

LEGAL NOTICE

NEW YORK STATE URBAN DEVELOPMENT CORPORATION

D/B/A EMPIRE STATE DEVELOPMENT

NOTICE OF PUBLIC HEARING TO BE HELD MARCH 29, 2021 PURSUANT TO

SECTION 16 OF THE NEW YORK STATE URBAN DEVELOPMENT

CORPORATION ACT AND

ARTICLE 8 OF THE ENVIRONMENTAL CONSERVATION LAW

IN CONNECTION WITH

THE PROPOSED EMPIRE STATION COMPLEX CIVIC AND LAND USE

IMPROVEMENT PROJECT

PLEASE TAKE NOTICE that the New York State Urban Development Corporation d/b/a Empire State Development (“ESD”) will hold a public hearing, open to all persons, on Monday, March 29, 2021 from 5:00 pm to 8:00 pm, pursuant to Section 16 of the New York State Urban Development Corporation Act (Chapter 174, Section 1, Laws of 1968, as amended; the “UDC Act”) and the State Environmental Quality Review Act (Article 8 of the New York State Environmental Conservation Law) and the regulations adopted pursuant thereto (6 NYCRR Part 617) (collectively “SEQRA”), utilizing the Zoom video communications and teleconferencing platform, to consider: (a) the General Project Plan (the “GPP”) for the proposed Empire Station Complex Civic and Land Use Improvement Project (the “Project”); and (b) the Draft Environmental Impact Statement (“DEIS”) for the Project. The link for the virtual public hearing is https://us02web.zoom.us/meeting/register/tZAqc-6qrjMsEtBw5na484O_opVtF7dVvp5K;

the number for calling in is (646) 558 – 8656. Additional information explaining how to participate in the virtual public hearing is available on ESD’s website at: <https://esd.ny.gov/empire-station-complex>.

The public hearing is for the purpose of: (1) informing the public about the Project; (2) giving all interested persons an opportunity to provide comments on the GPP, pursuant to Section 16 of the UDC Act; and (3) giving all interested persons the opportunity to give testimony on the DEIS pursuant to SEQRA.

Project Area

The area of the Project (the “Project Area”) is generally bounded by Sixth and Ninth Avenues to the east and west, and by West 30th and West 34th Streets to the south and north, and is located in Manhattan Community Districts 4 and 5. The Project Area includes all or portions of nine Manhattan tax blocks—Blocks 754, 755, 780, 781, 783, 806, 807, 808, and 809. These blocks encompass New York Pennsylvania Station (“Penn Station”), Madison Square Garden, 1 Penn Plaza, 2 Penn Plaza, Moynihan Train Hall, and surrounding blocks, including the following development parcels: Site 1, at 403-415 Eighth Avenue (Block 754, Lots 34–41, 44, 51, and 63); Site 2, comprising the full block bounded by West 30th and West 31st Streets and Seventh and Eighth Avenues (Block 780, all lots); Site 3, at 363-371 Seventh Avenue (Block 806, Lots 1, 3, 6, 9, 69, and 76); Site 4, located on the east side of Eighth Avenue between West 33rd and West 34th Streets (Block 783, Lot 1 and part of Lot 70); Site 5, located on the west side of Seventh Avenue between West 33rd and West 34th Streets (Block 783, Lots 34, 48 and part of Lot 70); Site 6, at 435 Seventh Avenue (Block 809, Lots 1, 3, 4, 5, 8, 16, 17, 69, 73, 80, and 82); Site 7, located on the east side of Seventh Avenue

between West 32nd and West 33rd Streets (Block 808, Master Lot 7501); and Site 8, located on the west side of Sixth Avenue between West 32nd and West 33rd Streets (Block 808, Lot 40).

Project Description

The Project is described in detail in the GPP, available to the public as set forth below. The Project would address substandard and insanitary conditions in the Project Area through a comprehensive redevelopment initiative that would create a revitalized and cohesive, transit-oriented mixed-use district and add much-needed mixed-use development and civic improvements. The Project would benefit Penn Station and encourage high-density development around a world-class transportation hub. Moreover, the Project would support substantial jobs and economic activity in New York City and investments in regional rail and transit infrastructure. Specifically, the Project would result in the development of ten new buildings on eight development sites (the “Project Sites” or “Sites”) in the Project Area. The Project’s developments would incorporate new onsite entrances and access ways to Penn Station and public transit. The Project’s public realm improvements would enhance the surrounding streetscape and address open space and pedestrian, bicycle, and vehicular circulation.

The Project is designed to support the reconstruction and potential southward expansion of Penn Station, which would be accomplished through independent but related projects that would be undertaken by one or more of the involved public rail transportation entities, namely, the Metropolitan Transportation Authority (“MTA”), the National Railroad Passenger Corporation a/k/a Amtrak (“Amtrak”) and New Jersey Transit (“NJT”). Development facilitated by the Project would generate essential

revenue for the reconstruction of Penn Station and for improvements to subway stations and other transit facilities in the Project Area, as well as the potential expansion of Penn Station. The Project would accommodate the expansion of Penn Station to the south to allow for the creation of new, below-grade tracks and platforms, significantly increasing the station's capacity.

If forthcoming planning and federal environmental review activities result in the selection of a preferred alternative that would expand Penn Station to the south of the existing station, additional rail infrastructure would be built beneath three of the Project's proposed development sites (Sites 1, 2 and 3). In such event, the Project would require that the mixed-use development accommodate the potential station expansion at these Sites and beneath adjoining streets. The design, construction, and operation of an expanded Penn Station would be assumed by one or more of the involved public transportation entities: MTA, Amtrak, and/or NJT. The specific assignment of responsibilities for those tasks is the subject of ongoing collaboration and planning among MTA, Amtrak, and NJT.

To allow for the implementation of the Project, ESD would override the New York City Zoning Resolution and other local laws and requirements, as applicable, in accordance with the UDC Act and as further discussed below. ESD will establish design guidelines (the "Design Guidelines") that specify the parameters for permitted development of the Project in lieu of zoning or other local laws or requirements inconsistent with the Project. The Project would be designed in accordance with Design Guidelines and enforced in the transaction documents for the Project.

The Project's anticipated completion date is 2038 for full Project build-out, subject to market conditions, including demand for the commercial space that comprises the substantial portion of the new development within the Project Area.

Public Purposes

The Project is a comprehensive redevelopment initiative to create a revitalized, mixed-use district centered around Penn Station. The Project would result in the development of ten new buildings on eight Project Sites in the Project Area; new onsite entrances and access ways to Penn Station and public transit; and public realm improvements to address pedestrian, bicycle, and vehicular circulation and enhance the surrounding streetscape. The Project would support the reconstruction and potential expansion of Penn Station, which would be accomplished through independent but related projects that would be undertaken by one or more of the involved railroads (MTA, Amtrak, and/or NJT).

The subway stations adjoining Penn Station need substantial investment, including new entrances, wider platforms and greater interconnectivity with adjoining rail and transit facilities. The construction of new transit improvements as part of the Project will address this critical need. The Project includes suitable public facilities that currently serve and would be expanded to serve vital civic and public purposes, namely: the subway stations and transit connections with Penn Station would be improved with new or upgraded entrances, wider platforms and below-grade passageways; the support for the potential expansion of Penn Station; and above-grade public realm improvements constructed in connection with the proposed developments, including sidewalk widenings, new publicly accessible open space, enhancements to existing open space, together with the potential

expansion of Penn Station and the potential creation of shared streets and the potential addition and/or improvement of bike lanes.

The improvements to the local area subway stations, PATH station and Penn Station below-grade passageways may be operated by MTA or the other railroad entities. Project Sites 4, 5, 6, 7, and 8 would accommodate high-density, primarily commercial buildings that also provide space for on-site transit and public realm improvements, and it is anticipated that the space above the Penn Station expansion facilities on Project Sites 1, 2 and 3 would be conveyed to and constructed and operated by private developers. The new transit-oriented developments would revitalize Penn Station and the Project Area and be consistent with the sound needs of the City, State and region.

As described in detail in the GPP, the Project is expected to generate revenue streams to support the reconstruction and potential southward expansion of Penn Station along with other public realm and transit improvements.

Discretionary Actions

A number of ESD discretionary actions are subject to review pursuant to the UDC Act and SEQRA. After the public hearing is held and the subsequent 30-day public comment period is concluded, it is expected that a Final Environmental Impact Statement (“FEIS”) will be completed and issued by ESD, and the ESD Directors will be requested to make statutory findings under SEQRA and affirm, or if appropriate, modify and affirm, the GPP pursuant to the UDC Act. In addition, to effectuate the Project, as described in the GPP, ESD would exercise its statutory authority to override local zoning requirements that apply to the Project and any other local laws requirements that are inconsistent with the GPP. Subject to such overrides and the Design Guidelines, the New York City Building

Code will apply, including with respect to all construction, buildings, structures and infrastructure on the Project Sites.

Potential Impacts of the Project

ESD, as the SEQRA lead agency, has certified the DEIS which has been prepared in accordance with SEQRA. The Project is classified as a Type I action under SEQRA. The DEIS identifies the following areas of potential significant adverse impacts: open space; shadows from proposed new buildings; historic architectural resources; visual resources; traffic; subway station and line-haul impacts; pedestrian conditions; and construction-related impacts in the areas of transportation, noise, localized neighborhood character, and historic resources. The DEIS describes practicable and feasible measures to mitigate these impacts, where applicable.

Availability of the GPP and DEIS

The GPP, which contains a detailed description of the Project, as well as the DEIS, are available at the ESD web site at <https://esd.ny.gov/empire-station-complex> and are on file at the office of ESD, 633 Third Avenue, New York, New York 10017 and available for inspection by the general public between the hours of 9:30 a.m. to 5:00 p.m., Monday through Friday, public holidays excluded.

Hard copies of the GPP and the executive summary of the DEIS and a flash drive with the full DEIS are available, without charge, to any person requesting such copies at the office of ESD at the address given above. Pursuant to Section 16(2) of the UDC Act, ESD also has filed a copy of the GPP, including the findings required under Section 10 of the UDC Act, in the office of the New York City Clerk and in the office of the New York County Clerk and has provided a copy thereof to the Mayor of the City of New York, the

Manhattan Borough President, the Chair of the New York City Planning Commission, the Chair of Manhattan Community Board 4 and the Chair of Manhattan Community Board 5. Copies of the DEIS have been provided to all involved agencies and to other parties as required under SEQRA. To inspect and/or obtain copies of the GPP and DEIS from ESD, please call (212) 803-2477 or email empirestation@esd.ny.gov.

Comments

Comments on the GPP and the DEIS are requested. Comments may be made orally at the virtual hearing on March 29, 2021; delivered in writing to ESD, 633 Third Avenue, New York, New York 10017 (Attention: Stacey Teran), on or before 5:00 p.m. on Wednesday, April 28, 2021; or sent by e-mail to empirestation@esd.ny.gov, on or before 5:00 p.m. on Wednesday, April 28, 2021. Written or e-mailed comments received after 5:00 p.m. on April 28, 2021 will not be considered.

All verbal comments made at the public hearing and all written comments received by ESD prior to 5:00 pm on April 28, 2021 will be considered by ESD prior to final consideration of the GPP and issuance of the FEIS.

Dated: February 24, 2021

New York, New York

NEW YORK STATE URBAN
DEVELOPMENT CORPORATION D/B/A
EMPIRE STATE DEVELOPMENT

By: _____
Debbie Royce
Corporate Secretary