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10 December 2021

The New York City Planning Commission
Chairperson, Anita Laremont
120 Broadway
31st Floor
New York, New York 10271

RE: Pennsylvania Station Area Civic and Land Use Improvement Project
State of New York General Project Plan (“Penn Station GPP”)

Dear Chair Laremont and City Planning Commissioners:

I write to you as a private citizen, resident, and business owner in Manhattan Community Board Five who is deeply concerned about the Penn Station GPP proposed by the State of New York. I have been working on the betterment of Pennsylvania Station and its surrounding community for decades including my work as DCP Manhattan Office Director from 2002-2005, my role as President of the Moynihan Station Venture from 2005-2009, and my firm’s ongoing unpaid public advocacy. Our advocacy in collaboration with the New York Times has been overwhelmingly supported by a vote in Manhattan Community Board 5, where the Penn GPP study area is located.

I write to urge the Commission and City Hall to disapprove the entire GPP and to do so unambiguously. I am rarely a critic of transit-oriented density, just the opposite—I am a proud advocate of density in our city that clearly delivers the right public benefits through a robust public process. Unfortunately the GPP falls short for the following reasons:

Lack of Policy Rationale and Precedent

The GPP covers an enormous territory surrounding Penn Station that is currently subject to the New York City Zoning Resolution. Unlike the World Trade Center site this is not State-owned land, nor is it a joint City/State undertaking like Times Square. Furthermore, if the goal is to use an upzoning to help pay for a State transportation project, there is ample precedent for this in the Hudson Yards rezoning where a city rezoning established a TIFF-like mechanism to fund the extension of the MTA’s #7 subway. Everything the GPP is purportedly accomplishing can be accomplished through ULURP in partnership with the State, therefore there is no rationale for an override. Finally, the magnitude of the proposed override—in terms of both the number of city blocks and the density proposed—is unprecedented given this lack of rationale, and therefore foreshadows a future in which the City of New York loses primary control over its density, bulk, and land use controls. No mayoral administration should ever allow such a precedent.

Lack of Clear Relationship to Gateway

We are told that expedience is the true rationale for the GPP in order to secure Federal infrastructure funding for the critically important Gateway project, which would add much needed trans-Hudson capacity to our region. However, the assertion that the GPP

land deal and the future public funding it would generate is the threshold issue for receiving Federal funding is highly questionable. A lead public agency such as the Port Authority has not even been established to build Gateway (the Port is actually refusing due to concerns about cost overruns.) If there is not even a lead agency to build the tunnels, how could the GPP be the bottleneck to receive the Federal funds? Furthermore, there is no State commitment to claim Block 780 by eminent domain in order to build the platforms for Gateway, without which there is no increase in transit capacity. It is obvious that the State needs to align several other critical issues before going forward with this hastily conceived “real-estate-first-ask-questions-later” transaction.

Lack of PILOT Definition

Unlike past large-scale redevelopment projects of this type, the GPP does not establish a regime for payments in lieu of taxes (PILOTS) that would give the City certainty in terms of revenue generation from the new development. This issue cannot be deferred to a later moment—it makes the GPP untenable.

Lack of Sufficient and Accountable Public Benefits

The State has separately proposed some public benefits to Penn Station and its environs as part of a Penn Station Masterplan. I have been presented these plans and while the effort of the State is commendable, the proposed public benefits are neither commensurate with the density in the GPP nor with the needs of the busiest transit hub in North America. This is not simply a matter of architecture. The existing underground station is unsafe, under capacity, and unacceptable—half measures simply will not suffice, which is even more true if Gateway vastly expands station usage. Furthermore, the State’s master plan is predicated on the idea that Amtrak will vacate its existing space in the station due to their new space in Moynihan, something to which Amtrak has not agreed. The main public space offered by the State’s plan is a pedestrianization of 33rd Street between 7th and 8th Avenue, which is and will remain in their plan the main loading corridor for Madison Square Garden—this can never be a successful public space with this magnitude of truck use. Lastly, even if these Station improvements were considered acceptable, the GPP provides no mechanism of accountability to ensure that the public benefits will come to fruition.

Lack of Relationship to MSG Special Permit

The GPP ignores the fact that the Special Permit for Madison Square Garden to operate in its current location expires in 2023. In 2013 the CPC actively limited the Special Permit to ten years with the recognition that the Garden’s position directly atop the center of Penn Station is unworkable in the longer term, and that any plans to fix Penn Station must take this account. The Commission must consider its own past findings in this regard as it considers the future of this vital public transportation asset.

So, what should the Commission do?

It should reject the GPP unequivocally. It should then direct the Department of City Planning, supported by resources made available through the City's Economic Development Corporation (as it has in many past instances) to establish, like the East Midtown Rezoning, a plan for Penn Station and its environs that:

1. Puts the public interest above real estate and political interests;
2. Starts with the underground station;
3. Plans for Gateway in conjunction with the station design and safety;
4. Thinks about the neighborhood as a totality;
5. Sees upzoning as the end result of sound planning, not an end in and of itself.

After 9/11 the Department and Commission took clear action to help this great city recover. We are at the same inflection point now as the pandemic hopefully wanes. This city has a fierce new competitor, virtual work, and if our physical city is to compete we must have great transit facilities that serve destination neighborhoods, much as we have with Grand Central, in order to make our physical commutes attractive relative to remote work. The Department and Commission showed great leadership in working with the community, civic and political leaders to pass the East Midtown Rezoning. The same model should and must be followed here in the heart of our city, region, and northeast corridor.

Thank you for your consideration.

Sincerely,



Vishaan Chakrabarti, FAIA FRAIC
Founder and Creative Director

CC: The Honorable Senator Charles Schumer
The Honorable Congressman Jerome Nadler
The Honorable Mayor Bill de Blasio
The Honorable Mayor-Elect Eric Adams
The Honorable Deputy Mayor Vicki Been
The Honorable Public Advocate Jumaane Williams
The Honorable City Comptroller Scott Stringer
The Honorable Gale Brewer, Manhattan Borough President



The Honorable Corey Johnson, New York City Council Speaker
The Honorable Brad Lander, New York City Comptroller-Elect
The Honorable Erik Bottcher, New York City Councilman-Elect District 3
Edith Hsu-Chen, DCP Manhattan Director
Chair Vicki Barbero, Community Board 5
Tom Wright, President and CEO Regional Plan Association