

A. INTRODUCTION

According to the 2021 *City Environmental Quality Review (CEQR) Technical Manual*, a land use analysis evaluates the uses and development trends in the area that may be affected by a proposed action and determines whether a proposed action is compatible with or may affect those conditions. A land use analysis under CEQR also considers a proposed action's consistency with, and effect on, an area's zoning and other applicable public policies.

As described in detail in Chapter 1, "Project Description," the Applicant is seeking discretionary approvals (the "Proposed Actions") to facilitate the development of the Western Rail Yard site (Block 676, Lots 1 and 5) in the Hudson Yards neighborhood of Manhattan (the "WRY Site" or the "Development Site") with approximately 6.2 million gross square feet (gsf) (5,699,715 zoning square feet (zsf) of new mixed use development including residential, commercial, and community facility space, a hotel resort with gaming, and new public open space (the "Proposed Project"). The Proposed Actions include a City Map Amendment to adjust the grade of West 33rd Street between Eleventh and Twelfth Avenues, which falls outside the boundaries of the Development Site, as well as a revocable consent for a staircase and elevator in the West 33rd Street sidewalk at Twelfth Avenue to provide access for the public and visitors to the Development Site. There is a state process underway to designate locations for downstate gaming licenses; therefore, the Applicant is also 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, commercial, and hotel buildings without gaming. The scenario that would result in the more conservative analysis is analyzed for each technical area. The analysis provided below considers both "With Action" scenarios.

According to the *CEQR Technical Manual*, a land use and zoning analysis is warranted for projects involving a change in land use or zoning. As the Proposed Actions involve changes to the zoning regulations applicable to the Development Site, including modifications to a previously approved site plan governing the location of building footprints, tower locations, building heights and setbacks, open space, and other project elements, a detailed analysis is warranted and is provided below.

PRINCIPAL CONCLUSIONS

The Proposed Actions would not result in significant adverse impacts related to land use, zoning, and public policy. The Proposed Actions would facilitate development on the Development Site that would be compatible with surrounding land uses, consistent with zoning in Hudson Yards and adjacent neighborhoods, and supportive of public policies that address economic development, housing, open space, and the waterfront.

The Proposed Actions would further the City's goals for the WRY 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 proposed hotel resort with gaming on West 33rd Street would complement and support the existing commercial and civic uses to the north and east of the WRY Site to remake the area into a major destination for visitors and tourists. The new buildings along West 30th Street would provide housing, including much-needed affordable housing, and community facility space including a new public school and a daycare facility. These uses would strengthen the residential character that is prevalent in blocks in the West Chelsea neighborhood to the south of the Development Site.

The public open space created on the WRY Site would be a new amenity for New Yorkers and visitors alike. It would enhance the existing public open space network on the West Side, support and enhance the reuse of the High Line as an accessible public open space, and provide connectivity between Hudson River Park, the High Line, Hudson Park, and other open spaces in the neighborhood.

B. METHODOLOGY

The analysis methodology is based on the guidance of the *CEQR Technical Manual* and examines the effects of the Proposed Actions on land use, zoning, and public policy, and determines the potential for the Proposed Actions to result in significant adverse impacts in these areas.

According to the *CEQR Technical Manual*, a detailed assessment of land use, zoning, and public policy is appropriate if an action would result in a significant change in land use or would substantially affect regulations or policies governing land use. An assessment of zoning is typically performed in conjunction with a land use analysis when the action would result in a change in zoning. Although the existing zoning district will remain unchanged, the Proposed Actions would modify the existing zoning regulations applicable to the Development Site. Therefore, a detailed analysis has been prepared that describes existing and anticipated future conditions for the 2031 analysis year; assesses the nature of any changes on these conditions created by the Proposed Actions; and identifies the changes, if any, that could be significant or adverse. The analysis considers the Alternative Scenario as well as the Proposed Project, as both would be facilitated by the Proposed Actions.

Various sources were used to analyze the land use, zoning, and public policy characteristics of the primary and secondary study areas, including land use and zoning maps, field work, online sources from the New York City Department of City Planning (DCP) and the New York City Department of Buildings (DOB), and previously completed environmental review documents, such as the 2009 *Western Rail Yards Final Environmental Impact Statement* (2009 FEIS).

STUDY AREAS

According to the *CEQR Technical Manual*, the appropriate study area for land use, zoning, and public policy is related to the type and size of a proposed project, as well as the location and context of the area that could be affected by the project. Study areas are

often delineated by distance from the project area. The study areas considered in this analysis include a primary study area and a secondary study area (see **Figure 2-1**). The primary study area encompasses the area within 400 feet of the Affected Area. The primary study area is generally bounded by West 34th Street to the north, West 29th Street to the south, Hudson Boulevard East to the east, and Hudson River Park and the Hudson River to the west. The secondary study area encompasses the remaining area within a ½-mile radius of the Affected Area. The secondary study area is bounded by West 43rd Street to the north, West 20th Street to the south, Eighth Avenue to the east, and the Hudson River to the west.

C. EXISTING CONDITIONS

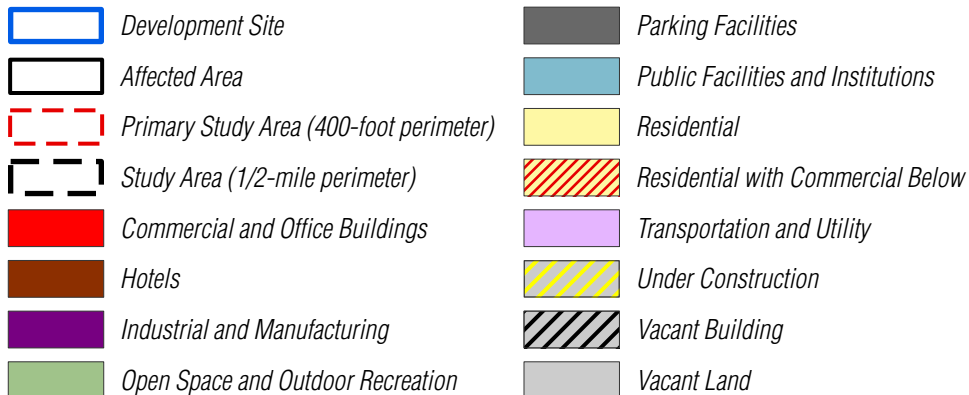
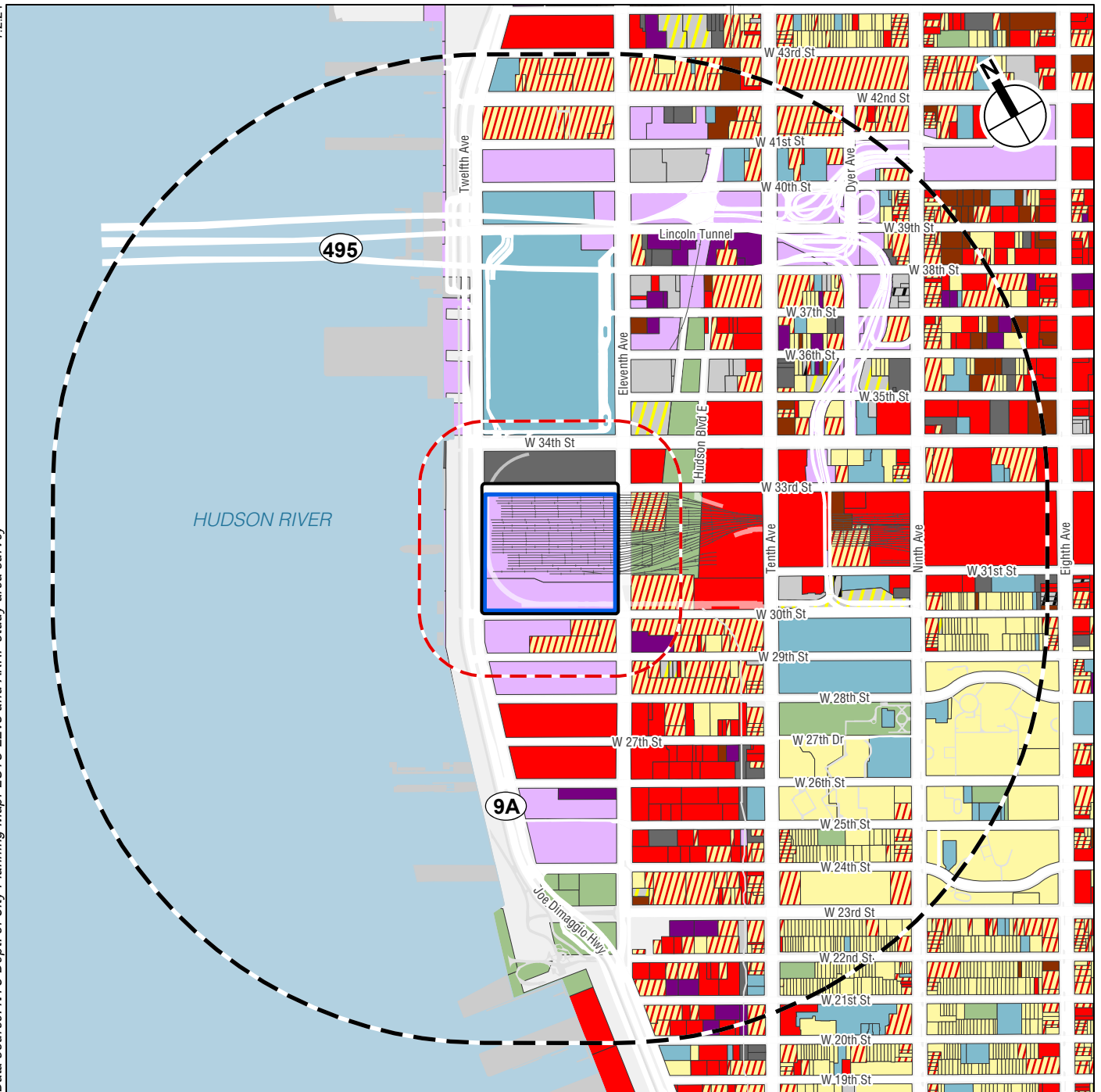
LAND USE

DEVELOPMENT SITE AND AFFECTED AREA

The Development Site consists of Manhattan Block 676, Lots 1 and 5, and occupies the entire area bounded by West 30th and West 33rd Streets and Eleventh and Twelfth Avenues. The Development Site is a superblock zoning lot with an area of approximately 571,592 square feet (approximately 13 acres), encompassing the western half of the Metropolitan Transportation Authority (MTA)'s John D. Caemmerer West Side Yard. The primary use of the Development Site is as a Long Island Rail Road (LIRR) train yard with the capacity for 386 train cars on 30 tracks. The Development Site also contains other LIRR facilities that support the daily operation of LIRR, including a railroad-interior cleaning facility, storage, and buildings that house other operational functions. The northernmost section of the High Line public open space runs along the western and southern edges of the Development Site, along Twelfth Avenue and West 30th Street, respectively. Other important transportation infrastructure facilities are located beneath the Development Site, including tunnels for Amtrak's Hudson River and Empire Lines. The southern section of the Development Site, between the approximate location of West 30th Street and West 31st Street, is generally at the same grade as West 30th Street. A portion of this southern section will include a below-grade tunnel casing now under construction as part of the Hudson Tunnel Project. In addition to the Development Site, the Affected Area encompasses the portion of West 33rd Street and the sidewalks between Eleventh and Twelfth Avenues.

PRIMARY STUDY AREA

As noted above, the primary study area encompasses the area within 400 feet of the Affected Area. The primary study area includes the western portion of the Hudson Yards development (see **Figure 2-1**). The superblock to the east of the Development Site, referred to as the Eastern Rail Yard (or Subarea A1 of the Special Hudson Yards District), features a 7.77 million-gross-square-foot (gsf), mixed use development completed in 2019. The Eastern Rail Yard development contains approximately 5.9 million gsf of commercial space (including 4.71 million gsf of office, 988,000 gsf of retail and 200,000 gsf of cultural space), approximately 1.87 million gsf of residential space including 428 DU's (107 affordable), and over six acres of public open space. This development includes the 92-story building at 35 Hudson Yards, featuring the Equinox Hotel and condominiums along with an 88-story residential building at 15 Hudson Yards. The public



0 1,000 FEET

Existing Land Use
Figure 2-1

Western Rail Yard Modifications

open space on the block is centered on the Vessel, an 8-story visitor attraction. The High Line runs along the southern edge of the block. Immediately to the north of the Eastern Rail Yard, at the northeast corner of West 33rd Street and Eleventh Avenue, is the recently completed 51-story building at 55 Hudson Yards, which contains office space, and 50 Hudson Yards, a 58-story building with 2.9 million gsf of office space.

The block to the north of the Development Site is a parking lot, which was formerly used as a truck marshalling yard for the Jacob K. Javits Convention Center, but is now used primarily for parking associated with the convention center. The High Line extends north from the Development Site into this block, curving to the east and coming to grade at West 34th Street, at roughly the midpoint between Eleventh and Twelfth Avenues. West 33rd Street between Eleventh and Twelfth Avenues is currently reserved for the New York City Police Department (NYPD) operations and staging and the turnaround of the New York City Transit (NYCT) M34 SBS buses. On the block immediately to the south of the Development Site, two mixed residential and commercial high-rise developments (45 and 60 stories) were recently completed, with a total of 1,215 units and 15,000 gsf of commercial space. The western portion of the block, which is owned by Amtrak, is vacant and will be used for construction staging for the Hudson Tunnel Project. Farther south, the block between West 28th and West 29th Streets contains a Consolidated Edison (Con Edison) facility. To the southeast below the Eastern Rail Yard superblock, there is a series of mixed residential and commercial developments and a Manhattan Mini Storage facility.

West of the Development Site and Route 9A is a portion of the Hudson River Park Greenway, containing a bike and running path, and farther west is a section of Hudson River Park, which currently contains a heliport between West 29th and West 32nd Streets, with construction staging for the Hudson River Park Trust (HRPT) directly north of the heliport.

SECONDARY STUDY AREA

The secondary study area encompasses Hudson Yards and portions of West Chelsea and Hell's Kitchen. Commercial and residential uses predominate in the secondary study area, but civic uses such as the Jacob K. Javits Convention Center (Javits Center), institutional uses such as the U.S. Postal Service (USPS) Morgan General Mail Facility and Annex, and transportation uses such as the Lincoln Tunnel and Port Authority Bus Terminal (PABT) access ramps also have a significant presence. Several open spaces are interspersed throughout the study area. Other uses within this area include residential, warehouse, and auto-related uses.

Commercial Uses

Commercial uses in the secondary study area are primarily located to the east and south of the primary study area. The Eastern Rail Yard site on the west side of Tenth Avenue includes: The Shops and Restaurants at Hudson Yards, a mall containing premium shopping and dining options; two high-rise office towers at 10 and 30 Hudson Yards; the Mercado Little Spain market; and office space for Wells Fargo. The Eastern Rail Yard site also includes the Edge observation deck and The Shed, a cultural center, which commissions, produces, and presents a wide range of activities in the arts and pop culture. There are several new high-rise office developments to the north of the Eastern Rail Yard, including 50 Hudson Yards, 55 Hudson Yards, and 66 Hudson Boulevard.

Manhattan West, a new mixed-use development east of the Eastern Rail Yard, includes: Five Manhattan West, a renovated commercial building with office space above a Whole Foods grocery store; two high-rise office towers at One and Two Manhattan West; The Pendry, a 21-story hotel; and a pedestrian plaza surrounded by retail.

Additional commercial uses to the east include offices and retail at the Farley Building/Moynihan Train Hall, and office buildings with ground floor commercial use between Eighth and Ninth Avenues as Hell's Kitchen transitions to the office district of Midtown South. This area also contains many hotels, as it is well served by public transportation and located near tourist attractions.

Commercial uses in the southern portion of the secondary study area, in West Chelsea, include the renovated Starrett Lehigh building, containing office space and eateries, and converted loft buildings with commercial space east of Eleventh Avenue and south of West 28th Street, many of which contain art galleries and event spaces. The 28-acre Chelsea Piers Sports and Entertainment Complex is located at the southern boundary of the study area, along the Hudson River south of West 22nd Street. Chelsea Piers contains a sports complex, fitness center, event spaces, and commercial marina.

Civic and Institutional Uses

Civic and institutional land uses are most prominent in the northern and southeastern portions of the secondary study area. The Javits Convention Center, commonly referred to as the Javits Center, occupies the superblock between West 34th and West 40th Streets and Eleventh and Twelfth Avenues. It is among the busiest convention centers in the country, with an annual visitor estimate of approximately 350,000. It completed an expansion and renovation program in 2021, adding approximately 1.2 million square feet of space for a total of 3.3 million square feet.

The USPS Morgan General Mail Facility and Annex, the City's largest mail processing and distribution center, is located on the blocks bounded by West 28th and West 30th Streets and Ninth and Tenth Avenues.

In addition, the secondary study area contains schools, houses of worship, health centers, and other community facilities primarily located east of Tenth Avenue. Schools include Success Academy Charter School - Hudson Yards Elementary and Middle School at the corner of West 41st Street and Tenth Avenue; Manhattan Schoolhouse, a private school on West 28th Street, between Tenth and Eleventh Avenues; and Public School (PS) 38 and PS 033 Chelsea Prep at West 26th Street and Ninth Avenue.

Numerous houses of worship are found in the secondary study area, including Saints Cyril and Methodius and Saint Raphael's Roman Catholic Church on West 41st Street, between Tenth and Eleventh Avenues; Metro Baptist Church on West 40th Street between Dyer and Ninth Avenues; the Masjid Awliya of Allah Mosque on West 36th Street between Eighth and Ninth Avenues; Saint Michael's Roman Catholic Church on West 34th Street, between Dyer and Ninth Avenues; Hudson Yards Synagogue, on West 34th Street between Eighth and Ninth Avenues; The Church in New York City, on West 34th Street between Dyer and Tenth Avenues; Church of the Holy Apostles at West 28th Street and Ninth Avenue; and the Manor Church on West 26th Street between Eighth and Ninth Avenues.

Western Rail Yard Modifications

Covenant House New York, a shelter and service provider for runaway youth, is located on West 41st Street, between Ninth and Tenth Avenues. Clinton Housing Development Corporation, located on West 40th Street between Dyer and Tenth Avenues, is a non-profit organization that partners with city and state government to preserve and create permanent affordable housing and provide community services to the residents of Chelsea and Hell's Kitchen. The Center for Reintegration, a non-profit organization on West 37th Street, just east of Ninth Avenue, provides assistance to people with mental illness and their caregivers. The Clinton Community Center on West 37th Street between Dyer and Tenth Avenues provides community services, including educational, wellness, and recreational programming for all ages.

The New York City Police Department's (NYPD) Midtown Precinct House is located on West 35th Street, between Eighth and Ninth Avenues. The New York City Department of Health and Mental Hygiene operates the Chelsea Health Clinic on West 28th Street and Ninth Avenue.

Open Spaces

On the block south of the Morgan Mail Facility is Chelsea Park, a 3.9-acre New York City Department of Parks and Recreation (NYC Parks) public park. The full-block park contains a soccer field, playground, dog run, and seating areas.

Pier 76, located to the west of the Javits Center, contains an interim open space that is open to the public as part of Hudson River Park, which in total contains 550 acres that stretches from Battery Place to 59th Street. Other portions of Hudson River Park in the secondary study area include Piers 62 through 66, between West 29th and West 22nd Streets and Chelsea Waterside Park, located between Eleventh and Twelfth Avenues and West 24th Street.

The High Line continues south of West 30th Street. The 1.45-mile-long open space is located generally 30 feet above grade and traverses 22 blocks, from Gansevoort Street in the south to 34th Street in the north. At West 30th Street, a spur runs east to Tenth Avenue, where there is a large, double-track platform over the avenue adjacent to the Morgan Mail Facility. In 2023, a new High Line-Moynihan Train Hall Connector opened, which connects to the High Line spur at Tenth Avenue and 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 the Moynihan Train Hall across Ninth Avenue.

Bella Abzug Park is a midblock greenway located between Tenth and Eleventh Avenues and West 33rd to West 37th Streets, with a final section yet to be developed between West 37th and West 39th Streets. When complete, the park will total approximately four acres.

Additionally, there are several neighborhood parks located throughout Chelsea, such as Clement Clark Moore Park at the corner of Tenth Avenue and West 22nd Street and Penn South Playground on West 26th Street between Ninth and Tenth Avenues.

Residential Uses

Residential land uses in the northeast portion of the secondary study area are either modern high-rise developments, or 4- to 5-story apartment buildings. High-rise developments are primarily located west of Tenth Avenue and include buildings in

Hudson Yards, such as The Set at 455 Tenth Avenue, the residential development at 505 West 37th Street, and a series of residential towers near the intersection of Eleventh Avenue and West 42nd Street. Residential uses east of Tenth Avenue are generally older walk-up buildings, with ground floor retail located along Ninth and Tenth Avenues.

Most residential uses in the secondary study area are located in Chelsea. Several newer high-rise developments, such as the Avalon at 539 West 28th Street and Abington House at 500 West 30th Street, are located southeast of the Development Site. The southeast corner of the secondary study area is almost entirely residential, with 4- to 6-story walkup apartments and large-scale housing developments such as London Terrace and Penn South, and NYCHA's Chelsea Houses.

Transportation and Utility Uses

Con Edison maintains a facility that occupies the block bounded by West 29th and West 30th Streets and Eleventh and Twelfth Avenues. A New York City Department of Sanitation (DSNY) repair shop occupies the block bounded by West 25th and West 26th Streets and Eleventh and Twelfth Avenues.

The No. 7 subway line serves the area, with a terminal station located at 34th Street and Eleventh Avenue. The No. 7 subway line provides connections to every major north-south subway line serving Manhattan and the other boroughs. A railway for the Amtrak Empire line, connecting Manhattan with Albany, is located below grade and is visible from West 36th to West 38th Street in the midblock between Tenth and Eleventh Avenues.

The Lincoln Tunnel entrance ramps occupy the block bounded by West 39th and West 40th Streets and Tenth and Eleventh Avenues, and the exit ramps occupy the block bounded by West 38th and West 39th Streets and Tenth and Dyer Avenues. Most of the area between West 33rd and West 41st Streets is covered by access ramps to the Lincoln Tunnel as well as PABT, and parcels reserved for utility services.

Light Manufacturing Uses

A warehouse is located along the southern edge of the study area on the south side of West 26th Street, and industrial supply, storage and auto-related uses are located in the northern portion of the secondary study area along West 37th and West 38th Streets. Several self-storage facilities and other light manufacturing uses are located in West Chelsea between West 20th and West 23rd Streets.

ZONING

DEVELOPMENT SITE AND AFFECTED AREA

The Development Site boundaries are co-terminus with the boundaries of Subdistrict F of the Special Hudson Yards District. The Development Site is mapped with an underlying C6-4 district, which permits a wide range of high-density commercial uses requiring a central location. Heavy manufacturing uses are not allowed. The total maximum FAR allowed in Subdistrict F is 10.0. The maximum allowed floor area on the Development Site is 570,000 square feet or 5.7 million zoning square feet (zsf). The existing zoning includes detailed controls related to density, building locations and bulk, streetscape, and open space.

Western Rail Yard Modifications

Special Hudson Yards District—Subdistrict F

The Special Hudson Yards District, adopted in 2005, was established to facilitate the development of a transit-oriented mixed use district by allowing high-density development, improve and expand subway lines and facilities, and improve pedestrian access to transit facilities. Six subdistricts were established for the District. Within each subdistrict, several subareas were established that have specific regulations that apply to that subarea but not the remainder of the subdistrict.

Bulk and Parking

While the maximum overall density for Subdistrict F (the Development Site) is 10.0 FAR, the maximum allowed density for residential, commercial, and community facility use is limited to encourage a mix of uses. Residential and commercial uses each have a maximum of 8.0 FAR. Community Facility use has a maximum of 2.0 FAR.

- **Bonus for Permanent Affordable Housing:** The floor area of any building containing residential use in Subdistrict F may be increased by a maximum of 5 percent if at least 20 percent of the residential units in the building are permanent affordable housing. The 8.0 FAR maximum for residential use and the 10.0 FAR maximum for total use in Subdistrict F may be increased pursuant to the bonus.
- **Exemption for Public School:** Floor area occupied by the public school would be exempted from the definition of floor area for purposes of calculating the maximum permitted community facility floor area and the total maximum floor area allowed on the Development Site.
- **Parking:** Instead of the Special Hudson Yards District's parking regulations, the regulations of Article I, Chapter 3, "Comprehensive Off-street Parking and Loading Regulations in the Manhattan Core," apply to Subdistrict F/the Development Site.

Height and Setback

The existing zoning controls include requirements regarding base heights, setbacks, maximum tower dimensions, and maximum tower floor plate sizes including limitations on the floor plate sizes of the lower and upper portions of the tower to maximize views through the open space and around the High Line. Sites along Eleventh Avenue and various open spaces have street wall articulation requirements to create defined edges. The zoning mandates that the building heights "cascade" downward from the northeast corner of the WRY Site to the southwest corner height, with minimum height differences required between certain buildings. Furthermore, all buildings that exceed a height of 300 feet are required to provide tower top articulation for a minimum of 40 feet below the top of the building on all sides. The maximum lot coverage for the uppermost 40 feet of the tower must be 50 percent to 80 percent of the floor immediately below the required 40 feet.

The zoning for Subdistrict F contains a provision whereby the New York City Planning Commission (CPC) Chair may modify height and setback regulations to accommodate the above-grade ventilation equipment needed to support the below-grade rail operations.

Streetscape

Streetscape controls within Subdistrict F include the following:

- **Retail Continuity and Transparency:** Along Eleventh Avenue, all ground-floor building frontages must provide transparency and retail continuity. Other street frontages have provisions that require transparency if the buildings contain retail or community facility use.
- **Sidewalk Widening:** Along Eleventh Avenue, the sidewalk is required to be widened by five feet.
- **Signage:** Throughout Subdistrict F, no flashing or advertising signs are allowed. Accessory signs are allowed up to a maximum height of 20 feet for residential uses, and up to 40 feet for commercial uses. Within 50 feet of the High Line, no sign may exceed a height of 20 feet above the level of the High Line bed, and no signs may be affixed to or rest upon the High Line except as authorized by CPC.

Public Access Areas

Public access areas in Subdistrict F would be comprised of publicly accessible open spaces, private streets, and pedestrian ways.

PRIMARY STUDY AREA

As shown in **Table 2-1** and **Figure 2-2a**, the eastern portion of the primary study area is mapped with a C6-4 district, and the northern and western portions of the primary study area are mapped with an M2-3 zoning district. The remainder of the primary study area is mapped with C6-4X, C6-3, and M1-6 zoning districts. C6-4X is the underlying zoning district within the Special Hudson River Park District, and C6-4 and C6-3 are underlying zoning districts for the portion of the Special West Chelsea District that falls within the primary study area.

C6-4

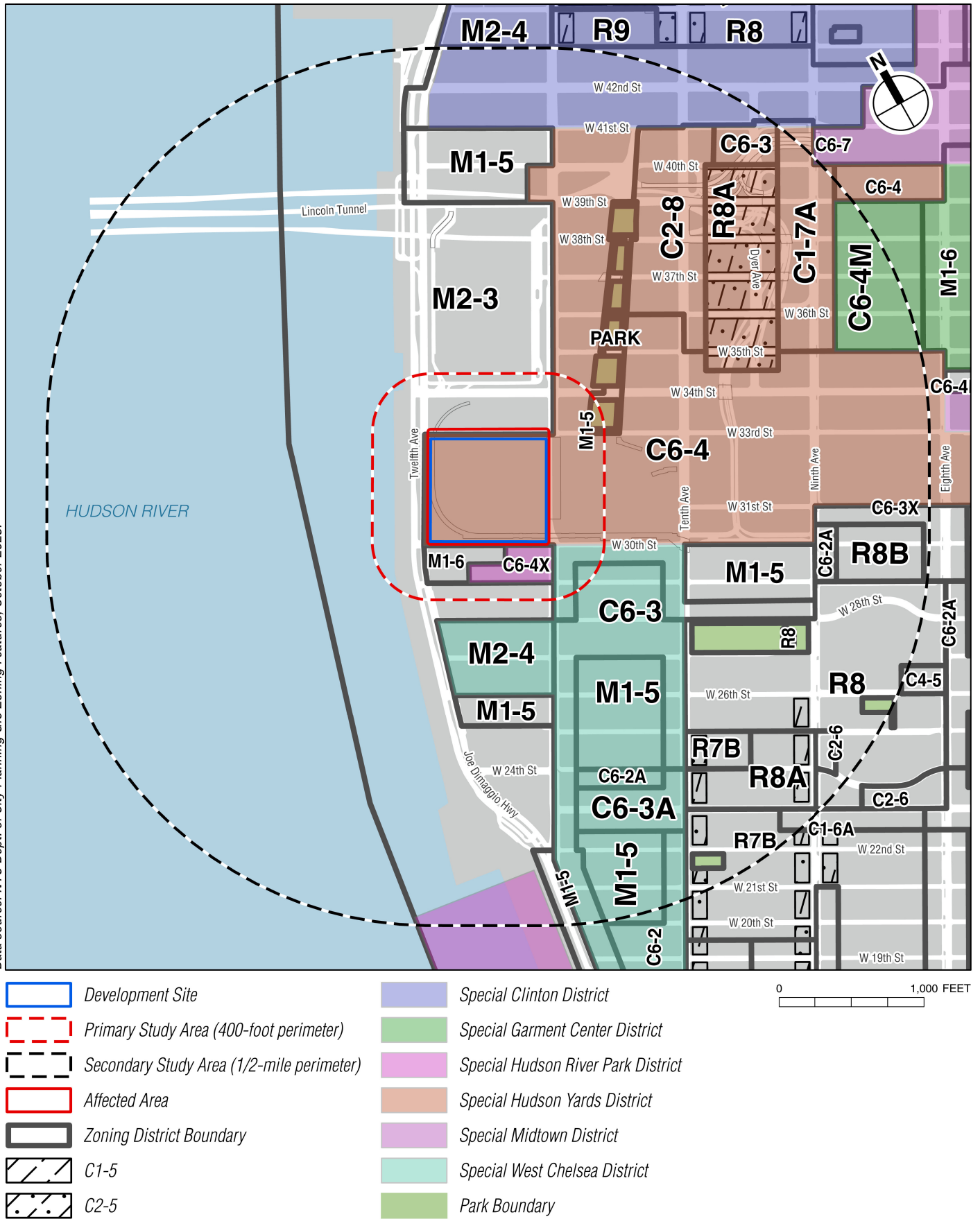
C6 districts permit high-density commercial uses and are reserved for central business district locations, such as Midtown Manhattan. C6 districts are commonly mapped in special districts. The C6-4 district permits a base commercial FAR of 10 and has a residential district equivalent of an R10 district. The C6-4 district does not require any accessory parking when mapped in Manhattan Community Districts 1 through 8.

C6-4X

The C6-4X district is similar to the C6-4 district with respect to the base commercial FAR of 10 and has a residential district equivalent of an R10X district. This district permits towers above a building base, and special rules determine the tower's height and articulation.

C6-3

The C6-3 district permits a base commercial FAR of 6 and has a residential district equivalent of an R9 district. The C6-3 district does not require any accessory parking in Manhattan.



Existing Zoning
Figure 2-2a

Western Rail Yard Modifications

Table 2-1

Existing Zoning Districts within the Primary and Secondary Study Areas

Name	Definition/General Use	Maximum FAR
Residential Districts		
R7B ²	R7B is a high-density residential contextual district that produces six-to seven-story apartment buildings.	R: 3.0; CF: 3.0
R8 ²	R8 is a high-density residential district that produces mid-rise, 8- to 10-story buildings and much taller buildings set back from the street on large zoning lots.	R: 0.94-6.02; CF: 6.5
R8A ²	R8A is a contextual district that generally produces 8- to 12-story apartment buildings	R: 6.02-7.20 ¹ ; CF: 6.5
R8B ²	R8B is a contextual district that generally produces unified blocks of six-story rowhouses.	R: 4.0; CF:4.0
Commercial Districts		
C1-5 Overlay (R8A) ²	C1 and C2 overlays are mapped within residence districts on streets that serve local retail needs. Commercial buildings are subject to commercial bulk rules and residential bulk is governed by the underlying residential district. Generally, the lower the numerical suffix, the more off-street parking is required.	R: 6.02-7.20 ¹ ; CF: 6.5; C: 2.0
C2-5 Overlay (R8A) ²		R: 6.02-7.20 ¹ ; CF: 6.5; C: 2.0
C2-5 Overlay (R7B) ²		R: 3.0; CF: 3.0; C: 2.0
C1-6A ²	C1 and C2 districts are commercial districts that allow for a mix of residential use with local-serving retail uses such as grocery stores, dry cleaners, and restaurants. Commercial buildings are subject to commercial bulk rules and residential bulk is governed by the residential district equivalent.	R: 4.0-4.6 ¹ ; CF: 4.0; C:2.0
C1-7A ²		R: 6.02-7.20 ¹ ; CF: 6.5; C:2.0
C2-6 ²		R: 3.44-4.60 ¹ ; CF: 6.5; C:2.0
C2-8 ²		R: 10.0-12.0 ¹ ; C: 2.0; CF: 10.02
C4-5 ²		R: 3.44-4.60 ¹ ; CF: 6.5; C: 3.4
C6-2 ²	C6 districts permit a wide range of high-bulk commercial uses requiring a central location. Corporate headquarters, large hotels, department stores, and entertainment facilities in high-rise mixed buildings are permitted. C6-4M is mapped in the Special Garment Center District.	R: 10.0-12.0 ¹ ; CF:10.0; C: 6.0
C6-2A ²		R: 6.0-7.20 ¹ ; CF:6.5; C: 6.0
C6-3		R: 7.52-8.0 ¹ ; CF: 10.0; C: 6.0
C6-3A ²		R: 7.52-8.50 ¹ ; CF: 7.50; C: 6.0
C6-3X ²		R: 9.0-9.70 ¹ ; CF: 9.0; C: 6.0
C6-4 ²		R: 10.0-12.0 ¹ ; CF: 10.0; C: 10.0
C6-4M ²		R: 10.0-12.0 ¹ ; CF: 10.0; C: 10.0
C6-4X		R: 10.0-12.0 ¹ ; CF: 10.0; C: 10.0
C6-7 ²		R: 10.0-12.0 ¹ ; CF: 10.0; C: 15.0
Manufacturing Districts		
M1-5 ²	M1 districts are often buffers between M2 or M3 districts and adjacent residential or commercial districts. M1 districts typically include light industrial uses, which must meet the stringent M1 performance standards.	M: 5.0; C: 5.0; CF: 6.5
M1-6		M: 10.0; C: 10.0; CF: 10.0
M2-3	M2 districts occupy the middle ground between light and heavy industrial uses. M2 districts have performance standards that are not as strict as M1.	M: 2.0; C: 2.0
M2-4 ²		M: 5.0; C: 5.0
Special Districts		
Special Hudson River Park District (HRP)	The Special Hudson River Park District allows for the transfer of floor area from property within the park to other sites to ensure redevelopment with a mix of residential and commercial uses.	See discussion above for details
Special Hudson Yards District	The Special Hudson Yards District mandates a variety of use, bulk and urban design controls applicable to six subdistricts with the goal of encouraging development of a mix of uses, including publicly accessible open space, on the Far West Side. Height and setback regulations are flexible to allow for creative design.	See discussion above for details
Special West Chelsea District	The Special West Chelsea District establishes special bulk regulations and a floor area transfer mechanism designed to facilitate the growth of the area in a way that maximizes light, air, views, and access to the High Line.	See discussion above for details
Special Clinton District ²	The Special Clinton District establishes provisions that preserve and strengthen the residential character of the neighborhood adjacent to Midtown. A designated perimeter provides appropriate transitions between the lower-scale side streets and dense commercial centers of Midtown and Hudson Yards.	See discussion above for details
Special Garment Center District ²	The Special Garment Center District establishes provisions that preserve and protect existing manufacturing, wholesale, and showroom uses in the district. In designated Preservation Areas, conversion of manufacturing uses to office, residential, or hotel uses requires a special permit.	See discussion above for details
Special Midtown District ²	The Special Midtown District establishes bulk and density limits in its five subdistricts to guide development in the Midtown central business district and mandates urban design guidelines for street wall continuity, pedestrian circulation, and subway entrance placement.	See discussion above for details
Notes: R=Residential; CF=Community Facility; C=Commercial; and M=Manufacturing ¹ Increased FAR with Inclusionary Housing. ² This zoning district is located with the secondary study area.		
Source: DCP		

M2-3

M2 districts are manufacturing districts mapped mainly in the City's older industrial areas along the waterfront and occupy the middle ground of industrial uses. Performance standards are lower than in M1 districts. Except when M2 uses border on a residential district, higher levels of noise and vibration are allowed, smoke is permitted, and industrial activities need not be entirely enclosed. Commercial uses, such as offices, hotels (with special permit), and most types of retail, are also permitted. The maximum FAR for commercial and manufacturing uses in the M2-3 district is 2.

M1-6

M1 districts are manufacturing districts characterized by one- or two-story warehouse buildings with loading bays and multi-story loft buildings. M1 districts mainly contain light industrial uses such as auto repair shops, storage facilities, and wholesale warehouses, but nearly all manufacturing uses that meet the M1 performance standards (regulations on noise, vibration, smoke, and odors) are permitted. Commercial uses, such as offices, hotels (with special permit), and most types of retail, are also permitted. Certain community facility uses are allowed by special permit. The maximum FAR for commercial and manufacturing uses in the M1-6 district is 10.

Special Hudson Yards District—Subdistrict A

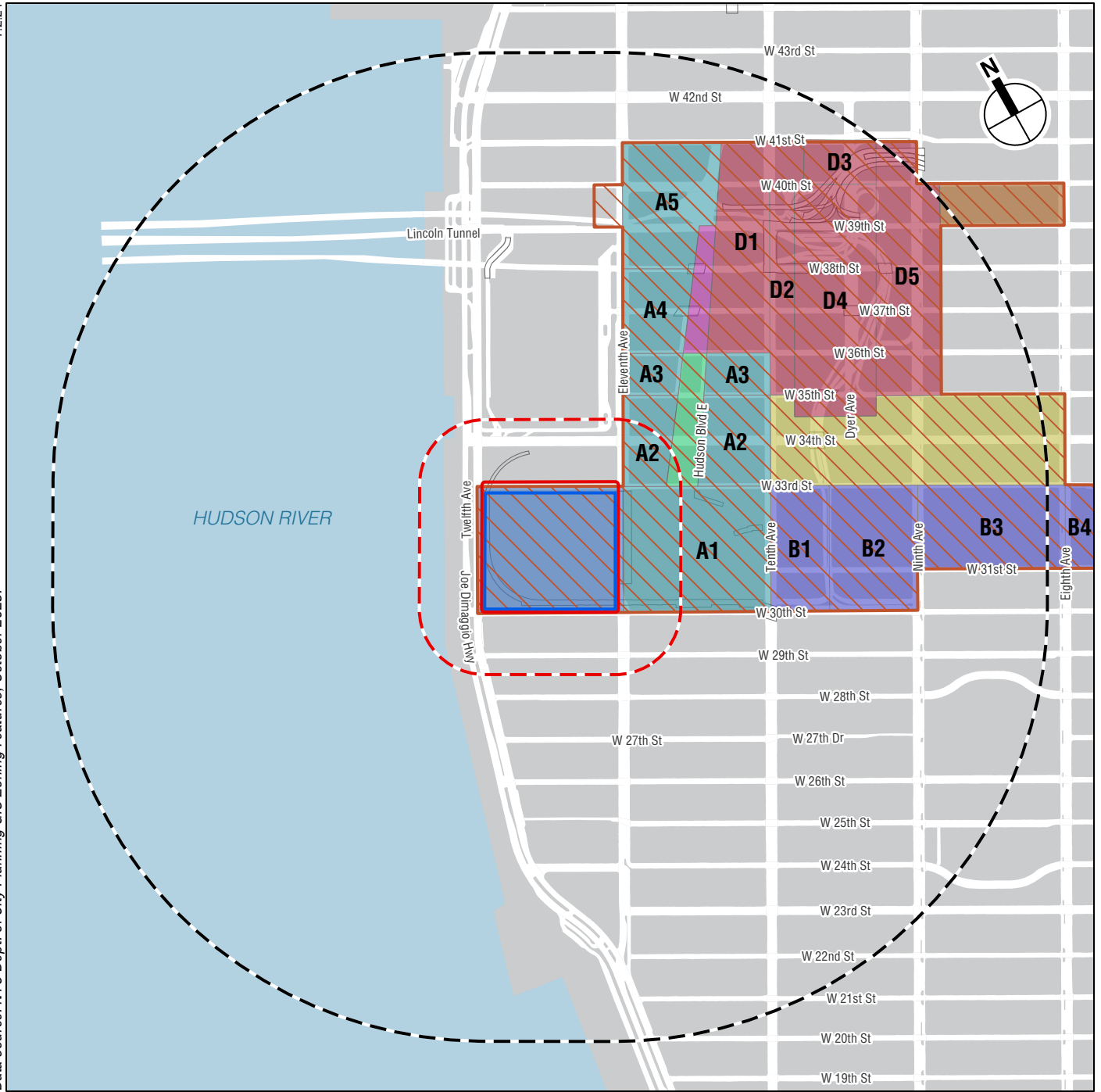
The primary study area contains Subdistrict A of the Special Hudson Yards District, covering the Eastern Rail Yard site and the area directly to the north (see **Figure 2-2b**). Subdistrict A of the Special Hudson Yards District covers the blocks between Tenth and Eleventh Avenues. It is divided into subareas A1 and A2. The Eastern Rail Yard is coterminous with Subarea A1, and the northeastern edge of the primary study area also includes Subarea A2, which covers the two blocks to the north of the Eastern Rail Yard site.

Special Hudson River Park District

The Special Hudson River Park District, encompassing the St. John's Terminal Building along West Street/Route 9A and Pier 40 of Hudson River Park, was established in 2016 to allow a transfer of floor area from the pier to the St. John's site to facilitate its redevelopment with a mix of residential and commercial uses and open areas. Funds generated by the floor area transfer are intended to support the repair and rehabilitation of Pier 40. Within the primary study area, the HRP covers the eastern portion of the block directly south of the Development Site.

Special West Chelsea District

The Special West Chelsea District, mapped from West 17th Street to West 30th Street between Tenth and Eleventh Avenues, with a portion extending south to West 14th Street between Ninth and Tenth Avenues, was approved in 2005. The Special West Chelsea District is designed to encourage the development of West Chelsea as a dynamic mixed use neighborhood built around and enhanced by the High Line. Height and setback regulations are intended to ensure that development does not impede light, air, and access to the High Line. A floor area transfer mechanism allows floor area from zoning lots in the designated Transfer Corridor along Tenth Avenue to be transferred to receiving sites in designated subareas in the district. Within the primary study area, the Special



- Development Site
- Primary Study Area (400-foot perimeter)
- Secondary Study Area (1/2-mile perimeter)
- Affected Area
- Special Hudson Yards District

Special Purpose Sub-Districts

- 34th Street Corridor Subdistrict C
- Farley Corridor Subdistrict B
- Hell's Kitchen Subdistrict D
- Large-Scale Plan Subdistrict A
- Phase 1 Hudson Boulevard and Park
- Phase 2 Hudson Boulevard and Park
- South of Port Authority Subdistrict E
- Western Rail Yard Subdistrict F

0 1,000 FEET

Western Rail Yard Modifications

West Chelsea District is mapped to the southeast of the Development Site, covering a small area to the east of Eleventh Avenue.

SECONDARY STUDY AREA

The secondary study area includes R7B (with a C2-5 overlay), R8, R8A (with C1-5 and C2-5 overlay), R8B, C1-6A, C1-7A, C2-6, C2-8, C4-5, C6-2, C6-2A, C6-3, C6-3A, C6-3X, C6-4, C6-4M, C6-7, , M2-4, M2-3, and M1-5 zoning districts. The secondary study area also contains Subarea D-1 of Subdistrict D of the Special Hudson Yards District, with underlying C2-8 and R8A districts, and Subarea A-4 of Subdistrict A of the Special Hudson Yards District, with underlying C6-4 zoning. In addition, the secondary study area contains additional areas of the Special West Chelsea District, Special Clinton District, Special Garment Center District, and Special Midtown District (see **Table 2-1**).

PUBLIC POLICY

According to the *CEQR Technical Manual*, any project to be located within areas governed by public policies guiding land use, or with the potential to substantially affect land use regulation or policy controlling land use, requires an analysis of public policy. A preliminary assessment of public policy should identify and describe any public policies, including formal plans or published reports, which pertain to the study area. If a proposed project could potentially alter or conflict with identified policies, a detailed assessment must be conducted; otherwise, no further analysis of public policy is necessary. A detailed public policy assessment was conducted for the Proposed Actions.

GAMING FACILITY TEXT AMENDMENT

The City has approved a citywide zoning text amendment to allow gaming facilities as a permitted use in C4, C5, C6, C7, and C8 commercial districts (Section 32-10) and M1, M2, and M3 manufacturing districts (Section 42-10) in the New York City Zoning Resolution (ZR). This modification allows a gaming facility licensed by the State and developed through a new State-defined siting process to be developed without regard to compliance with the Zoning Resolution. The proposal entered the public review process on November 27, 2023, was approved by the CPC on March 20, 2024, and was approved by the City Council on April 18, 2024.

WATERFRONT REVITALIZATION PLAN

The Development Site is located within the City's designated Coastal Zone. Therefore, an assessment of the consistency of the Proposed Actions with the City's Waterfront Revitalization Program (WRP) is warranted.

New York City's WRP is the City's principal Coastal Zone management tool and establishes a broad range of public policies for the City's coastal areas. The guiding principle of the WRP is to maximize the benefits derived from economic development, environmental conservation, and public use of the waterfront, while minimizing the conflicts among these objectives. A local waterfront revitalization program, such as New York City's, is subject to approval by the New York State Department of State (DOS) with the concurrence of the U.S. Department of Commerce pursuant to applicable state and federal law, including the Waterfront Revitalization of Coastal Areas and Inland Waterways Act and the Federal Coastal Zone Management Act. The WRP was originally

adopted by the City of New York in 1982, revised in 2002 and revised again in 2013. The most recent revisions were approved by the DOS in February 2016 and November 2018.

All proposed actions subject to CEQR, the Uniform Land Use Review Procedure (ULURP), or other local, state, or federal agency discretionary actions (including projects receiving permit approvals from the New York State Department of Environmental Conservation) that are situated within New York City's designated Coastal Zone boundary must be reviewed and assessed for their consistency with the WRP. This assessment and the Consistency Assessment Form are included in **Appendix B**.

ONENYC

In April 2007, the Mayor's Office of Long Term Planning and Sustainability released *PlaNYC: A Greener, Greater New York (PlaNYC)*. Since that time, updates to PlaNYC have been issued that build upon the goals set forth in 2007 and provide new objectives and strategies. In 2015, *One New York: The Plan for a Strong and Just City (OneNYC)* was released by the Mayor's Office of Sustainability and the Mayor's Office of Recovery and Resiliency. *OneNYC* builds upon the sustainability goals established by PlaNYC and focuses on growth, equity, sustainability, and resiliency. In 2019, *OneNYC 2050: Building a Strong and Fair City* was released by the Mayor's Office, which outlined progress since 2015 on goals related to fairness, implementing progressive policies, providing global leadership, and securing a sustainable future. *OneNYC 2050* has eight goals and 30 initiatives that broadly address committing to carbon neutrality by 2050 and leading by example on climate change, and creating public spaces, healthcare, and policies that support low-income and working New Yorkers. The *OneNYC 2050* plan also outlines a strategy for New York City's Green New Deal, which recognizes the connection between environmental and economic justice and focuses on creating good paying jobs, ensuring equitable access to nature, guaranteeing the right to quality healthcare and education, and promoting justice through the recognition and repair of damage caused by historic oppression of communities of color and other marginalized communities.

HOUSING OUR NEIGHBORS

In June 2022, the Adams Administration released *Housing Our Neighbors: A Blueprint for Housing and Homelessness*, a citywide housing plan that focuses strategies and investment on the creation and preservation of high-quality, affordable housing for all New Yorkers, including seniors and households experiencing homelessness. *Housing Our Neighbors* encourages new housing supply throughout the City through critical investments in the City's affordable housing stock. It calls for the development of new affordable housing in neighborhoods with strong access to transit and jobs. The plan also calls for investments in infrastructure and services to support lower-income New York City households and help ensure that residents of all income levels have access to economic opportunity.

CITY OF YES

In June 2022, the City announced *City of Yes*, its plan to modernize and update the City's zoning regulations to support small businesses, create affordable housing, and promote sustainability. The *City of Yes* includes three initiatives:

Western Rail Yard Modifications

- The *City of Yes for Carbon Neutrality* will modernize the City's zoning regulations to support climate goals. In order to reduce greenhouse gas emissions by 2050, the City's goals include transforming the energy grid, retrofitting existing buildings, and shifting to electric vehicles, transit and other modes. DCP, DOB, the New York City Fire Department (FDNY), and the Mayor's Office of Climate and Environmental Justice (MOCEJ) are working together on the proposal to clear the way for the necessary green investments. The *City of Yes for Carbon Neutrality* includes support for a renewable energy grid by making it easier for building owners to add rooftop solar panels; removing obstacles to clean, efficient building construction and renovation methods; allowances for more electrical vehicle charging stations on City streets; and reducing carbon emissions by minimizing landfill waste and stormwater processing. The *City of Yes for Carbon Neutrality* began formal public review on April 24, 2023 and passed the City Council on December 6, 2023.
- The *City of Yes for Economic Opportunity* would modernize the City's zoning regulations to support small businesses, create thriving commercial corridors, and bolster New York City's economic recovery. The *City of Yes for Economic Opportunity* would remove outdated limitations on businesses and ensure that local retail streets and commercial centers across the City can remain lively places that sustain the City's neighborhoods. This initiative is part of Mayor Eric Adams' *Rebuild, Renew, and Reinvent: A Blueprint for New York City's Economic Recovery*.¹ It was approved by the CPC on March 6, 2024, and approved by the City Council on June 6, 2024.
- The *City of Yes for Housing Opportunity* is part of an inclusive, citywide approach to expanding and diversifying the housing supply, in which every neighborhood does its part to help meet housing needs and provide equitable access to opportunity for New Yorkers. The proposal would help meet New Yorkers' housing needs with small changes citywide—including in the highest density areas as well as in its low density areas. This initiative advances key recommendations for fair housing and equity in the *Where We Live NYC Plan*.² The *Where We Live NYC Plan* identified goals, strategies, and actions to expand housing opportunities for everyone. The *City of Yes for Housing Opportunity* is a citywide zoning text amendment to expand opportunities for housing within all zoning districts, and across all 59 of the City's Community Districts. The zoning changes would enable more housing and a wider variety of housing types in every neighborhood, from the lowest-density districts to the highest, to address the housing shortage and high cost of housing in New York City. The zoning reforms include a Universal Affordability Preference (UAP) which will allow greater density in exchange for affordable units in some of the City's highest income neighborhoods, including Hudson Yards. In addition, it calls for the elimination of residential parking requirements, the conversion of office and other buildings into housing, and other strategies. The UAP is voluntary and would allow buildings to add at least 20 percent more housing, if the additional homes are affordable to households earning 60 percent of the Area Median Income (AMI). The *City of Yes for Housing Opportunity* is currently in public review.

¹ <https://www.nyc.gov/assets/home/downloads/pdf/office-of-the-mayor/2022/Mayor-Adams-Economic-Recovery-Blueprint.pdf>

² <https://wherewelive.cityofnewyork.us/>

BUSINESS IMPROVEMENT DISTRICTS

Hudson Yards/Hell's Kitchen Alliance

The Hudson Yards/Hell's Kitchen Alliance (HYHK) is a non-profit organization serving the area generally bounded by West 30th and West 42nd Streets and Ninth and Eleventh Avenues. HYHK provides sanitation services, streetscape improvements, greening and beautification, and small business assistance. HYHK is NYC Parks' maintenance and operations partner for Bella Abzug Park. HYHK covers the eastern edge of the primary study area.

34th Street Partnership

The 34th Street Partnership (34SP) Business Improvement District (BID) is generally bounded by West 31st and West 35th Streets and Tenth and Park Avenues. 34SP provides sanitation and security services to the BID, funded by assessments on properties and revenues from events and concessions at Herald and Greeley Squares. 34SP maintains street furniture, trees, and planters in the BID. 34SP covers a small portion of the secondary study area.

VISION ZERO

The City's *Vision Zero* initiative seeks to eliminate all fatalities from vehicular, bicycle, and pedestrian traffic crashes. New York City Department of Transportation (DOT) and NYPD developed a set of five plans, each of which analyzes the unique conditions of one New York City borough and recommends actions to address the borough's specific challenges to pedestrian safety. The plans identify specific conditions and characteristics of pedestrian fatalities and severe injuries and identify priority corridors, intersections, and areas that disproportionately account for pedestrian fatalities and severe injuries, prioritizing them for safety interventions. The plans outline a series of recommended actions consisting of engineering, enforcement, and education measures that intend to alter the physical and behavioral conditions on City streets that lead to pedestrian fatalities and injuries.

The *Vision Zero Pedestrian Safety Action Plan, Manhattan* was released in February 2015. This plan identified Priority Intersections, Corridors, and Areas in Manhattan and comprehensive policies to improve pedestrian safety at these locations. The 2015 plan identified 17 Priority Corridors. Priority Corridors that overlap with the primary and secondary study areas include: Eighth Avenue from Hudson Street to Columbus Circle, 34th Street from FDR Drive to Twelfth Avenue, Seventh Avenue from 11th Street to Central Park South, Sixth Avenue/Avenue of the Americans from Church Street to Central Park South, and Ninth Avenue from Gansevoort Street to Columbus Avenue. A Priority Intersection in the primary study area is the intersection of Eleventh Avenue and West 34th Street.

The plan identified engineering, planning, and enforcement measures to improve pedestrian safety at Priority Corridors, Intersections, and Areas. *Vision Zero* also identified a goal of proactively designing for pedestrian safety for high-growth areas. *Vision Zero* improvements that have been implemented in the primary study area include 25 mph signal retiming.

Subsequent updates to the *Vision Zero Borough Pedestrian Safety Action Plans* were published in 2019 and 2023. With the latest update (using 2017–2021 crash data), DOT delisted 42 corridors, added 97, and retained 94, while eight prior corridors were partially retained/delisted. In terms of intersections, the agency delisted 244, added 252, and retained 51.

D. THE FUTURE WITHOUT THE PROPOSED ACTIONS

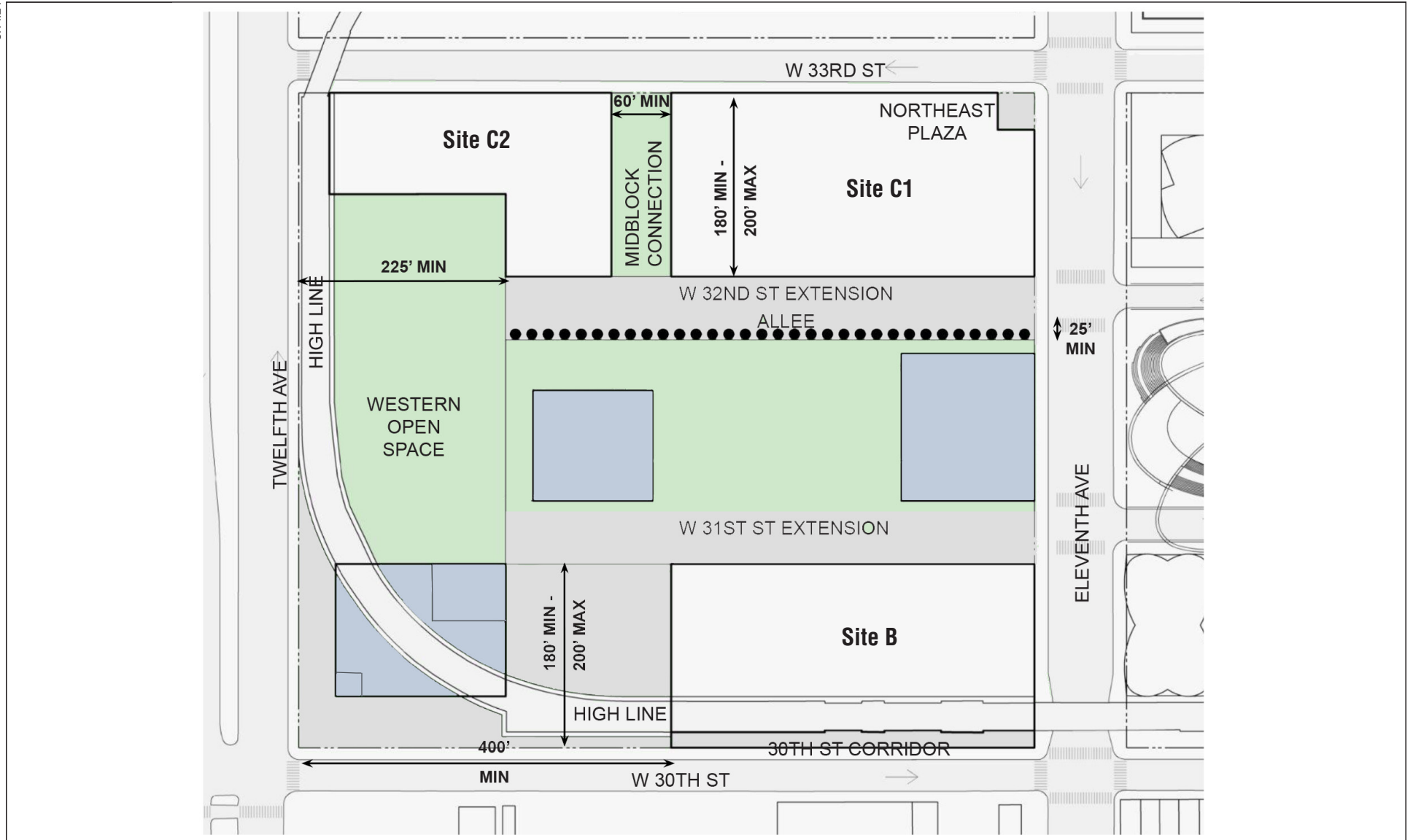
LAND USE

DEVELOPMENT SITE AND AFFECTED AREA

In the No Action condition in 2031, it is assumed that the Development Site will be developed with over 5 million gsf of residential, commercial, and community facility space. The No Action condition is based on the Maximum Commercial Scenario analyzed in the 2009 FEIS and is allowable under current zoning. However, it conservatively assumes less residential development than permitted by that Scenario (which was assumed to be condominium units in the 2009 FEIS), because residential condominium developments will need to be built sequentially to account for market absorption, and several residential buildings at the Development Site will likely not be completed by the 2031 build year. Additionally, the No Action condition assumes the creation of less publicly accessible open space than that Scenario because the open space associated with residential development at the southwestern corner of the Site (Site A/Building A) will not be constructed by the build year. Less parking is assumed in the No Action condition than the 2009 FEIS Scenario because fewer buildings will be developed on the Development Site and the special permit approved for parking in 2009 and assessed in the 2009 FEIS has expired.

In total, it is assumed that in the No Action condition the Development Site will be developed with approximately 5,009,725 gsf, including 2,185,000 gsf of office space, 164,500 gsf of retail, 2,514,225 gsf of residential space, and 146,000 gsf of community facility space in three buildings, with 4.31 acres of publicly accessible open space, including approximately 3.26 acres of new open space and 1.05 acres of existing open space (on-site portion the High Line). In the No Action condition, existing LIRR uses will remain in operation. It is anticipated that the “interim walkway” portion of the High Line extending through the Development Site will be redesigned and enhanced in the future without or with the Proposed Actions.

Development is assumed on Site B, Site C-1 and Site C-2. Site B, at West 30th Street and Eleventh Avenue, will contain a new, approximately 1,596,225-gsf primarily residential building (Building B). Building B will be approximately 81 stories (approximately 810 feet tall) and will contain approximately 1,422,225 gsf of residential use (2,220 units), 120,000 gsf for a public school, 28,000 gsf of ground floor retail, 16,000 gsf of space for a local cultural institution, and 10,000 gsf for a day care center. Approximately 324 rental units will be set aside as affordable housing. Approximately 225 accessory parking spaces will be provided in a below-grade garage for Site B. In addition, 32 spaces for the LIRR (26 spaces for LIRR employee vehicles and 6 spaces for LIRR maintenance trucks) will be accommodated on the Development Site (see **Figure 2-3**).



 Reserved for Future Development (After 2030 Build Year)



Site C-1 will contain a 66-story (approximately 950-foot-tall) office tower at West 33rd Street at Eleventh Avenue. Site C-1 will be developed with 2,185,000 gsf of office and 136,500 gsf of retail. Site C-2 will be developed farther west along 33rd Street toward Twelfth Avenue and will contain an approximately 81-story (approximately 810-foot-tall), 1,092,000-gsf residential tower with approximately 1,234 units.

One curb cut will be located near Eleventh Avenue to provide access to a proposed parking garage and loading dock underneath Site C-1. Existing curb cuts on Twelfth Avenue and West 33rd Street will remain in order to provide LIRR access to the site, and the grade of West 33rd Street between Eleventh and Twelfth Avenues will not be altered. In total, the Development Site will contain 225 parking spaces, exclusive of 32 spaces for the LIRR.

It is assumed that work will continue on the Hudson Tunnel project. The Hudson Yards Concrete Casing is an essential rail right-of-way (ROW) preservation project on the west side of Manhattan that will clear the way for the Hudson Tunnel project's full construction. Once complete, this casing will provide the vital link that connects the new Hudson Tunnel to New York Penn Station. Section 3 (HYCC-3) is the final segment and will provide the connection for the Hudson River Tunnel into New York Penn Station. This step involves extending the casing on a diagonal alignment from Eleventh Avenue to 30th Street, where it will link up with the new tunnel.

PRIMARY STUDY AREA

Within the primary study area, by the 2031 analysis year, recently completed residential and commercial developments are expected to be fully operational (see **Appendix A**). These include a residential development at 606 West 30th Street³ directly south of the Development Site, and an approximately 520,000 gsf office development at 400 Eleventh Avenue. Additionally, continued improvements for Hudson River Park are expected. These improvements may include construction of a section of the upland area between West 32nd and West 34th Streets.

With respect to the Hudson Tunnel project, Sections 1 and 2 of the concrete casing were constructed underground in the block bounded by Tenth and Eleventh Avenues and West 30th and 33rd Streets, and both sections were completed in 2018. Therefore, there will not be additional construction disturbance.

Resiliency measures as part of West Side Yard Perimeter Protection will be undertaken. LIRR is planning a flood protection project that will include perimeter protection and drainage improvements around the West Side Yard. For perimeter protection, LIRR is proposing a new, permanent wall, with additional deployable barriers to be implemented across driveways and access points in advance of storm events. The new perimeter wall will also protect the proposed new Manhattan portal for the proposed Hudson River Tunnel. Installation of the perimeter protection is expected to be completed in 2026.

SECONDARY STUDY AREA

Planned developments in the secondary study area will be in keeping with the trend of new high-density residential and commercial development in Hudson Yards. Planned No Build projects within the secondary study area which are substantial in scale include the

Western Rail Yard Modifications

Morgan North development at 341 Ninth Avenue³, which contains approximately 630,000 gsf of renovated office space; a mixed use hotel and residential development at 545 West 37th Street; 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. There are also several projects within the West Chelsea portion of the secondary study area, including a planned office building at 220 Eleventh Avenue, a mixed use office and retail redevelopment at 260 Eleventh Avenue, a mixed use redevelopment at 261 Eleventh Avenue, and a residential and hotel development at 538-542 West 29th Street.

ZONING AND PUBLIC POLICY

The Midtown South Mixed-Use Plan (MSMX) is expected to be approved and in effect by the 2031 analysis year. MSMX would amend the zoning in an area generally bounded by West 23rd and West 40th Streets and Fifth and Eighth Avenues in an area currently zoned for manufacturing. The proposal would allow new housing and map Mandatory Inclusionary Housing requirements to facilitate permanently affordable units, create live-work opportunities, and adopt flexible residential conversion rules.

Additionally, the *City of Yes for Housing Opportunity*, which is currently under public review, is expected to be in effect by the 2031 analysis year. As described above, *City of Yes for Housing Opportunity* is a citywide zoning text amendment to expand opportunities for housing within all zoning districts, and across all 59 of the City's Community Districts. While the Universal Affordability Preference would allow greater density in exchange for affordable units in some of the City's highest income neighborhoods, including Hudson Yards, the No Action condition assumes development on the WRY Site consistent with the existing maximum FAR for the Site.

There are no other changes to zoning or public policy are anticipated by the 2031 analysis year for the primary or secondary study areas in the No Action condition. Other than the MSMX and *City of Yes for Housing Opportunity*, it is assumed that in the No Action condition, the study areas will reflect the current zoning and public policy initiatives, although zoning changes could occur in association with future development projects that have not been planned at this time.

E. THE FUTURE WITH THE PROPOSED ACTIONS

PROPOSED PROJECT

LAND USE

Development Site and Affected Area

In the future with the Proposed Project, the Development Site would be developed with approximately 6,226,560 gsf in three buildings and 5.63 acres of public open space, including approximately 4.58 acres of new open space and 1.05 acres of existing open

³ Construction was recently completed but the development is not yet fully occupied; therefore, it is included as a planned development in 2031.

space (on-site portion the High Line). (see **Figure 2-4**). As in the No Action condition, existing LIRR uses would remain in operation.

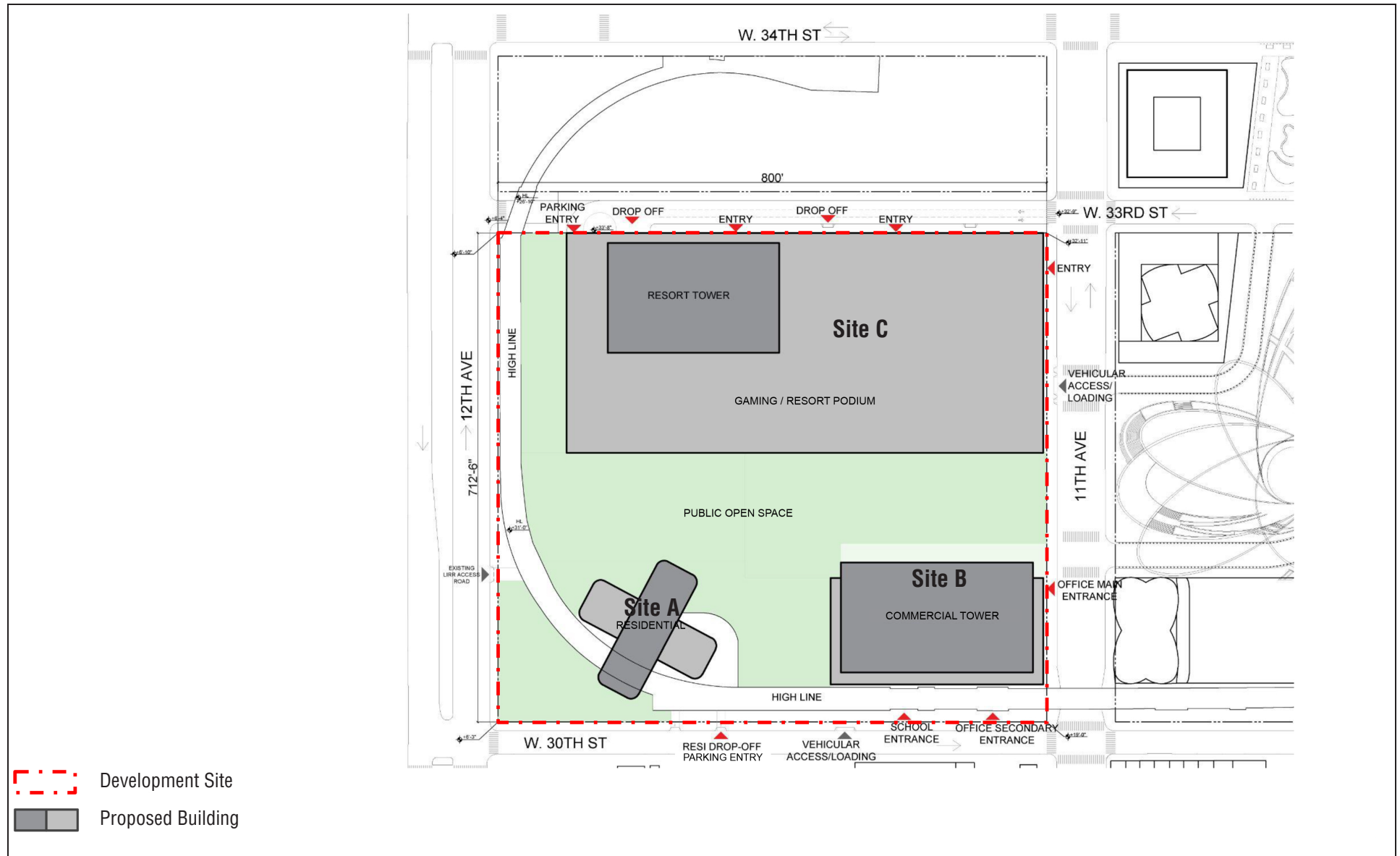
The proposed public open space would consist of continuous lawn areas in the middle of the Site with views overlooking the Hudson River to the west. The lawns would be framed by gardens and groves of trees and would be interspersed with walking paths that provide access to the High Line and surrounding neighborhood. The continuous lawn areas would total at least one acre, exclusive of any lawn spaces adjacent to the buildings on Sites A, B, and C. The Proposed Project would result in a cohesive network of new public open spaces on the Development Site that would vary in character and purpose, including seating areas, plazas, a playground, and a dog run.

Site A (comprising Site 5 in the Subdistrict F site plan), located in the southwestern portion of the Development Site, would be developed with a new, approximately 1.2 million-gsf building containing residential and retail space (Building A). Building A would be approximately 80 stories tall (up to 1,180 feet tall, including mechanical bulkhead) and would contain approximately 1,208,623 residential gsf (1,507 units) and 12,250 gsf of ground floor retail. Approximately 324 rental units would be set aside as affordable housing in Building A.

Site B (comprising Site 6 in the Subdistrict F site plan), at West 30th Street and Eleventh Avenue, would be developed with a 74-story (up to 1,376 feet tall, including mechanical bulkhead) office tower, the height of which includes a podium of approximately 6 stories (Building B). Building B would contain 2,179,899 gsf of office space, 16,000 gsf of space for a local cultural institution, 12,388 gsf of ground floor retail, a 10,000-gsf day care center, and—subject to the requirements of the School Construction Authority (SCA)—a 120,000-gsf public school. For the purposes of environmental review, it is assumed that the public school would include 420 elementary seats and 330 intermediate seats as was analyzed in the 2009 FEIS.

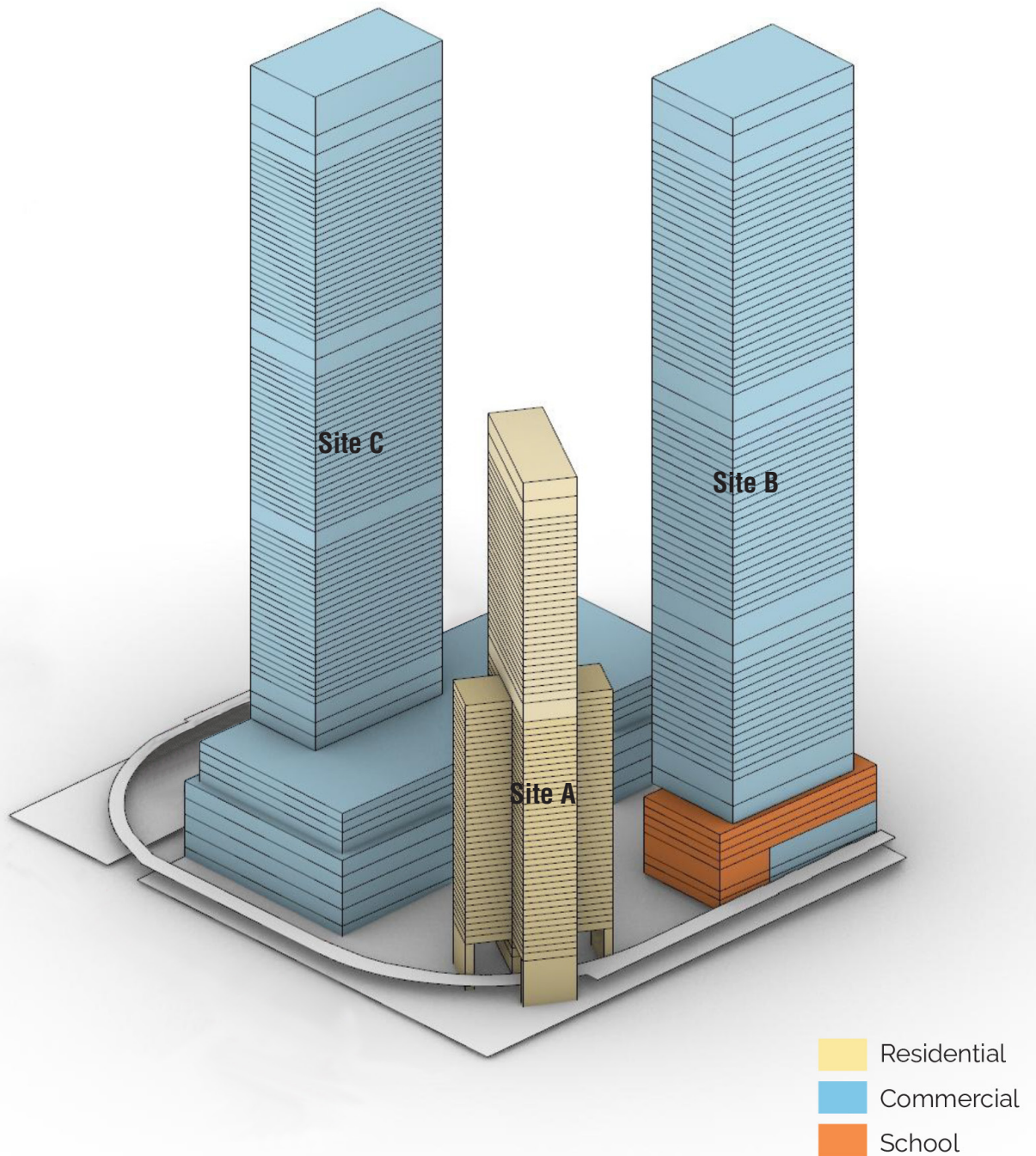
The proposed buildings along West 30th Street would be constructed adjacent to the High Line and would provide housing, including affordable housing, and community facility space including a public school and a daycare facility. A playground would be located between Sites A and B, and other components of the public open space, 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, community facility, and commercial uses in Buildings A and B. Approximately 225 parking spaces are assumed to be provided on the south side of the Development Site, including up to 200 accessory spaces for residential uses, and 25 spaces accessory to retail and other commercial uses. There would also be a separate LIRR parking area with 32 spaces, which would be located adjacent to the train tracks at track level (26 spaces for LIRR employee vehicles and 6 spaces for LIRR maintenance trucks). The 32 LIRR spaces currently exist on the Development Site.

Site C (comprising Sites 1 and 2 in the Subdistrict F site plan) would be developed with a 2,667,400-gsf hotel resort with gaming along West 33rd Street. It would contain a 1,750-key hotel, inclusive of 250 extended stay units, gaming space, 79,400 gsf of ballroom and meeting space, 90,023 gsf of food and beverage facilities (68,550 gsf in the resort podium and 21,473 gsf in the hotel), and 34,250 gsf of retail space, as well as amenity space, and lobbies for the proposed hotel and resort. The proposed complex would contain a 5-story (up to 200-foot-tall) podium containing the gaming/resort space; development



Proposed Project Conceptual Site Plan (Illustrative)

Figure 2-4a



Western Rail Yard Modifications

above the podium on Site C would reach a maximum height of 80 stories (approximately 1,189 feet, inclusive of the podium and mechanical bulkhead). Approximately 500 accessory parking spaces for commercial uses would be provided on Site C, as well as below-grade LIRR infrastructure space, which would include ventilation plenum space, fan plants, fuel oil tanks and pump rooms, diesel hoods, storage, electrical/utility closets, and circulation corridors), an electrical facility, and support space. The portion of the Development Site south of Site C would contain walking paths, gardens, and other planted areas that give way to lawns in the middle of the Site that provide views overlooking the Hudson River. The proposed commercial uses contemplated under the Proposed Project would be compatible with the primarily passive open spaces proposed to the south of Site C.

Six new curb cuts are proposed under the Proposed Project. Two curb cuts would be located along West 30th Street for parking/drop-off and loading; two curb cuts would be located along West 33rd Street for parking and drop-off; and a curb cut is proposed along Eleventh Avenue for loading. In addition, a curb cut for parking would be located within the property line at the proposed grade-adjusted West 33rd Street cul-de-sac. An existing curb cut along Twelfth Avenue that provides LIRR access would remain.

The Proposed Project would require the construction of a platform over approximately two-thirds of the Development Site, enclosing the railyard, and assumes the adoption of a City Map amendment, which would adjust the grade of West 33rd Street, which currently slopes significantly between Eleventh and Twelfth Avenues, to align with the level of the proposed development and enhance public access to the Development Site. This grade adjustment would be constructed by the Applicant for the northern portion of the Development Site and would maintain public access to West 33rd Street from Eleventh Avenue and eliminate vehicular access from West 33rd Street to Twelfth Avenue. A separate at-grade connection would be maintained at Twelfth Avenue (north of West 30th Street) to provide access to the LIRR service gate on the Development Site and another on West 33rd Street near Twelfth Avenue to access the Javits Marshalling Yard parking lot on the north side of West 33rd Street.

As indicated in **Table 2-2**, the approximately 1.2 million gross square feet of incremental development to be created by the Proposed Project, in comparison to the No Action condition, would primarily be from the proposed hotel resort with gaming. The Proposed Project is contingent on the award of a gaming license by the New York State Gaming Commission.

Primary Study Area

The land uses to be developed under the Proposed Project would be markedly different than existing railroad uses, but would be somewhat consistent with the plan for the WRY Site analyzed in the 2009 FEIS and would complement and support the civic, commercial, residential, and open spaces uses in the primary study area.

A new hotel on West 33rd Street would offer convenience in terms of location and mobility with respect to Javits Center. Because the Javits Center lacks a hotel, the Proposed Actions present a unique opportunity to introduce a hotel to 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. Javits Center is the City's premier conference and exhibition space and one of the busiest convention centers in the country.

Table 2-2

Development Program Summary – Proposed Project⁴

Use	No Action*	With Action	Increment
Residential (gsf)	2,514,225	1,208,623	-1,305,602
Dwelling Units – Total	3,454	1,507	-1,947
<i>Affordable Units</i>	324	324	0
<i>Market Units</i>	3,130	1,183	-1,947
Community Facility – School (gsf)	120,000	120,000	0
<i>Elementary Seats</i>	420	420	0
<i>Intermediate Seats</i>	330	330	0
Community Facility – Day Care (gsf)	10,000	10,000	0
Cultural Space (gsf)	16,000	16,000	0
Office (gsf)	2,185,000	2,179,899	-5,101
Retail – Non-Resort (gsf)	164,500	24,638	-139,862
Hotel Resort with Gaming (gsf) ^{1, 2}	0	2,667,400	2,667,400
<i>Hotel (gsf)</i>	0	1,175,707	1,175,707
<i>Keys</i>	0	1,500	1,500
<i>Hotel – Extended Stay Units (gsf)</i>	0	424,059	424,059
<i>Keys</i>	0	250	250
<i>Gaming Area (gsf)</i>	0	251,055	251,055
<i>Retail (gsf)</i>	0	34,250	34,250
<i>Food/Beverage (gsf)</i>	0	90,023	90,023
<i>Resort Amenities (gsf)</i>	0	154,900	154,900
Parking (spaces)	225	725	500
Open Space (acres)	4.31	5.63	1.32
Total (gsf)²	5,009,725	6,226,560	1,216,835
Notes:			
¹ Includes back of house space.			
² Total gsf does not include mechanical/parking or LIRR infrastructure/support space.			

In addition to gaming, the proposed hotel resort on Site C would provide an array of dining establishments and bars, as well as meeting space. The hotel resort with gaming would be one block away from the 34th Street-Hudson Yards subway station, opened in 2015. The Proposed Project would 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. 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 would be compatible 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 hotel resort with gaming on West 33rd Street could result in beneficial effects with respect to existing commercial and civic uses, such as the Javits Center, to the north of the

⁴ Proposed Project mechanical/parking area would be approximately 290,247 gsf of resort podium and hotel tower mechanical area, 277,294 gsf of office mechanical space area at approximately 12 percent of the building gross, and 125,852 gsf of residential mechanical area at approximately 10 percent the total gross residential area. Loading dock and parking areas would comprise approximately 152,732 gsf of development.

Western Rail Yard Modifications

Development Site and primarily commercial buildings east of the Development Site along West 33rd and West 34th Streets.

The proposed open space would enhance the existing network of open spaces in the primary study area, creating an amenity for residents and visitors. As detailed above, the Development Site is proximate to iconic parks, including the High Line and Hudson River Park, and would introduce connections to the existing network of publicly accessible open spaces within Hudson Yards, including the public open space surrounding the Vessel and Bella Abzug Park. With the creation of 4.31 acres of new public open space and the installation of an elevator and staircase on the northwest corner of the WRY Site (at a realigned West 33rd Street) to more easily access the High Line and Hudson River Park, the Proposed Project would provide a substantial benefit by linking these iconic New York City open spaces within the primary study area.

The proposed residential and community facility uses to be developed on Sites A and B would be in keeping with and supportive of the residential character found in the blocks south of the Development Site. The new buildings along West 30th Street would provide housing, including much-needed 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 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 in West Chelsea, 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. Therefore, the Proposed Project would not result in a significant adverse impact on land use within the primary study area.

Secondary Study Area

The Proposed Project's land uses would be consistent with the land uses in the secondary area. The proposed gaming use on Site C would complement the existing entertainment uses located within the Eastern Rail Yard, such as the Edge observation deck, the Shed, and the Shops and Restaurants at Hudson Yards. As discussed above, the Proposed Project would be expected to have beneficial effects with respect to the Javits Center, which extends north through the primary and secondary study areas to West 38th Street. The proposed new open space would expand the network of open space, which already includes Bella Abzug Park to the northeast, the Hudson Yards open space within the Manhattan West development, the Hudson River Greenway, and additional portions of Hudson River Park, including Pier 66 to the southwest and Pier 76 to the northwest, and the High Line. The proposed residential tower on Site A would complement the residential character of the West Chelsea neighborhood to the southeast, which includes a concentration of residential developments on the blocks bounded by Tenth and Eleventh Avenues, West 28th and West 30th Streets. The Proposed Project would be compatible with the existing and planned residential, commercial and entertainment uses in the surrounding neighborhoods.

The Proposed Actions would not alter land use patterns in the secondary study area, as this area is already fully developed. The Proposed Project's proposed uses would be consistent with the ongoing trend toward high-density development in this area. Therefore, the Proposed Project would not result in a significant adverse impact on land use within the secondary study area.

ZONING

Development Site and Affected Area

The Applicant is making applications to the City to modify zoning regulations and other land use controls applicable only to the Development Site. The applications cover both the Proposed Project and the Alternative Scenario. The approvals include a zoning text amendment, a special permit, a City Map amendment, and a modification to a previously approved Restrictive Declaration.

A zoning text amendment to ZR Section 93-58 (Special Permit for Modification of Height and Setback Regulation) to allow the special permit to modify or waive the ground floor level requirements and public open space regulations applicable to the Development Site.

A special permit pursuant to ZR Section 93-58 is being requested to modify or waive the following regulations applicable in Subdistrict F:

ZR Section 93-10 (Use Regulations)

Modifications are sought with respect to ground floor level requirements regarding retail space, lobby space, and transparency. The Applicant seeks to decrease the minimum retail requirement, increase the allowed lobby area, and modify the transparency requirements.

ZR Section 93-56 (Special Height and Setback Regulations in Subdistrict F)

The Applicant is seeking modifications with respect to building location (including Map 2 – Site Plan) height and setback rules, such as base height, street wall location, and street wall recess requirements (including Map 4 – Mandatory Ground Floor Requirements and Map 5 – Mandatory Street Wall Requirements, and tower controls. The existing requirements are based on the six-parcel site plan for the Development Site that was approved in 2009. The site plan no longer reflects the previous approvals and the Applicant now proposes to build on three parcels, not six. Therefore, the Applicant seeks a modification of the requirements to facilitate the current design for the Proposed Project.

ZR Sections 93-561 (General rules for Subdistrict F, subsection (b))

Modifications are being requested regarding the measurement of building heights, to establish a single level of +33.66' (equivalent to the top of the platform to be constructed over the active rail yard) as the reference plane for the applicable regulations relating to the measurement of building heights within Subdistrict F.

ZR Sections 93-75 (Publicly Accessible Open Spaces in Subdistrict F), 93-76 (Publicly Accessible Private Streets and Pedestrian Ways in Subdistrict F), 93-77 (Design Criteria for Public Access Areas in Subdistrict F), 93-78 (Site and Landscape Plans for Public Access Areas in Subdistrict F), and Map 3- Public Access Area Plan.

Modifications are being requested with respect to the public open space to be provided in connection with the development on the WRY Site.

Western Rail Yard Modifications

- ZR Section 93-75, inclusive, establishes general design requirements for the publicly accessible open space and assumes a six-parcel site plan for the Development Site, which no longer reflects the Applicant's design for the publicly accessible open space. Accordingly, the Applicant seeks a modification of these requirements.
- ZR Section 93-76, inclusive, requires publicly accessible private streets and pedestrian ways. The private streets mandated by these regulations consist of extensions of West 31st Street and West 32nd Street, linked by a connecting street, and the mandated pedestrian way is a corridor along the northern sidewalk of West 30th Street adjacent to the area below the High Line. The Applicant's proposed design 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, without any interruptions by private streets and formal pedestrian ways. Accordingly, the Applicant seeks a modification of these requirements.
- ZR Section 93-77 contains a list of minimum design standards for the public access areas in Subdistrict F. These design criteria address such issues as seating, planting, paving, lighting, bicycle parking, and public restrooms. Although the Applicant's proposed design for the publicly accessible open space would largely meet or exceed these design standards, some of the standards make specific reference to elements of the previous design for the open space that would not be part of the Proposed Project. Therefore, minor technical modifications are necessary in order to link the design standards to the Applicant's current design for the publicly accessible open space.
- ZR Section 93-78 requires that site and landscape plans for the Development Site have been submitted showing compliance with the provisions of Sections 93-70 et seq., as modified by the special permit.

ZR Section 13-242 (Maximum width of curb cuts)

Modifications are being requested to accommodate a turnaround for fire apparatus and other vehicular traffic at the western end of the elevated portion of West 33rd Street.

An amendment of the City Map is being requested to adjust the grade of West 33rd Street between Eleventh and Twelfth Avenues. This segment of West 33rd Street currently has a significant slope. The City Map change is necessary to raise the grade of the street to align roughly with the level of Eleventh Avenue and with the level of the Proposed Project in order to enhance the streetscape and public access to the Development Site. All traffic would enter and exit the grade-adjusted West 33rd Street segment from Eleventh Avenue and turn around via a cul-de-sac at the west end of the grade-adjusted street. There would be no vehicular access to Twelfth Avenue from the grade-adjusted West 33rd Street. At the Twelfth Avenue intersection, two-way flow on the existing West 33rd Street would be provided for a short distance to facilitate access to the Javits Marshalling Yard parking lot to the north of the Development Site.

A modification of the previously approved Restrictive Declaration for the Development Site would be required to address updates to the Proposed Project. As previously noted, in 2009, the Development Site was rezoned to allow for the construction of a 5.7 million-sf mixed use development, which established the Development Site as Subdistrict F of the Special Hudson Yards District. In connection with the 2009 FEIS, certain measures related to historic resources, hazardous materials, transportation, air quality, noise attenuation, and construction were identified in a Restrictive Declaration (RD-230), which

was recorded against the property. In addition to the environmental measures, the Restrictive Declaration memorialized commitments related to the provision of affordable housing, cultural space, public access and open space, among other items. The Restrictive Declaration would be amended as part of the Proposed Actions to reflect requirements associated with the current Proposed Project and to provide for a public access easement with respect to the portion of a proposed cul-de-sac at the western end of the elevated portion of West 33rd Street that would be located within the property line of the Development Site.

In addition to the requested actions, as a related action the Applicant will seek a revocable consent from DOT, for the installation of a staircase and elevator in the West 33rd Street sidewalk at Twelfth Avenue that would provide additional access for the public and visitors to the WRY Site. The Applicant would also seek approval from the New York City Public Design Commission for the design of the staircase and elevator to be installed pursuant to the revocable consent. In addition to the City approvals described above, the proposed hotel resort with gaming is contingent on the award of a gaming license by the New York State Gaming Commission.

It is anticipated that the proposed grade adjustment of West 33rd Street between Eleventh and Twelfth Avenues could involve the designation of the street segment between Twelfth Avenue and the retaining wall which provides access for LIRR and to the parking lot on the north side of West 33rd Street as a restricted use street. That process would require the issuance of a Community Reassessment, Impact and Amelioration (CRIA) statement or Environmental Assessment Statement/Environmental Impact Statement (EAS/EIS) in lieu of CRIA.

Primary and Secondary Study Areas

The zoning controls would only affect the Subdistrict F zoning regulations, as they apply specifically to the Development Site. The Proposed Actions would not result in any changes to zoning in the primary study area or the secondary study area, and therefore there would be no significant adverse impacts to zoning within these study areas.

PUBLIC POLICY

Development Site and Affected Area

See **Appendix B** for a discussion of the Proposed Project's consistency with the goals and objectives of the Waterfront Revitalization Program.

Primary and Secondary Study Areas

The Proposed Project would not result in significant adverse impacts to public policy in the primary study area or the secondary study area, as described further below.

Gaming Facility Text Amendment

As approved, the zoning text amendment defines gaming in the ZR to include a gaming area and any other non-gaming structures related to the gaming use, including hotels, restaurants, or other amenities. The hotel resort and gaming facility would generate economic activity, including new jobs in construction, tourism and hospitality. A hotel resort and gaming facility on the Development Site is expected to support the civic and commercial uses in the neighborhood, and enhance the area's appeal as a destination for New Yorkers and visitors alike.

Downstate Gaming License Process

The designation of locations for downstate gaming licenses is subject to a separate state approval process. The New York State Gaming Facility Location Board (the “Board”) expects to issue three licenses to operate gaming facilities in New York City, as well as Westchester and Nassau Counties. The Board has set a deadline of June 27, 2025, for application submissions. Applicants for the downstate gaming licenses must substantially complete all entitlement processes by the end of June 2025 in order for their application to be eligible for consideration by the Board. Before the Board awards the downstate gaming licenses, each application must receive approval from a local Community Advisory Committees (CAC). Each CAC is statutorily charged with reviewing the gaming application, gauging local support, and issuing a finding to determine whether there is adequate support for the gaming project. An affirmative finding by the CAC is a requirement for the application to be considered by the Board. In New York City, the CAC consists of a six-person panel, including the governor, the mayor, and the borough president. The CAC must issue its finding by September 30, 2025. The Board has set a December 1, 2025 deadline for its decision, with the Gaming Commission taking formal licensing action by the end of 2025.

OneNYC

The Proposed Project aligns with the goals of *OneNYC 2050*, including:

- The Proposed Project would promote a dynamic, mixed use neighborhood in an area with substantial transit access. The Proposed Project would provide housing, including affordable housing, and would add to the quantity and connectivity of the neighborhood’s open spaces and cultural facilities.
- The Proposed Project would be a transit-oriented development. The Development Site is one block from the 34th Street-Hudson Yards subway station, which provides service across Midtown Manhattan and connects with almost every subway line at stations along 42nd Street. The Development Site is also proximate to Penn Station and the Moynihan Train Hall, with improved access to Amtrak, LIRR and other commuter rail services.
- The Proposed Project would promote an inclusive economy by providing new economic opportunities, with respect to the proposed new office space and the proposed hotel resort and gaming.
- The Proposed Project would promote equity and excellence in education with the development of the proposed public school.

Housing Our Neighbors

The Proposed Project would provide 324 units of needed affordable housing and would be supportive of policies addressed in *Housing Our Neighbors*. While the Proposed Actions would introduce fewer market rate units as compared to the No Action condition, the same number of affordable units would be developed on the Development Site, and the decrease in housing represents a net loss in market-rate luxury condominiums. Given the higher proportion of affordable units, the Proposed Actions would reduce the potential to introduce or accelerate a trend toward increases in rents as compared to the No Action condition. Further, the Proposed Project, like the No Action condition would include a 10,000-gsf day care center, 120,000 gsf for a public school (subject to the requirements of the SCA), and a playground as part of the new 5.63-acre park. These uses, in conjunction with the 324 units of affordable housing, would be supportive of policies in

Housing Our Neighbors that call for investments in infrastructure and services to support lower-income households and help ensure that residents of all income levels have access to economic opportunity.

City of Yes

The Proposed Project would be consistent with the *City of Yes*' goals to modernize and update the City's zoning regulations with respect to sustainability, affordable housing, and economic development. Sustainable building measures would include compliance with the City's emissions intensity limits. Further, it is the Applicant's intention that the Proposed Project be LEED (Leadership in Environmental Energy and Design) Silver-certified.

While the Universal Affordability Preference would allow greater density in exchange for affordable units in some of the City's highest income neighborhoods, including Hudson Yards, the Proposed Project assumes development on the WRY Site consistent with the existing maximum FAR for the Site. As discussed above under *Housing Our Neighbors*, the Proposed Project—like the No Action scenario—would provide 324 units of affordable housing, and the decrease in housing between the With Action and No Action conditions represents a net loss in market-rate luxury condominiums, rather than affordable housing. Further, the amenities provided with the Proposed Actions, like the No Action condition, would include a day care center, public school (subject to the requirements of the SCA), and a playground as part of the 5.63-acre publicly accessible open space. These amenities, in conjunction with the 324 units of affordable housing, would be consistent with City policies that call for investments in infrastructure and services to support lower-income households. The Proposed Project would provide opportunities for jobs and economic development, and expand the City's tax base. Further, the proposed commercial and residential buildings would be located in a transit-oriented neighborhood that is easily accessible. For these reasons, the Proposed Actions are consistent with and supportive of the commercial and residential zoning reforms under *City of Yes*.

Business Improvement Districts

The Proposed Project would align with the goals of 34SP and HYHK. The Proposed Project would support these goals by creating a vibrant, transit-oriented block and implementing streetscape improvements that would enhance the pedestrian experience, activate the area, and create an attractive environment in which to shop, work, and do business. In addition to pedestrian improvements, new visitors, workers, and residents would contribute to local economic activity along West 34th Street and in Hudson Yards.

Vision Zero

The Proposed Project would be supportive of the goals of *Vision Zero* to improve safety on the streets and eliminate pedestrian and driver conflicts. The Eleventh Avenue frontage of the Site would be developed in coordination with DOT's plans to add crosswalks at Eleventh Avenue and West 31st and West 32nd Streets, which would enhance pedestrian safety, make it easier to cross Eleventh Avenue, and facilitate accessibility to the Development Site. The City Map amendment to adjust the grade of West 33rd Street would allow for an improved pedestrian experience along this street. The new staircase and elevator proposed at the northwest corner of the Development Site would facilitate access for persons with disabilities, and would generally provide for greater pedestrian accessibility to other public open spaces on Manhattan's West Side. Adjacent subway station access would serve to discourage vehicular use. The

adjustment of the grade of West 33rd Street would allow for pedestrian and vehicular access to the Site, including for emergency vehicles.

ALTERNATIVE SCENARIO

LAND USE

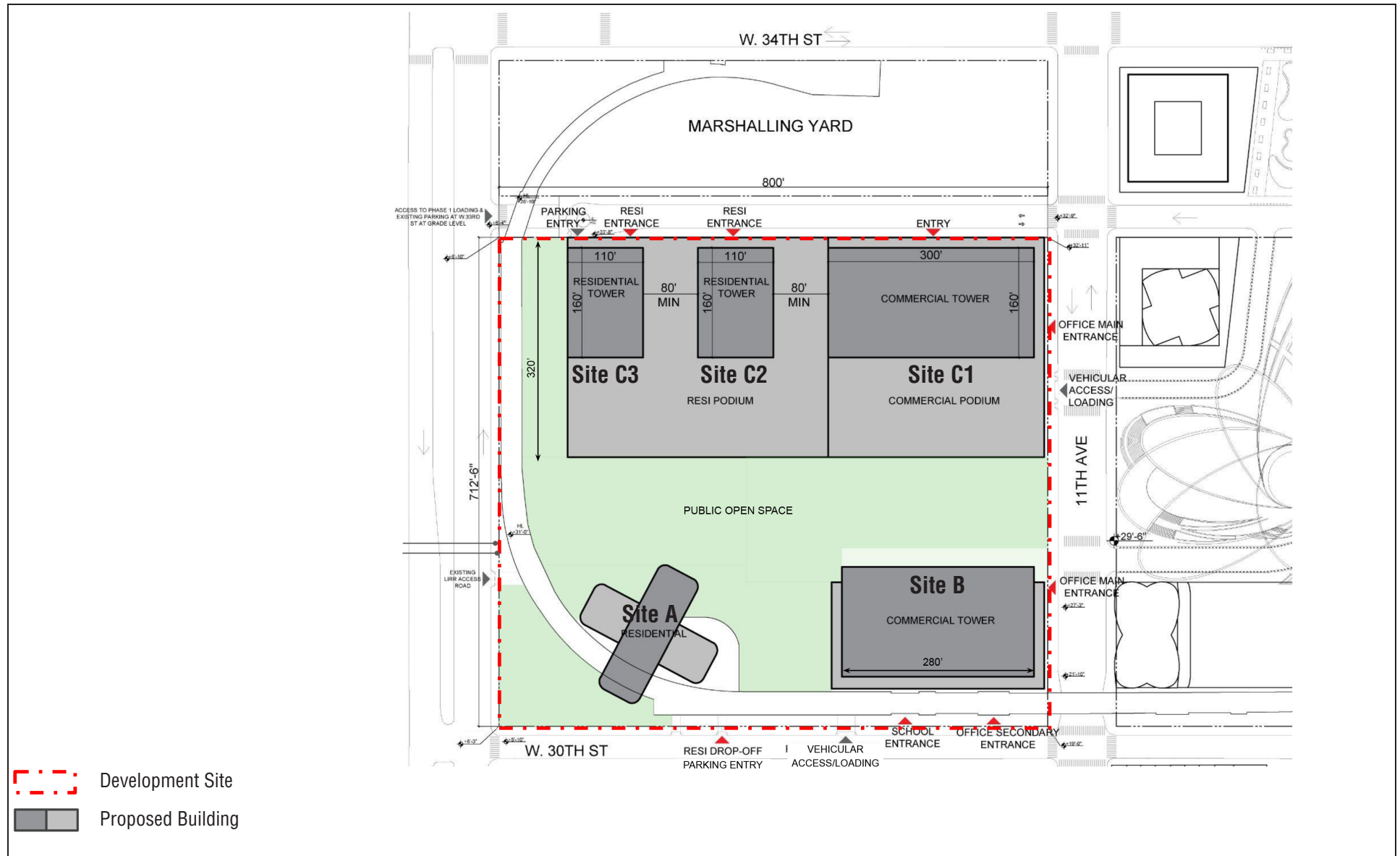
Development Site and Affected Area

Under the Alternative Scenario, the Development Site would be developed with a total of approximately 6,259,170 gsf, including 3,745,932 gsf of office, 34,868 gsf of retail, 1,482,476 gsf of residential, 849,894 gsf of hotel, and 146,000 gsf of community facility space, consisting of a public school, day care, and cultural facilities, in five buildings. Sites A and B would contain the same development and adjacent open space as in the Proposed Project (see **Figure 2-5**).

Under the Alternative Scenario, Site C would be developed with up to three adjacent buildings (Sites C-1, C-2, and C-3). Site C-1 would contain an approximately 53-story office tower (up to 1,194 feet tall, including mechanical bulkhead) on an approximately 200-foot-tall podium at West 33rd Street and Eleventh Avenue. The building on Site C-1 would contain 1,566,033 gsf of office and commercial amenity space and 10,230 gsf of ground floor retail. Sites C-2 and C-3 would be developed on a shared podium of up to 200 feet in height farther west along 33rd Street toward Twelfth Avenue. Site C-2 would contain an approximately 34-story hotel (up to 835 feet tall, including mechanical bulkhead) with approximately 700 keys, 295,500 gsf of amenity space, and 40,163 gsf of food and beverage space. Building C-3 would contain an approximately 21-story (up to 835-foot-tall, including mechanical bulkhead) residential tower which would contain 273,853 gsf of residential space (approximately 309 units) including amenities, and below-grade LIRR infrastructure space, which would include ventilation plenum space, fan plants, fuel oil tanks and pump rooms, diesel hoods, storage, electrical/utility closets, circulation corridors), a space to accommodate electrical equipment, and support space.⁵ A 450-space garage providing accessory parking to commercial and hotel uses along West 33rd Street would also be developed on Site C. The portion of the Development Site south of Site C would 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 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. Additionally, the proposed adjustment to the grade of West 33rd Street under the Alternative Scenario would be the same as under the Proposed Project.

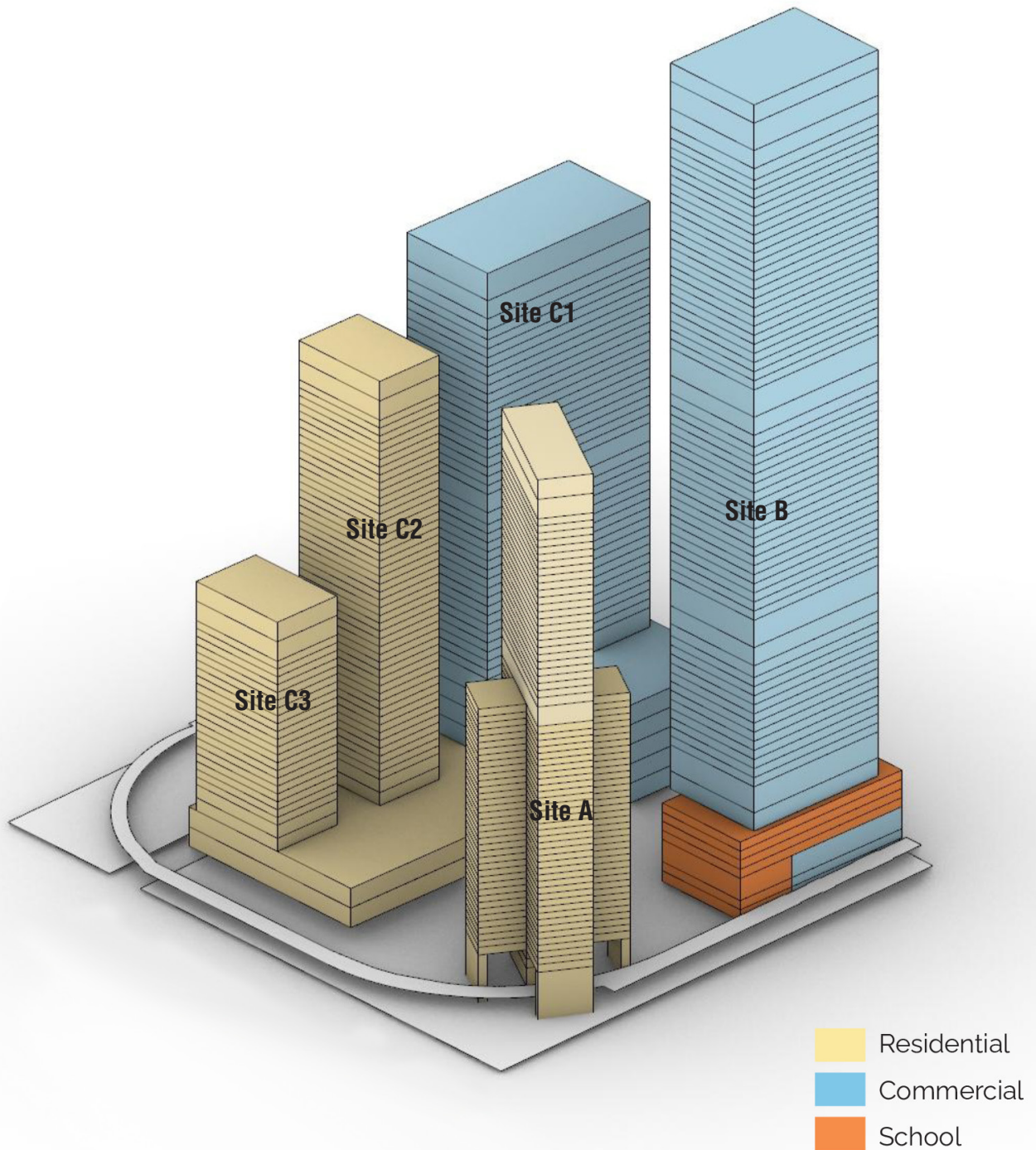
The Alternative Scenario would have the same amount of publicly accessible open space as the Proposed Project and would provide the same amounts of accessory parking on the south portion of the Development Site and LIRR parking. Five new curb cuts would be provided under the Alternative Scenario: two curb cuts would be located along West 30th Street for parking/drop-off and loading, and two curb cuts would be located along

⁵ The LIRR electrical facility includes generators, switch gears, flues, air intake/exhaust plenums/ventilation support, storage, electrical/utility closets, and circulation corridors. LIRR support space includes storage for engineering and parking for LIRR vehicles.



Alternative Scenario Conceptual Site Plan (Illustrative)

Figure 2-5a



Alternative Scenario Massing (Illustrative)
Figure 2-5b

West 33rd Street for parking/drop-off and loading. In addition, a curb cut for parking would be located within the property line at the grade-adjusted West 33rd Street cul-de-sac. The existing curb cut on Twelfth Avenue that provides access for the LIRR would remain. Like the Proposed Project, the Alternative Scenario would require the construction of a platform over approximately two-thirds of the Development Site, enclosing the railyard; assumes the adoption of a City Map amendment that would adjust the grade of West 33rd Street; and requires a revocable consent from DOT for the construction of a staircase and elevator.

As indicated in **Table 2-3**, the approximately 1.25 million gross square feet of incremental development to be created by the Alternative Scenario, in comparison to the No Action condition, would be primarily from office and hotel space.

Table 2-3
Development Program Summary – Alternative Scenario⁶

Use	No Action	With Action	Increment
Residential (gsf)	2,514,225	1,482,476	-1,031,749
Dwelling Units – Total	3,454	1,816	-1,638
<i>Affordable Units</i>	324	324	0
<i>Market Units</i>	3,130	1,492	-1,638
Community Facility – School (gsf)	120,000	120,000	0
<i>Elementary Seats</i>	420	420	0
<i>Intermediate Seats</i>	330	330	0
Community Facility – Day Care (gsf)	10,000	10,000	0
Cultural Space (gsf)	16,000	16,000	0
Office (gsf)	2,185,000	3,745,932	1,560,932
Retail (gsf)	164,500	34,868	-129,632
Hotel (gsf)	0	849,894	849,894
<i>Keys</i>	0	700	700
<i>Amenities</i>	0	295,500	295,500
<i>Food & Beverage</i>	0	40,163	40,163T
Parking (spaces)	225	675	450
Open Space (acres)	4.31	5.63	1.32
Total (gsf)	5,009,725	6,259,170	1,249,445
Note: Total gsf does not include mechanical/parking or LIRR infrastructure/support space.			

Primary Study Area

Like the Proposed Project, the Alternative Scenario would provide housing, including needed affordable housing, along with the provision of a new public school and childcare facility along West 30th Street. These uses would support the residential character of West Chelsea and blocks to the south. The new commercial and residential buildings along West 33rd Street would be in keeping with uses on the Eastern Rail Yard and would be compatible with land use in the primary study area. Similar to the Proposed Project, the Alternative Scenario would provide residential and commercial uses, including a hotel, that would complement neighboring developments within the Eastern Rail Yard,

⁶ The Alternative Scenario office mechanical space area (446,335 gsf) would be approximately 10 percent of the building gross, which is in the typical range (10 to 12 percent) for Class A office buildings. Residential mechanical area (approximately 148,915 gsf) is approximately 9 percent the total gross residential area. Loading dock and parking areas would comprise approximately 164,905 gsf of development.

Western Rail Yard Modifications

albeit without a gaming facility. Therefore, the Alternative Scenario would not result in significant adverse impacts to land use in the primary study area.

Secondary Study Area

The Alternative Scenario's mix of land uses would similarly be consistent with the residential and commercial uses within Hudson Yards and West Chelsea in the secondary study area. In particular, the creation of office space would be consistent with the predominance of office uses in both neighborhoods: the commercial buildings along West 33rd and West 34th Streets, the office-lined corridor along Tenth Avenue, and the converted warehouses west of West 28th Street and Eleventh Avenue. The Alternative Scenario would include a hotel on West 33rd Street, which would offer unparalleled convenience in terms of location and mobility with respect to Javits Center, the City's premier conference and exhibition facility. Because the Javits Center lacks a hotel, the Proposed Actions present a unique opportunity to introduce a new hotel in an area of Manhattan where such a use would be complementary and supportive of surrounding uses, given the adjacency of the Javits Center and the expected use of the proposed hotel by convention attendees. The Alternative Scenario would expand the network of open space, which already includes Bella Abzug Park to the northeast, the Hudson Yards open space within the Manhattan West development, the Hudson River Greenway, and additional portions of Hudson River Park, including Pier 66 to the southwest and Pier 76 to the northwest, and the High Line. The Alternative Scenario's land use would therefore be consistent with the land uses in the secondary study area, and there would be no significant adverse impacts.

ZONING

Development Site and Affected Area

The Alternative Scenario would result in the same effects to the zoning of the Development Site as the Proposed Project. The application for City approvals to modify zoning and land use controls as described above would cover both the Proposed Project and the Alternative Scenario.

Primary and Secondary Study Areas

Similar to the Proposed Project, with the Alternative Scenario, the zoning controls would only affect the Subdistrict F zoning regulations, as they apply specifically to the Development Site. The Alternative Scenario would not result in any changes to zoning in the primary study area or the secondary study area.

PUBLIC POLICY

Development Site and Affected Area

See **Appendix B** for a discussion of the Alternative Scenario's consistency with the goals and objectives of the Waterfront Revitalization Program.

Primary and Secondary Study Areas

The Alternative Scenario would not result in significant adverse impacts to public policy in the primary and secondary study areas as described further below.

OneNYC

The Alternative Scenario would align with the goals of *OneNYC 2050*.

- The Alternative Scenario, like the Proposed Project, would promote thriving neighborhoods through the provision of housing surrounded by parks (Bella Abzug Park, Hudson River Park, the additional Hudson Yards open space, and High Line), cultural facility uses (new cultural facility use on Site B and the Shed), and shared spaces (new public open space on the Development Site).
- The Alternative Scenario, like the Proposed Project, would be a transit-oriented development, located in proximity to the 34th Street-Hudson Yards subway station as well as Penn Station and the Moynihan Train Hall.
- The Alternative Scenario, like the Proposed Project, would promote an inclusive economy by providing new economic opportunities with respect to the proposed new office space.
- The Alternative Scenario, like the Proposed Project, would promote equity and excellence in education with the development of the proposed public school.

Housing Our Neighbors

As with the Proposed Project, the Alternative Scenario would provide 324 units of needed affordable housing and would be supportive of policies addressed in *Housing Our Neighbors*. The Alternative Scenario, like the Proposed Project, would include the development of a 10,000-gsf day care center, a 120,000-gsf public school (subject to the requirements of SCA), and a playground as part of the new 5.63-acre park. These uses would be supportive of policies in *Housing Our Neighbors* that call for investments in infrastructure and services to support lower-income households and help ensure that residents of all income levels have access to economic opportunity.

City of Yes

Like the Proposed Project, the Alternative Scenario would be consistent with the *City of Yes*' goals to modernize and update the City's zoning regulations with respect to sustainability, affordable housing, and economic development.

As with the Proposed Project, the Alternative Scenario would include sustainable building measures that would comply with the City's emissions intensity limits. Further, it is the Applicant's intention that the Proposed Project be LEED Silver-certified.

The Alternative Scenario—like the No Action scenario—would provide 324 units of affordable housing, and the decrease in housing between the With Action and No Action conditions represents a net loss in market-rate luxury condominiums, rather than affordable housing. Further, the proposed day care center, public school, and playground, taken in conjunction with the 324 units of affordable housing, would be consistent with City policies that call for investments to support lower-income households. Like the Proposed Project, the proposed residential buildings in the Alternative Scenario would be in keeping with the neighboring residential developments at 15 Hudson Yards and 3Eleven. The commercial development expected with the Alternative Scenario would provide employment opportunities, expand the City's tax base, and stimulate economic activity in the neighborhood and New York City. The proposed developments would be consistent with trends for commercial development in Hudson Yards, including the development of Class A office buildings, such as 55 Hudson Yards.

Western Rail Yard Modifications

The Alternative Scenario, like the Proposed Project would provide opportunities for jobs and economic development and expand the City's tax base. Further, the Proposed Actions would facilitate commercial and residential buildings that would be located in a transit-oriented neighborhood that is easily accessible. For all of the reasons presented above, the Alternative Scenario is consistent with and supportive of the commercial and residential zoning reforms under *City of Yes*.

Business Improvement Districts

Like the Proposed Project, the Alternative Scenario would contribute to the area's business improvement districts by creating a vibrant, transit-oriented block and implementing streetscape improvements that would enhance the pedestrian experience, activate the area, and create an attractive environment in which to shop, work, and do business. As with the Proposed Project, future visitors to the Alternative Scenario would contribute to local economic activity within the superblocks of the Special Hudson Yards District by shopping at new retail stores, dining at restaurants, and meeting at cafes and the numerous outdoor spaces within the District.

Vision Zero

Like the Proposed Project, the Alternative Scenario aligns with the goals of *Vision Zero* to improve safety on the streets and eliminate pedestrian and driver fatalities. Like the Proposed Project, the Alternative Scenario would be developed in coordination with DOT plans to add pedestrian crossings at Eleventh Avenue, West 32nd and West 31st Streets, which are currently not being served by crosswalks, to further improve the site's pedestrian accessibility. The new staircase and elevator proposed at the northwest corner of the Development Site would facilitate access for persons with disabilities, and would generally provide for greater pedestrian accessibility to other public open spaces on Manhattan's West Side. Adjacent subway station access would serve to discourage vehicular use. The adjustment of the grade of West 33rd Street would allow for pedestrian and vehicular access to the site, including for emergency vehicles.

The development expected with approval of the Proposed Actions would realize the long-held vision of the community, the City and MTA to develop the Western Rail Yard with a dynamic, mixed use development that includes new public open space, residential space, including affordable housing, commercial space, and other community amenities. The Proposed Actions would result in either the Proposed Project or Alternative Scenario. In either case, the proposed uses and public open space would be supportive of existing land uses in the primary and secondary study areas, and would be consistent with zoning and public policies. No significant adverse impacts to land use, zoning, or public policy would result with approval of the Proposed Actions. *