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Mark Levine, Borough President

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**Recommendation on ULURP Application Nos. C240353ZSM, N240354ZRM,
C240336MMM – Port Authority Bus Terminal Replacement and Port Authority Bus
Terminal Mapping Actions
By Port Authority of New York & New Jersey (PANYNJ)**

PROPOSED ACTIONS

The Port Authority of New York & New Jersey (“PANYNJ”, or the “Applicant”) is proposing multiple land use actions to facilitate the redevelopment of the existing Port Authority Bus Terminal (“PABT”) across various sites in Midtown (Block 1032 Lot 29, Block 1050 Lots 13 and 32, Block 737 Lots 1, 17, and 22, and Block 711 Lot 1), in Manhattan Community District 4 (the “Proposed Development”).

The Applicant proposes the following actions:

1. An amendment to Section 74-145 (Bus Stations) of the Zoning Resolution (ZR 74-145) to establish a special permit for the construction of a bus station in commercial or manufacturing districts of Manhattan Community District 4, development of a bus station in demapped streets, and updated findings applicable to bus station use;
2. A special permit pursuant to paragraph (c) of the amended ZR 74-145 to:
 - a. Allow the construction of a bus station with 10 or more berths for buses on a site of any size
 - b. Allow the development of a building or portion which is part of the bus station within demapped air space
 - c. Allow the distribution of floor area on the development site without regard to zoning district boundaries, modify height and setback regulations of Section 81-26 of the Zoning Resolution (ZR 81-26), and modify mandatory district plan elements of Section 81-40 of the Zoning Resolution (ZR 81-40); and
3. Changes to the City Map to eliminate, discontinue, and close a portion of West 41st Street between Eighth and Ninth Avenues, a portion of West 40th Street between Tenth and Eleventh Avenues, and various volumes of street at, below, and above grade along West 41st Street, West 42nd Street, Ninth Avenue, West 40th Street, Tenth Avenue, West 39th Street, and Eleventh Avenue, and the disposition of the demapped areas to the Applicant.

Specifically, the proposed zoning text amendment would update the findings required for the City Planning Commission (“CPC”) to allow a bus station in Manhattan Community District 4. The Applicant’s proposed amendment would require the CPC to make the following findings in order to grant the special permit:

1. Operation of the bus station does not create serious traffic congestion and is not harmful to public health or general welfare;

Nos. C240353ZSM, N240354ZRM, C240336MMM – Port Authority Bus Terminal Replacement & Port Authority Bus Terminal Mapping Actions

2. Principal access for the station is located on an arterial highway, major street, or secondary street within one-quarter mile of an arterial highway or major street;
3. The station includes pedestrian-oriented public spaces that consider pedestrian circulation networks;
4. The station is designed to reflect its civic importance and considers the pedestrian experience;
5. The station's at-grade entrances are designed to encourage pedestrian circulation and are well-situated in relation to pedestrian and bicycle networks;
6. The station provides adequate connections to and from existing transportation facilities;
7. The bus station accommodates projected bus volumes and reduces conflicts between buses and other modes of transportation in the area; and
8. The station will not have adverse impacts on the character or land uses of the surrounding area.

The Applicant also proposes the following findings for modifications to a bus station that are made for purposes other than bus station use. Those modifications would be required to:

1. Improve the bus station site plan or further the bus station project;
2. Not obstruct light and air from the surrounding area; and
3. If modifying development rights transfers or regulations regarding split zoning lots, not unduly increase the bulk, size of the zoning lot, or the intensity of uses in a manner that is detrimental to the surrounding area or building occupants.

The CPC may also prescribe additional conditions and safeguards to minimize adverse effects on the surrounding area.

These actions would facilitate the development of the new Port Authority Bus Terminal building, and the associated storage and staging facility, a ramp structure for buses, and two commercial towers.

BACKGROUND

The original Port Authority Bus Terminal opened in 1950, occupying the block between West 41st Street, Eighth Avenue, West 40th Street, and Ninth Avenue. In 1971, the City Planning Commission granted a special permit for construction of an office building above the planned expansion, which allowed the available development rights to be distributed across the entire site. However, that tower was never built. The terminal expanded to the North Wing in 1981, with the two wings connected by a multi-level aboveground connection. The construction of this structure was facilitated by demapping a portion of West 41st Street below grade and 60 feet above grade.

The Applicant began the planning process for the PABT replacement with its Midtown Bus Master Plan study in 2013. Their proposal for a bus terminal replacement originally contemplated development on private sites through the use of eminent domain. After receiving extensive local pushback, the Applicant studied other potential designs for their redevelopment project, including ones that relied on its existing footprint and utilized only their existing

properties. The Applicant then completed a planning-level scoping process from 2019 through 2021, pursuant to the National Environmental Policy Act (NEPA). The currently proposed replacement project aims to make improvements to operations at the terminal while also improving how the terminal interacts with the surrounding community.

Proposed Development

Phase 1 of the Proposed Development would begin in late 2024, pending the timing of project approvals, and last through 2028. This phase would involve constructing the five-story Storage and Staging Facility (“SSF”), which would be located from Ninth to Tenth Avenues between West 39th and West 40th Streets (Block 737 Lots 1, 17, and 22, and Block 1050 p/o Lot 13). The SSF would contain space for 300-350 buses, which would keep these buses off the streets during their parking and waiting periods. The SSF would also include around 67,500 square feet of street-facing retail. Though not part of this application, the Applicant proposes to deck over portions of Dyer Avenue (“Dyer Deck-Overs”) from Ninth to Tenth Avenues between West 37th and West 39th Streets and use those areas as interim construction staging space. Once the construction of the Main Terminal is completed, the Dyer Deck-Overs would be converted into publicly accessible open space. This phase would cost \$4 billion and would be funded by \$3 billion from the Port Authority’s capital plan, and \$1 billion from a pending United States Department of Transportation (USDOT) loan.

Phase 2 of the Proposed Development would occur from 2029 to 2032 and would involve the demolition and replacement of the Main Terminal in place from Eighth to Ninth Avenues between West 40th and West 42nd Streets (Block 1032 Lot 29, and Block 1050 Lot 32 and p/o Lot 13). During this phase, bus operations would occur from locations including the SSF, the Dyer Deck-Overs, curbsides, and an existing lot on West 30th Street. Additionally, some buses would be diverted to different locations or transfers. Upon completion, the new terminal would have a main entrance at West 41st Street and Eighth Avenue. The terminal would have approximately 46,800 square feet of street-facing retail and 13,700 square feet of interior retail. This phase would cost \$6 billion and would be funded by \$500 million from the development proceeds of two commercial towers that would be constructed above the Main Terminal (“Overbuild Towers”), \$2 billion from Payment in Lieu of Taxes (PILOT) payments from the Overbuild Towers, \$3 billion from the next Port Authority capital plan, and, potentially, an additional \$500 million federal loan or grant.

After the completion of the first two phases, the Main Terminal would be operational, with connections to the SSF and the Lincoln Tunnel via new ramps (the “Ramp Structure”). The Ramp Structure is proposed to be located on the block between Tenth to Eleventh Avenues and West 39th and West 40th Streets (Block 711 Lot 1) and would improve upon the existing ramps with more direct connections to the Lincoln Tunnel. Approximately 20,000 square feet of the Ramp Structure would be used for street-facing retail and terminal operations. The ramps would cross over Ninth Avenue between West 40th and West 41st Streets, over West 40th Street and Dyer Avenue, and over Tenth Avenue between West 40th and West 39th Streets at heights ranging from 15 feet - 63 feet at the bottom of those bridges to 146 feet - 168 feet at the top of those bridges. The ramps would include a bypass lane so that if a bus breaks down it would not block the other buses. Furthermore, the Ramp Structure would remove buses from local streets.

Nos. C240353ZSM, N240354ZRM, C240336MMM – Port Authority Bus Terminal Replacement & Port Authority Bus Terminal Mapping Actions

The new terminal would have capacity for intercity buses, which currently operate on various blocks surrounding the terminal. The Applicant is also coordinating with the NYC Department of Transportation (DOT) to widen several sidewalks around the Main Terminal in order to accommodate projected pedestrian circulation.

Peak Hour Bus Capacity Throughout Various Construction Stages

	Forecast	Main Terminal	Storage & Staging Facility	Dyer Ave. Deck-Overs	Diversions	Curb-side	West 30th Street Lot
Current	764	764	N/A	N/A	N/A	*	N/A
After Phase 1 Completion (2028)	764	0	460	115	49	90	55
After Phase 2 Completion (2032)	869	1,030	0	0	0	0	0
2040	907	1,030	0	0	0	0	0

*There are no official estimates for the number of curbside buses in the area.

Phase 3 would begin after Phase 2 is completed. This phase would involve a Request for Proposals (RFP) for the developer of the two Overbuild Towers and conversion of the Dyer Deck-Overs to a publicly accessible open space. PANYNJ would still need to access the roadways below the Dyer Deck-Overs. The operations and maintenance for the proposed open space has not yet been determined.

Area Context

The Proposed Development is located in Manhattan Community District 4 in Midtown and spans multiple zoning districts, including C6-7, C1-7A, C6-3, C2-5, R8A, C2-8, and C6-4. It also spans multiple special zoning districts, including the Special Midtown District (Theater Subdistrict) and the Special Hudson Yards District (Subdistricts A and D), as well as the Special Garment Center and Clinton Districts, which are both located adjacent to the Proposed Development. The surrounding area includes office towers, residential towers and walk-up apartments, hotels, industrial uses, and parking facilities.

The development site is a major transit hub, with the A, C, and E subway lines stopping at the terminal and direct connections to the 1, 2, 3, 7, N, Q, R, W, and S subway lines at Times Square. The M11, M12, M20, M42, M104, M34A-SBS, as well as multiple Staten Island buses, all stop in the area.

COMMUNITY BOARD RESOLUTION

On July 24, 2024, Manhattan Community Board 4 (“CB 4”) voted to recommend approval of the project with certain conditions. These conditions include clarifications and modifications of the proposed zoning text amendment, mitigations related to the demapping actions, and mitigations requested under the Draft Environmental Impact Statement (DEIS). A summary of those requests is outlined below.

Zoning text amendment: modifications to paragraph (b) of ZR Section 74-45, as well as various parts of paragraph (c) of ZR Section 74-45, the definition of “related facilities,” and clarifications regarding various conditions and findings of ZR Section 74-45.

Project mitigations requested by CB 4: park space and neighborhood greening, traffic and pedestrian safety/air quality, design and construction, affordable housing sites, ground-floor sites: retail and community facilities, sustainability measures, and historic preservation.¹

Additionally, the Applicant has agreed to address the following concerns highlighted by CB 4: the need for the Dyer Avenue Deck-Overs to support green space immediately after construction of the terminal; facility design, safety, structural, and environmental concerns; traffic and sidewalk concerns including crosswalk design, ADA compliance, bus circulation, sidewalk design, and vehicle and bike parking; sustainability measures for solar panels, green roofs, and electric vehicle charging; and the preservation of architectural elements from the Lincoln Tunnel, including incorporating them into the proposed public open space.

BOROUGH PRESIDENT’S COMMENTS

A new Port Authority Bus Terminal will be a transformative asset for our city. This \$10 billion project presents us with the opportunity to not just serve commuters, but also enhance Midtown Manhattan. In addition, this new Midtown terminal will bring economic benefits to our city, generating over 60,000 jobs during construction and creating new retail jobs.² The scope and quality of these proposed deliverables are noteworthy, especially considering that this terminal, unlike other Port Authority facilities, does not generate operating revenue. I appreciate the Port Authority's dedication to this project and its efforts to develop a proposal that addresses all these crucial objectives.

The existing terminal’s shortfalls cannot be understated. The current facility does not support modern buses, which are larger now than when the station was first built. The facility is also unable to accommodate the anticipated growth in ridership. On a typical day in 2019, the station saw over 250,000 passengers.³ By 2040, that number is expected to grow by nearly 50%, to as many as 337,000 daily passengers. To make matters more dire, the terminal’s structural elements are deteriorating. The slabs in the south wing are projected to be obsolete by 2037, and other elements of the facility are aging after 70 years of use. The new terminal will address these issues by including ample space for pedestrian circulation, accommodating modern buses, and providing charging capacity for electric buses.

Today, the terminal is surrounded by both vehicular and pedestrian congestion, particularly during peak commuting hours. The terminal is not currently able to provide space for many of the intercity buses that operate in and out of Midtown. As a result, those buses conduct operations, idle, and drive on nearby streets, causing traffic and polluting the area. Additionally,

¹ [35-CHKLU-Letter-to-DCP-re-Port-Authority-Bus-Terminal-Replacement-Project.pdf \(cityofnewyork.us\)](#)

² DEIS Appendix 4B “Economic Benefits Analysis”

³ In 2019, there were 242,000 commuter passengers at the PABT on a single Wednesday in October and 24,000 intercity passengers on a single Friday in August.

Nos. C240353ZSM, N240354ZRM, C240336MMM – Port Authority Bus Terminal Replacement & Port Authority Bus Terminal Mapping Actions

the main entrance to the terminal on Eighth Avenue lacks wayfinding features and is often the site of bottlenecking as commuters enter and exit the terminal. The terminal's two-wing design is also confusing for commuters and compounded with the lack of wayfinding elements, results in crowding at key connection points within the terminal. The Port Authority proposes to provide 40 spaces for intercity buses and build a new Staging & Storage Facility and Ramp Structure that will take these buses off local streets. Additionally, a new grand entrance on Eighth Avenue will welcome passengers with improved circulation, improved wayfinding, and other amenities. Accompanying these new features are a series of sidewalk widenings, which will further alleviate pedestrian congestion in the area.

The current Port Authority Bus Terminal has also been critiqued for its lack of integration into the Midtown and Hell's Kitchen neighborhoods. The facility offers very limited street-facing retail, creating dull and unsafe conditions for commuters and residents. West 40th Street is almost entirely occupied by a brick wall and a midblock entrance for buses, which presents a major conflict with pedestrians. The proposed Main Terminal, Storage & Staging Facility, and parts of the Ramp Structure will all have street-facing retail that will activate the streetscape. The retail options and building transparency will help draw people into the terminal, provide benefits to both bus riders and the community, and offer opportunities for both existing commercial tenants and local businesses – both of whom I hope will be included in the new commercial tenancy plan. Beyond the confines of the terminal and its related facilities, the Port Authority is also proposing to convert the Dyer Avenue Deck-Overs into publicly accessible open space, which will be a tremendous asset for the community.

By addressing these deficiencies, this new terminal will undoubtedly be one of the greatest infrastructure improvements in Manhattan. However, the scale of this project means that it will have wide-ranging impacts, both during construction and as a permanent facility. The DEIS identified potential significant adverse impacts related to transportation, construction noise, and on five historic properties in the area. In light of these findings, I urge the Port Authority to work on mitigations that will minimize those impacts.

I thank the Port Authority for its work to begin the planning and coordination for its construction work via a Traffic Management Plan (TMP). Part of this planning has to include working with the DOT to change traffic flows and signal timing in order to prevent backups on nearby streets. Moreover, I believe that the proposed Traffic Management Center (TMC) will allow PANYNJ to be nimble in its response to unforeseen issues that arise during construction. These efforts are maximized with the input of residents, commuters, institutions, local businesses, and other local stakeholders. I echo CB 4's request for a construction task force that includes the community board and other local stakeholders, which would centralize the flow of information between the community and the Authority, limiting disruptions and impacts on the neighborhood.

The Port Authority owns a significant amount of property in the area, and I thank them for committing to using some of these sites as staging in order to mitigate construction impacts – which will be a tremendous logistical feat. I also recognize the Authority has crucial operations in this part of Manhattan that require use of these properties. However, I urge them to study the potential for residential development on sites that will either become developable if they are no longer needed for bus operations once the replacement terminal opens or that will serve as

Nos. C240353ZSM, N240354ZRM, C240336MMM – Port Authority Bus Terminal Replacement & Port Authority Bus Terminal Mapping Actions

temporary operational space during construction. The PANYNJ should work with the community, elected officials, and state and city agencies to explore financing options so that any development prioritizes affordable housing.

Lastly, I ask the Port Authority to work with the local community on the design of the open space that will be built over the Dyer Avenue Deck-Overs and to clarify its process for determining who will operate the space.

I want to underscore these requests with a note about communication and transparency. PANYNJ has come a long way from 2016 and has worked relentlessly with local stakeholders to ensure that their proposal for a new terminal maximizes benefits for the neighborhood. I urge the Port Authority to work with local stakeholders to get this project through the finish line and to memorialize its commitments in writing in a spirit of transparency and coordination with the community.

BOROUGH PRESIDENT’S RECOMMENDATION

Therefore, I recommend **approval** of ULURP Applications Nos. C240353ZSM, N240354ZRM, C240336MMM **with the following conditions:**

1. Establish a construction task force with consultation from a wide array of local stakeholders;
2. Propose a timeline for communicating with elected officials, CB 4, and other stakeholders regarding potential usages for following Port Authority-owned sites:
 - a. northeast corner of Dyer Avenue and West 33rd Street lot
 - b. northwest corner of Dyer Avenue and West 40th Street lot
 - c. northeast corner of Ninth Avenue and West 41st Street lot
3. Present a plan for the future, permanent use of the site on West 30th Street that would be used by buses during construction;
4. Conduct extensive community engagement and planning efforts for the permanent use of the Dyer Avenue Deck-Overs as a publicly accessible green space;
5. Work with the NYC Department of City Planning to finalize the language of the proposed special permit text in alignment with CB 4’s request;
6. Explore sites for the temporary and permanent relocation of Astro’s Dog Run; and
7. Memorialize these and other PANYNJ commitments in writing.



Mark Levine
Manhattan Borough President