

A. INTRODUCTION

This section assesses whether changes in the Project and in background conditions since 2006 would result in any new or different significant adverse impacts to land use, zoning, and/or public policy that were not previously identified in the 2006 FEIS. The regulatory context and methodology for this analysis are the same as described in the 2006 FEIS.

B. CHANGES IN BACKGROUND CONDITIONS

As discussed in Section 2, “Analytical Framework,” in connection with the preparation of this Technical Memorandum background conditions and the status of development projects anticipated for completion through 2015 have been updated for the FEIS study area.

Updates to the No Build list were made through review of New York City Department of Buildings permits, identification of construction sites, and review of No Build lists for other projects. The updated No Build list includes projects that were planned prior to the current economic slowdown. Although some of these projects are now on hold, they are assumed to still be moving forward in the future when market conditions improve. Therefore, since projects were not removed, this list is conservatively inclusive. Since the FEIS was completed in 2006, some development projects have been completed in the surrounding area and are currently built and fully occupied. Other projects have changed in the amount and type of development expected and/or the expected year of completion, and some new projects are under development or are proposed.

The 2010 future conditions included approximately 28 No Build projects including: 6.1 million gsf of new office space; 603,492 gsf of new retail space; 330,260 gsf of new community facility space; 9,084 new residential units; and 1,600 new hotel rooms (see **Table 2-3**). In comparison, the 2015 future conditions assume: 4.9 million gsf of new office space; 823,636 gsf of new retail space; 198,726 gsf of new community facility space; 11,874 new residential units; and 2,823 new hotel rooms. As set forth in **Table 2-3**, the total development anticipated to be complete by the Project’s 2015 Build year is similar to the total development anticipated to have been completed by 2010 (as analyzed in the 2006 FEIS) but with a smaller amount of office and community facility development and slightly more hotel, residential, and retail development.

These changes to background conditions are modest in relation to the overall land use development anticipated within the study area, and notwithstanding these changes, the overall land use profile of the study area will remain the same as analyzed in the 2010 future conditions for the 2006 FEIS. In summary, changes in background conditions since 2006 and future conditions anticipated through 2015 would not substantially alter the conclusions presented in the FEIS for land use. Although there is more of a trend toward residential, hotel, and retail development than office uses— and although additional No Build projects have been added— the essential land use patterns within the study area have remained similar to what was expected in the FEIS.

In April 2007, subsequent to completion of the 2006 FEIS, the Mayor’s Office of Long Term Planning and Sustainability released *PlaNYC: A Greener, Greater New York*. It includes policies to address three key challenges that the City faces over the next twenty years: (1) population growth; (2) aging infrastructure; and (3) global climate change. Elements of the plan are organized into six categories—land, water, transportation, energy, air quality, and climate change—with corresponding goals and objectives for each.

No significant changes to zoning or public policy are expected by 2015 for the project site, the Development Transfer Site, or study area.

C. PROJECT DESIGN CHANGES

FARLEY COMPLEX—PHASE 1

As described in Section 1, “Project Description,” Phase 1 of the Project would consist of improvements to below-grade infrastructure. Above-grade work would be limited to two new Eighth Avenue entrances into the Farley Building. The design and configuration of these entrances would be the same as assessed in the 2006 FEIS.

LAND USE

The proposed below-grade changes for the Project would modify the Farley Building to accommodate the proposed passenger rail uses—as anticipated in the 2006 FEIS—although the configuration and design of these modifications would be somewhat different than previously analyzed. The proposed rail uses of the Farley Building would continue to be consistent with the surrounding uses in the area. The proposed below-grade changes to the Project do not include any changes to its proposed uses, and would not require any new structures or expansion of building floor area. Therefore, the proposed changes would not change the FEIS conclusion that the Project would not result in significant adverse environmental impacts with respect to land use.

ZONING

The proposed below-grade changes do not involve any changes to zoning, proposed use, or expansions of building floor area. Therefore, the proposed changes would not change the FEIS conclusion that the Project would not result in significant adverse environmental impacts with respect to zoning.

PUBLIC POLICY

The proposed below-grade changes would continue to be compatible with the goals of the 34th Street Partnership Business Improvement District, as the Project would continue to bring new activity to the Farley Complex block. The proposed changes would have no influence on the recommendations for zoning changes or projected development for Chelsea in the 197-a plan developed for this area. Therefore, the Project would continue to be compatible with these policies. The Project also would continue to be consistent with the public policy goal of federal, state, and city agencies to redevelop the Farley Complex as a safe, efficient, and contemporary intermodal transportation facility and commercial center to meet New York’s future transportation needs. With the proposed changes, the Project would be compatible with the goals and initiatives of PlaNYC, by improving and capitalizing on transit access.

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Therefore, the proposed changes would not change the FEIS conclusion that the Project would not result in significant adverse environmental impacts with respect to public policy.

FARLEY COMPLEX—PHASE 2

AMTRAK STATION OPTION

Land Use

The proposed changes under the Amtrak Station Option would not involve any alterations to the overall program of uses for the Project. The Project would continue to create a new public destination and activity at the Farley Complex, which would have the beneficial effect of providing improved opportunities to integrate activity with the surrounding land uses. In addition, the proposed rail uses would continue to be consistent with the surrounding uses in the area, and the proposed commercial retail facilities at the Farley Complex would help to generate more activity at the site and make the site more visible. Although the primary occupant of the station would change, as would some station design elements, these changes would not require any new structures or expansion of building floor area. Therefore, the proposed changes under the Amtrak Station Option would not change the FEIS conclusion that the Project would not result in significant adverse impacts with respect to land use.

Zoning

As described above and as discussed in the 2006 FEIS, to facilitate the use of the Farley Building for rail service, it is expected that ESDC would exercise its override power with respect to Section 74-62 of the Zoning Resolution of the City of New York. However, the Project would remain consistent with the substantive requirements of the Zoning Resolution of the City of New York for the construction of a railroad passenger station. The proposed changes to the Project do not involve any changes to zoning, proposed use, or expansions of building floor area. Therefore, the proposed changes under the Amtrak Station Option would not change the FEIS conclusion that the Project would not result in significant adverse environmental impacts with respect to zoning.

Public Policy

The Amtrak Station Option, like the Project as assessed in the 2006 FEIS, would be compatible with the goals of the 34th Street Partnership Business Improvement District, as the Project would continue to bring new activity to the Farley Complex block. The proposed changes would have no influence on the recommendations for zoning changes or projected development for Chelsea in the 197-a plan developed for this area. Therefore, the Project would continue to be compatible with these policies. The Project also would continue to be consistent with the public policy goal of federal, state, and city agencies to redevelop the Farley Complex as a safe, efficient, and contemporary intermodal transportation facility and commercial center to meet New York's future transportation needs. With the proposed changes, the Amtrak Station Option would be compatible with the goals and initiatives of PlaNYC, by improving and capitalizing on transit access. In addition, an analysis of the technical and economic feasibility of installing combined heat and power as part of any development on the Development Transfer Site would be undertaken in accordance with PlaNYC. Therefore, the proposed changes under the Amtrak Station Option would not change the FEIS conclusion that the Project would not result in significant adverse environmental impacts with respect to public policy.

OPEN STATION OPTION

As described in Section 1, “Project Description,” the Open Station Option would be more similar in terms of station layout to the station design examined in the 2006 FEIS than would be the Amtrak Station Option.

Land Use

The Open Station Option, like the Amtrak Station Option, would not involve any alterations to the overall program of uses for the Project. Like the Amtrak Station Option and the project assessed in the 2006 FEIS, the Project would continue to create a new public destination and activity at the Farley Building, which would have the beneficial effect of providing improved opportunities to integrate activity with the surrounding land uses. In addition, the proposed rail uses would continue to be consistent with the surrounding uses in the area, and the proposed commercial retail facilities at the Farley Complex would help to generate more activity at the site and make the site more visible. Although some design and configuration elements would change, these changes would not require any new structures or expansion of building floor area. Therefore, the proposed changes under the Open Station Option would not change the FEIS conclusion that the Project would not result in significant adverse impacts with respect to land use.

Zoning

As described above and as discussed in the 2006 FEIS, to facilitate the use of the Farley Building for rail service, it is expected that ESDC would exercise its override power with respect to Section 74-62 of the Zoning Resolution of the City of New York. However, the Project would remain consistent with the substantive requirements of the New York City Zoning Resolution for the construction of a railroad passenger station. The proposed changes to the Project do not involve any changes to zoning, proposed use, or expansions of building floor area. Therefore, the proposed changes under the Open Station Option would not change the FEIS conclusion that the Project would not result in significant adverse impacts with respect to zoning.

Public Policy

The Open Station Option, like the Amtrak Station Option and the project assessed in the 2006 FEIS, would be compatible with the goals of the 34th Street Partnership Business Improvement District, as the Project would continue to bring new activity to the Farley Complex block. The proposed changes would have no influence on the recommendations for zoning changes or projected development for Chelsea in the 197-a plan developed for this area. Therefore, the Project would continue to be compatible with these policies. The Project also would continue to be consistent with the public policy goal of federal, state, and city agencies to redevelop the Farley Complex as a safe, efficient, and contemporary intermodal transportation facility and commercial center to meet New York’s future transportation needs. With the proposed changes, the Open Station Option would be compatible with the goals and initiatives of PlaNYC, by improving and capitalizing on transit access. In addition, an analysis of the technical and economic feasibility of installing combined heat and power as part of any development on the Development Transfer Site would be undertaken in accordance with PlaNYC. Therefore, the proposed changes under the Open Station Option would not change the FEIS conclusion that the Project would not result in significant adverse environmental impacts with respect to public policy. *