
Appendix B.1 Land Use, Zoning, and Public Policy

B.1.1 INTRODUCTION

The Port Authority of New York & New Jersey (PANYNJ) proposes to replace the existing Port Authority Bus Terminal (PABT) in Manhattan, New York with a new Main Terminal, Storage and Staging Facility (SSF) (also referred to as the West Adjunct in the Final National Environmental Policy Act [NEPA] Scoping Information Packet), and associated ramp infrastructure (collectively, the Replacement Facility). To accommodate the new Main Terminal, a portion of West 41st Street would be permanently closed between Eighth and Ninth Avenues. Two decks over below-grade portions of Dyer Avenue and the Lincoln Tunnel Expressway would be constructed to facilitate construction-period bus storage, standing, and operations. These Dyer Deck-Overs would be converted to publicly accessible open space following completion of the Replacement Facility. The Replacement Facility would be accompanied by private development in the form of two commercial office towers necessary to fund its construction. The Replacement Facility, construction of the Dyer Deck-Overs and their conversion to publicly accessible open space, and private development are collectively referred to as the Bus Terminal Replacement Project (the Proposed Project). In order to facilitate the Proposed Project, PANYNJ is seeking approval for several discretionary actions, consisting of a zoning text amendment, a City Planning Commission special permit, and changes to the City Map to eliminate, discontinue, and close specified volumes of City streets (collectively, the 'Proposed Land Use Actions').

B.1.2 METHODOLOGY

This analysis of land use, zoning, and public policy adheres to a combination of Federal, State, and local regulations and policies. Federal regulations, such as those under NEPA, direct examination of potential conflicts or inconsistencies with applicable Federal, State, regional, and local land use plans, policies, and controls. The analysis considers the compatibility of the Proposed Project with official local and State plans for the comprehensive development of an area, community goals and objectives, and zoning regulations. This analysis primarily follows the guidelines set forth in the *City Environmental Quality Review Technical Manual (CEQR Technical Manual)* for a preliminary assessment (Section 320), which is also consistent with Federal and State guidelines.

Consistent with CEQR guidance, the study area for this analysis is approximately a quarter-mile from the Project Area, which is defined as the area of any potential new construction associated with the Proposed Project (as described in Chapter 1, "Introduction"). 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 vary according to these factors, with

suggested study areas ranging from 200 feet for a small project to a half-mile for a very large project.

The study area is bounded generally by West 48th Street to the north, the Hudson River Greenway to the west, West 30th Street to the south, and Sixth Avenue to the east. The study area consists of the following four analysis areas (**Figure B.1-1**) within West Midtown Manhattan and is further described in **Appendix B.1.1, "Land Use, Zoning, and Public Policy"**:

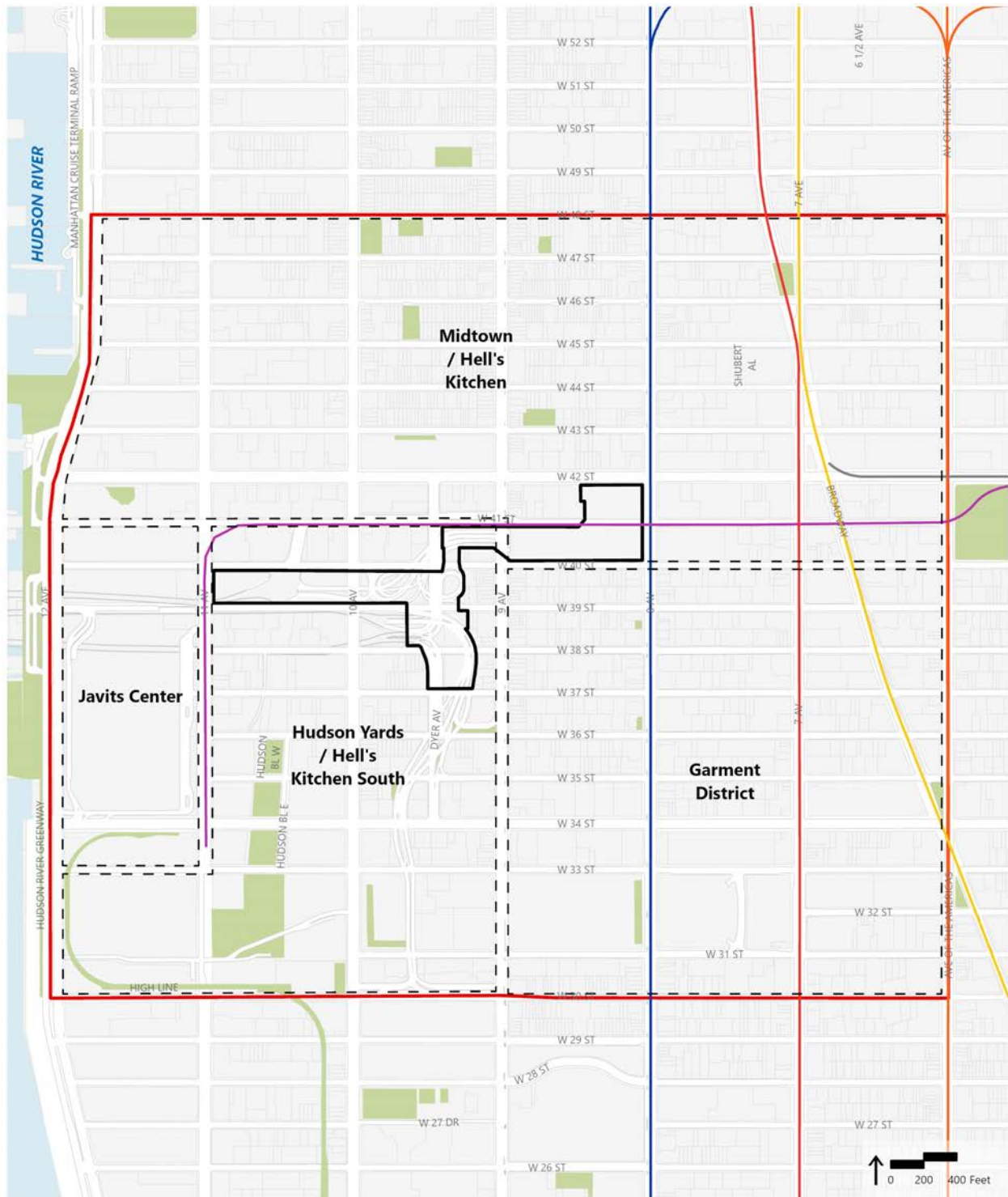
- Midtown / Hell's Kitchen
- Garment District
- Hudson Yards / Hell's Kitchen South
- Javits Center

As described in **Chapter 1, "Introduction,"** this analysis assesses the effects on land use, zoning, and public policy for several future conditions and the incremental changes to the Project Area as a result of the Proposed Project. The existing PABT contains approximately 1.5 million gross square feet (gsf) of transportation and retail uses. The Replacement Facility would contain approximately 3,053,499 gsf of transportation use, and approximately 157,983 gsf of commercial retail uses. The Proposed Project would also include up to 5.0 million gross square feet (gsf) of commercial office space located in two private development towers atop the Replacement Facility.

The Proposed Project would consist of a phased development and as such, three analysis years were identified and are summarized below:

- 2028: When construction of the Dyer Deck-Overs, Storage and Staging Facility (SSF), and ramp structure is expected to be completed. Starting in 2028, the SSF would be used as an interim terminal while the existing PABT is demolished and the new Main Terminal is being constructed.
- 2032: The new Main Terminal is completed.
- 2040: When full demand is projected to occur, the Dyer Deck-Overs would be converted to approximately 3.5 acres of publicly accessible open space, and the private development would be expected to be complete and occupied.

Figure B.1-1. Study Area Map



- Project Area
- Open Space
- A / C / E Subway Line
- S Subway Line
- Study Area
- 1 / 2 / 3 Subway Line
- B / D / F / M Subway Line
- Analysis Areas
- 7 Subway Line
- N / Q / R / W Subway Line

Source: VHB (2023); New York City Department of City Planning

B.1.3 ASSESSMENT

B.1.3.1 Existing Conditions

B.1.3.1.1 Land Use

Project Area

The Project Area is approximately 17.36 acres and is bounded generally by West 42nd Street to the north, Eleventh Avenue to the west, West 37th Street to the south, and Eighth Avenue to the east. It consists of the PABT and its related facilities, and is owned by PANYNJ (see Figure B.1-2 and Figure B.1-4).

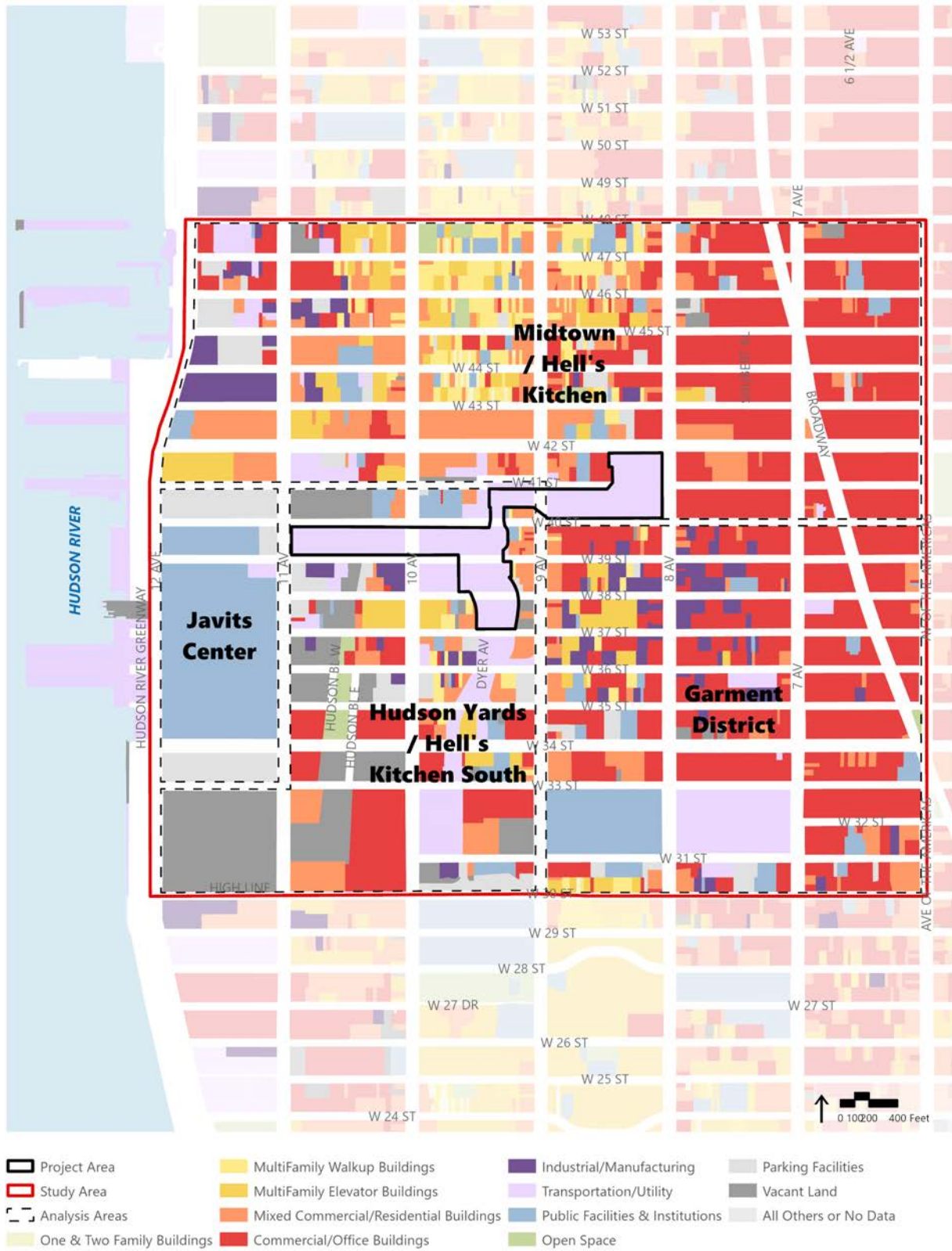
Study Area

Land uses within the study area contain a mix of residential, mixed-use (residential uses above retail), commercial, industrial and manufacturing, and institutional uses, as well as transportation/parking uses and vacant lots (Figure B.1-3). As shown in Table B.1-1, commercial uses constitute the largest percentage of lot area and number of lots, with commercial only and mixed commercial/residential buildings representing approximately 40% of the study area. Transportation/parking uses, primarily related to the existing PABT, represent approximately 28% of the total study area.

The study area is well served by mass transit. In addition to the PABT, Penn Station, which is in the southeast portion of the study area, is another regional transportation hub that serves Amtrak, NJ TRANSIT, and the Long Island Rail Road (LIRR).¹ Moynihan Train Hall is adjacent to Penn Station and also serves Amtrak and LIRR.

¹ Penn Station will also serve Metro-North Railroad, as part of its Penn Station Access project, which is estimated to be complete in 2027.

Figure B.1-3. Land Use Map



Source: VHB, MapPLUTO 21v3 (2023)

Table B.1-1. Study Area: Generalized Existing Land Uses

Land Use		Number of Lots	Percentage of Total Lots	Lot Area (square feet)	Percentage of Lot Area
Residential	One- & Two-Family Buildings	18	1	32,306	0.2
	Multi-Family Walk Up	239	16	690,721	3.4
	Multi-Family Elevator Buildings	64	4	840,789	4.1
Mixed Residential and Commercial		377	25	2,330,357	11.4
Commercial and Office		462	30	5,909,621	29.0
Industrial and Manufacturing		93	6	816,187	4.0
Transportation and Utility		64	4	4,793,333	23.5
Public Facilities and Institutions		78	5	2,180,358	10.7
Open Space		11	1	202,650	1.0
Parking Facilities		57	4	988,221	4.8
Vacant Land		65	4	1,621,865	7.9
Total¹		1,528	100%	20,406,408	100%

Source: MapPLUTO 21v3, January 2023

¹ There is one tax lot (Manhattan Block 1110, Lot 1) that is characterized as a 'Body of Water' and was excluded from the overall analysis.

B.1.3.1.2 Zoning

Project Area

The Project Area spans across several underlying commercial zoning districts (C6-7, C1-7A, C6-3, C2-8, and C6-4) and one residential district (R8A) with a C2-5 commercial overlay (Figure B.1-4). Appendix B.1.1 provides a detailed description of existing zoning.

Special Zoning Districts

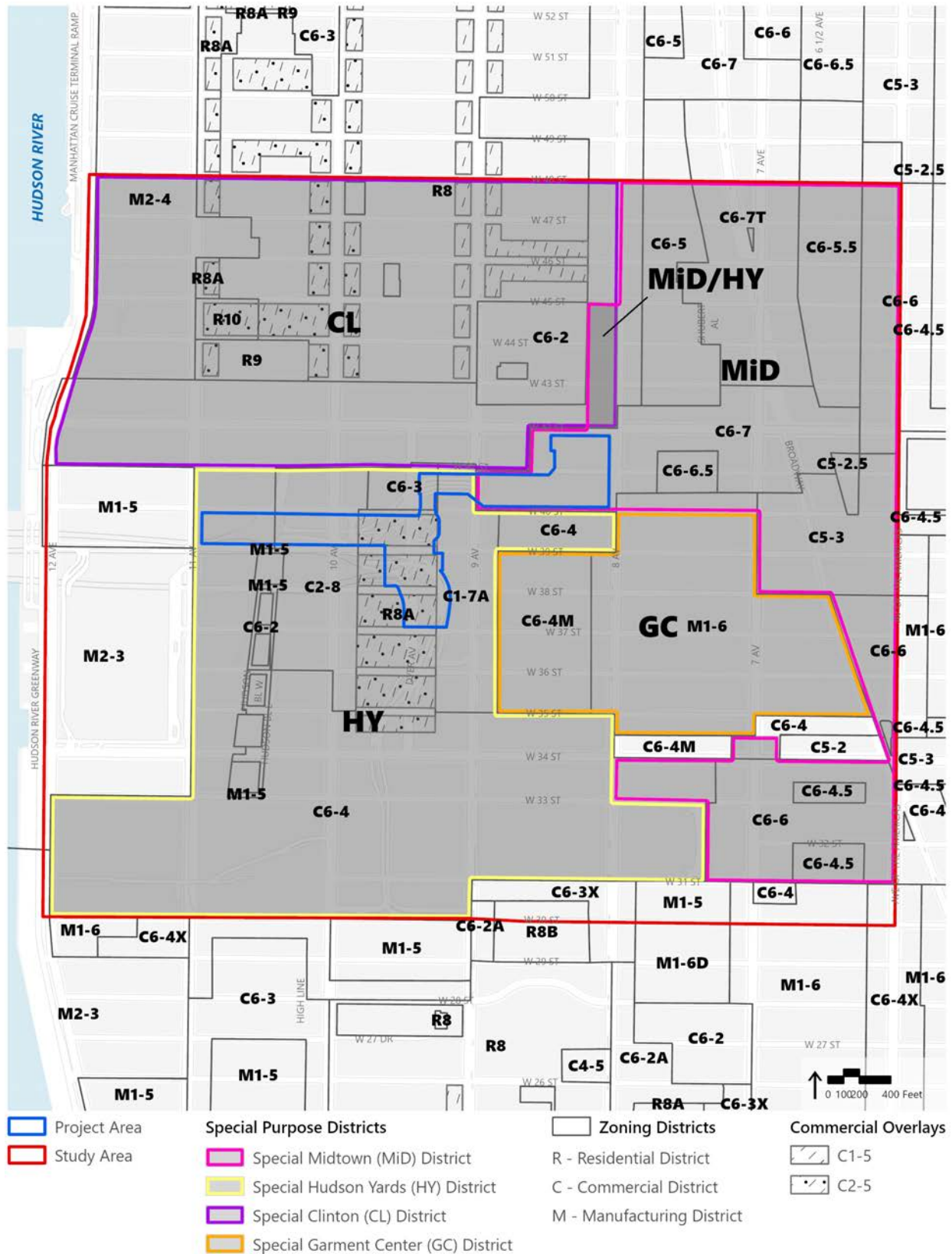
The following special purpose districts are mapped within the Project Area and study area (see Figure B.1-4):

- Special Midtown District
- Special Hudson Yards District
- Special Clinton District
- Special Garment Center District

The New York City Planning Commission (CPC) has designated special purpose zoning districts since 1969 to achieve specific planning and urban design objectives in defined areas with unique characteristics. As noted by the CPC, special districts respond to specific conditions; each special district designated by the CPC stipulates zoning requirements or zoning incentives tailored to distinctive qualities that may not lend themselves to generalized zoning and standard development.

The Project Area falls within the Special Midtown and Special Hudson Yards Districts. In general, high-density mixed-use zoning districts characterize the area, which includes commercial corridors, open space networks, residences, and transit-oriented development.

Figure B.1-4. Existing Zoning Map



Source: VHB; New York City Department of City Planning (2023)

B.1.3.1.3 Public Policy

City Policies

CITY OF YES

In an effort to modernize and update the city's zoning regulations to support small businesses, create affordable housing, and promote sustainability with an overall goal of using zoning to support a more equitable and sustainable city, the Adams administration released three citywide zoning text amendments: Zoning for Carbon Neutrality, Zoning for Economic Opportunity, and Zoning for Housing Opportunity.

NEW YORK WORKS

In 2017, former Mayor de Blasio set a goal of using direct City of New York actions to spur the creation of 100,000 new, high-quality jobs over the subsequent ten years through its investments and direct actions while also continuing to encourage overall economic and job growth.

The *New York Works* plan provides a roadmap to meet the stated goal of creating 100,000 new, high-quality jobs and increasing New Yorkers' incomes so that, together with the City of New York's investments in housing and schools, the city will be a more affordable place for people to live and work.

The City of New York aims to create new jobs in the areas *New York Works* defines as "Tech, Life Science and Healthcare," "Industrial and Manufacturing," "Creative and Cultural Sectors," and "Space for Jobs of the Future."

PLANYC: GETTING SUSTAINABILITY DONE

In April 2023, PlaNYC: Getting Sustainability Done was published as part of the fifth in a series of climate action plans released by the City of New York. It is centered around delivering a cleaner, greener, and more equitable city. PlaNYC builds on the equity focus of the previous sustainability plan, known as OneNYC 2050: NYC Green New Deal. Like OneNYC, growth, sustainability, and resiliency are at the core of PlaNYC, but environmental justice, equity, and improving public health are guiding principles throughout the plan. PlaNYC consists of three main objectives:

- Protection from flood threats: This objective sets goals to mitigate extreme heat, adaptation to flooding, building decarbonization upgrades, and pathways to incorporate clean and reliable energy in public and private infrastructure.
- Improving quality of life: This objective aims to create safe access to quality green spaces, to restore forested areas, to improve health and ecological function of waterways, to reduce transportation emissions, to ensure streets provide a safe, clean, and livable environment and to aim to reduce emissions from food systems through commercial cooking retrofits and sustainable farming practices.
- Building the green economic engine: This objective aims to accelerate an equitable green economy transition, by advancing climate education, creating green jobs opportunities,

encouraging climate entrepreneurship, and creating a circular economy especially for recyclables and reusable assets.

VISION ZERO

The New York City Department of Transportation (NYC DOT) and New York City Police Department developed five plans with the goal of eliminating all fatalities from vehicular, bicycle, and pedestrian traffic crashes. Each plan analyzes the unique conditions of each borough and recommends actions to address the borough's specific challenges to pedestrian safety. The plans identify conditions and characteristics of pedestrian fatalities and severe injuries, and identifies priority corridors, intersections, and areas that disproportionately account for pedestrian fatalities and severe injuries, prioritizing them for safety interventions.

WATERFRONT REVITALIZATION PROGRAM

The Waterfront Revitalization Program (WRP) is the City of New York'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. The Project Area is located outside of the Coastal Zone Boundary; therefore, the WRP is not applicable, and a consistency assessment is not warranted for the Proposed Project.

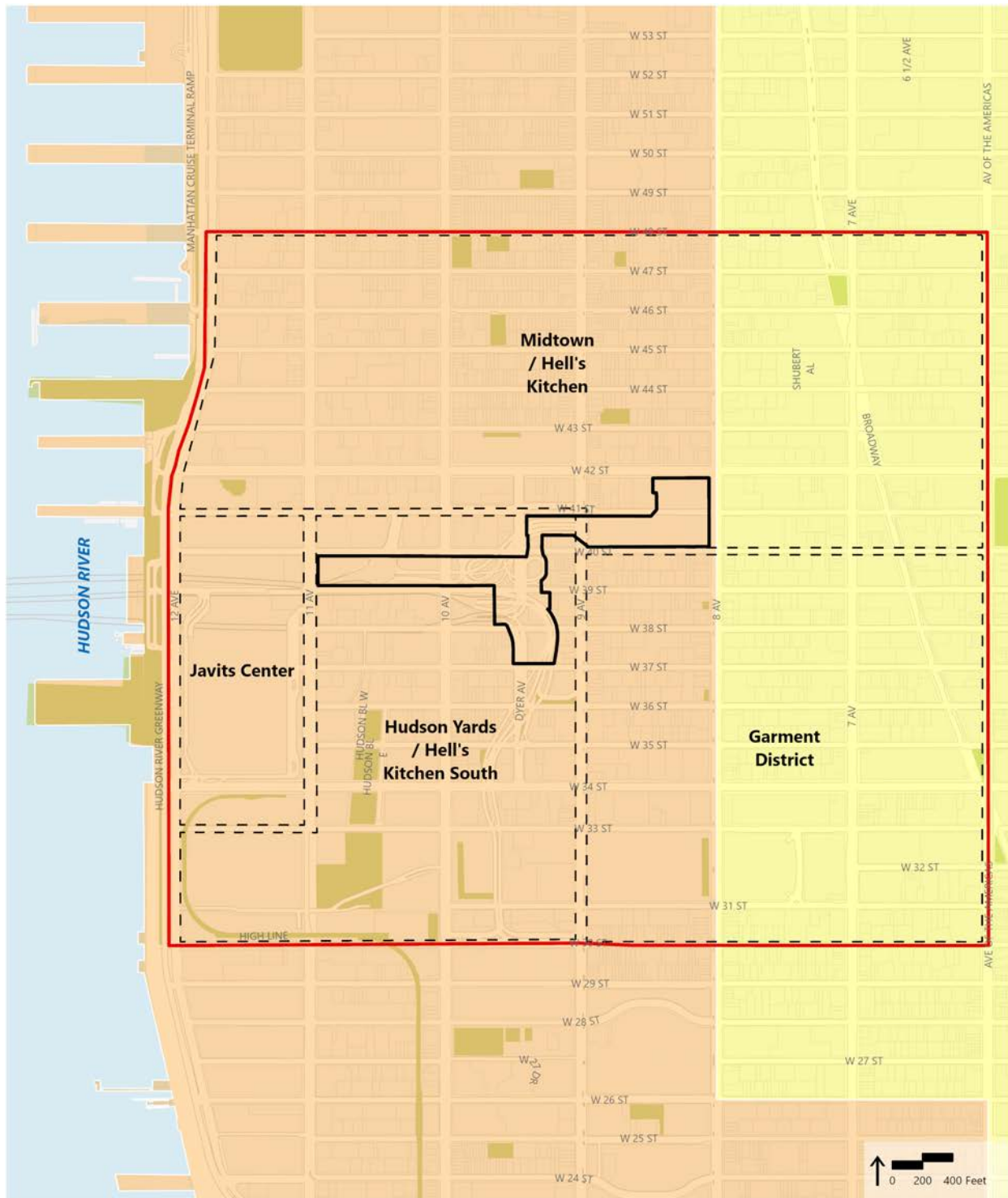
Community Plans and Priorities

2023 MANHATTAN COMMUNITY DISTRICT 4 STATEMENT OF NEEDS

Manhattan Community District 4 (MCD4) (**Figure B.1-5**) issued a Community District Statement of Needs for Fiscal Year 2023 that identified the following issues:

- **Public Safety:** The impact of the COVID-19 pandemic led to a rise in homelessness and increased the severity of substance abuse in MCD4. Thus, MCD4 identified a need for additional support related to mental health outreach, funding for increased foot patrols, and overall improved coordination with community stakeholders.
- **Traffic:** Vehicular traffic due to the presence of the area's transportation infrastructure contributes to diminished air quality, slow public transit, and negative impacts on pedestrian safety and space. These conditions are compounded by development introduced in the vicinity of Hudson Yards, as well as activity related to major transportation hubs such as Penn Station and Moynihan Train Hall. Vehicular traffic also increased, with additional for hire vehicles and deliveries given the presence of citywide distribution centers such as the U.S. Postal Service, and major FedEx and UPS facilities. Pedestrian and bicycle traffic continues to increase and thus, significant investment in sidewalks and pedestrian safety improvements are needed as well.

Figure B.1-5. Community Boards Map



- Study Area
- Analysis Areas
- Project Area
- Open Space
- Manhattan 4
- Manhattan 5

Source: VHB; New York City Department of Planning (2023)

2024 MANHATTAN COMMUNITY BOARD 4 STATEMENT OF NEEDS

MCD4 issued a Community District Statement of Needs for Fiscal Year 2024 that outlined the following issues for the district:

- COVID-19: The impact of COVID led to significant public safety challenges, a high rate of commercial vacancies, and unsanitary street conditions.
- Migrant Crisis: Due to the influx of asylum seekers, MCD4 has experienced an economic strain on their resources as it relates to public schools and social services.

HELL'S KITCHEN SOUTH COALITION NEIGHBORHOOD PLAN

Separately, the Hell's Kitchen South Coalition (HKSC) is an alliance of residents, community service providers, business owners and elected officials, aiming to preserve, protect, and strengthen the community of Hell's Kitchen South (HKS). The primary goal of the HKSC Neighborhood Plan (the Plan) is to ensure that HKS is a healthy and safe place to live and work. The Plan recommends land uses consistent with current zoning for nine PANYNJ-owned sites. The Plan goals are to:

- Reduce air pollution to achieve high air quality standards.
- Accommodate all buses in enclosed buildings and ramps with air filtration to reduce air pollution.
- Improve pedestrian safety by modifying bus infrastructure and operations.
- Add a substantial amount of new public green space, reconnecting the neighborhood.
- Promote new small local retail stores with affordable rents that serve a mixed-income population.
- Generate funding for the PABT replacement, new open spaces and other community improvements using a Transfer of Development Rights mechanism.

MCD4 recommended approval of the HKSC Neighborhood Plan concept for the development of the PANYNJ sites in HKS in April 2018.

2023 MANHATTAN COMMUNITY BOARD 5 STATEMENT OF NEEDS

Manhattan Community Board 5 (CB5) issued a Community District Statement of Needs for Fiscal Year 2023 that outlined the following issues for the district:

- **Economic Development and Recovery**: CB5 is reliant on commuters, business, and tourists. In 2020, CB5 lost many jobs as a result of the COVID-19 pandemic, and employers in the district anticipate that many of their employees will continue to work remotely at least part of the time, challenging long-term recovery. In particular, CB5 recognizes the important economic role small businesses play by adding to the vibrancy and character of a neighborhood and offering employment opportunities. CB5 encourages public / private collaboration to address the challenges faced by both small and large businesses.
- **Homelessness**: CB5 is experiencing an influx of homelessness and substance abuse, which was exacerbated by the City of New York's transfer of individuals from hotels to shelters. CB5

identified a need for services to reduce or prevent homelessness, and mental health and substance abuse treatment and prevention programs.

- **Quality of Life Issues:** Public nuisance, including noise and other disturbances, is a primary concern to CB5. This includes issues such as street and sidewalk noise, increasing graffiti, unauthorized street vendors, petty crime, panhandling, loitering and street encampments. CB5 believes that enforcement of existing regulations will help with the goal of creating an environment where the rights of all are respected and the public space remains dedicated to the public. CB5 believes that public safety enforcement such as traffic and parking enforcement priorities, as well additional NYPD patrols, would increase public order and address quality of life issues.

2024 MANHATTAN COMMUNITY BOARD 5 STATEMENT OF NEEDS

CB5 issued a Community District Statement of Needs for Fiscal Year 2024 that outlined the following issues for the district:

- **Affordable Housing:** The need for more affordable housing is further illustrated by the increase in homeless individuals and the recent increase in asylum seekers. CB5 expressed the need for high-quality temporary shelters and housing programs to serve the homeless. This includes comprehensive programming with wrap-around services such as mental health and substance abuse treatment as well as facility improvements and enrichment programming on site. CB5 also requires affordable housing options for middle income earners due to increasing rents.
- **Quality of Life Issues:** Public nuisance, including noise and other disturbances, and increased crime continue to be primary concerns to CB5. This includes issues such as street and sidewalk noise, increasing graffiti, unauthorized street vendors, petty crime, panhandling, loitering and street encampments. CB5 continues to believe that enforcement of existing regulations will help with the goal of creating an environment where the rights of all are respected and the public space remains dedicated to the public. Furthermore, CB5 believes that public restroom facilities are needed to further improve quality of life issues.
- **Economic Development and Recovery:** Due to the fact that CB5 is heavily dependent upon commuters, businesses and tourists, CB5 requires commercial tenant programs, improved business programs as well grants and loans in order to continue its recovery from the economic devastation wrought by the pandemic. CB5 encourages public / private collaboration to address the challenges faced by businesses small and large as well as educational programs that will allow people to retool their careers. CB5 also encourages the City to consider innovative programs to protect its small businesses and foster new enterprises.

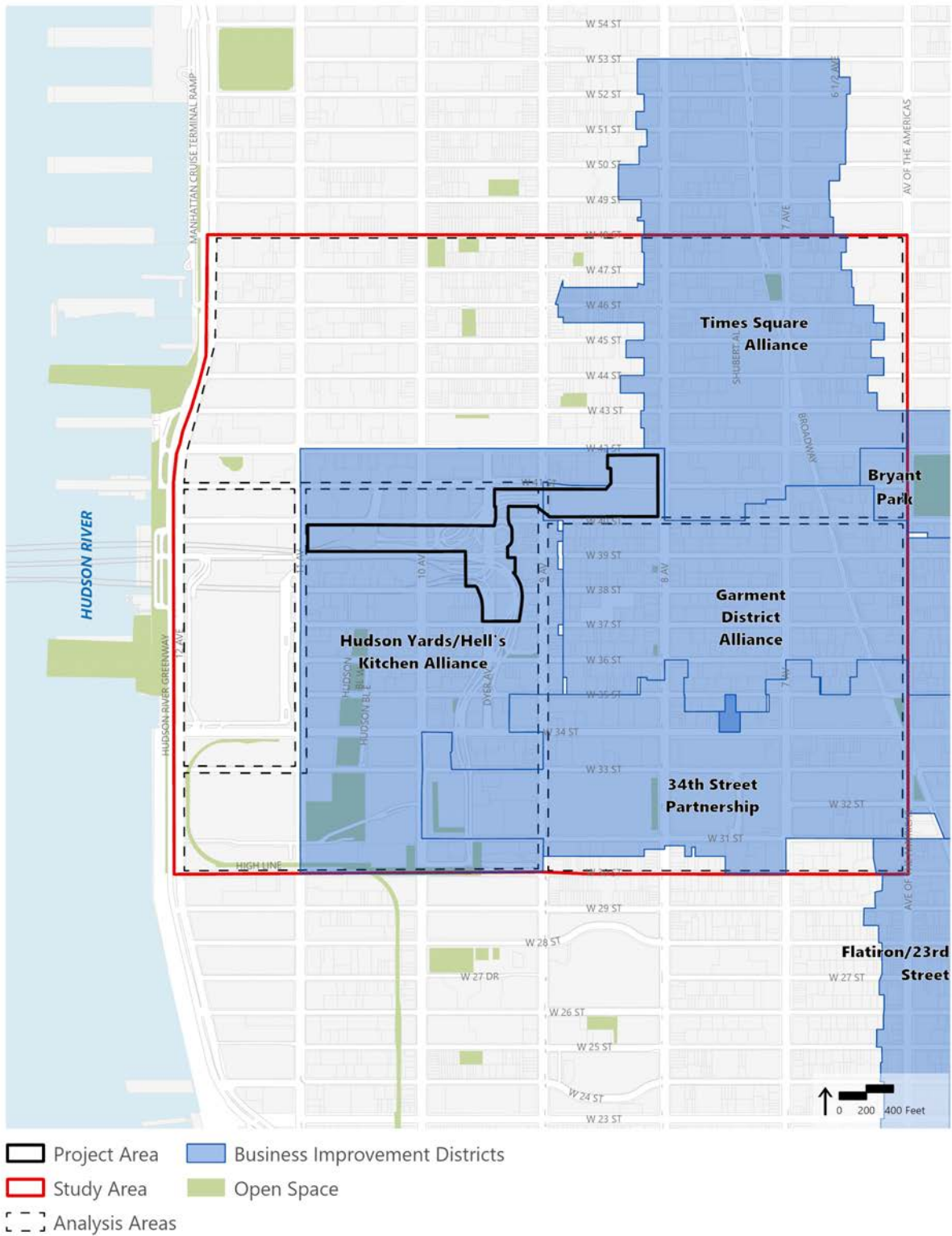
Business Improvement Districts

A Business Improvement District (BID) is a geographical area where local stakeholders oversee and fund the maintenance, improvement, and promotion of their commercial district. BIDs deliver services and improvements above and beyond those typically provided by the City of

New York, such as street cleaning and maintenance, public safety, marketing and events, capital improvements, beautification, advocacy, and business development services.

Six BIDs overlap with the study area: The Hudson Yards/Hell's Kitchen Alliance, the 34th Street Partnership, the Garment District Alliance, the Times Square Alliance, the Bryant Park Corporation, and the Flatiron 23rd Street Partnership (**Figure B.1-6**).

Figure B.1-6. Business Improvement Districts Map



Source: VHB; New York City Department of Small Business Services (2024)

B.1.4 POTENTIAL IMPACTS OF THE NO ACTION ALTERNATIVE

The No Action Alternative consists of the repair of the existing PABT, and is described in **Chapter 1. “Introduction.”**

B.1.4.1 2028 Future without the Proposed Project

B.1.4.1.1 Land Use

Project Area

In the 2028 Future without the Proposed Project, the existing PABT would be retained but would require substantial maintenance and repairs over an approximately 10- to 13-year period to continue its safe use. The existing types of uses would remain the same as existing conditions and the construction of the SSF and Ramps would not occur.

Study Area

Independent of the Proposed Project, new developments are expected to be completed within the study area by 2028 (**Table B.1-2** and **Figure B.1-7**).

Table B.1-2. Proposed Private Land Use Development Projects within the Study Area (2028)

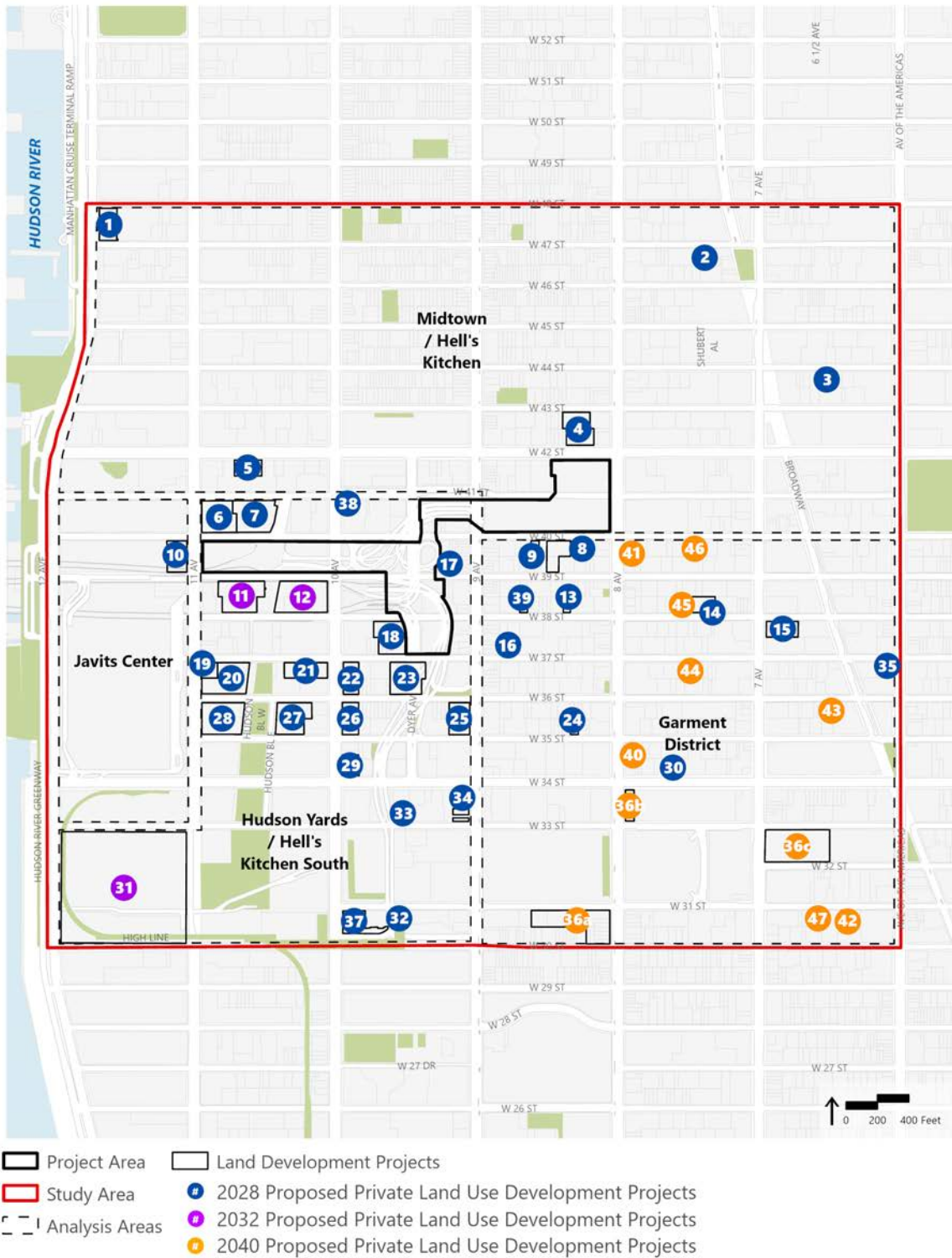
Current Map No.	Location	Commercial Zoning Floor Area (square feet)	Hotel (rooms)	Community Facility Zoning Floor Area (square feet)	Residential Units	Build Year
Midtown / Hell's Kitchen						
1	<u>648 West 48th Street</u>	<u>268,565</u>	≡	—	—	<u>2024</u>
2	<u>226 West 47th Street</u>	—	<u>136</u>	—	—	<u>2024</u>
3	<u>136 West 44th Street</u>	9,965	—	—	—	2028
4	<u>314 West 43rd Street</u>	54,793	—	—	309	2024
5	<u>536 West 42nd Street</u>	—	—	—	7	2025
Garment District						
8	306-308 West 40 th Street	—	120	—	—	2025
9	350 West 40 th Street	—	594	—	—	2025
13	319-321 West 38 th Street	—	366	—	—	2028
14	223 West 38 th Street	—	579	—	—	2028
15	515 Seventh Avenue	226,896	—	—	—	2028
16	349-355 West 37 th Street	11,355	—	—	136	2028
<u>24</u>	<u>317-319 West 35th Street</u>	<u>3,909</u>	≡	≡	<u>166</u>	<u>2025</u>
<u>30</u>	<u>245 West 34th Street</u>	<u>9,496</u>	≡	≡	<u>180</u>	<u>2028</u>
<u>35</u>	<u>100 West 37th Street</u>	<u>86,817</u>	<u>122</u>	≡	<u>300</u>	<u>2024</u>
<u>39</u>	<u>341 West 38th Street</u>	≡	≡	≡	<u>112</u>	<u>2024</u>

Appendix B.1. Land Use, Zoning, and Public Policy

Current Map No.	Location	Commercial Zoning Floor Area (square feet)	Hotel (rooms)	Community Facility Zoning Floor Area (square feet)	Residential Units	Build Year
Hudson Yards / Hell's Kitchen South						
6	550 West 41 st Street	62,500	—	—	499	2025
<u>7</u>	<u>520 West 41st Street</u>	<u>1,220,000</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>2028</u>
17	409 West 39 th Street	—	—	8,579	448	2025
18	Hudson Yards Potential Site 53; b/w Ninth-Tenth Aves. On West 38 th Street	<u>10,000</u>	—	—	98	2025
19	<u>450 Eleventh Avenue</u>	<u>—</u>	<u>379</u>	<u>—</u>	<u>—</u>	<u>2024</u>
20	<u>99 Hudson Boulevard</u>	<u>1,495,000</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>2028</u>
21	<u>Hudson Yards Projected Site 9; b/w Tenth-Eleventh Aves. On West 37th Street</u>	<u>43,000</u>	<u>—</u>	<u>—</u>	<u>516</u>	<u>2025</u>
22	<u>Hudson Yards Projected Site 25; b/w Ninth-Tenth Aves. On West 37th Street</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>233</u>	<u>2025</u>
23	<u>Hudson Yards Projected Site 26</u>	<u>14,580</u>	<u>—</u>	<u>—</u>	<u>304</u>	<u>2025</u>
25	<u>Hudson Yards Projected Site 28, Hudson Mews II (South), Dermot Company</u>	<u>16,100</u>	<u>—</u>	<u>—</u>	<u>361</u>	<u>2025</u>
26	<u>360 Tenth Avenue</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>237</u>	<u>2025</u>
27	<u>Hudson Yards Projected Site 7; Phase II</u>	<u>1,464,529</u>	<u>—</u>	<u>—</u>	<u>255,200 SF</u>	<u>2028</u>
28	<u>418 Eleventh Avenue</u>	<u>1,675,344</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>2025</u>
29	<u>461 West 34th Street</u>	<u>—</u>	<u>399</u>	<u>—</u>	<u>—</u>	<u>2025</u>
32	<u>432 West 31st Street</u>	<u>—</u>	<u>220</u>	<u>—</u>	<u>—</u>	<u>2028</u>
<u>33</u>	<u>431 West 33rd Street</u>	<u>6,280</u>	<u>—</u>	<u>—</u>	<u>24</u>	<u>2028</u>
<u>34</u>	<u>411-423 Ninth Avenue</u>	<u>1,395</u>	<u>—</u>	<u>—</u>	<u>12</u>	<u>2025</u>
37	<u>358 Tenth Avenue</u>	<u>—</u>	<u>472</u>	<u>—</u>	<u>220</u>	<u>2025</u>
38	<u>550 Tenth Avenue</u>	<u>35,764</u>	<u>—</u>	<u>—</u>	<u>453</u>	<u>2025</u>
Javits Center						
10	495 Eleventh Avenue	42,047	755	49,748	275	2028

Source: Western Rail Yard Modifications EAS; Midtown South Mixed-Use Plan DSQW; Hudson Yards FEIS; Empire Station FEIS/Scope; 495 Eleventh Avenue FEIS; Starrett-Lehigh and Terminal Warehouse FEIS; NYC Department of Buildings; Community District 4.

Figure B.1-7. Proposed Private Land Use Development Projects within the Study Area



Source: VHB (2024): [Western Rail Yard Modifications EAS](#); [Midtown South Mixed-Use Plan DSOW](#); Hudson Yards Final Environmental Impact Statement (FEIS); Empire Station FEIS/Scope; 495 Eleventh Avenue FEIS; Starrett-Lehigh and Terminal Warehouse FEIS; NYC Department of Buildings; Community District 4.

B.1.4.1.2 Zoning

In the 2028 Future without the Proposed Project, no changes to zoning are expected to occur in the Project Area or in the study area due to the fact that there are no pending zoning map or zoning text amendments.

B.1.4.1.3 Public Policy

There are no planned changes in public policy applicable to the Project Area and study area in the 2028 Future without the Proposed Project.

B.1.4.2. 2032 Future without the Proposed Project

B.1.4.2.1 Land Use

Project Area

In the 2032 Future without the Proposed Project, the existing PABT would be retained but would require substantial maintenance and repairs to continue its safe use.

Study Area

Independent of the Proposed Project, several new developments would be completed within the study area by 2032 (Figure B.1-7 and Table B.1-3).

Table B.1-3. Proposed Private Land Use Development Projects within the Study Area (2032)

Map No.	Location	Commercial Zoning Floor Area (square feet)	Hotel (rooms)	Community Facility Zoning Floor Area (square feet)	Residential Units	Build Year
Hudson Yards / Hell's Kitchen South						
11	528-534 West 39 th Street	1,170,410	—	—	437	2030
12	501-505 Tenth Avenue	52,000	—	—	624	2030
<u>31</u>	<u>Western Rail Yard Site</u>	<u>4,925,000</u>	<u>—</u>	<u>146,000</u>	<u>1,507</u>	<u>2030</u>

Source: Western Rail Yard Modifications EAS; Midtown South Mixed-Use Plan DSOW; Hudson Yards FEIS; Empire Station FEIS/Scope; 495 Eleventh Avenue FEIS; Starrett-Lehigh and Terminal Warehouse DEIS; NYC Department of Buildings; Community District 4.

B.1.4.2.2 Zoning

In the 2032 Future without the Proposed Project, potential changes expected to occur in the Project Area are discussed in detail below.

Changes to zoning in the study area are expected to occur as a result of the proposed Western Rail Yard modifications consisting of zoning text amendment to allow modification of the use and public open space regulations applicable to Subdistrict F of the Special Hudson Yards District; special permits pursuant to Zoning Resolution (ZR) Section 93-58 and Section 13-45; a special permit pursuant to ZR Section 13-45 for additional parking spaces; a curb cut authorization pursuant to ZR Section 13-441; an amendment to the City Map to adjust the grade

of West 33rd Street between Eleventh and Twelfth Avenues; modification of the previously-approved Declaration of Restrictions for Subdistrict F of the Special Hudson Yards District; and a revocable consent for a staircase and elevator in the West 33rd Street sidewalk at Twelfth Avenue, for site access. These zoning changes are site-specific and would not affect the zoning in the Project Area.

B.1.4.2.3 Public Policy

There are no planned changes in public policy applicable to the Project Area and study area in the 2032 Future without the Proposed Project.

B.1.4.3. 2040 Future without the Proposed Project

B.1.4.3.1 Land Use

Project Area

In the 2040 Future without the Proposed Project, the requisite maintenance and repair of the existing PABT would be anticipated to be complete. The built area and building footprint would remain the same as in existing conditions.

Study Area

Independent of the Proposed Project, new developments would be completed within the study area by 2040 (**Figure B.1-7** and **Table B.1-4**).

Table B.1-4. Proposed Private Land Use Development Projects within the Study Area (2040)

Map No.	Location	Commercial Zoning Floor Area (square feet)	Hotel (rooms)	Community Facility Zoning Floor Area (square feet)	Residential Units	Build Year
Garment District						
<u>36a</u>	Empire Station Site 1	757,999	563	—	—	2033
<u>36b</u>	Empire Station Site 4	389,160	734	—	—	2033
<u>36c</u>	Empire Station Site 7	2,081,000	—	—	—	2033
<u>40</u>	<u>490 8th Avenue</u>	<u>9,676</u>	<u>—</u>	<u>—</u>	<u>68</u>	<u>2034</u>
<u>41</u>	<u>608-610 8th Avenue</u>	<u>27,386</u>	<u>—</u>	<u>—</u>	<u>112</u>	<u>2034</u>
<u>42</u>	<u>124 West 31st Street</u>	<u>10,548</u>	<u>—</u>	<u>—</u>	<u>63</u>	<u>2034</u>
<u>43</u>	<u>128 West 36th Street</u>	<u>6,734</u>	<u>—</u>	<u>—</u>	<u>47</u>	<u>2034</u>
<u>44</u>	<u>232 West 37th Street</u>	<u>7,070</u>	<u>—</u>	<u>—</u>	<u>49</u>	<u>2034</u>
<u>45</u>	<u>243 West 38th Street</u>	<u>6,856</u>	<u>—</u>	<u>—</u>	<u>47</u>	<u>2034</u>
<u>46</u>	<u>236 West 40th Street</u>	<u>8,212</u>	<u>—</u>	<u>—</u>	<u>57</u>	<u>2034</u>
<u>47</u>	<u>140 West 31st Street</u>	<u>10,250</u>	<u>—</u>	<u>—</u>	<u>61</u>	<u>2034</u>

Source: Western Rail Yard Modifications EAS; Midtown South Mixed-Use Plan DSOW; Hudson Yards FEIS; Empire Station DEIS/Scope; 495 Eleventh Avenue FEIS; Starrett-Lehigh and Terminal Warehouse DEIS; NYC Department of Buildings; Community Board 4.

B.1.4.3.2 Zoning

In the 2040 Future without the Proposed Project, no changes to zoning are expected to occur in the Project Area.

One change to zoning is expected to occur in the study area as part of Empire State Development approval of an override of the New York Zoning Resolution, which allows for development associated with the proposed Pennsylvania Station Area Civic and Land Use Improvement Project located in the Garment District sub-area.² The General Project Plan outlines an override of the New York City Zoning Resolution anticipated to be in effect by 2033 to facilitate the build-out of eight development sites with more floor area than would otherwise be permitted under existing zoning and supersedes the bulk requirements of the underlying zoning.

Another change to zoning is expected to occur in the study area as part of the Midtown South Mixed-Use Plan, which involves zoning map amendments and zoning text amendments to the New York City Zoning Resolution.

B.1.4.3.3 Public Policy

There are no planned changes in public policy applicable to the Project Area and study area under the 2040 Future without the Proposed Project.

B.1.5 POTENTIAL IMPACTS OF THE PREFERRED ALTERNATIVE

The Preferred Alternative consists of the Replacement Facility and private development in the form of two commercial office towers necessary to fund its construction, and is described in Chapter 1, "Introduction."

B.1.5.1. 2028 Future with the Proposed Project

B.1.5.1.1 Land Use

Between 2024 and 2028, for a period of approximately four years, the Dyer Deck-Overs, SSF, and ramps would be under construction. Initially used as an interim terminal, during the subsequent construction phase, when the existing PABT is no longer in service, the SSF serve as an interim bus terminal until the new Main Terminal is completed in 2032.

The Dyer Deck-Overs, SSF, and ramps would be consistent with existing land uses found within the Project Area, which is characterized by transportation infrastructure as discussed in **Section B.1.3.1.1**. The changes to the Project Area introduced by the Proposed Project in 2028 would be site-specific and consistent with the existing land uses in the study area, which also contains transportation/utility uses as discussed in Section B.1.3.1.1. Thus, significant adverse impacts to surrounding land uses would not occur in the 2028 Future with the Proposed Project.

² Pennsylvania Station Area Civic and Land Use Improvement Project FEIS, June 2022.

B.1.5.1.2 Zoning

As mentioned previously, PANYNJ is seeking approval for several discretionary actions to facilitate the Proposed Project including a zoning text amendment, a special permit, and changes to the City Map. These specific changes are discussed in detail in **Appendix B.1.1, "Land Use, Zoning, and Public Policy."**

The Proposed Project would not change local laws or be anticipated to conflict with the overall zoning policy for the Project Area or study area. In the areas in which zoning changes are needed, PANYNJ would seek approval for the necessary discretionary actions as discussed above. The Proposed Project would also be consistent with the general goals of the Special Midtown District because the Replacement Facility would strengthen the business core of Midtown Manhattan by improving the working environment and the new ramp structure would improve circulation, resulting in an avoidance of conflicts with vehicular traffic. The Proposed Project would also be consistent with the general goals of the Special Hudson Yards District as it would result in transit-oriented businesses by coordinating high density development with mass transit facilities through the commercial towers and provision of open spaces through the conversion of the Dyer Deck-Over to publicly accessible open space. The Proposed Land Use Actions would not be inconsistent with the zoning in the study area. Therefore, there would be no significant adverse zoning impacts from the Proposed Project.

B.1.5.1.3 Public Policy

Land use changes anticipated as a result of the Proposed Project in 2028 are expected to be consistent with known public policies, as described below in **Section B.1.5.3**.

B.1.5.2. 2032 Future with the Proposed Project

B.1.5.2.1 Land Use

Between 2028 and 2032, the new Main Terminal would be constructed at roughly the same location as the existing PABT, specifically on the portions of the Project Area including Block 1032, Lot 29 and Block 1050, Lots 13 and 30. The bulk of the Main Terminal would occupy the footprint of the existing PABT (Block 1032, Lot 29). The new Main Terminal would contain a lower-level for bus operations and mechanical space. The new Main Terminal would also contain a below-grade subway level providing direct connections to the existing New York City Transit Eighth Avenue (A/C/E) subway station, with extended connections to the 42nd Street – Times Square subway station. Furthermore, the new Main Terminal would include commercial retail areas, a street level providing pedestrian entrances, loading docks, private development tower lobbies, street-facing retail spaces, a second level providing pedestrian circulation, operations and offices supporting the Replacement Facility, as well as ticketing areas, and bus operations on floors three through seven. The primary pedestrian entrances to the Street Level of the Main Terminal would be along Eighth Avenue, with several entrances between West 40th Street and West 42nd Street; additional entrances would be located along West 40th Street, Ninth Avenue, and West 41st Street. Vertical circulation such as escalators, stairwells, and elevators would be

provided to facilitate passenger circulation to upper levels and to accommodate Americans with Disabilities Act (ADA) requirements. The Main Terminal would be integrated with the SSF to provide bus circulation from the ramp structure, through the SSF, to each of the five above-ground operating levels. Overall, there would be a total of approximately 3,053,499 gsf of transportation use with the development of the new Main Terminal, SSF, and ramps. Under the Proposed Land Use Actions, the new Main Terminal would not constitute zoning floor area. Although the density in the Project Area would increase, the use would remain the same.

The Replacement Facility would contain approximately 157,983 gsf of retail space, or an incremental decrease of approximately 17 gsf compared to the Future without the Proposed Project. Approximately 109,283 gsf would be street-facing retail and 48,700 gsf would be interior retail.

During this time, the Dyer Deck-Overs would no longer be utilized for interim bus operations as the new Main Terminal would have been constructed, and the SSF would be converted to accommodate storage and staging of buses.

The Replacement Facility would be consistent with existing land uses found within the Project Area, which is characterized by transportation infrastructure and commercial retail uses as discussed in **Section B.1.3.1.1**. Similarly, the study area contains transportation and utility uses as well commercial uses. Therefore, the Proposed Project would not be introducing uses substantially different than what currently exists or would be developed in the Future without the Proposed Project. Furthermore, the Replacement Facility would increase capacity and facilitate improved circulation that would be consistent with the level of passenger flow and activity found on the Project Area and typical of areas within the Manhattan core, a portion of which occurs within the study area. The changes to the Project Area introduced by the Proposed Project in 2032 would be site-specific and consistent with the existing land uses in the surrounding area. Thus, significant adverse impacts to surrounding land uses are not expected in 2032 in the Future with the Proposed Project.

B.1.5.2.2 Zoning

The proposed city street map and text amendments associated with the Proposed Project are evaluated above in **Section B.1.5.1.2**. There would be no further changes to zoning attributable to the Proposed Project in the 2032 analysis year.

B.1.5.2.3 Public Policy

Land use changes anticipated as a result of the Proposed Project in 2032 are expected to be consistent with the known public policies, as described in **Section B.1.5.3**.

B.1.5.3. 2040 Future with the Proposed Project

B.1.5.3.1 Land Use

Project Area

By 2040, full demand is projected to occur and the private development (in the form of two commercial office towers) would be anticipated to be complete and occupied. The two commercial office towers, located over the Main Terminal on Block 1032, Lot 29, would contain up to approximately 5.0 million gsf. Tower 1 would contain approximately 3.0 million gsf of commercial office space with a maximum building height envelope of approximately 1,346 feet. Tower 2 would contain approximately 2.0 million gsf of commercial office space with a maximum building height envelope of approximately 926 feet. The private development would contain a maximum floor area of approximately 4,677,102 zoning square feet (zsf), equivalent to an FAR of 18.0 relative to the lot area of the C6-7(MiD) portion of the Project Area. The proposed FAR of 18.0 represents an increase of approximately 776,517 zsf above the basic maximum FAR of 15.0. Detailed discussion of the proposed zoning changes as it relates to the proposed commercial office towers are discussed under **Section B.1.3.1.**

To the immediate south of the PABT, the Dyer Deck-Overs would be converted from interim operational uses to approximately 3.5 acres of publicly accessible open space. These improvements do not require approval of the land use actions.

As described previously in **Section B.1.3.1**, the expanded facilities introduced by the Proposed Project would be consistent with existing land uses within the Project Area, which is characterized by transportation infrastructure with local retail uses. In the Future with the Replacement Facility, would be consistent with existing uses. The Proposed Project would increase capacity and facilitate improved circulation that would be consistent with the level of passenger flow and activity found on the Project Area and typical of areas within the Manhattan core and the study area as illustrated by other transportation uses such as Penn Station and Moynihan Train Hall. Furthermore, the private development in the form of two commercial office towers is consistent with the high-density commercial office uses and mixed-use developments as discussed in **Section B.1.3.1.** Overall, the changes to the Project Area introduced by the Proposed Project would not introduce new incompatible uses to the study area and would be site-specific and consistent with the land uses in the study area. Thus, significant adverse impacts to surrounding land uses are not expected as a result of the Proposed Project.

B.1.5.3.2 Zoning

The proposed city street map and text amendments associated with the Proposed Project are evaluated above in **Section B.1.5.1.2.** There would be no further changes to zoning attributable to the Proposed Project in the 2040 analysis year.

B.1.5.3.3 Public Policy

New York City Policies

CITY OF YES

The Proposed Project would not conflict with the city's anticipated City of Yes zoning text amendments: Zoning for Carbon Neutrality, Zoning for Economic Opportunity, and Zoning for Housing Opportunity. Development of the Proposed Project would be consistent with the goals of these text amendments. The Replacement Facility would incorporate state-of-the art technology in its design to improve passenger experience, maximize operational efficiencies and sustainability.

NEW YORK WORKS

The Proposed Project would help fulfill the commitment in the New York Works plan to create good-paying jobs through the development of up to 5.0 million gsf of commercial office space. The private development associated with the Proposed Project is anticipated to generate approximately 20,466 new permanent jobs. As such, the Proposed Project would support this policy.

PLANYC: GETTING SUSTAINABILITY DONE

The Proposed Project would support several of the goals of PlanYC detailed in the following sections.

BUILDINGS

Initiative 11: Reduce the carbon footprint of the construction industry by 2033.

The Proposed Project would be supportive of this initiative through adherence to PANYNJ's sustainability policy.

PANYNJ sustainability policy requires construction projects greater than 1,000 gsf to adhere to PANYNJ's Sustainable Building Guidelines.³ While not required to achieve full certification, PANYNJ encourages projects to follow United States Green Building Council Leadership in Energy and Environmental Design (LEED) guidelines. The Replacement Facility would be designed, constructed, and commissioned to achieve, at minimum, a LEED v4 Silver Certification.

PANYNJ sustainability policy also accommodates non-building projects (e.g., bridges, roadways, and parking lots), which are governed by PANYNJ's Sustainable Infrastructure Guidelines. PANYNJ's Sustainable Infrastructure Guidelines leverage the Institute for Sustainable Infrastructure's (ISI) Envision Rating System. An Envision Gold rating is anticipated to be pursued for those components of the Proposed Project that are subject to PANYNJ's Sustainable Infrastructure Guidelines, including the Dyer Deck-Overs.

³ <https://www.panynj.gov/port-authority/en/about/Environmental-Initiatives/clean-construction.html>

CLEAN & RELIABLE ENERGY

Initiative 13: Connect NYC to clean electricity resources.

The Proposed Project would be supportive of this initiative because the Replacement Facility would include provisions for electric bus charging infrastructure, the utilization of which would be anticipated to reduce emissions from buses.

GREEN SPACE

Initiative 15: Create an accessible and connected network of open spaces.

The Proposed Project would introduce approximately 3.5 acres of publicly accessible open space through the conversion of the Dyer Deck-Overs from their use during interim operations after completion of the Replacement Facility.

TRANSPORTATION

Initiative 21: Prioritize public transit, walking, and biking first.

The Replacement Facility would incorporate state-of-the-art technology to improve passenger experience, maximize operational efficiencies and contribute to the City of New York's sustainability goals. The Replacement Facility would accommodate off-street bus storage and staging in the SSF, and provide additional space for intercity bus operations (that currently operate at curbside locations on public streets), which would reduce vehicular emissions and congestion in the surrounding area. In addition, the Replacement Facility would include provisions for electric bus charging infrastructure, the utilization of which would be anticipated to reduce emissions from buses. The PANYNJ Clean Construction Program would reduce carbon emissions during construction of the Proposed Project. Therefore, the Proposed Project would be consistent with this initiative.

VISION ZERO

The Project Area is located within a Vision Zero Priority Area. [Appendix B.4 "Transportation"](#) describes pedestrian conditions within the surrounding area and identifies measures introduced by the Proposed Project to be consistent with Vision Zero.

Community Plans and Priorities

2023/2024 MANHATTAN COMMUNITY DISTRICT 4 STATEMENT OF NEEDS

The Proposed Project would support goals listed in the MCD4 Statement of Needs:

- **Traffic:** The Replacement Facility would accommodate off-street bus storage and staging and provide additional space for intercity bus operations, thereby reducing vehicular congestion in the surrounding area. Separately, the Proposed Project would support additional multimodal transportation options through provision of bike parking/storage, which would contribute to reduced traffic congestion in the roadways surrounding the Project Area.

The Proposed Project would not conflict with the 2024 MCD4 Statement of Needs.

HELL'S KITCHEN SOUTH COALITION NEIGHBORHOOD PLAN

The Proposed Project would support several of the HKSC goals:

- **Significantly reduce air pollution, aiming for the highest possible air quality standards.** The Replacement Facility would accommodate off-street bus storage and staging and introduce additional space for intercity bus operations. These measures would also create more efficient flow of buses and remove buses from surrounding area by providing space within the Main Terminal for intercity buses currently operating at curbside locations. In addition, the Replacement Facility would include provisions for electric bus-charging infrastructure, the utilization of which would be anticipated to reduce emissions from buses. Separately, the Proposed Project would support additional multimodal transportation options through provision of bike parking/storage, which would contribute to reduced traffic congestion in the roadways within and surrounding the Project Area.
- **Add a substantial amount of new public green space, reconnecting the neighborhood.** The Proposed Project would introduce approximately 3.5 acres of publicly accessible open space through the conversion of the Dyer Deck-Over, following completion of the new Main Terminal.
- **Promote new small local retail stores with affordable rents that serve a mixed-income population.** The Proposed Project would result in an additional approximately 157,983 gsf of retail space, including interior retail and street-facing retail.

2023/2024 MANHATTAN COMMUNITY DISTRICT 5 STATEMENT OF NEEDS

The Proposed Project would support goals listed in the CB5 Statement of Needs:

- **Economic Development and Recovery:** The Project Area would be developed with a new Replacement Facility to replace the existing PABT, 5.0 million gsf of commercial use, an additional 157,983 gsf of retail use, and 3.5 acres of publicly accessible open space through the conversion of the Dyer Deck-Over following completion of the new Main Terminal. As such, the introduction of retail and office space would contribute to the long-term economic development of the neighborhood.

COMMUNITY ORGANIZATIONS

Business Improvement Districts

The Proposed Project would not affect the operations or policies of the various BIDs that operate within the study area.