



CITY PLANNING COMMISSION
CITY OF NEW YORK
OFFICE OF THE CHAIR

June 21, 2006

Honorable Charles Gargano, Chairman
Empire State Development Corporation
633 Third Avenue, 37th Floor
New York, NY 10017

Re: Comments on the General Project Plan for Moynihan Station Civic and Land Use
Improvement Project

Dear Chairman Gargano:

The City Planning Commission (the "Commission") has reviewed the draft General Project Plan (the "GPP") for the Moynihan Station Civic and Land Use Improvement Project (the "Project"), dated April 2006. The GPP is subject to Commission review pursuant to the provisions of Subdivision 3 of Section 16 of the New York State Urban Development Corporation Act which provides that a planning board or commission may recommend approval, disapproval or modification of a general project plan, whenever such plan requires the override of local law or regulation for implementation.

The Project proposes the override of local law for the Off-Site Component with regard to: i) 74-763 and 81-231 of the New York City Zoning Resolution (the Resolution) to reduce the size of the previously bonused urban plaza on the footprint of the Off-Site Component, ii) 81-211 of the Resolution (which controls permitted floor area in the Special Midtown District (SMD), iii) 81-26 and 81-27 of the Resolution (which controls height and setback in the SMD), iv) 81-45 of the Resolution (which controls pedestrian circulation space in the SMD), v) 81-46 of the Resolution (which controls off-street subway stair relocation and repair in the SMD) and vi) 74-52 of the Resolution (which controls public parking in high-density central areas).

As the Commission understands the Project, an override of 74-62 of the Resolution with respect to Railroad Passenger Stations is also necessary to facilitate the use of the Farley Building for rail service. A reference to this provision should also be included in the GPP.

The Commission also believes that override of Sections 81-46 and 74-52 of the Resolution would likely be unnecessary under the more detailed plans for the Off-Site Component, discussed below, which have been developed since issuance of the GPP. The ESDC and MSDC should review the plans from a technical perspective and eliminate these provisions of the Resolution from the list of proposed overrides, if appropriate.

The Commission also understands that while construction of the Project will generally conform to the New York City Building Code, the ESDC and MSDC believe that there are certain areas where “design renders conformance not feasible”. The Department of Buildings has been consulted regarding this language. Based on these discussions, the Commission believes that the Section XI of the GPP, entitled “Building Code”, should be modified to clarify that the areas in question do not include any portions of the Off-Site Component. Further, that Section should be revised to make clear that any engineering solutions that vary from the Building Code must be acceptable to the Department of Buildings.

The goal of the Project is to build a major transportation hub consisting of a new Daniel Patrick Moynihan Station that will be physically connected to Pennsylvania Station, thus improving Pennsylvania Station’s circulation, and that will create dynamic mixed-use development, restore and preserve an important historical resource, and serve as the gateway to the expected new development in the Hudson Yards area of Manhattan.

The Project has two main components: the Farley Building and the Off-Site Component. The Project will transform the Farley Building by creating a Train Hall on the eastern side of the building accessible from Eighth Avenue and an Intermodal Hall in the center of the block which is accessible from West 33rd and West 31st Streets. Moynihan Station will consist of approximately 400,000 SF, including 34,000 SF for New Jersey Transit operations, 4,700 SF for intercity rail, 19,000 SF for airport access and other Port Authority of NY & NJ operations, 1,300 SF for transit police, and up to 100,000 SF of retail space. The Farley Building will also include 250,000 SF for US Postal Service operations, and 750,000 SF of anticipated private development that may include a 150-room hotel. Moynihan Station would provide access to New Jersey Transit and Long Island Railroad trains as well as have connections to Pennsylvania Station.

The Off-Site Component would occupy a footprint of 35,352 SF along the east side of Eighth Avenue and between West 33rd and West 34th Streets. The Off-Site Component would be an approximately 1,000,000 SF building expected to contain residential units under the 80/20 program, residential for-sale units, hotel, and retail space.

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

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

Farley Building

The Commission supports the transformation of the Farley Building to Moynihan Station and welcomes the return of a grand entry to Pennsylvania Station. Moynihan Station will improve passenger circulation and increase access to trains and platforms. Transforming this building

requires particular attention to the public realm. The Commission therefore recommends the following:

- Train Hall
The Commission is pleased that the Train Hall as indicated in the diagrams is generally similar in size to that of Grand Central and therefore has the capacity to function as a significant new public space. While retail uses are important to activate this level, they should not compromise or impede pedestrian movement to and from the Train Hall and the connections to the north and south to Eighth Avenue.
- 32nd Street Pedestrian Corridor
This corridor is a vital link to the west and future development in the Hudson Yards. It is critical to ensure that riders whose eventual destination is to the west will have the same grand entry from and exit to Moynihan as those who exit to and enter from the east. To facilitate commuters heading west, this passage must be open during commuting hours (approximately 6am to 10pm). The thirty-foot width of this passageway indicated on the diagram should be a clear width without obstructions. Additionally the height of this passageway should be at least thirty feet. Further, this corridor should not vary more than ten feet from the centerline of 32nd Street, so that it coincides with the proposed continuation of the pedestrian walkway to the west under the Hudson Yards rezoning.
- Signage
Due to the landmark status of the Farley building, any signage on the exterior of the building should reflect and respect the historic and architectural features of this building.

Off-Site Component

The Commission notes that the GPP as written appears to allow construction of the 1,000,000 SF Off-Site Component to proceed independent of construction progress for Moynihan Station. The Commission therefore recommends that ESDC and MSDC consider whether provisions should be added to the GPP that would relate development of the Off-Site Component to appropriate milestones for completion of Moynihan Station.

Since the issuance of the GPP, ESDC and MSDC have provided the Department of City Planning with Off-Site Premises Building and Site Plan which details a number of key aspects of the proposed mixed-use building, including sidewalk widenings, streetwalls, tower setbacks, subway entrance relocations, an interior public space, and a through block connection. Most importantly, the revised Off-Site Premises Building and Site Plan shows an approximately 6,000 SF sky-lit interior public space in the interior of the building. The Commission believes that this proposed interior public space can serve as a valuable public amenity to compensate for the loss of public plaza space that would result from construction of the building. However, in order to serve as a substitute amenity that provides equal or increased public benefit, this space must be well-designed, with careful attention to seating, planting, lighting, and design. The Commission therefore recommends approval of the GPP provided that: 1) The revised Off-Site Premises Building and Site Plan attached to this letter is made an exhibit to the GPP; and 2) The following language is included as a modification to the GPP:

The Off-Site Premises will be developed in accordance with the Off-Site Premises Building and Site Plan (attached as Exhibit E), and shall have a principal sky-lit space with a 70 foot width, 85 foot depth, and height of no less than 60 feet. The design of the interior public space and through block connection shown on the Off-Site Premises Building and Site Plan shall be acceptable to the Chair of the City Planning Commission. Such design acceptance shall be obtained by the Off-Site Entity prior to commencement of construction of the Off-Site Premises. Design elements shall include but not be limited to seating, plantings, lighting, and other appropriate amenities. Hours of operation should be similar to other indoor public spaces (approximately 7am to 10pm) and prominent signage should be provided to indicate the public nature of this space. The Off-Site Entity shall be required to execute an instrument agreeing that the interior public space, subway stair relocation, and through block connection must be substantially complete prior to the issuance of a Temporary Certificate of Occupancy for the Off-Site Premises.

The City concurs with ESDC and MSDC that the Project is an important economic development project which would yield considerable long-term economic benefits to the City and State of New York. However, the Commission's support is conditional upon the inclusion of the above language.

This letter of recommendation was adopted by the City Planning Commission on June 21, 2006 (Commissioner Eaddy and Williams absent; Commissioner Cerullo recused).

Sincerely,

Amanda M. Burden, AICP
City Planning Commission Chair

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