholders, as well as voices from affected transit hubs in the region. A proposed, detailed timeline, showing public meetings related to the GPP should be presented to the Community Advisory Committee and then finalized with input from stakeholders.

In considering the below comments, we also ask that you heed the clear and consistent concerns that have been raised by those who face the greatest potential impacts over the coming decades. They include the comprehensive testimony and recommendations of Community Boards 4 and 5 in Manhattan. We share many of their concerns and look forward to seeing them addressed in the coming months and in the Draft Environmental Impact Statement (“DEIS”).

Comments by Task Area

Tasks 1 & 2, Project Description, Analytical Framework

Without fully repeating our general perspective above, the project description is based on an outmoded, vehicular-focused approach to planning at the expense of the street-scale pedestrian experience. At the same time, the proposal provides few specific details on the transit improvements that are driving so much of the below-grade project objectives.

In addition, the project area should be expanded, as its shrink-wrapped focus on the existing Penn Station and transit facilities reinforces many of the deficiencies arising in the various technical analysis areas. A development that proposes an additional 20 million square feet of office space will have regional effects, far beyond the specific blocks of the specified project area.

Finally, we share the concerns among many constituents that the general vagueness around the contemplated zoning overrides is unacceptable. Whatever the merits of a General Project Plan approach, it is critical for our communities to clearly understand the extent of what is being proposed.

Task 3, Land Use, Zoning, and Public Policy

In light of the ongoing pandemic and its potential effects on immediate land use trends, we note our concerns over the scale of the proposed commercial office program. As noted below (*Task 21, Alternatives*), we encourage the study and incorporation of various alternative scenarios, including but not limited to scenarios which incorporate residential use, along with an affordable housing requirement of at least 30%. Re-calibrating the various projections for different uses should also trigger a review of opportunities for greater open space, which as originally presented, already raises serious concerns over adequacy of supply.

With regard to zoning, and as noted elsewhere, the proposed project should be clearer in terms of proposed locations, amounts of floor area, and how – and precisely to what extent – the plan varies from existing regulations. Lastly, we recommend that the project framework should include mechanisms to limit bulk on specific sites – and to specifically disallow the transfer of development potential among sites.

Task 4, Socioeconomic Conditions

In general, we echo the concerns of our many constituents who question the strength of the potential displacement effects on both residential and commercial uses, and both direct and indirect effects. Part of this issue, echoed in the Community Facilities commentary, is a concern over various social, supportive services geared toward these populations. The Garment Center and Koreatown communities, outside the project area but closely connected to it, are two specific examples of areas that should be analyzed as part of the DEIS.

Task 5, Community Facilities

The DEIS should provide an analysis of the displacement of community facility uses, and the diminution of social services in particular. Of particular concern is the displacement – among

others – of the Antonio Olivieri drop-in center, located on projected Site 2. We agree with those constituents who have called for the prioritization of, and investment in, homeless services.

Task 6, Open Space

There is a dearth of open space in the project area generally, which will be exacerbated by the proposed amount of new development. At minimum, the DEIS should include an analysis of open space based on 630 new dwelling units (contemplated as an alternative program for Site 4). Any opportunities to maximize open space, including but not limited to Site 2, should be closely studied.

Task 7, Shadows

Our constituents have clearly stated a concern over the contemplated zoning overrides and potential bulk modifications of the proposed project overall. In addition to a general request for clarification and specificity around those issues, we are concerned about any potential shadow impacts, particularly on residential buildings, existing open spaces in the area, and potential sunlight-sensitive resources in the vicinity, and on the Farley Complex overall.

Task 8, Historic and Cultural Resources

As noted in the Draft Scope, the proposed project area includes a number of designated and eligible historic resources, and our constituents have roundly called for a robust analysis of the potential adaptive re-use of these structures, instead of full demolition. Given that one of the City's most momentous architectural losses occupies the spiritual heart of the proposed project, this mandate is all the more critical. Of particular interest is the former Penn Station Service Building on West 31st street, and the last remaining piece of McKim, Mead & White's original station, on the block directly south of the current Madison Square Garden/Penn Station block.

Task 9, Urban Design and Visual Resources

We understand and agree that a detailed analysis must be undertaken. We further recommend that such analysis may appropriately take into account a larger study area than is currently contemplated. As noted above, we believe the boundaries for analysis for the Project should be expanded, and particularly as it addresses view corridors throughout the proposed project area. View corridor analyses should include but certainly not be limited to studies of impacts on the Empire State Building, given its prominence and proximity to the project area.

Urban design impacts overall, resulting from proposed height and bulk modifications should be clearly stated, and diagrammatically shown. Various possibilities, to the greatest extent feasible, should be evaluated, and an opportunity for recommendation by the Community Advisory Committee should be afforded.

The creation of shared streets should be carefully analyzed. Among other potential application areas, West 31st Street between 7th and 8th Avenues should be considered as an area in which to expand new green space, thereby limiting the need for sidewalk extensions.

Task 11, Water and Sewer Infrastructure

The DEIS should analyze ways to separate stormwater and sewage by more efficient means. We also note that the North River Water Treatment Plant (the service area of which includes project area) is already at or close to capacity, which is of serious concern under the scale of the proposed new development. With regard to historical data in this area (as with certain others), we also caution that use of 12-month periods that include months during which the City was on virtual lockdown may be problematic, and that alternate means of data collection should be considered and adopted.

Task 13, Energy

Based on the general goal of limiting energy use to the greatest extent feasible, and consistent with the concerns related to climate change (*Task 16, Greenhouse Gas Emissions and Climate Change*), we believe the project should explore and incorporate the use of renewable energy systems for the proposed buildings.

Task 14, Transportation

As stated below (*Task 21, Alternatives*), we note that our constituents have called for the study of an alternative development scenario that incorporates through-running options, to the east and west, which could potentially obviate the need for station expansion to the south. In addition, as presented, the project envisions a 40% increase in capacity, which will have profound effects on the above-ground experience covering a broad range of neighborhoods and affected a wide array of transportation modes. In particular, the pedestrian experience should be prioritized to a much greater degree in terms of both capacity and safety. Sidewalk widening on the streets immediately surrounding Penn Station, shared streets and walk lanes, enhanced wayfinding, and additional mid-block crossings should be studied, as Community Boards 4 and 5 have noted in particular. Additional busways and bike lanes, along with enhanced pedestrian improvements are also critical in terms of balancing the needs and priorities of the various modes of transit in and around this regional hub.

Echoing the overarching concerns of the project, we also question the need for the proposed 400 parking spaces, which could come at the expense of other transit-mode improvements, including those that encourage and support bicycle usage/sharing.

Task 16, Greenhouse Gas Emissions and Climate Change

In addition to a commitment to compliance – at a minimum – with goals and standards consistent with Local Law 97, the Project should provide clear descriptions of LEED building requirement targets which should be incorporated into each site. This is consistent with our belief that the project should encourage and embrace the full range of transit usage options while greatly reducing overall greenhouse gas emissions.

Task 20, Construction

We recommend that a construction task force be created, for oversight purposes, as well as consultation with regard to economic benefits over the life of the project, and maximizing opportunity for MWBE firm participation, union contracts, and local hiring.

Task 21, Alternatives

As many of our constituents have noted, the alternative scenarios in the Draft Scope of work are insufficient. The following additional Alternatives should be included in the DEIS analysis.

- a. At a time when the impacts of certain housing conditions should be at the forefront of our policy discussions, it is critical that this project analyze a scenario that includes new affordable housing opportunities. One project alternative should analyze the introduction of residential use, potentially on Site 1, which is located adjacent to existing residential use, and with a minimum 30% affordable housing component.
- b. The DEIS should analyze a scenario which incorporates allowable FARs that are more consistent with those in the immediately surrounding zoning districts, including a number of Special Districts; this alternative should also analyze the applicability of imposing building height limits. As noted throughout these comments, the lack of clarity on proposed building heights and zoning overrides is of particular concern to the impacted communities.
- c. The DEIS should include an alternative scenario that analyzes the relocation of Madison

Square Garden.

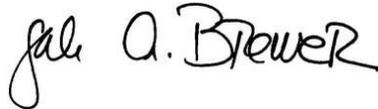
- d. The DEIS should also include an alternative scenario that analyzes the implementation of through-running options, in both easterly (to Sunnyside) and westerly directions (to Secaucus), and whether and to what extent such options could mitigate or eliminate the need for south-ward expansion of below-grade station infrastructure.

In the weeks and months ahead, we look forward to working collaboratively through the Community Advisory Committee, and alongside our respective communities and appropriate City agencies and with ESD, to further explore these issues as this project moves forward.

Sincerely,



Corey Johnson
New York City Council Speaker



Gale A. Brewer
Manhattan Borough President