

**A. INTRODUCTION**

This chapter assesses the potential for the Proposed Actions to result in a significant adverse impact to neighborhood character. As defined in the *City Environmental Quality Review (CEQR) Technical Manual*, neighborhood character is an amalgam of various elements that give a neighborhood its distinct “personality.” The elements to consider in determining whether a neighborhood character assessment is appropriate include a neighborhood’s land use, zoning, and public policy; socioeconomic conditions; open space; historic and cultural resources; urban design and visual resources; shadows; transportation; and/or noise. However, not all of these elements contribute to neighborhood character in every case; a neighborhood usually draws its distinctive character from a few defining elements. The temporary neighborhood character effects associated with construction of the Proposed Project are discussed in Chapter 20, “Construction.”

An analysis of neighborhood character identifies the defining features of the neighborhood and then evaluates whether a proposed project has the potential to affect the defining features, either through the potential for a significant adverse impact or a combination of moderate effects in relevant technical analysis areas. To determine the effects of a proposed project on neighborhood character, the defining features of neighborhood character are considered together. According to the *CEQR Technical Manual*, neighborhood character impacts are rare, and it would be unusual that—in the absence of a significant adverse impact in any of the relevant technical areas—a combination of moderate effects to the neighborhood would result in an impact to neighborhood character. Moreover, a significant adverse impact identified in one of the technical areas that contributes to a neighborhood’s character does not necessarily constitute a significant impact on neighborhood character, but rather serves as an indication that neighborhood character should be examined.

The Proposed Actions would facilitate the redevelopment of the Western Rail Yard (Block 676, Lots 1 and 5) in the Hudson Yards neighborhood of Manhattan, Community District 4 (the “Development Site”) with new mixed-use buildings containing residential, commercial, and community facility space, a hotel resort with gaming, and new public open space (the “Proposed Project”). The Development Site occupies the entire area bounded by West 30th and West 33rd Streets and Eleventh and Twelfth Avenues and comprises the western portion of the John D. Caemmerer West Side Yard, an active rail yard where the Long Island Rail Road (LIRR) stores commuter trains. In addition to the Development Site, the Proposed Actions would also result in a grade adjustment of West 33rd Street so that it aligns with the level of the proposed development, and public access to the High Line would be enhanced with the installation of a staircase and elevator in the West 33rd Street right-of way near Twelfth Avenue. There is a state process underway to designate locations for downstate gaming licenses; therefore, the Applicant is also

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presenting for environmental analysis purposes an Alternative Scenario that reflects a similar density and the same open space configuration as the Proposed Project but includes residential and commercial buildings, including a hotel, in place of gaming. The analysis provided below considers both “With Action” scenarios.

### **PRINCIPAL CONCLUSIONS**

The assessment finds that the Proposed Actions would not result in a significant adverse impact to neighborhood character. The Proposed Actions would enhance the neighborhood character of the study area by reinforcing the defining features of the neighborhood, which include the High Line Park (High Line), the Jacob K. Javits Convention Center (Javits Center), and the new and dynamic Hudson Yards neighborhood itself, which in recent years has become a destination for residents, workers and tourists with its new buildings, public open spaces, restaurants and other attractions.

The Proposed Actions would not result in significant adverse impacts to land use, zoning, and public policy; socioeconomic conditions; open space; historic and cultural resources; urban design and visual resources; and noise. Although there would be significant adverse impacts with respect to shadows and transportation, these impacts would not result in a significant adverse impact to the defining elements of neighborhood character, nor would a combination of effects result in a significant adverse impact to any of the defining features.

### **B. METHODOLOGY**

According to the *CEQR Technical Manual*, an assessment of neighborhood character is generally needed when a proposed action has the potential to result in significant adverse impacts in any of the following technical areas: land use, socioeconomic conditions, open space, historic and cultural resources, urban design and visual resources, shadows, transportation, or noise. The *CEQR Technical Manual* states that even if a proposed action does not have the potential to result in significant adverse impacts in any specific technical area(s), an assessment of neighborhood character may be required if the project would result in a combination of moderate effects to several elements that may cumulatively affect neighborhood character. A “moderate” effect is generally defined as an effect considered reasonably close to the significant adverse impact threshold for a particular technical analysis area.

A preliminary assessment of neighborhood character determines whether changes expected in other technical analysis areas may affect a defining feature of neighborhood character. The preliminary assessment first identifies the defining features of the existing neighborhood character and then evaluates whether the proposed action has the potential to affect those defining features, either through the potential for a significant adverse impact or a combination of moderate effects in the relevant technical areas. If the project has the potential to affect defining features of a neighborhood, a detailed assessment of neighborhood character may be appropriate. Conversely, if the project has no potential to affect the defining features of neighborhood character, a detailed assessment is not warranted.

The key elements that define neighborhood character, and their relationships to one another, form the basis of determining impact significance; in general, the more uniform and consistent the existing neighborhood context, the more sensitive it may be to change.

A neighborhood that has a more varied context is typically able to tolerate greater change without experiencing a significant adverse impact related to neighborhood character.

## **STUDY AREA**

According to the *CEQR Technical Manual*, the study area for a preliminary assessment of neighborhood character is generally consistent with the study areas in the technical areas that contribute to the defining features of the neighborhood. In the context of an action affecting several blocks, such as the area affected by the Proposed Actions, the study area boundaries for the preliminary assessment of neighborhood character are generally coterminous with those used in the analyses of land use, zoning, and public policy and urban design.

This chapter identifies a study area encompassing the Development Site and the area within a ½-mile of the Development Site. The study area for the assessment of neighborhood character is generally bounded by West 43rd Street to the north, West 20th Street to the south, the Hudson River to the west, and Eighth Avenue to the east (see **Figure 19-1**).

## **C. PRELIMINARY ASSESSMENT**

### **DEFINING FEATURES**

#### *HUDSON YARDS*

The Hudson Yards neighborhood—the area generally bounded by West 30th and West 42nd Streets, Eighth Avenue, and Hudson River Park—has evolved significantly since the area was rezoned to spur large-scale development in 2005 and the No. 7 subway line was extended to 34th Street in 2015. Hudson Yards is a dynamic mixed-use neighborhood that is in transition, with a significant amount of new development, including Class A office buildings, a network of green spaces that includes the iconic High Line, world-class restaurants, and tourist attractions, along with a number of parcels that have yet to be redeveloped. At full build out, Hudson Yards is expected to include approximately 24 million square feet (sf) of new office space, 13,500 new housing units (including almost 4,000 affordable units), one million sf of new retail space, two million sf of new hotels, and new open spaces and streets.

Planning for Hudson Yards began in 2001, and since that time, the City of New York, the Metropolitan Transportation Authority (MTA), and the State of New York have collaborated on planning and land use initiatives to transform Hudson Yards into a new mixed-use district. The City established the Special Hudson Yards District in 2005. In tandem with the rezoning and other land use approvals, the MTA extended the No. 7 subway line from 42nd Street-Times Square to a new terminal station in Hudson Yards at 34th Street and Eleventh Avenue.

Since the adoption of the rezoning in 2005, several developments have been constructed and more are underway—most notably the Hudson Yards development on the Eastern Rail Yard, bounded by Tenth and Eleventh Avenues and West 30th and West 33rd Streets, which opened in 2019. Development on the Eastern Rail Yard includes 428 residential units in two buildings; The Shops and Restaurants at Hudson Yards, a shopping center offering premium shopping and dining options; two high-rise office towers; the Equinox Hotel New York; the Mercado Little Spain market; and office space.



- Development Site
- Affected Area
- Study Area (1/2-mile perimeter)
- 7 NYC Subway Stop



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The Eastern Rail Yard also includes the Edge observation deck and The Shed, a cultural center that commissions, produces, and presents a wide range of activities in the arts and pop culture. The publicly accessible open space at Hudson Yards, known as the Hudson Yards Public Square and Gardens, contains green spaces and seating, and at its center is a 150-foot-tall sculpture known as the “Vessel,” which is an interactive artwork that includes public staircases. The High Line extends along the south side of the Eastern Rail Yard along West 30th Street.

Manhattan West, between Ninth and Tenth Avenues and West 31st and West 33rd Streets, opened in 2021. The development includes an 844-unit residential development; four office towers; a boutique hotel known as the Pendry Hotel; retail space, including a Whole Foods Market; and a public plaza on Ninth Avenue across from Moynihan Train Hall. The High Line–Moynihan Train Hall Connector (High Line Connector), an extension of the High Line public park, was opened in 2023. The High Line Connector moves east along West 30th Street from Tenth Avenue (at the Eastern Rail Yard) and turns north above Dyer Avenue into the public space at Manhattan West.

The Moynihan Train Hall, also opened in 2021, is an iconic sky-lit train hall for Amtrak and LIRR housed in the refurbished Farley Post Office Building (Farley Building), that occupies the superblock between Eighth and Ninth Avenues and West 31st and West 33rd Streets. Designed by McKim, Mead & White in the Beaux-Arts style, the Farley Building was built between 1911 and 1914, with the annex completed in 1935. The Farley Building was adaptively re-used and converted into Moynihan Train Hall, and now serves as the primary boarding and ticketing facility for Amtrak and an additional facility for LIRR. The train hall has state-of-the-art wayfinding, information displays, and visitor amenities, including shops and restaurants.

Hudson Park and Boulevard, an approximately 4-acre system of broad tree-lined parks, streets and open space, runs between Tenth and Eleventh Avenues. Phase I of the planned open space and boulevard was completed in 2015 and is located between West 33rd and West 36th Streets. Phase 1 is generally referred to as Bella Abzug Park, and includes a play area for children, several sitting areas and small plazas, and three water fountains. The portion of the park between West 33rd and West 34th Streets contains an entrance to the 34th Street-Hudson Yards subway station. Phase 2, located between West 36th and West 39th Streets, is currently under design. At completion, the Park will extend to West 39th Street and the Boulevard will extend from West 33rd to West 38th Streets on the east side of the Park and from West 35th to West 38th Streets on the west side of the Park.

The blocks in Hudson Yards north of 34th Street and west of Ninth Avenue generally contain a mix of uses, including the open space described above, but also institutional and civic uses like the Jacob Javits Convention Center (Javits Center), transportation and utility uses (associated with Amtrak, the Lincoln Tunnel, and the Port Authority Bus Terminal [PABT]), mixed residential and commercial buildings, and vacant land.

The Lincoln Tunnel entrance ramps occupy the blocks bounded by West 38th and West 40th Streets and Tenth, Dyer and Eleventh Avenues. Much of the area between West 34th and West 41st Streets is occupied with access ramps to the Lincoln Tunnel, the PABT, and vacant parcels, some of which are reserved for utility services and others that are planned for development or under construction.

Residential uses are housed in high-rise developments, or 4- to 5-story apartment buildings. High-rise developments are primarily located west of Tenth Avenue and include buildings such as The Set at 455 Tenth Avenue; the residential development at 505 West 37th Street; and a series of residential towers along 42nd Street between the Westside Highway and Tenth Avenue, including Silver Towers, the 60-story buildings on the west side of Eleventh Avenue between West 41st and 42nd Streets. Residential buildings east of Tenth Avenue are generally older walk-up buildings, with ground floor retail located along Ninth and Tenth Avenues. More developments are planned for this portion of Hudson Yards, including a mixed residential building with hotel at 545 West 37th Street; an office development at 99 Hudson Boulevard; a residential tower with retail at 550 West 41st Street; a residential tower with retail at 550 Tenth Avenue; and a hotel development at 450 Eleventh Avenue.

### ***HIGH LINE***

The High Line operates as an elevated greenway and is a popular destination for tourists and residents. The High Line contains over six acres of gardens, woodlands, and seating areas and provides arts and cultural programming, educational tours, and other community-based programming in partnership with local community groups. In 2019, it had an estimated eight million visitors, making it one of New York City's top attractions. While the park falls under the jurisdiction of the New York City Department of Parks and Recreation (NYC Parks), Friends of the High Line, a nonprofit organization that was instrumental in the creation of the park, oversees public programming, public art, maintenance, and operations for the High Line and is responsible for raising most of the High Line's annual budget.

The High Line public park traverses the central portion of the study area, beginning outside the study area at Gansevoort Street in the Meatpacking District and terminating at West 34th Street and Twelfth Avenue. The High Line is accessed via entrances at Gansevoort and Washington Streets, West 14th Street, West 16th Street, West 17th Street, West 20th Street, West 23rd Street, West 26th Street, West 28th Street, West 30th Street (including an entrance on Eleventh Avenue at the Development Site), West 34th Street, and West 31st Street and Dyer Avenue (High Line Connector). Four of the locations have elevator access.

The 1.45-mile-long park was created from a repurposed railroad viaduct 30 feet above the ground. When it was last used for rail purposes, the High Line transported meat, dairy, and produce to markets to the south along the west side of Manhattan. Since the High Line's debut as a public park in 2009, which included the segment from Gansevoort Street to West 20th Street, it was extended several times. First to West 30th Street in 2011, and then to the Western Rail Yard in 2014. The last section of the original High Line—the Spur at West 30th Street and Tenth Avenue—opened in 2019. In 2023, the High Line Connector opened, linking the High Line spur at Tenth Avenue with a new elevated public open space that extends east along West 30th Street before turning north along Dyer Avenue into the public space at the Manhattan West development. With this new connection, High Line users are able to move through the Manhattan West development and into Moynihan Train Hall across Ninth Avenue. In spring of 2024, the portion of the High Line on the Development Site was re-opened as an interim walkway through October 2024, ahead of planned restoration work. This segment of the High Line extends north beyond the Development Site to terminate at-grade at West 34th Street.

### *JAVITS CONVENTION CENTER*

The Jacob Javits Convention Center, commonly referred to as the Javits Center, occupies the superblock between West 34th and West 38th Streets and Eleventh and Twelfth Avenues. Javits Center is located approximately one block north of the Development Site at 429 Eleventh Avenue and offers a total of 3.3 million gross square feet (gsf) of event-related space, including exhibit halls, meeting rooms, and a rooftop pavilion. The Javits Center can accommodate up to 6,000 attendees in special events halls and serves as a major exhibition space that attracts visitors to the area through its year-round events. It is among the busiest convention centers in the country, with an annual visitor estimate of approximately 350,000. As New York City's primary convention center, it is an engine for economic activity. The Javits Center reopened to full capacity after the pandemic for trade shows, conventions, conferences, and special events in August 2021. In 2023, Javits Center hosted 65 trade and public events and 46 special events, which was 49 events more than the prior year, and saw the return of iconic trade shows such as the New York International Automobile Show.

Javits Center completed an expansion and renovation program in 2021, adding approximately 1.2 million square feet of space. As part of the recent renovation, substantial investments in infrastructure, technology and sustainability were made, including the installation of a one-acre rooftop farm, as well as a rooftop orchard and greenhouse, along with a host of other sustainable upgrades.

### **ASSESSMENT OF THE POTENTIAL TO AFFECT THE DEFINING FEATURES OF THE NEIGHBORHOOD**

The sections below discuss potential changes resulting from the Proposed Actions in the 2031 analysis year with respect to the following technical areas that are considered in the assessment of neighborhood character: land use, zoning, and public policy; socioeconomic conditions; open space; shadows; historic and cultural resources; urban design and visual resources; transportation; and noise. The assessment relies on conclusions from the respective chapters of the Environmental Impact Statement (EIS) to identify whether the Proposed Actions would result in any significant adverse impacts or moderate adverse effects in these technical areas and whether any such changes would have the potential to affect the defining features of neighborhood character. As described below, the Proposed Actions would not result in a significant adverse impact to the defining elements of neighborhood character, nor would a combination of effects result in a significant adverse impact to a defining feature.

#### *LAND USE, ZONING, AND PUBLIC POLICY*

Defining features of the neighborhood would not be adversely affected due to potential effects of the Proposed Project or the Alternative Scenario on land use, zoning, and public policy, either individually or in combination with potential impacts in other relevant technical areas discussed in this section.

The Proposed Actions would further the City's long-held vision for the Development Site by facilitating a dynamic, transit-oriented, mixed-use development above the Western Rail Yard that would introduce a hotel resort with gaming, new commercial, community facility, and residential development, and a substantial new public open space. The Alternative Scenario would provide the same uses as the Proposed Project, albeit without gaming. The development expected with the Proposed Actions would be supportive of

existing and planned land uses in the study area and would reinforce the Hudson Yards neighborhood's defining features.

The proposed hotel on Site C provided under both With Action scenarios would be located one block from Javits Center and less than a block from the 34th Street-Hudson Yards subway station. A new hotel on West 33rd Street would offer convenience in terms of location and mobility with respect to Javits Center and transit access. Because the Javits Center lacks a hotel, the Proposed Actions present a unique opportunity to introduce a hotel in an area of Manhattan where such a use is desirable given the adjacency of the Javits Center and the expected use of the proposed hotel by convention attendees. For these reasons, the Proposed Project has the potential to create a new destination for visitors and tourists in a location with excellent transit access.

The Proposed Project would contain approximately 79,400 gsf of ballroom and meeting space and would introduce new restaurants and other amenities to the neighborhood. The proposed meeting space is not expected to impair the operations of the Javits Center, which caters to larger events with its approximately 3.3 million gsf of multi-use convention center space. The Javits Center could potentially benefit from its proximity to the proposed hotel resort with gaming.

The Proposed Project and the Alternative Scenario would be compatible with and supportive of other uses in the primary study area, including hotel uses such as the Equinox Hotel at 35 Hudson Yards and cultural attractions such as The Shed, across Eleventh Avenue. The Proposed Project and Alternative Scenario would include a hotel and office space on West 33rd Street on Site C that would be compatible with and supportive of existing commercial and civic uses, such as the Javits Center, to the north of the Development Site and existing and planned primarily commercial buildings east of the Development Site along West 33rd and West 34th Streets. Given its location proximate to Javits Center and the primarily commercial buildings east of Eleventh Avenue, the buildings on Site C relate more to the commercial character found along West 33rd and West 34th Streets than other parts of the study area.

The portion of the Development Site south of Site C in either With Action scenario is expected to contain walking paths, gardens, and other planted areas that give way to expansive lawns in the middle of the Site that provide views overlooking the Hudson River. The proposed commercial uses contemplated under the Proposed Project, inclusive of a hotel resort with gaming, and the mix of commercial and residential uses under the Alternative Scenario, would be compatible with the primarily passive open spaces proposed to the south of Site C on the Development Site.

Beyond the Development Site, the proposed open space would enhance the existing network of open spaces in the study area, creating an amenity for residents and visitors. The proposed new open space would expand the network of existing open space, which already includes Bella Abzug Park to the northeast, the open space within the Manhattan West development, the Hudson River Greenway, and additional portions of Hudson River Park, including Pier 76, located to the west of the Javits Center, which contains an interim open space; Piers 62 through 66, between West 22nd and West 29th Streets, respectively; Chelsea Waterside Park, between Eleventh and Twelfth Avenues and West 24th Street; and the Chelsea Piers Sports and Entertainment Complex, which extends south along the Hudson River from West 23rd to West 17th Streets. The Development Site is proximate to the High Line and Hudson River Park and would introduce

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connections to the existing network of publicly accessible open spaces within Hudson Yards. With the creation of new public open space on the Development Site and the installation of an elevator and staircase at Twelfth Avenue and a grade-adjusted West 33rd Street to improve accessibility to the High Line and Hudson River Park, the Proposed Project and the Alternative Scenario would provide a substantial benefit by linking these iconic open spaces within the study area.

The proposed residential and community facility uses to be developed on Sites A and B would be in keeping with and strengthen the primarily residential character found in the blocks south of the Development Site. The new buildings along West 30th Street would be constructed adjacent to the High Line and would provide housing, including affordable housing, and community facility space including a new public school and a daycare facility. A playground would be located between Sites A and B, and other open space components, including walking paths, gardens and lawns, would be located to the north of Sites A and B. The adjacent open spaces would be compatible with, and supportive of, the residential and community facility uses in Building A and Building B. Further, the proposed uses would be supportive of the residential character that is more prevalent to the south of the Development Site, including the recently completed mixed use development at 606 West 30th Street as well as the residential tower at 15 Hudson Yards. Further, the commercial building on Site B would complement the office uses at 35 Hudson Yards and the newly constructed office building at 55 Hudson Yards, both across Eleventh Avenue.

The new developments on Sites A and B would be compatible and supportive with the portion of the study area in West Chelsea. Many of the recent mixed-use buildings constructed between Tenth and Eleventh Avenues in West Chelsea are adjacent to the High Line, including Abington House, a 33-story mixed residential and commercial building at 500 West 30th Street; a 21-story mixed residential and commercial building adjacent to and beneath the High Line at 515 West 18th Street; and a 25-story mixed residential and commercial building at 520 West 28 Street located on the west side of the High Line. The southeast corner of the study area is almost entirely residential, with 4- to 6-story walkup apartments and large-scale housing developments such as London Terrace, Penn South, and the New York City Housing Authority's Chelsea Houses.

### *SOCIOECONOMIC CONDITIONS*

Defining features of the neighborhood would not be adversely affected due to potential effects of the Proposed Actions on socioeconomic conditions, either singularly or in combination with potential impacts in other relevant technical areas discussed in this section.

The Proposed Project and the Alternative Scenario would generate economic benefits for New York City and New York State and would not result in significant adverse socioeconomic impacts for any of the five areas of analysis considered in accordance with *CEQR Technical Manual* guidance: (1) direct residential displacement, (2) direct business and institutional displacement, (3) indirect residential displacement, (4) indirect business and institutional displacement, and (5) adverse effects on specific industries.

The economic benefits expected with the Proposed Project and the Alternative Scenario would support the commercial character of the of the study area and would not result in an impact to neighborhood character.

### *OPEN SPACE*

Defining features of the neighborhood would not be adversely affected due to potential effects of the Proposed Actions on publicly accessible open space, either singularly or in combination with potential impacts in other relevant technical areas discussed in this section.

The Proposed Actions would result in beneficial effects to open space with the addition of a new open space on the Development Site and increased accessibility from the High Line to other study area open spaces. The Proposed Project and Alternative Scenario would create 4.58 acres of new publicly accessible open space, of which 4.18 acres would be passive. As compared to the No Action condition, there would be 1.32 more acres of total open space, and 1.15 more acres of passive space on the Development Site in the With Action condition.

The new open space would provide a substantial open space amenity for workers, visitors, and residents of the Development Site and surrounding neighborhood, including both active and passive recreational opportunities. The new publicly accessible open space on the Development Site would consist of a network of spaces that would vary in character and purpose, including expansive lawns, landscaped areas, walking paths, seating areas, plazas, and a dog run. The new open space would provide a neighborhood and regional destination overlook above the Hudson River; provide direct connections to the High Line; include plaza space to accommodate pedestrian circulation at the base of the office tower at Site B; and include various pathways and connections to draw pedestrians into and through the space. Extensive landscaping, seating, plantings, and other public amenities would be provided throughout the open area.

At the southwest corner of the Development Site, at street level, the open space would continue under the High Line on West 30th Street and Twelfth Avenue. Two new connections to the High Line are planned: one at West 30th Street and Twelfth Avenue, and one at West 33rd Street and Twelfth Avenue. The proposed new elevator access at West 33rd Street near Twelfth Avenue would improve the accessibility of the High Line and would enhance accessible connections between the High Line and Hudson River Park. It also would provide attractive pedestrian and visual connections between the Development Site, the High Line, Hudson Yards Public Square and Gardens to the east and Hudson River Park to the west, and surrounding neighborhoods.

Unlike the No Action open space that would be built according to the design required under the existing zoning—which is interrupted by private streets and punctuated by building footprints—the design of the open space in the future with the Proposed Actions is intended to concentrate the open space in a single, continuous open space oriented in the middle of the Development Site to maximize the public experience. The expansive and sloping lawns would give way to views of the Hudson River to the west, and would be framed by gardens, plazas and groves of trees, and interspersed with walking paths. The proposed open space would serve to unify the buildings on Sites A, B, and C and connect the Development Site to the surrounding neighborhoods.

### *SHADOWS*

Defining features of neighborhood character would not be adversely affected due to potential shadows-related effects of the Proposed Actions, either singularly or in combination with potential impacts in other relevant technical areas discussed in this

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section. Although the Proposed Actions would result in a significant adverse shadow impact to two open space resources in the build year, this impact would not constitute a significant adverse impact to neighborhood character.

The detailed analysis of shadows concludes that portions of the High Line within and adjacent to the Development Site and the Hudson Yards Public Square and Gardens east-adjacent to the Development Site would receive significant new shadows resulting from the Proposed Actions, under both With Action scenarios.

### *High Line*

The portion of the High Line on the Development Site is unimproved. It was re-opened in the Spring of 2024 as an interim walkway and is expected to close in October 2024 for refurbishment and repairs. Vegetation on the High Line is adapted to the specific conditions created by the buildings and structures around it. Given its urban context, adjacencies to pre-existing buildings and the dense development constructed in close proximity to the resource, the extent and duration of incremental shadow from new development primarily from Site A would not be a unique condition along the park's 1.45-mile-long extent. The final design for the portion of the High Line that extends through the Development Site has not been prepared. It is expected that NYC Parks will determine the specific program and design for this last segment of the High Line in consideration of environmental factors such as wind, sun exposure, and shade distribution, as such considerations influence the selection of plant species, composition and placement to optimize both aesthetic appeal and hardiness. For these reasons, the significant adverse shadow impact on the High Line in the build year would not constitute an impact to neighborhood character.

Additionally, it should be noted that Site A would be developed with an approximately 80-story building adjacent to and above the High Line with the Proposed Project and the Alternative Scenario, whereas in the No Action condition, it is conservatively assumed that Site A would not be developed by the 2031 build year. The 2009 Western Rail Yard Final EIS (the "2009 FEIS"), upon which the No Action condition is based, accounted for project-generated shadows from development on Site A.<sup>1</sup> Because the No Action condition assumed for analyses in the EIS assumes that Site A would be vacant and undeveloped by 2031, shadows from the With Action scenarios result in a greater increment of project-generated shadow, causing nearly all the meaningful incremental shadow on this portion of the High Line in all seasons.

### *Hudson Yards Public Square and Gardens*

The Proposed Actions would result in a significant adverse shadow impact to the Hudson Yards Public Square and Gardens under both With Action scenarios. The Hudson Yards Public Square and Gardens is under the control of the Applicant, and the Applicant would monitor and evaluate plant health to determine if and how the impact would affect existing plantings and vegetation. Should changes to the existing plantings and vegetation be warranted, shade-tolerant plant species that thrive in low-light conditions could be introduced, along with a diverse mix of trees, shrubs, and groundcovers with varying tolerances to create visual interest and ecological resilience. Furthermore, this open

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<sup>1</sup> Site A in the southwest portion of the Development Site was identified as Site 5 in the 2009 FEIS.

space exists in a densely developed area with multiple tower developments that establish a context that is expected to be somewhat shaded in character. For this reason, the significant adverse shadow impact to the Hudson Yards Public Square and Gardens would not result in an impact to neighborhood character.

#### *HISTORIC AND CULTURAL RESOURCES*

Defining features of the neighborhood would not be adversely affected due to potential impacts of the Proposed Actions on historic and cultural resources, either singularly or in combination with potential impacts in other relevant technical areas discussed in this section.

The Proposed Actions could inadvertently damage nearby historic resources as a result of construction activity, including the High Line and the North River Tunnel, which is located below the existing rail yard. The North River Tunnel does not contribute to neighborhood character, as it is a below-grade structure. Construction-related damage to the High Line would be avoided with the preparation and implementation of a Construction Protection Plan (CPP) to avoid inadvertent construction-related impacts (including ground-borne vibration, falling debris, and accidental damage) associated with the construction of either the Proposed Project or the Alternative Scenario.

Under both With Action scenarios, the context of the portion of the High Line located on the Development Site would be altered due to the changes to bulk and height of the proposed buildings; however, the resulting visual context would be consistent with portions of the High Line within the study area that are directly adjacent to the new high-rise buildings on the Eastern Rail Yard and at 500 West 30th Street, as well as other projects that are now planned for the surrounding area. Since the High Line runs adjacent to and sometimes through large buildings constructed both recently and contemporary to the High Line, the construction of new buildings adjacent to or cantilevering over the historic structure would not change the High Line's existing context.

For the reasons presented above, the effects of the Proposed Actions on the High Line would not result in a significant adverse impact to neighborhood character.

#### *URBAN DESIGN AND VISUAL RESOURCES*

Defining features of the neighborhood would not be adversely affected due to potential impacts of the Proposed Actions on urban design and visual resources, either singularly or in combination with potential impacts in other relevant technical areas. The Proposed Actions would result in benefits related to urban design and visual resources by establishing a new site plan to facilitate the creation of a continuous, centrally located open space and new mixed-used buildings. The Proposed Project and the Alternative Scenario would result in a grade-adjusted West 33rd Street between Eleventh and Twelfth Avenues, which is expected to enhance pedestrian conditions. Additionally, the Proposed Actions would create new locations in which to view visual resources, such as the city skyline and the Hudson River.

In the future with the Proposed Actions, the overall density of the Proposed Project or the Alternative Scenario would be just under the 10.0 floor area ratio (FAR), consistent with the FAR allowed under the existing zoning regulations, while the overall density of the No Action condition would be approximately 7.9 FAR in the 2031 build year. As discussed in Chapter 1, "Project Description," the No Action condition is based on the Maximum

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Commercial Scenario analyzed in the 2009 FEIS. However, the No Action condition conservatively assumes less development than permitted under zoning and that several of the residential buildings assumed in the 2009 FEIS will not be completed by the 2031 build year.

The building on Site B in the With Action condition would be approximately 556 feet taller and approximately 800,000 gsf larger than the No Action building on the site. The buildings on Site C would be between 239 to 379 feet taller with the Proposed Project and between 25 to 384 feet taller with the Alternative Scenario, compared to the No Action development. The Proposed Project building on Site C would be approximately 724,600 gsf smaller than the No Action Site C buildings in total, while the Alternative Scenario buildings on Site C would be approximately 768,000 gsf smaller than the No Action Site C buildings in total. While the No Action condition assumes that Site A would not be developed before 2031, the 2009 FEIS accounted for new development on this site, including the potential that the development on this site could cantilever over a portion of the adjacent High Line. Both the Proposed Project and the Alternative Scenario would create an approximately 40-foot setback between the High Line and the Site C podium; in comparison, the existing zoning regulations only require a setback of five feet from the High Line at this location, and in the No Action condition, the west façade of Building C-1 would be set back five feet from the High Line.

The Proposed Project and the Alternative Scenario both assume the adoption of a City Map amendment, which would adjust the grade of West 33rd Street to align with the level of the proposed development and enhance public access to the Development Site. The proposed realignment of West 33rd Street would enhance the pedestrian experience by avoiding a long, blank wall at the street level in front of the train tracks that would be present if the street were not raised. This grade adjustment would not occur in the No Action condition.

In the With Action condition, there would be 5.63 acres of public open space across the Development Site, inclusive of 1.05 acres on the High Line. The size and configuration of the new open space would be the same in both With Action scenarios, and the With Action condition would create an additional 1.32 acres of new open space in comparison to the No Action condition. Unlike the open space design required under the existing zoning and assumed in the No Action condition, which is interrupted by private streets and punctuated by multiple building footprints, the design of the proposed open space is intended to concentrate the open space in a single, cohesive public space oriented in the middle of the Development Site. The open space would enhance the existing network of open spaces in the primary study area, creating an amenity for residents and visitors; provide a new location from which to view the Hudson River, the High Line, and the New Jersey waterfront; and provide a direct connection to the High Line.

As with the No Action condition, in the With Action condition the context of the portion of the High Line located on the Development Site would be altered due to the added bulk and height of the proposed buildings; however, the development would be in keeping with the bulk, height, and modern design of the Hudson Yards buildings that have been constructed since the 2009 FEIS, as well as other projects that are planned and under construction for the surrounding area. Since the High Line runs adjacent to and sometimes through large buildings constructed both recently and contemporary to the High Line, the construction of new buildings adjacent to or cantilevering over the structure

would not change the context of the High Line as a visual resource. In comparison to the No Action condition, by 2031 the With Action condition would include development at the southwest corner of the Development Site that would extend over a portion of the High Line; however, such development was previously contemplated in the 2009 FEIS, and it was anticipated that views along the West 30th Street section of the High Line would be framed through this new structure. The High Line on the Development Site would continue to provide views of the New York City skyline to the north and south, the Hudson River and Hudson River Park to the west, and Hudson Yards to the east; it would also provide views to the new publicly accessible open spaces on the Development Site.

There would be no changes to streets, streetscape elements, open spaces, natural features, buildings, or building uses in the primary study area or secondary study area in the future with either With Action scenario. In either With Action scenario, the proposed buildings on the Development Site, like the No Action buildings, would have beneficial effects on the pedestrian experience of the surrounding area by redeveloping the LIRR rail yard with new buildings with active uses that would complement and support the civic, commercial, residential, and open space uses in the primary study area. The Proposed Project would create a new hotel resort with gaming, and the Alternative Scenario would create a new hotel use; these new hotel uses would further enliven the streetscape, particularly given the adjacency of the Javits Center and the expected use of the proposed hotel by convention attendees. While the proposed buildings would be taller than the No Action buildings in either With Action scenario, the buildings would be consistent in terms of scale, height, and bulk with the tower developments on the Eastern Rail Yard and others recently completed and under construction in the surrounding area.

#### *TRANSPORTATION*

Defining features of the neighborhood would not be adversely affected due to potential effects of the Proposed Actions on transportation, either singularly or in combination with potential impacts in other relevant technical areas discussed in this chapter.

The streets surrounding the Development Site are comprised of the Manhattan grid roadway network, in which avenues and streets conventionally serve north-south and east-west traffic, respectively. The north-south avenues typically operate as arterials with 60 to 70 feet of curb-to-curb width while the east-west crosstown streets typically operate as low-capacity local roads with 30 to 40 feet of curb-to-curb width. Most avenues and streets in the study area serve one-way traffic, except for Twelfth Avenue, certain segments of Eleventh Avenue, Dyer Avenue, and major crosstown streets of West 23rd, West 34th, and West 42nd Streets. Surrounding the Development Site, Eleventh Avenue provides southbound access from the north, Twelfth Avenue provides northbound and southbound access at its intersections with West 30th Street and West 34th Street. West 33rd Street between Eleventh and Twelfth Avenues is currently reserved for the New York City Police Department (NYPD) operations and staging / turnaround of New York City Transit (NYCT) buses.

The Proposed Project and the Alternative Scenario assume the adoption of a City Map amendment to adjust the grade of West 33rd Street to align with the level of the proposed development and to enhance public access to the Development Site. With the Proposed Actions, West 33rd Street would be converted to a two-way street accessed from Eleventh Avenue. It would continue west into the Development Site, and terminate at a cul-de-sac to facilitate vehicular and pedestrian access and to provide a more direct

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connection to the High Line. Further, it would eliminate vehicular access from West 33rd Street to Twelfth Avenue. A separate at-grade connection at Twelfth Avenue would be maintained that would provide access to the LIRR service gate on the Development Site and to the Marshalling Yard on the north side of West 33rd Street.

In terms of existing traffic conditions, Levels of Service (LOS) at most of the intersections analyzed in Chapter 14, "Transportation," operate at LOS D or better (delays of 55 seconds or less per vehicle for signalized intersections and delays of 35 seconds or less per vehicle for unsignalized intersections) for all peak hours. Like many neighborhoods in New York City, the character of the study area is defined by a wide range of travel modes, with moderate pedestrian activity on most of the area's sidewalks and crosswalks, a mix of auto/taxi/service traffic on the streets, and transit services nearby. Pedestrian patterns and timing for pedestrian activity associated with residents, workers, and visitors are consistent with the mix of office, retail, and residential uses in the area.

The Proposed Actions would add incremental vehicle and pedestrian trips to the study area, resulting in significant adverse vehicular and pedestrian impacts at numerous locations. Under the Proposed Project, significant adverse traffic impacts were identified at 30 intersections in the weekday AM peak hour, 33 intersections in the weekday midday peak hour, 41 intersections in the weekday PM peak hour, 30 intersections in the weekday evening peak hour, 39 intersections in the Saturday midday/afternoon peak hour, and 32 intersections in the Saturday evening peak hour. With the Alternative Scenario, significant adverse traffic impacts were identified at 29 intersections in the weekday AM peak hour, 19 intersections in the weekday midday peak hour, 40 intersections in the weekday PM peak hour, 20 intersections in the weekday evening peak hour, 14 intersections in the Saturday midday/afternoon peak hour, and 27 intersections in the Saturday evening peak hour. As described in Chapter 22, "Mitigation," some of the traffic impacts could be fully mitigated with the implementation of signal timing changes. For the Proposed Project, depending on peak hour, impacts at 10 to 25 intersections could not be mitigated. Those totals would be four to 21 intersections for the Alternative Scenario.

The Proposed Project and the Alternative Scenario would result in similar significant adverse pedestrian impacts at area sidewalks, corners, and crosswalk locations, with the Alternative Scenario yielding more impacts during the weekday AM, midday, and PM peak hours and the Proposed Project yielding more impacts during the weekday evening and Saturday midday/afternoon peak hours. Mitigation for these impacts will be refined between the Draft EIS (DEIS) and FEIS. Potential mitigation measures could include signal timing changes, crosswalk widenings, corner bulbouts, and sidewalk clear width improvements. Most of the crosswalk impacts identified for the Proposed Project were determined to be fully mitigated in the weekday midday and PM peak hours, while the majority of pedestrian impacts identified in the other peak hours were determined to not be fully mitigated. For the Alternative Scenario, most of the crosswalk impacts could be fully mitigated in the weekday AM, midday, and evening peak hours and all corner impacts could be fully mitigated in the weekday midday peak hour. The majority of the remaining pedestrian impacts in the other peak hours were determined to not be fully mitigated.

With respect to transit, both With Action scenarios would result in significant adverse bus line-haul impacts for the M23 and M34 bus routes, as well as impacts at two stairway

elements and four escalator elements in the 34th Street-Hudson Yards subway station. NYCT routinely conducts periodic ridership counts and adjusts bus frequency to meet its service criteria, which would mitigate the impact to bus service. The implementation of these service improvements would be subject to the agency's fiscal and operational constraints and is likely to materialize over time. If the necessary service improvements are not implemented, the identified significant adverse bus line-haul impacts could remain unmitigated.

Mitigation measures will be explored in consultation with the New York City Department of City Planning and NYCT and will be refined between the DEIS and FEIS, but potential mitigation measures, as described more fully below, could include, for subway station vertical circulation elements, stairway widenings and changing escalator operating directions.

As discussed in more detail in Chapter 22, "Mitigation," measures to address the potential transit impact to vertical elements at the 34th Street-Hudson Yards subway station will be refined between the DEIS and FEIS. Potential measures to mitigate the impact at the platform stairs could include stairway widenings and/or installing wayfinding signage program at both ends of the stairs to direct passengers to lesser utilized platform stairs. Possible mitigation for the impact to escalators could include operational changes that reverse the direction of escalators to better serve the peak direction of passenger flow. If these measures are implemented, all transit impacts identified for the Proposed Project could be fully mitigated. For the Alternative Scenario, all but the escalator impacts identified for the weekday PM peak hour could be fully mitigated.

While there would be increased traffic and pedestrian activity with the Proposed Actions, the resulting conditions—even if unmitigated—would be similar to conditions in dense, highly developed mixed-use neighborhoods and would not result in conditions that would be out of character with the study area or surrounding neighborhoods. Therefore, the significant adverse transportation impacts would not result in a significant adverse impact to neighborhood character.

#### **NOISE**

Defining features of the neighborhood would not be adversely affected due to potential noise-related effects of the Proposed Actions, either singularly or in combination with potential impacts in other relevant technical areas discussed in this section.

By 2031, the Proposed Actions would increase noise levels throughout the Development Site with the Proposed Project or the Alternative Scenario. The increase in noise is due to projected vehicular traffic on adjacent roadways, noise associated with pools and playgrounds, and noise associated with the proposed LIRR electrical facility. Noise increases would be no greater than 3 dBA at all noise analysis receptors except for a receptor at the midblock of West 33rd Street at Site C and a receptor at the west façade of Building B. At these two locations, the noise increases would be noticeable, but none of the increases at all analyzed receptors would be considered a significant adverse noise impact. Noise-sensitive uses associated with the Proposed Actions include residential, community facility, and hotel uses on the Development Site. Appropriate window-wall attenuation would be provided at these developments. As detailed in Chapter 17, "Noise," as part of the Proposed Actions, Restrictive Declaration (R-230) would be amended to include window-wall attenuation measures to address the increases in noise.

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In addition, the Proposed Actions would result in increased noise levels at the High Line as well as the newly introduced open space on the Development Site. While the total noise would exceed the 55 dBA  $L_{10(1)}$  noise level prescribed by CEQR criteria for outdoor areas requiring serenity and quiet, such levels would be comparable to both existing noise levels on the Development Site as well as to other open spaces in New York City.

Relatively high levels of ambient noise are characteristic of the study area and of many neighborhoods in New York City. Noise is not a defining feature of the neighborhood, and the incremental increase in noise levels resulting from the Proposed Actions would not constitute a significant adverse impact on neighborhood character. \*