

**New York State Urban Development Corporation
d/b/a Empire State Development
Empire Station Complex Civic and Land Use Improvement Project
General Project Plan
Adopted February 18, 2021**

I. BACKGROUND AND SUMMARY OF THE PROJECT

The New York State Urban Development Corporation ("UDC") d/b/a Empire State Development ("ESD") is adopting this General Project Plan ("GPP") for the Empire Station Complex Civic and Land Use Improvement Project (the "Project") in accordance with the New York State Urban Development Corporation Act (the "UDC Act").

The Project is a comprehensive redevelopment initiative to create a revitalized area centered around a vastly improved New York Pennsylvania Station ("Penn Station") in Manhattan. It would address substandard and insanitary conditions and provide for construction of significant civic improvements in the Project Area (as defined below). The primary components of the Project—which would result in the creation of a thriving and sustainable transit-oriented district with badly needed public transportation improvements and public realm amenities—are described in more detail below. The Project facilitates related plans for the reconstruction and potential expansion of Penn Station.¹

The Project would address substandard and insanitary conditions in the Project Area through a comprehensive redevelopment initiative that would create a cohesive, transit-oriented district and add much-needed mixed-use development and civic improvements. 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. Its 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 of the State of New York ("MTA"), National Railroad Passenger Corporation's ("Amtrak"), and New Jersey Transit ("NJT"). The relocation of most of the operations of Amtrak to Moynihan Train Hall provides the opportunity to reconstruct Penn Station. Moreover, Amtrak and the public rail transportation entities with operations in Penn Station are undertaking planning for the potential southward expansion of Penn Station into Block 780 and parts of Blocks 754 and 806 to accommodate additional tracks and platforms.

¹ This GPP provides for development above an expanded Penn Station to the south of the existing station. In the event the involved railroads and federal agencies select a different alternative to a southward expansion, only Sites 4-8 would proceed, and ESD would consider modifications to portions of the Project as appropriate to achieve the goals of revitalizing the area and improving Penn Station.

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, thus 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.

The Project would create a revitalized mixed-use district that 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.

The Project's mixed-use redevelopment would leverage the Project Area's transit-rich location, create a premier mixed-use district, provide for public transportation and public realm improvements essential for a dynamic business district and urban neighborhood, and complement other transformative initiatives that have reshaped the Far West Side and Midtown over the past 20 years. Furthermore, the Project would reflect a public commitment to the area commensurate with the essential infrastructure investments already funded (*e.g.*, Moynihan Train Hall and East End Gateway) and being planned (*e.g.*, the reconstruction and potential expansion of Penn Station). In summary, the Project would create a vibrant, high-density, mixed-use district with a functional public realm that would complement long-term development initiatives and reinforce the major infrastructure investments in the reconstruction and potential expansion of Penn Station.

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 Penn Station, Madison Square Garden ("MSG"), the 1 Penn Plaza building ("1 Penn"), the 2 Penn Plaza building ("2 Penn"), Moynihan Train Hall, and surrounding blocks. (*See* the Project Site Plan annexed hereto as Exhibit A.) The Project does not include any new commercial buildings at the existing MSG, 1 Penn, 2 Penn or Moynihan Train Hall sites. The Project Area is centrally located in Manhattan, near Hudson Yards and the Midtown Central Business District, proximate to passenger rail service at Penn Station and subway service at three major stations that provide connections to other portions of New York City and the region.

Summary of the Project's Elements:

- **Creation of a transit-oriented district to benefit Penn Station and revitalize the surrounding area.** The Project would result in approximately 20 million gross square feet (“gsf”) of primarily Class A commercial office, retail, hotel, and potentially residential space on eight Project Sites.
- **Improvements to area subway stations and transit connections with Penn Station.** ESD, in collaboration with MTA and the private developers of the Project Sites, would construct or cause the construction of transit improvements as part of the Project, subject to the approval of the applicable rail or transit agencies. It is anticipated that transit improvements would be implemented at the following subway stations: 34th Street–Penn Station (Eighth Avenue A/C/E Lines), 34th Street–Penn Station (Seventh Avenue 1/2/3 Lines), and 34th Street–Herald Square (Sixth Avenue B/D/F/M/N/Q/R/W Lines and Port Authority Trans-Hudson (“PATH”) train service). Transit improvements would include a below-grade east–west corridor between the 34th Street–Penn (1/2/3 Lines) and 34th Street–Herald Square subway stations, new station entrances, new stairways, widening of existing stairways and platforms, consideration of below-grade north–south circulation east of Seventh Avenue, and other improvements.
- **Implementation of public realm improvements.** The Project would include the construction of public realm improvements in the Project Area, including those that would be constructed in connection with certain of the proposed developments, such as specified setbacks from the street line to widen the effective width of the congested sidewalks adjoining some of the Project Sites. A new public plaza would be constructed on Site 2 as described below.

The Project would support and facilitate independent but related projects to reconstruct and expand Penn Station. These related projects would be undertaken separately by one or more of the involved railroads (MTA, Amtrak, and/or NJT) and, as appropriate, would be subject to their own environmental reviews and approvals processes. Specifically, subject to the approval and agreement of the involved railroads, the Project would support related projects as follows:

- **Reconstruction of the existing Penn Station.** Revenue from the Project’s new development would contribute towards funding for substantial improvements to the existing Penn Station through a Penn Station Master Plan that is under development by MTA, Amtrak, and NJT.
- **Potential expansion of Penn Station.** The Project would support the potential southward expansion of Penn Station by (i) providing a potential source of substantial funding for the potential expansion, and (ii) facilitating transit-oriented development above the below-grade expansion of tracks and platforms south of the existing Penn Station. Such an expansion of Penn Station would increase the overall station capacity for train operations and passenger flow. The expanded facility could incorporate additional tracks to substantially increase Penn Station’s existing track and platform capacity. Subject to ongoing collaboration and planning among the involved public transportation providers (MTA, Amtrak, and NJT) and any required federal approvals and federal environmental reviews, the potential expansion of

Penn Station assumed for planning purposes would occupy the below-grade levels of Block 780 and portions of Blocks 754 and 806 and adjoining streets. If the Penn Station expansion proceeds at this location, the Project would be designed and constructed to accommodate the below-grade rail infrastructure for the potential station expansion, a new above-grade Amtrak service building, and above-grade entrances to the expanded train station. The proposed buildings on Sites 1, 2 and 3 would only proceed if the southern expansion alternative is selected as the preferred alternative by the three railroad entities.

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 in Section VIII below. The Design Guidelines specify the parameters for permitted development of the Project in lieu of zoning or other local laws or requirements inconsistent with the Project.

In accordance with the UDC Act, ESD intends to continue to consult with the City of New York (“City”) to accomplish the Project’s development goals and the planning and design of public realm and public transportation improvements for the area. In the planning and design of public realm improvements, ESD consulted with the New York City Department of City Planning (“DCP”) and the New York City Department of Transportation (“DOT”). Public realm improvements within New York City streets would be subject to the approval of DOT. ESD has been involved with MTA, Amtrak, and NJT regarding the potential expansion of Penn Station and implementation of public transportation improvements. To facilitate implementation of the Project, ESD is also working with Vornado Realty Trust (together with its affiliates, “Vornado”), which has an ownership or controlling interest in all or most of Project Sites 4, 5, 6, 7, and 8 (as depicted in Exhibit A to this GPP), all of which contain connections or potential future connections to and from Penn Station to the broader subway and transit infrastructure.

The Project requires discretionary approvals subject to environmental review under the State Environmental Quality Review Act (“SEQRA”) and its implementing regulations set forth in 6 NYCRR Part 617. Pursuant to SEQRA, ESD, as the SEQRA lead agency for the Project, has determined that the Project may have significant adverse environmental impacts and that an Environmental Impact Statement (“EIS”) should be prepared. A Draft EIS (“DEIS”) has been prepared and following its publication and public review and comment period, a Final EIS (“FEIS”) will be completed.

II. PROJECT LOCATION

The Project Area is depicted on the Project Site Plan annexed hereto as Exhibit A and the Block and Lot Map annexed hereto as Exhibit B. The Project Area includes the following development parcels in the Borough of Manhattan, in the County, City and State of New York:

Site 1: a 64,189-sf site at 403-415 Eighth Avenue, between West 30th and West 31st Streets (Block 754, Lots 34–41, 44, 51, and 63);

Site 2: a 158,000-sf site that occupies the full block bounded by West 30th and West 31st Streets and Seventh and Eighth Avenues (Block 780, all lots);

Site 3: a 44,436-sf site at 363-371 Seventh Avenue between West 30th and West 31st Streets (Block 806, Lots 1, 3, 6, 9, 69, and 76);

Site 4: a 34,807-sf site 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: a 45,425-sf site 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: a 54,313-sf site at 435 Seventh Avenue between West 33rd and West 34th Streets (Block 809, Lots 1, 3, 4, 5, 8, 16, 17, 69, 73, 80, and 82);

Site 7: a 79,000-sf site on the east side of Seventh Avenue between West 32nd and West 33rd Streets (Block 808, Master Lot 7501); and

Site 8: a 79,000-sf site on the west side of Sixth Avenue between West 32nd and West 33rd Streets (Block 808, Lot 40).

III. PROJECT DESCRIPTION

The Project is a comprehensive redevelopment initiative to revitalize the area around Penn Station. It would address existing substandard and insanitary conditions in the Project Area by introducing much-needed public transportation and public realm improvements and by facilitating high-density, mixed-use development on the Project Sites. The Project would thereby transform a poorly planned and underutilized area with outmoded buildings into a modern, cohesive district. The primary components of the Project are described below.

The Project would facilitate the construction of approximately 20 million gsf of new Class A commercial office space, retail, hotel, and potentially residential space on eight Project Sites within the Project Area. The new developments would provide new entrances and connections for both Penn Station, the subway system and other improvements to transit access for the area. A value-capture framework that could include Payments In Lieu of Taxes (“PILOT”), Payments in Lieu of Sales Taxes (“PILOST”), Payments in Lieu of Mortgage Recording Taxes (“PILOMRT”) and other revenues generated by the new development would help fund the reconstruction and potential expansion of Penn Station and other transit or public realm improvements. (*See* Section VI below.)

PROJECT SITES 1 THROUGH 8

Project Sites 1 through 8 would be developed in accordance with the Design Guidelines, as discussed in Section VIII below. The proposed development program for the Project is summarized in the following table:

Project Development Program

Site	Lot Area	Total GSF	Total Commercial GSF	Office GSF	Retail GSF	Hotel (Rooms)	Garage GSF	Parking Spaces	Non-Program Area ¹
1 ²	64,189	1,283,460	1,039,602	751,999	6,000	563	0	0	243,857
2	158,000	6,292,118	5,096,615	5,060,615	36,000	0	0	0	1,195,503
3	44,436	1,769,598	1,433,375	1,421,375	12,000	0	0	0	336,224
4	34,807	1,100,000	866,000	289,160	100,000	734	25,000	100	209,000
5	45,425	1,900,000	1,539,000	1,418,436	120,564	0	0	0	361,000
6	54,313	2,100,000	1,676,000	1,554,500	121,500	0	25,000	100	399,000
7	79,000	2,600,000	2,081,000	1,879,000	202,000	0	25,000	100	494,000
8	79,000	2,600,000	2,081,000	1,875,000	206,000	0	25,000	100	494,000
Total	559,170	19,645,176	15,812,592	14,250,085	804,064	1,297	100,000	400	3,732,583

Notes:

- 1) Non-program area includes space for building mechanicals, circulation space associated with transit improvements on the ground and sublevels, back-of-house areas (e.g., hallways and corridors to the building core), certain building core space, and lobby and loading space on the ground and sublevels.
- 2) Site 1 (Block 754) may be developed with an alternate no-hotel mixed-use development program comprised of approximately 1,013,000 gsf office and 16,000 gsf retail.
- 3) The figures in this table represent the maximum development program. Project buildings, when designed, may not fully utilize all available gsf and may not include parking.

The Project would place limits on the overall floor area of each building, but consistent with zoning concepts used in other high-density commercial areas of New York City, there would be no height limits, except for on the midblock portion of Site 1, where a 400 foot height limit would be imposed. Several factors have been taken into consideration to determine the development program and inform the illustrative depictions of the buildings, including the size of the Project Sites, the floorplate size necessary to accommodate modern office developments, the amount of floor area necessary to achieve high-density buildings that also provide space for on-site transit and public realm improvements, and the floor-to-ceiling heights sought by tenants of Class A office buildings.

PUBLIC TRANSPORTATION AND PUBLIC REALM IMPROVEMENTS

Public Transportation Improvements

The Project includes improvements to area subway stations and connections to and from Penn Station. ESD, in collaboration with MTA and the private developers of the Project Sites, would construct or cause the construction of these transit improvements as part of the Project. Transit improvements would be implemented at the 34th Street–Penn Station–Eighth Avenue [A/C/E], 34th Street–Penn Station–Seventh Avenue [1/2/3], and 34th Street–Herald Square–Sixth Avenue [B/D/F/M/N/Q/R/W/PATH] subway stations. The planned public transportation improvements include:

- Sites 1, 2, and 3 (Block 780 and portions of Blocks 754 and 806) – New Penn Station connections with publicly accessible in-building connections on Seventh and Eighth Avenues;
- Site 4 (east side of Eighth Avenue between West 33rd and West 34th Streets) – New Penn Station entrance at the corner of Eighth Avenue and West 33rd Street incorporating a new West 33rd Street subway entrance; new West 34th Street subway entrance; and widening of the uptown local C/E platform between West 33rd and West 34th Streets. These

improvements would be made to the 34th Street–Penn Station (Eighth Avenue) Subway Station;

- Site 5 (west side of Seventh Avenue between West 33rd and West 34th Streets) – New Penn Station entrance on West 34th Street; new West 34th Street subway entrance (possibly incorporated in the new Penn Station entrance); and new West 33rd Street subway entrance. These improvements would be made to the 34th Street–Penn Station (Seventh Avenue) Subway Station;
- Site 6 (Block 809 on the east side of Seventh Avenue between West 33rd and West 34th Streets) – Widened uptown local No. 1 platform between West 33rd and West 34th Streets; new West 33rd Street subway entrance; and new West 34th Street subway entrance. These improvements would be made to the 34th Street–Penn Station (Seventh Avenue) Subway Station;
- Site 7 – Widened uptown local No. 1 platform between West 32nd and West 33rd Streets; new West 32nd Street subway entrance east of Seventh Avenue; new West 33rd Street subway entrance east of Seventh Avenue; a new ADA-compliant elevator adjacent to this entrance; and new express No. 2/3 platform stairs at the south end of the station. These improvements would be made to the 34th Street–Penn Station (Seventh Avenue) Subway Station;
- Site 8 – New street level stairs at West 32nd and West 33rd Streets and Sixth Avenue, plus additional escalators and/or other vertical circulation elements as needed in consultation with MTA and NYCT; two reconstructed mezzanine stairs connecting the N/Q/R/W and B/D/F/M; reconfigured fare control area at the B/D/F/M mezzanine level; and a replacement PATH elevator in the new building on Site 8. These improvements would be made to the 34th Street–Herald Square Subway Station; and
- Sites 7 and 8 – An east-west underground corridor connecting the 34th Street–Herald Square and the 34th Street–Penn Station (Seventh Avenue) Subway Stations and providing access to the mixed-use development at Sites 7 and 8.

The above-described improvements are subject to further refinement and may include alternative locations, configurations and improvements as planning advances with MTA, Amtrak, NJT and/or the applicable private developers. In addition, a potential north–south below-grade concourse east of Seventh Avenue (between approximately West 30th and West 34th Streets), one or two new crossings below Seventh Avenue to connect Penn Station to the potential new north–south concourse, and an underground passage from the potential expansion of Penn Station to Moynihan Train Hall could be constructed as part of the Project, subject to additional analysis for engineering and financial feasibility.

Public Realm Improvements

The Project would facilitate above-grade public realm improvements, including new passive open space, sidewalk widenings, enhancements to existing open space, the potential creation of shared

streets, and the addition of and improvements to bike lanes. It also potentially could include a publicly accessible sky concourse above Plaza 33 with access through the 1 Penn Plaza and 2 Penn Plaza office buildings.

Open Space

The Project would introduce a new through-block open space on Site 2 between West 30th and West 31st Streets. The proposed open space would be a public plaza constructed in connection with the mixed-use buildings on Site 2. The plaza would be approximately 30,800 sf (0.71 acres) and would provide a variety of hard- and soft-scape features to support passive recreation as well as a midblock pedestrian connection between West 30th and West 31st Streets. In addition, the plaza would include access and egress points to the expanded Penn Station. The proposed public plaza on Site 2 would provide new open space amenities directly above a modernized and expanded Penn Station, and would serve the new mixed-use district surrounding Penn Station and adjacent neighborhoods. The new public plaza would provide passive open space for residents, workers, and visitors to the area.

Plaza 33 is an existing public plaza on West 33rd Street west of Seventh Avenue, adjacent to the East End Gateway, the newly opened entrance to the LIRR Penn Station concourse at West 33rd Street and Seventh Avenue. Subject to DOT approval, Plaza 33 would be augmented to provide an enhanced landscaped environment for passive recreation, programming, and pedestrian circulation. Plaza 33 would be integrated with other public realm improvements in the vicinity of Plaza 33, such as the wider sidewalk along the west of Seventh Avenue and the potential shared street on West 33rd Street that could extend to Ninth Avenue. These improvements are intended to create an inviting open space amenity with a clear hierarchy and organization of space that balances the pedestrian circulation and passive recreation functions of the plaza.

Sidewalk Widenings

Sidewalks would be widened in connection with construction on the Project Sites adjoining the City-owned mapped streets at the locations listed below:

- The entire north side of West 30th Street between Seventh and Eighth Avenues, and portions of the north side of West 30th Street, between Eighth and Ninth Avenues and Sixth and Seventh Avenues;
- The entire south side of West 31st Street between Seventh and Eighth Avenues, and portions of the south side of West 31st Street, between Eighth and Ninth Avenues and Sixth and Seventh Avenues;
- Both sides of West 33rd Street between Sixth and Seventh Avenues (all the south side and the western portion of the north side);
- Both sides of Eighth Avenue between West 30th and West 31st Streets, and the east side of Eighth Avenue between West 33rd and West 34th Streets;

- Both sides of Seventh Avenue between West 30th and West 31st Streets, both sides of Seventh Avenue between West 33rd and West 34th Streets, and the east side of Seventh Avenue between West 32nd and West 33rd Streets; and
- West side of Sixth Avenue between West 32nd and West 33rd Streets.

Shared Streets

The Project envisions, in coordination with DOT, the potential for “shared streets” to relieve sidewalk crowding for pedestrians and provide opportunities for functional elements such as seating, plantings, and street furniture. A “shared street” is a roadway designed for slow travel speeds where pedestrians and cyclists share the right-of-way with slow-moving vehicles. Shared streets are designed to accommodate high pedestrian volumes and low traffic volumes and speeds.

Shared street corridors may be further explored for implementation along West 32nd Street between Sixth and Seventh Avenues, and West 33rd Street between Sixth and Ninth Avenues. These street segments could be converted to shared streets, which would enhance the pedestrian experience and provide an opportunity for passive recreation for residents, workers, and visitors to the area.

Access to all buildings and businesses would be maintained, allowing for servicing, loading, and deliveries. Shared streets could be developed through a variety of means, either temporary (*e.g.*, roadway painting, moveable planters and street furniture) or permanent (*e.g.*, a rebuilt street with the roadway flush from building line to building line, rather than with a typical curb line grade separation).

Bicycle Lanes

The Project would allow for the installation of protected bicycle lanes along Seventh and Eighth Avenues and a standard bicycle lane along West 31st Street within the Project Area, subject to the approval of DOT. Along Seventh Avenue, the existing bicycle lane, which currently terminates at West 30th Street, is expected to be extended north by DOT. On Eighth Avenue, a bicycle lane already exists and will be maintained. The Project would allow for the enhancement of bicycle lane infrastructure within the Project Area along these two corridors. As part of the development of Sites 1, 2, and 3, the Project would accommodate bicycle lanes between Sixth and Ninth Avenues along West 31st Street.

SUPPORT FOR PENN STATION RECONSTRUCTION AND POTENTIAL EXPANSION

The Project would generate financial support for the potential expansion of Penn Station and would be designed and constructed to accommodate an integrated below-grade expansion of tracks and platforms south of the existing Penn Station. One or more of the involved public transportation entities (MTA, Amtrak, and/or NJT) would design, construct and operate the expansion of Penn Station. The expansion, if constructed, would substantially increase the station’s platform capacity, addressing critical infrastructure constraints at Penn Station, as well as current limitations on train operations within Penn Station, and would be integrated with Penn Station and Moynihan Train Hall to create the Empire Station Complex.

Subject to further planning and applicable federal approvals, the potential expansion of Penn Station would encompass Block 780 immediately to the south (bounded by Seventh and Eighth Avenues and West 30th and West 31st Streets), the western portion of Block 806 on the east side of Seventh Avenue, and the eastern portion of Block 754 on the west side of Eighth Avenue. Development of an expanded Penn Station may require the removal of all buildings currently existing on these blocks within the Project Area.

The potential station expansion could add new tracks and new platforms—the exact number and configuration would be determined by service operations and engineering studies by one or more of the involved public transportation entities. The new tracks and platforms are expected to primarily serve NJT, whose rail operations are currently the most constrained of the three railroads using Penn Station. NJT also anticipates the highest rate of service growth in mid- and long-term projections. The addition of these tracks could free up capacity on existing tracks in Penn Station. The platforms and stairways in the potential southward expansion of Penn Station would allow for sufficient passenger circulation space to avoid overcrowding. It is contemplated that the proposed above-ground development would be planned and designed to accommodate the expanded station, which would be designed in coordination with the station project to accommodate the structure and foundations required to support the development over the station. The expanded Penn Station could include a mezzanine level to connect passengers to Level A (the lower level) of the existing Penn Station under West 31st Street and could house mechanical and electrical systems and back-of-house space. Entrances to an expanded Penn Station would be integrated into the proposed developments on Project Sites 1, 2, and 3.

The full capacity of the Penn Station potential expansion is not expected to be realized until the new two-track Hudson River tunnel and Gateway Program are fully operational. The Hudson River tunnel project, all elements of the Gateway Program, and the potential expansion of Penn Station are independent of the Project. The potential expansion of Penn Station is anticipated to be the only one of these projects that could receive funding generated by the Project—all other components of the Gateway Program are anticipated to be funded by other sources.

In addition to accommodating and providing support for an expanded Penn Station, the Project would support the reconstruction of the existing Penn Station. Specifically, the Project's mixed-use development would generate some portion of the revenue to fund the reconstruction of Penn Station under the Penn Station Master Plan. Improvements to be provided under the Penn Station Master Plan could address the functionality, operations, capacity, and safety of the current station and integrate the three primary locations (*i.e.*, the current Penn Station, Moynihan Train Hall and the expanded Penn Station) that would comprise the Empire Station Complex into a single, multi-modal complex. Implementation of the Penn Station Master Plan is an independent but related project to the Project, and it would be undertaken separately by one or more of the involved railroads (MTA, Amtrak, and/or NJT).

IV. PURPOSE AND NEED FOR THE PROJECT.

The primary purpose of the Project is to transform a substandard and insanitary area in and around Penn Station into a revitalized, high-density, sustainable, and transit-oriented mixed-use district that incorporates civic facilities, including substantial improvements to the subway stations surrounding Penn Station and the connecting below-grade passageways leading to and from Penn Station. When

implemented, the Project also would generate revenue to help fund the reconstruction of the existing Penn Station, the potential expansion of Penn Station and other transit and public realm improvements, and support economic growth in New York City and the region.

REVITALIZATION OF THE PENN STATION AREA

Despite its adjacency to the busiest transit hub in North America, commercial office development in the vicinity of Penn Station has been limited by overburdened and degraded transit infrastructure, aging building stock, and poor pedestrian circulation. The last major building in the Project Area (1 Penn) was constructed almost 50 years ago (1970–1972). Aside from the recent ESD-led transformation of the underutilized James A. Farley Building (“Farley Building”) into the Moynihan Train Hall and new commercial development, the neighborhood immediately surrounding Penn Station is characterized primarily by outmoded and substandard buildings, shuttered businesses, limited low-quality retail offerings, congested sidewalks, underutilized land, and sparse publicly accessible open space. Nonetheless, the Project Area provides a significant opportunity for sustainable growth in New York City due to its unmatched access to the region’s rail and transit network, with the potential for future development to incorporate sustainable, resilient, and energy-efficient infrastructure.

The Project Area is one of the most transit-rich areas in the City, but the public realm, both above and below grade, is substandard and deters redevelopment. The subway stations that serve Penn Station along Sixth, Seventh, and Eighth Avenues are among the busiest subway stations in the City (the 3rd, 6th, and 7th busiest in 2019). Entrances are often difficult to locate, with small, inconspicuous entryways. Below grade, subway infrastructure is overburdened with narrow stairs and corridors, crowded platforms, and poor accessibility. At grade, the public realm, including sidewalks and pedestrian circulation spaces, are overcrowded, and sidewalks are too narrow to accommodate the high volume of pedestrians in the area.

RECONSTRUCTION AND POTENTIAL EXPANSION OF PENN STATION

Penn Station is located at the center of the Project Area. The combination of the low-cost construction redesign in the 1960s, inadequate investment in the station over time, and a steady rise in ridership has strained the station’s infrastructure and systems and degraded the user experience. Almost 60 years after the demolition and underground reconstruction of Penn Station, the facility is substandard, poorly configured, and in dire need of major investment to maintain operations, renew its infrastructure, improve its revenue stream, and re-establish itself as the premier rail transportation center in the region. A substantially improved Penn Station, along with the recently completed Moynihan Train Hall across Eighth Avenue, would catalyze the economic revival of the surrounding area.

On a typical day, nearly 600,000 trips are navigated through Penn Station’s narrow underground corridors (more than three times the number of daily trips in the 1960s), which are devoid of natural light, consistent wayfinding, and sufficient waiting areas. Penn Station commuters experience congested platforms and concourse levels, poor pedestrian accessibility (entrance and egress points are particularly difficult to navigate for persons with mobility issues), a lack of sufficient passenger waiting and overflow space, and a lack of sufficient public restroom facilities. The overall customer experience is universally perceived as very poor, particularly on the lower level, due to low ceiling

heights, narrow corridors and concourses, poor lighting, and outdated and inadequate wayfinding and passenger information systems.

Ridership through Penn Station, though impacted in the short term by the COVID-19 pandemic, is projected to continue to increase as service is expanded and the population in the LIRR, NJT, Amtrak, and Metro-North service areas continues to grow. Responding to this growing need, Amtrak, NJT, MTA, and New York State are engaged in planning to address these constraints, expand service, and extend existing service to new locations.

Although recent initiatives like the new Moynihan Train Hall and the West End Concourse will help relieve congestion and thereby improve the passenger experience in Penn Station, the current station will still be operating well beyond its capacity in terms of both trains and passengers and will remain overcrowded and difficult to navigate. Frequent rail delays, confusing wayfinding, and aesthetically uninviting concourse levels are synonymous with the current Penn Station and frustrate thousands of commuters every day. In the future, without any expansion of the current Penn Station, overcrowding will continue to worsen as the number of commuters grows. The Empire Station Complex would build upon the recent improvements to Penn Station and facilitate the transformation of the Project Area into a revitalized mixed-used district that could leverage and support the proposed public transportation improvements. To help effectuate these plans for the reconstruction and potential expansion of Penn Station, funding sources and improved area-wide transit and public realm improvements will be required. The Project is designed to achieve these objectives.

V. GOALS FOR THE PROJECT.

The goals and associated objectives for the Project are as follows:

Goal 1: Revitalize the area surrounding Penn Station with new, sustainable, high-density mixed-use development.

- Address substandard and insanitary conditions in the Project Area;
- Provide a substantial amount of new mixed-use development to create a cohesive, transit-oriented district that will capitalize on the Project Area's Midtown Manhattan location proximate to passenger rail service at Penn Station and three major subway stations;
- Foster and support economic growth and tax revenue through the creation of jobs and economic activity during construction, and through the provision of new commercial and potentially residential space to accommodate New York City's long-term growth, targeting the modern needs of office tenants (*i.e.*, generous column spacing, large ceiling heights and upgraded mechanical systems); and
- Maximize incorporation of sustainable design practices to achieve environmentally superior performance in the new buildings.

Goal 2: Improve passenger rail and transit facilities and pedestrian circulation, access, and safety.

- Facilitate transit improvements at the 34th Street–Penn Station–Eighth Avenue [A/C/E], 34th Street–Penn Station–Seventh Avenue [1/2/3], and 34th Street–Herald Square–Sixth Avenue [B/D/F/M/N/Q/R/W/PATH] subway stations to better accommodate passenger volumes in these stations;

- Create a below-grade east-west corridor connecting the 34th Street–Herald Square and the 34th Street–Penn Station–Seventh Avenue subway stations;
- Facilitate public realm improvements in the Project Area, including widened sidewalks, creation of shared streets, and installation of protected bike lanes; and
- Create publicly accessible passive open space to serve residents, workers, and visitors in the area.

Goal 3: Support improvements to address substandard conditions in Penn Station.

- Maximize revenue generated by the new development to fund, in part, improvements to Penn Station by MTA, Amtrak, and NJT; and
- Utilize the adjacency of certain development sites to expand Penn Station ingress and egress and increase identifiable entrances.

Goal 4: Support and accommodate future capacity increases at Penn Station.

- Maximize revenue generated by the new development to fund, in part, the potential expansion of Penn Station to accommodate new, below-grade tracks and platforms, to be designed, constructed and operated per arrangements among MTA, Amtrak, and NJT (such expansion is anticipated to significantly increase the station’s track and platform capacity); and
- Subject to federal reviews and approvals, accommodate the potential southward expansion of Penn Station through the planning, design and construction of the development sites on the blocks above the potential expansion.

VI. SITE ACQUISITION, LEASE STRUCTURE AND PROJECT FUNDING

Subject to ongoing planning and review by the involved federal agencies and railroads, acquisition of the property needed for the potential Penn Station expansion (Project Sites 1, 2 and 3, designated respectively as part of Block 754, Block 780 and part of Block 806) would be effectuated by negotiated purchase with the current property owners and/or through the exercise of eminent domain. A determination has not been made as to whether the property acquisitions for the potential Penn Station southward expansion would be undertaken, in whole or in part, by ESD or by Amtrak, MTA or another public entity. Decisions about which public entity or entities would be responsible for the property acquisitions for such Penn Station expansion, how ownership, use and occupancy of the sites would be allocated, and the allocation of responsibilities for the costs of acquisition, construction, operation, maintenance, and upkeep of the new station facilities, are subject to further collaboration with the involved railroad entities and to the selection of the Penn Station expansion sites identified above (Project Sites 1, 2 and 3) as the preferred alternative in the forthcoming federal review and approval process for the station expansion to be conducted by one or more of the involved railroad entities.

All or most of Project Sites 4, 5, 6, 7, and 8 are owned or controlled by Vornado. It is anticipated that prior to development of a Project Site, ESD will acquire an interest in title to the applicable Project Site and in turn ground lease the sites to Vornado and the as-of-yet unidentified future developers of Project Sites 1, 2 and 3. Whether or not ESD undertakes the initial acquisitions of Project Sites 1, 2 and 3, it is anticipated that ESD would acquire an interest in title to those proposed Penn Station expansion sites and thereby effectuate the ground leases. Future mixed-use

development on all eight Project Sites is anticipated to be privately financed by the developer of each site.

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. The revenues generated by the Project will be structured in a value-capture framework to support such uses and may include PILOT, PILOST, PILOMRT, payments for development rights, and proceeds from the sale of land and/or ground lease payments as applicable. The structure of any PILOT would be determined in consultation with the City.

The development on Project Sites 1, 2 and 3 would be funded by private developers, provided, however, that one or more of the rail transportation entities (*i.e.*, MTA, Amtrak or NJT) would provide or arrange the funding for the potential Penn Station expansion and other transportation related improvements that would occur on these sites. As mentioned above, no determination has been made as to whether the acquisitions of these sites (needed for the potential Penn Station expansion, should this location be selected as the preferred alternative) would be undertaken, in whole or in part, by Amtrak, MTA, ESD or another public entity. Decisions about which public entity or entities would be responsible for the acquisition costs for these sites are subject to the forthcoming federal review and approval process for the Penn Station expansion.

The development of Project Sites 4, 5, 6, 7 and 8 would be funded by Vornado or by one or more private developers. Such developers may enter into transactions pursuant to which ESD could acquire, for nominal consideration, an interest in title to the site from the developer and long-term net-ground-lease the site to the developer for development pursuant to this GPP.

The developer of any of the Project Sites would pay to ESD PILOT, PILOST and/or PILOMRT and other amounts as applicable (*e.g.*, proceeds from the sale of land and/or ground lease payments with respect to Project Sites 1, 2 and 3 only), and/or payments related to development rights, subject to negotiated agreement with developers of the Project Sites. As mentioned above, the structure of any PILOT would be determined in consultation with the City.

The revenues derived from the Project would allow for direct funding and/or financing mechanisms to finance the reconstruction of the existing station and the construction of the potential expanded station. These financing mechanisms may include federal grants, state appropriations, bond structures, and/or federal loan programs.

VII. UDC ACT SECTION 10(d), 10(c) AND 10(g) FINDINGS; PUBLIC PURPOSE

ESD, pursuant to Section 10 of the UDC Act, makes the findings set forth below. The findings are supported and complemented by the determinations and statements of fact described in the Draft Environmental Impact Statement and in *The Empire Station Complex Neighborhood Conditions Study*, dated February 2021 (the “Neighborhood Conditions Study”), which was prepared on behalf of ESD by VHB, Inc.

A. Civic Project Findings: UDC Act Section 10(d)

- (1) There exists in the area in which the project is to be located, a need for the educational, cultural, recreational, community, municipal, public service or other civic facility to be included in the project.***

There exists within the Project Area in Midtown Manhattan in New York City a need for the Project, which would be centered in and around Penn Station.

Penn Station is the main intercity railroad station and a major commuter railroad station in New York City. With typically almost 600,000 rail and subway trips per day, Penn Station is the busiest passenger transportation hub in North America and offers unmatched connectivity among intercity rail service, commuter rail service, and local subway service. The station is located entirely underground between Seventh and Eighth Avenues and between West 31st and West 33rd Streets.

Penn Station is operating above capacity and is not adequately designed to accommodate either its existing passenger load (after restoration to historical pre-COVID patterns) or the growth in passenger load expected in the coming years. Reconstruction of Penn Station, additional station capacity, and the integration of that additional capacity with existing Penn Station and the mass transit facilities serving the area, are needed to provide New York City and the region with the modern, interconnected and cohesive rail transportation hub that is essential to support future economic growth. 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 are also in need of 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.

- (2) The Project consists of a building or buildings or other facilities which are suitable for educational, cultural, recreational, community, municipal, public service or other civic purpose.***

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, which 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 in the Project Area 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.

- (3) The Project will be leased to or owned by the state or an agency or instrumentality thereof, a municipality or an agency or instrumentality thereof, a public corporation, or any other entity which is carrying out a community, municipal, public service or other civic purpose, and adequate provision has been, or will be, made for the payment of the cost of the acquisition, construction, operation, maintenance and upkeep of the Project.***

The subway stations and transit connections adjacent to Penn Station are owned by the City or MTA. The subway station and transit connections that are City-owned are leased to MTA's affiliate, the New York City Transit Authority ("NYCT"), under the City's master lease agreement with NYCT that covers the entire New York City subway system. Certain public realm improvements will be owned by the City. Penn Station is owned by Amtrak. MTA and NJT occupy areas of the station for their respective commuter rail purposes through leases and operating arrangements with Amtrak.

A determination has not been made as to whether the property acquisitions needed for the potential Penn Station expansion (consisting of Project Sites 1, 2 and 3, should this be selected as the preferred alternative) would be undertaken, in whole or in part, by ESD or by Amtrak, MTA or another public entity. Decisions about which public entity or entities will be responsible for the property acquisitions for the potential Penn Station southward expansion; how ownership, use and occupancy of the sites would be allocated; and the allocation of responsibilities for the costs of acquisition, construction, operation, maintenance, and upkeep of the new station facilities, are subject to further collaboration with the involved railroad entities and to the selection of the Penn Station expansion sites identified above (Project Sites 1, 2 and 3) as the preferred alternative in the forthcoming federal review and approval process for the station expansion. The maintenance of the improved rail and transit facilities will be the responsibility of the railroads and transit agencies operating these facilities, subject to such agreements and arrangements as are made by the railroads and agencies with respect to such maintenance. The maintenance of the open space on Project Site 2 will be the responsibility of the developers of the adjoining buildings on Project Site 2, or their successors-in-interest. Adequate arrangements for funding the cost of the acquisition, construction, operation, maintenance and upkeep of the Project components will be made prior to the construction of each Project component.

- (4) The plans and specifications assure or will assure adequate light, air, sanitation and fire protection.***

The plans and specifications for the Project would assure adequate light, air, sanitation, and fire protection for the Project. ESD would assure such provisions for all Project Sites, and the respective public transportation agencies would make provisions for the safety and security of the Penn Station complex as a whole.

B. Land Use Improvement Project Findings: UDC Act Section 10(c)

- (1) The area in which the Project is to be located is a substandard or insanitary area, or is in danger of becoming a substandard or insanitary area and tends to impair or arrest sound growth and development of the municipality.***

Considered as a whole, the Project Area is substandard, significantly underutilized and characterized by blighted and substandard conditions. This conclusion is supported by the Neighborhood Conditions Study.

The Neighborhood Conditions Study presents a detailed evaluation of existing site conditions in and around Penn Station and concludes that Penn Station and the surrounding area (inclusive of the Project Area) are characterized by substandard and insanitary conditions. The study's findings and conclusions are summarized as follows:

- Penn Station fails to meet accessibility requirements, making it difficult to navigate by those with mobility impairments. An inefficient station layout, uncoordinated wayfinding and passenger information systems, insufficient waiting areas and restrooms, low ceiling heights, and a lack of natural light all contribute to a customer experience that is widely perceived as substandard. Furthermore, the deficiencies related to code compliance, egress and accessibility; the security, mechanical, electrical and plumbing systems; and station architecture, amenities, and operations, demonstrate that Penn Station is substandard, outmoded and in need of a major renovation to address existing deficiencies. These findings are reflected in the Penn Station Act, enacted in 2018, by which the legislature determined that Penn Station is “antiquated, substandard, and inadequate to meet current transportation and public safety needs and presents an unreasonable safety risk to the public.” That statutory finding is cited in the Neighborhood Conditions Study and supported by the study's surveys, research and analysis.
- The area in and around Penn Station (inclusive of the Project Area) is primarily characterized by overburdened and degraded transportation infrastructure, an aging and outmoded building stock, and a pattern of economic stagnation relative to other major transportation hubs in Manhattan. Furthermore, the area is substandard in comparison to other transit hubs in Manhattan when it comes to economic growth and investment, even though the area is home to the largest transportation hub in North America.
- There is a prevalence of underutilization (including shuttered businesses), a high prevalence of buildings either in poor or critical condition or with building violations, and a prevalence of aging and outmoded buildings in the area. The last major building in the area (1 Penn Plaza) was completed almost 50 years ago, in 1972. Since that time, new buildings constructed in the area account for only 3 percent of the area by acreage and less than 2 percent of the gross building square footage in the area.
- Diverse ownership of numerous small tax lots on three of the Project Area's blocks impedes assemblage and redevelopment.
- The area lacks a cohesive zoning framework. The patchwork zoning, aging and outmoded buildings, and substandard conditions related to Penn Station have contributed to a historic pattern of stagnant economic growth in the area. This is exhibited by negative rent growth over a twenty-year period coupled with significant underperformance in terms of historic inventory growth of Class A office space.
- The zoning for the area is outmoded in that it permits development of considerably less floor area than allowed in other major transportation centers of Manhattan, contributing to economic stagnation, the underutilization of land adjoining a major rail and transit center, and a predominance of aging and outmoded buildings.

- Elements of the public realm, including poorly located subway entrances, narrow sidewalks, and poorly designed plazas and streetscapes, are also substandard.
- Felonies and misdemeanors are consistently higher in the area, with rates up to 1.9 times higher than that of the total precinct over the last five years.

(2) The Project consists of a plan or undertaking for the clearance, replanning, reconstruction and rehabilitation of such area and for recreational and other facilities incidental or appurtenant thereto.

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. It also would support the reconstruction and potential expansion of Penn Station.

(3) The plan or undertaking affords maximum opportunity for participation by private enterprise, consistent with the sound needs of the municipality as a whole.

Except for the railroad facilities that may be constructed on Project Sites 1, 2 and 3 and the improvements to Penn Station and the adjoining subway and PATH stations, the Project Sites will be constructed and operated by private developers. 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.

C. UDC Act Section 10(g)

There is a feasible method for the relocation of families and individuals displaced from the Project area into decent, safe and sanitary dwellings, which are or will be provided in the Project area or in other areas not generally less desirable in regard to public utilities and public and commercial facilities, at rents or prices within the financial means of such families or individuals, and reasonably accessible to their places of employment.

At this time, a determination has not been made as to whether the potential Penn Station expansion is the preferred alternative or, if it is, whether necessary property acquisitions (consisting of Block 780 and portions of Block 754 and Block 806) would be undertaken, in whole or in part, by ESD or by one of the involved public rail transportation entities. Property acquisitions by Amtrak would be governed by applicable federal law, while property acquisitions by ESD, MTA, or NJT would be governed by applicable state laws, including (if undertaken by ESD or MTA) the New York Eminent Domain Procedure Law. In the likely event that the potential southward expansion of Penn Station becomes a project that receives federal funding or is dependent on federal approvals, the property

acquisitions also would comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act (42 U.S.C. § 4601 et seq.) and regulations promulgated under 49 C.F.R. Part 24.

In accordance with applicable federal or state law, owners of properties that would be acquired would be compensated at fair market value and would be provided all other benefits and assistance required by law. Residents of affected properties, whether owners or rental tenants, also would be entitled to receive relocation aid that would include assistance in finding and moving to comparable replacement housing that is decent, safe and sanitary, located in the Project Area or in other areas not generally less desirable in regard to public utilities and public and commercial facilities, at rents or prices within the financial means of such families or individuals, and reasonably accessible to their places of employment.

VIII. OVERRIDES OF ZONING AND OTHER LOCAL REGULATION; DESIGN GUIDELINES; APPLICATION OF NEW YORK CITY CONSTRUCTION CODES

It is not feasible or practicable to construct the Project in accordance with existing zoning or other applicable local requirements that are inconsistent with the Project. In order to construct the Project, ESD will override all provisions of the Zoning Resolution of the City of New York applicable to the eight Project Sites, together with the remaining portion of Block 783 located between Sites 4 and 5 (the “1 Penn Site”), override other local requirements applicable to such area that are inconsistent with the Project, and implement development controls and other requirements in lieu of local zoning pursuant to the UDC Act. ESD will establish design guidelines (the “Design Guidelines”) for the Project that will apply to the Project Sites in lieu of zoning and other local regulations. The private developers who would develop the buildings on all Project Sites would be required to comply with the Design Guidelines.

The GPP does not override local zoning or other local laws with respect to properties within the Project Area that are not specifically identified as one of the eight Project Sites or the 1 Penn Site. Such other portions of the Project Area remain subject in all respects to local zoning and all other applicable regulations and are not subject to the Design Guidelines. Furthermore, each property within a Project Site would continue to remain subject in all respects to local zoning and all other applicable regulations, and would not be subject to the Design Guidelines, unless and until ESD enters into a development agreement or similar transaction documents with a designated developer for each such property.

The Farley Building (Block 755) is within the Project Area but is not one of the eight Project Sites. Development on Block 755 will remain subject to ESD’s general project plan for the Moynihan Station Civic and Land Use Improvement Project (the “Moynihan GPP”). The development of Site 4, which is referenced as “Penn West” in the Moynihan GPP, would be subject to this Empire Station Complex GPP and would no longer be subject to the Moynihan GPP.

The 1 Penn Site is within the Project Area but is not one of the eight Project Sites. The 1 Penn building on the 1 Penn Site comprises 2.3 million gross square feet and certain adjacent open space. The 1 Penn Site and any improvements thereon may be maintained or rebuilt utilizing the existing 2.3 million gross square feet, notwithstanding any inconsistent provisions of zoning. No development

agreement or similar transaction with ESD is required to allow for the foregoing treatment of the 1 Penn Site and 1 Penn building.

Public realm improvements within New York City streets (including Plaza 33 and the potential sky concourse over Plaza 33) would be subject to the consent of DOT. However, with respect to the sky concourse, subject to approval by the City of New York, the GPP and the Design Guidelines would apply in lieu of any requirements of the New York City Charter and local law.

Subject to such overrides and the Design Guidelines, the New York City Building and Construction Codes would apply, including with respect to all construction, buildings, structures and infrastructure on all development on the Project Sites. The permitting authority for the purposes of the Building Code is the New York City Department of Buildings.

IX. ENVIRONMENTAL REVIEW AND REQUIRED HEARING

ESD, acting as lead agency, determined that an EIS is necessary to be prepared pursuant to SEQRA and its implementing regulations (6 NYCRR Part 617). The DEIS for the Project is a comprehensive document that includes extensive technical analyses of potential impacts on the environment and proposes measures to mitigate identified potential significant adverse impacts of the Project.

The DEIS, prepared by ESD's consultant AKRF and its team of subconsultants, has been reviewed by ESD staff ("Staff"). It is the opinion of Staff that the DEIS is satisfactory with respect to its scope, content and adequacy for purposes of SEQRA and the implementing regulations of the New York State Department of Environmental Conservation. Upon acceptance of the DEIS by the ESD Directors, Staff will undertake to circulate and file the DEIS as required by SEQRA. Circulation of the DEIS affords an opportunity for the public and involved and interested parties to review and comment on the Project, for a statutorily required minimum period of 30 days. All substantive comments received by ESD on the DEIS shall be addressed in the FEIS where applicable. Pursuant to SEQRA, a duly noticed public hearing (which will be held virtually due to the COVID-19 pandemic) will be held on the DEIS. The hearing will also provide an opportunity for public comments on the Project and the proposed GPP and will satisfy ESD's statutory obligation to hold a hearing to approve the GPP.

X. NON-DISCRIMINATION AND CONTRACTOR AND SUPPLIER DIVERSITY REQUIREMENTS

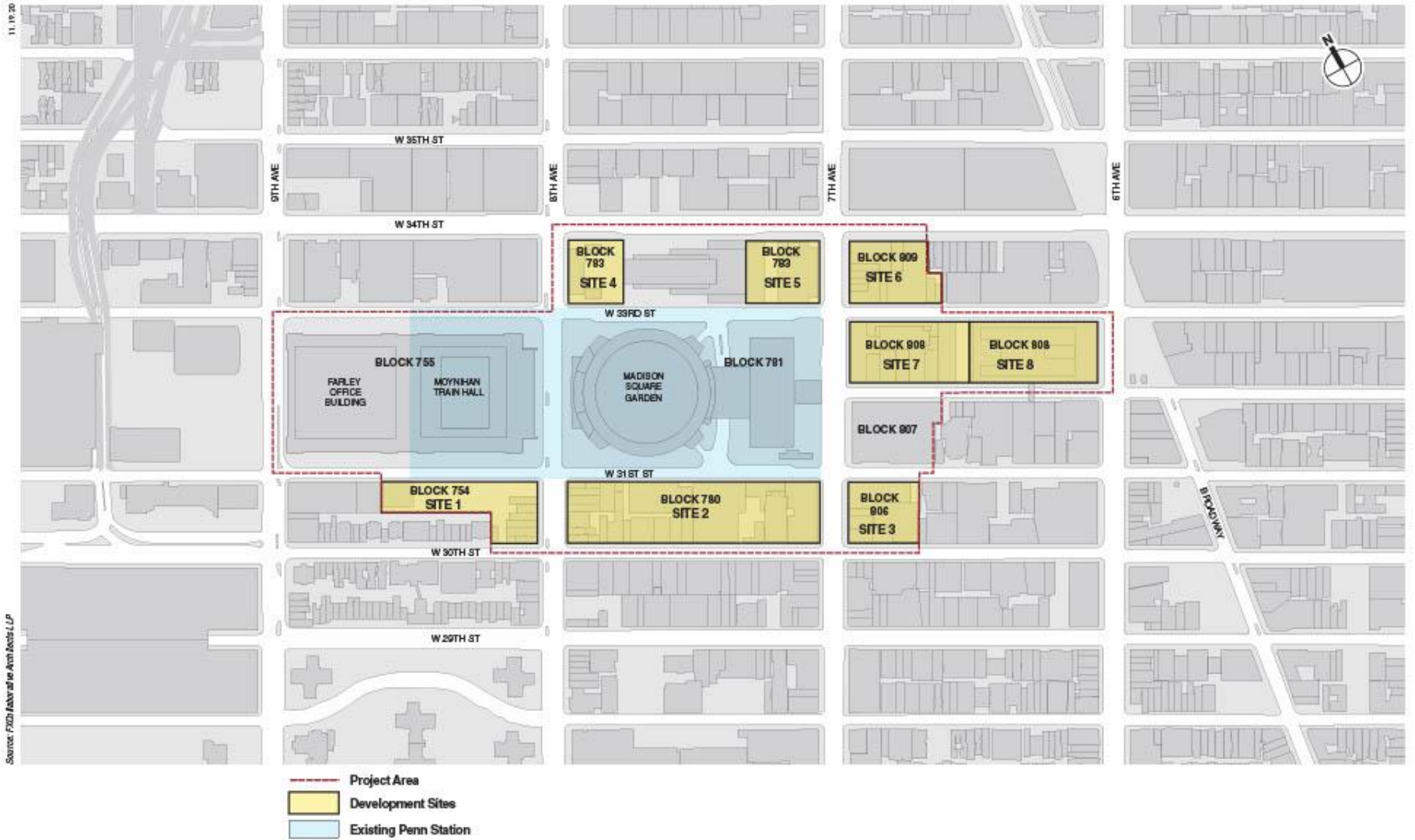
ESD's Non-Discrimination and Contractor and Supplier Diversity policies will apply to all Sites, and the developer(s) for each of these Sites would be required to solicit and utilize Minority- and Woman-Owned Business Enterprises ("MWBE") and Service-Disabled Veteran-Owned Businesses ("SDVOB") for any contractual opportunities generated in connection with the construction on each Site and to use Good Faith Efforts (pursuant to 5 NYCRR §142.8 and 9 NYCRR § 252.2) to achieve an overall MWBE participation goal and SDVOB participation goal related to the total value of hard costs and soft costs of the construction on each Site.

Attachments

Exhibit A: Project Site Plan

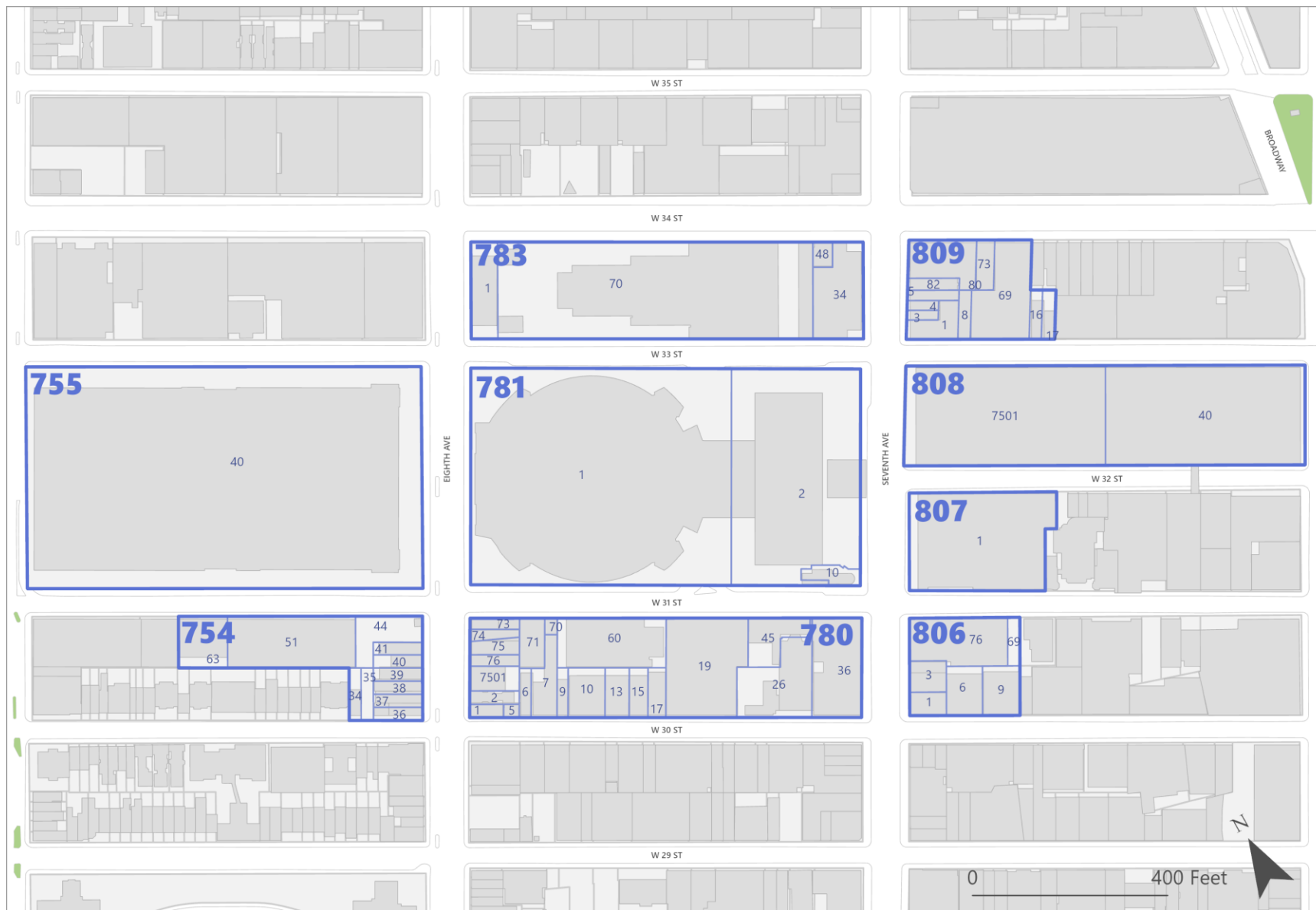
Exhibit B: Project Block and Lot Map

Exhibit A – Project Site Plan



Source: F&D Faber and the Architects LLP

Exhibit B – Project Block and Lot Map



- Study Area Blocks
- Building Footprints
- Study Area Lots
- Lots