



CITY PLANNING COMMISSION  
CITY OF NEW YORK

OFFICE OF THE CHAIR

December 2, 2013

**NEGATIVE DECLARATION**

**Project Identification**

CEQR No. 14DCP077M  
ULURP Nos. N140191ZRM; N140192ZCM;  
N140194ZCM  
SEQRA Classification: Type I

**Lead Agency**

City Planning Commission  
22 Reade Street  
New York, NY 10007  
Contact: Robert Dobruskin  
(212) 720-3423

**Name, Description and Location of Proposal:**

**Manhattan West**

BOP West 31st Street LLC and Brookfield Properties W 33rd Co, LP (together, the “applicant”) are proposing several actions, including a text amendment and certifications, pursuant to Section 93-00 of the Special Hudson Yards District (HY) relating to the public access requirements of the site, parking regulations, and an addition of a restriction on floor area transfers. Specifically the text amendment would modify Sections 93-70, 93-72, 93-73, and 93-731 of the New York City Zoning Resolution (ZR), relating to the public access requirements for the Ninth Avenue Rail Yard (the “Development Site,” Block 729, Lots 50, 60) and 450 West 33rd Street (the “450 Site,” Block 729, Lots 1, 15) (together, the “project area”), located on the block bounded by West 33rd Street to the north, West 31st Street to the south, Ninth Avenue to the east, and Tenth Avenue to the west, excluding former Lot 63, in the Hudson Yards neighborhood of Manhattan, Community District 4.

The proposed actions are (1) a text amendment to modify (i) Sections 93-70, 93-72, 93-73, and 93-731 of the New York City Zoning Resolution, relating to the public access requirements for the Development Site and the 450 Site, (ii) Section 93-821 and 93-822 relating to the parking regulations for the Development Site, and (iii) Section 93-221 to restrict transfer of floor area between subdistricts, and (2) two certifications<sup>1</sup> pursuant to Section 93-122 to allow residential

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<sup>1</sup> The proposed certifications are not discretionary actions and are not subject to CEQR.

development on the Development Site and pursuant to Section 93-122(b) to permit the residential development on the Development Site in connection with a phased development. The proposed text amendment would facilitate the development of up to 27,190 square feet (sf) of proposed public access area on the project area, which would be part of the larger “Manhattan West” project. While the proposed actions are required to facilitate the development of the proposed public access areas, no discretionary actions are required to implement the rest of the Manhattan West Project, which would include office, retail, and residential space, accessory parking; the upgrade and renovation of the building on the 450 Site; and 1.57 acres (68,535 sf) of public access areas, including spaces required by the existing zoning, as well as three additional as-of-right spaces.

The site was identified as a development site in the Hudson Yards Rezoning, which was the subject of Uniform Land Use Review Procedure (ULURP) applications approved by the City Planning Commission (CPC) on November 23, 2004 and analyzed in the No. 7 Subway Extension—Hudson Yards Rezoning and Development Program Final Generic Environmental Impact Statement (FGEIS) completed on January 1, 2005 (the 2005 FGEIS). The Special Hudson Yards District was created to promote the transit-oriented redevelopment of the Hudson Yards Area as a mixed-use community with new commercial and residential space, as well as a substantial amount of new open space. The project area is located within the Farley Corridor Subdistrict B of the Special Hudson Yards District. There are existing (E) designations on the site for Hazardous Materials, Air Quality and Noise which would not be altered as a result of the proposed actions.

In order to assess the impacts associated with the proposed actions, a Reasonable Worst Case Development Scenario was established. The proposed actions would result in the development of the same amount of office, retail, residential space, and parking as in the No Action Scenario. The proposed actions would result in the addition of 0.48 to 0.62 acres of public access areas. Compared to the No Action condition, the proposed project would result in the same 24,115-sf platform over Dyer Avenue, 4,000-sf passageway along West 31st Street within the 450 Site, and 1,800-sf podium at the intersection of Tenth Avenue and West 31st Street and the same amount of parking with the same entrance and exit. The public access areas that would be added in the With Action Scenario would be a 10,080-sf entry plaza at the corner of Ninth Avenue and West 33rd Street; a 41,382-sf to 47,800-sf open-to-the-sky central plaza connecting the Dyer Avenue platform to Ninth Avenue, a 4,500-sf event space, and possibly a freestanding retail pavilion; a 7,480-sf “art plaza” south of the entry plaza extending to West 31st Street and an approximately 450-sf area connecting the Dyer Avenue platform to West 31st Street. The connection to West 31st Street would consist of a new stair and elevator which would connect the Dyer Avenue platform with the sidewalk at West 31st Street. The proposed amendments relating to parking would not change the overall amount of parking permitted and the proposed amendments relating to and transfer of floor area would not allow any additional floor area to be developed on the Development Site.

The analysis year for the proposed actions is 2020.

**Statement of No Significant Effect:**

The Environmental Assessment and Review Division of the Department of City Planning, on behalf of the City Planning Commission, has completed its technical review of the Environmental Assessment Statement, dated November 27, 2013, prepared in connection with the ULURP Application (Nos. N140191ZRM; N140192ZCM; N140194ZCM). The City Planning Commission has determined that the proposed action will have no significant effect on the quality of the environment.

**Supporting Statement:**

The above determination is based on an environmental assessment which finds that no significant effects on the environment which would require an Environmental Impact Statement are foreseeable. This Negative Declaration has been prepared in accordance with Article 8 of the Environmental Conservation Law 6NYCRR part 617. Should you have any questions pertaining to this Negative Declaration, you may contact Olga Abinader at (212) 720-3493.

*Robert Dobruskin*

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Robert Dobruskin, AICP, Director  
Environmental Assessment & Review Division  
Department of City Planning

Date: November 27, 2013

*Amanda M. Burden*

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Amanda M. Burden, FAICP, Chair  
City Planning Commission

Date: December 2, 2013