



November 21, 2024

Hon. Erik Bottcher
City Council Member, District 3
224 West 30th St. Suite 1206
New York, NY 10001

Re: Port Authority Bus Terminal Replacement
Land Use Nos. LU 0185-2024, LU 0186-2024, and LU 0187-2024
CPC Nos. C 240353 ZSM, C 240336 MMM, and N 240354 ZRM

Dear Council Member Bottcher:

We appreciate the opportunity to discuss with you commitments considered by the Port Authority of New York and New Jersey (the "Port Authority" or "PA") in connection with the Midtown Bus Terminal Replacement project (the "Project") and referenced land use actions. The Project has been designed with community goals in mind, specifically through negotiations with Community Board 4 ("CB4") – as reflected in its significant budget, which will be a centerpiece of the Port Authority's capital spending for years to come. We detail the changes made to garner support from CB4, elected officials and other community stakeholders over several years in the enclosed Exhibit A. It is indisputably the case that the Project would have been less beneficial to the neighborhood and the City, and much less expensive, if the Port Authority had not included these elements. Since the Port Authority receives no taxpayer funding, it is imperative that the Project remain within budget, but we have worked with the community and with you and your colleagues in good faith to be as responsive as possible to the community's requests and concerns.

The extraordinary magnitude of Port Authority capital (as opposed to capital funding from private sources) that will be devoted to the Project will be by far the largest such amount for any capital project in its recent history. We are providing additional community benefits as "Points of Agreement" between us, as the maximum incremental commitments that the Port Authority is able to make:

1. **Dyer Deck-Over Open Space:** The PA agrees to develop a collaborative process that includes representatives of the community and public officials (the "Community Based Design Process") to provide input on the design of the Dyer Deck-Over Open Space (as defined in Exhibit A). The Dyer Deck-Overs (as defined in Exhibit A) have been

designed to accommodate approximately 3.5 acres of future publicly accessible open space that would remain undeveloped. We agree that the Port Authority is not the best entity to solely determine what open space design features and amenities will be most appreciated by the neighborhood.

- A. Design and Capital Cost. Beginning one (1) year after the start of the Phase 1 construction of the new bus storage and staging facility (“SSF”) and new ramp infrastructure (“Ramp Structure”), the PA will begin work within the Community Based Design Process to plan the Dyer Deck-Over Open Space, with the goal of starting the conversion of the Dyer Deck-Overs into the Dyer Deck-Over Open Space at the conclusion of Phase 2 of the Project (after the SSF is converted from a temporary terminal to a storage and staging facility and the Main Terminal is fully operational). These discussions will coincide with continuing design and construction of the improved and expanded main terminal building (the “Main Terminal”).

The Port Authority will complete the capital improvements necessary to permit the Dyer Deck-Over Open Space to be accessible to the public (acknowledging that the Deck-Overs will be used for construction and transit purposes prior to conversion to open space and are therefore designed as weight-bearing); thereafter, the Port Authority’s role will be to provide for the continuing use, maintenance and repair of roadways located below the Dyer Deck-Overs and the structural elements which support the Dyer Deck-Over Open Space.

The Community Based Design Process would inform the open space design of the Dyer Deck-Over Open Space itself, subject to the Port Authority’s confirmation that the proposed open space design does not impede the PA’s ability to perform structural maintenance or repair of the Dyer Deck-Over beneath the open space, and that the Dyer Deck-Over can foreseeably continue to structurally support such proposed design. The Port Authority will assist in the design of the open space by engaging professional services (or providing such through its staff) to prepare design documents reflecting the consensus of the PA and the parties involved in the Community Based Design Process. The Dyer Deck Overs will have a drainage system designed for a landscaped surface and will include required ventilation structures for the roadways located below the Dyer Deck-Overs. The PA agrees to minimize the footprint of the ventilation structures, subject to safety standards. The PA will fund the reasonable capital improvements for the basic hardscaping and landscaping of the future Dyer Deck-Over Open Space.

- B. Maintenance and Operations. We anticipate that a maintenance and operations plan will be created as part of the Community Based Design Process. The PA will be responsible for the maintenance of the Dyer Deck-Overs structures themselves (i.e., the platform and its infrastructure). The maintenance and operation of the Dyer Deck-Over Open Space will not be the sole responsibility of the PA; funding support from New York City, New York State and/or other third parties will need to be secured. The PA will contribute 33 percent annually of the cost for the ongoing basic maintenance of the Dyer Deck-Over Open Space (i.e., lawn care, waste collection, and security services) for a period limited to the first 15 years after the Dyer Deck-Over Open Spaces are opened to the public, subject to future negotiations. The PA's contribution will begin after the conversion of the Dyer Deck-Overs to the Dyer Deck-Over Open Space is complete.
2. **Dyer Avenue (between West 34th and West 36th Streets)**: The northbound lanes of Dyer Avenue South and Ramp G, located between the north side of West 34th Street and the south side of West 36th Street (the "Dyer Avenue Segments") are currently used to support vehicular traffic entering the Lincoln Tunnel. CB4 has requested that the Dyer Avenue Segments be converted to publicly accessible open space (if so converted, the "Dyer Avenue Greenway").

The PA in partnership with the New York City Department of Transportation ("DOT") will implement a phased pilot program for the closure of the Dyer Avenue Segments. The pilot program is anticipated to run from Q2 to Q4 of 2025, including an evaluation and analysis period after each phase.

DOT has advised that it supports the Port Authority undertaking a phased pilot study on Dyer Avenue between West 34th Street and West 36th Streets to test the feasibility of removing northbound traffic. Consistent with City policy and practices, DOT has agreed that it will provide technical assistance to the PA during the study and work with you, CB4, and the larger community to determine what changes, if any, can be made permanent in the future.

In addition to the above, DOT has advised that it intends to proceed with the removal of the existing right turn restriction at the intersection of Ninth Avenue and West 41st Street and that it will coordinate the timing of this change with the PA and CB4. Currently, only buses are permitted to make the right turn at this location between 3 PM and 7 PM. The lifting of the turn restriction is expected to be implemented in Q1 of 2025 and remain in effect for up to 90 days, followed by evaluation and interagency coordination. Once this preliminary study is complete, the first phase of the pilot program will begin.

Each phase of the pilot program will be implemented incrementally. Between phases, agency partners will require time for thorough evaluation and assessment in conjunction with DOT. Pending concurrence from agency partners, the program will continue through subsequent phases. Each phase's success is essential for advancing to the next. The PA and DOT reserve the right to postpone the pilot program due to unforeseen circumstances, construction activities, field conditions, weather, and where necessary make operational adjustments. If any phase is deemed unsuccessful, the pilot will be halted.

The phased closures of the Dyer Avenue Segments will proceed as follows:

Phase 1: Northbound: Dyer Avenue closure from West 34th to West 35th Streets, Monday to Friday during peak PM hours (3 PM - 7 PM). This phase is anticipated to begin in Q2 of 2025 (after the right turn restriction at the intersection of Ninth Avenue and West 41st Street described above is removed and the impact of the removal is evaluated) and will be carried out for a maximum duration of 90 days.

Phase 2: Northbound: Dyer Avenue closure from West 34th to West 36th Streets, Monday to Friday during peak PM hours (3 PM - 7 PM). This phase will begin once evaluation and analysis of Phase 1 is completed. Phase 2 is anticipated to start in Q3 of 2025 and expected to last up to 90 days but may be extended until Phase 3 can be effectively implemented. The start date for this phase may shift depending on work schedule for Superstorm Sandy-related repairs at the Holland Tunnel.

Phase 3: Northbound: Dyer Avenue will be closed 24 hours a day, 7 days a week from West 34th to West 36th Streets. This phase will begin once Phase 2's evaluation and analysis are complete, subject to completion of Superstorm Sandy-related repairs at the Holland Tunnel. The expected start date for this phase is Q4 of 2025. This excludes the ramp north of West 36th Street adjacent to the Canoe Plaza (Ramp C), which will be closed to traffic but will remain as an active roadway for agency, facility, and emergency response vehicles.

Based on the findings of the pilot studies, the PA will collaborate with DOT and CB4 to explore whether and how the Dyer Avenue Segments could be configured and maintained as pedestrian space along Dyer Avenue. This exploration will focus on ensuring there are

no additional operational or capital costs incurred by the Port Authority and no operational or traffic impacts, and will include provisions for emergency vehicle access.

We will continue to work with DOT to formalize these plans, establish responsibilities and determine the steps necessary for implementation. The PA and DOT will monitor the pilot. If DOT and the PA determine there are no negative impacts and all phases of the pilot are successful, there will be a reasonable consideration for a permanent closure, making the space usable as open pedestrian space. Port Authority Board approval (and possibly other consents) may be required for such permanent closure and conversion to open pedestrian space. Notwithstanding the foregoing, the Port Authority reserves the right to instead perform any or all of the phases of the pilot study following completion of Phase 2 of the Project, if in the PA's judgement, the construction needs for the Project require doing so.

If the proposed Dyer Avenue Greenway is deemed feasible by the relevant agencies, the Port Authority would collaborate with CB4 within the Community Based Design Process to select a third-party operator. This operator would be responsible for the design, construction, and ongoing operation and maintenance of the Dyer Avenue Greenway. The Port Authority and the third-party operator shall negotiate the terms thereof. It is important to note that the Port Authority will not provide capital or maintenance funding for the Dyer Avenue Greenway, and its implementation must not interfere with the functionality of routes to and from the Lincoln Tunnel.

- 3. Astro's Dog Run:** The PA has identified the "Triangle" space on Dyer Avenue, between West 35th and West 36th Streets, as a temporary dog run replacement which property is, and will continue to be, owned by the Port Authority. The Port Authority will fence the area and install several flood lights in this area. The Port Authority will also provide a space permit to a third party identified by the community to operate and maintain the dog run, and, at the third party's cost, resilient surfacing may be installed in the area (in accordance with Port Authority construction standards). The PA will have no obligation for the maintenance of this space. The parties agree that the dog run will be permanently relocated to the Dyer Deck-Over Open Space once constructed and will be included as a required use in the Community Based Design Process. In any event, the temporary dog run replacement space shall be vacated on or prior to the sooner to occur of (a) 30 days after the opening of the permanent dog run in the Dyer Deck-Over Open Space, and (b) December 31, 2035.

4. **Theresa's Park:** After the full replacement program is complete and the SSF is no longer operating as a temporary terminal and the Main Terminal is fully operational, the Port Authority will: (a) provide a space permit for Theresa's Park in a new, slightly modified size and configuration, to the east side of the new SSF, and (b) restore, or provide funding to restore, Theresa's Park to a similar condition as Theresa's Park exists today. The design of Theresa's Park will be included in the Community Based Design Process. The Port Authority will have no financial obligation with respect to the ongoing maintenance of Theresa's Park.
5. **Reconfiguration of West 30th Street interim Bus Terminal (Block 728, Lot 1) (the "West 30th Street Lot"):** The Project provides that the PA will end bus operations on the west side of the West 30th Street Lot (between Dyer and Tenth Avenues) after the completion of the Project. The western portion of the West 30th Street Lot is expected to be developed in the future as a commercial office building. The Project provides that the PA will no longer use any satellite locations for permanent bus operations after completion of the Project; this includes the east side of the West 30th Street Lot (between Ninth Avenue and Dyer Avenue). The PA agrees that the eastern portion of the West 30th Street Lot will be kept in good condition.

Although the Project anticipates most bus operations will occur within the Main Terminal, the PA cannot commit to permanently closing the West 30th Street Lot because it must maintain flexibility for various operational and transportation related uses. If all of the conditions in the final sentence of this paragraph are met, then the PA will install screening at street level for the eastern portion of the West 30th Street Lot to improve the pedestrian experience. The PA shall install such street level screening only if (a) the community elects to have such screening installed, (b) such screening is consistent with and does not interfere with the intended use for the eastern portion of the West 30th Street Lot, (c) the community secures external funding for the initial installation and ongoing maintenance of such screening, and (d) the Main Terminal is fully operational.

6. **Traffic Impact Mitigation:** The PA agrees that in order to mitigate potential traffic impacts of blocked intersections (which could result in congestion), the PA will coordinate and work with DOT to implement mitigations such as signal timing modifications, adding exclusive or overlapping turning phases at affected intersections from West 28th Street to West 46th Street bounded by 8th Avenue and 11th Avenue as detailed to be impacted in the Final Environmental Impact Statement ("FEIS"). The aforementioned changes are within the exclusive jurisdiction of DOT and will be subject to approval and implementation by DOT. This process will take place in phases based on the expected timeline of need as detailed by the FEIS, and may be superseded by final design of the various Project elements. For affected intersections for the FEIS 2040 Build Scenario, the PA will commit to work with DOT to implement signal timing

mitigations based on the final overbuild design of the two anticipated towers.

- 7. Community Construction Coordination:** The PA has designed the Project with the goal of minimizing neighborhood disruption, though it is surely the case that a project of this size and complexity will affect existing traffic and pedestrian patterns during construction.

To mitigate the potential effects of disruption, the PA agrees to continue its outreach to the community (in keeping with its longstanding engagement with the CB4 working group), and establish a community construction logistics office, a PABT Construction Taskforce (“PA CTF”), and a public website to share construction and other project updates, and to address the questions and concerns of the community, including residents, businesses, and other community stakeholders. PA CTF meetings will be coordinated by the PA and include CB4, the New York City Department of City Planning, DOT, MTA, elected officials, and other city agencies as needed. The Port Authority will hold monthly meetings to communicate and coordinate upcoming construction schedules with the community. The PA CTF shall commence meetings in January 2025, prior to the start of the construction of the Dyer Deck-Overs. The PA also commits to ongoing construction coordination with other development and public improvement projects in the area.

As part of the construction plan, the PA will have its contractors take all appropriate measures to protect, and to maintain access to, surrounding structures, to the maximum extent practicable. The PA will develop and implement a signage plan for wayfinding for existing surrounding retail, commercial and community facility uses. To the extent any physical damage to a property is caused as a result of the construction of the Project (“Property Damage”), the PA will repair, or will be responsible for the cost to repair, any such Property Damage. The PA shall not be responsible for any loss of use, lost rent, business interruption or similar claims unless the same is caused by Property Damage.

The Port Authority agrees to discuss with the PA CTF minimizing use of night work between the hours of 12 am and 7 am, in consideration of tenants in residential buildings in Hell’s Kitchen surrounding the Project. The PA recognizes the potential impacts of night work on the surrounding community and will make every effort to mitigate these effects while maintaining project momentum. Night work will be a necessary component, prioritizing safety, efficiency, minimal disruption, and adherence to the project schedule, and budget.

There are various reasons for conducting night work, including logistical constraints

such as oversized load deliveries and road closures that can only occur during nighttime hours to reduce their impact on traffic. While we cannot commit to entirely eliminating or minimizing night work, we will operate within established noise thresholds, adhere to noise codes and comply with stipulations included in work permits issued by the City. The PA will aim to implement thoughtful scheduling and utilize noise mitigation tools and strategies to minimize disruptions to the local community when feasible.

The Port Authority agrees to develop a public safety and social service plan to manage the project's multi-year duration of installation of sidewalk sheds and construction fencing so that construction enclosures are securely maintained and sidewalk sheds are safe, well lit, monitored, and used solely for pedestrian passage by neighborhood residents and PABT commuters throughout the construction phase, and shall enter into an agreement with Urban Pathways or another similar social services provider that has outreach programs to engage with homeless individuals and refer them to appropriate social services.

8. **Community Facility Space:** In consideration of the community's support for the Project, the PA agrees to make available 10,000 gross square feet of space within the Project for local not-for-profit cultural institutions or arts organizations or local offices for CB4 and the Hudson Yards Hell's Kitchen Alliance, pursuant to a lease to be negotiated with the PA which will provide for reduced rent, at a rate appropriate for a nonprofit organization. The PA commits to solely constructing at the PA's expense the core and shell, demising walls and standard utilities, including HVAC equipment or distribution within the leased space. The lease shall include terms that obligate tenant to: build out and furnish the leased space; pay for utilities and to maintain insurance; occupy the leased space within 6 months of receiving notice that such space is available; and maintain and activate the leased space consistent with the terms of the lease. This location will be on the ground-level or upper-floors, at the PA's discretion, and will have on-street access and will be made available upon the completion of the Project, after the Main Terminal is fully operational.
9. **Retail Tenants:** As part of the Port Authority's regular course of business, the PA or its private retail partner will seek to include businesses that are Minority and Women-owned Business Enterprises and will use good faith efforts to achieve 10 percent participation by non-chain, Locally Based Enterprises as ground level retail tenants for the Project where feasible.
10. **Sustainability and Stormwater Management:** The PA will incorporate sustainability design standards into the Project that meet the PA's internal stormwater guidelines, which

meet or exceed current applicable New York City Department of Environmental Protection stormwater management guidelines. The Project will provide stormwater management through a combination of methods, currently under consideration. These methods may include blue roofs (which provide temporary ponding on a rooftop surface and slowly release the ponded water through roof drains which will allow stormwater to be managed effectively), rooftop retention such as green roofs (consisting of a vegetative layer that grows in a specially designed soil that may sit above a drainage layer), and underground storage tanks or vaults. The design focuses on retention and slow discharge over time to prevent overloading the storm sewer system during storm events. The goal is to gradually release water into the existing infrastructure, reducing the risk of inundation.

Outside of stormwater management, the roofs of the Project, to the greatest extent practicable, after accommodating all necessary mechanical and emergency equipment, will be designed to accommodate solar panels or passive green roofing, at the Port Authority's discretion.

11. **Affordable Housing Development:** You have suggested making available certain PA property in the area of the Project for residential development, so long as the Port Authority determines, in accordance with its governance requirements, that the property is surplus to its needs. The properties you have identified include: (a) 431 West 33rd Street, (Block 731, Lot 22), located on the north side of West 33rd Street, to the east of Dyer Avenue, and (b) part of 441 West 40th Street (Block 1050, p/o Lot 13), located on the north side of West 40th Street to the west of Dyer Avenue. You have also identified 566 Ninth Avenue (Block 1032, Lot 1) located at the northeast corner of Ninth Avenue and West 41st Street as a site for potential residential development. However, 566 Ninth Avenue is occupied by an existing building that provides ventilation for the Greyhound tunnel; the PA expects this ventilation structure to remain in place indefinitely. 431 West 33rd Street and 441 West 40th Street (which currently has ramps running over approximately half of the site) will provide critical support for construction and transportation operations both during and after construction of the Project.

Because the PA will need continuing access to these properties for ongoing maintenance and operations of Port Authority facilities, and because of the nature of construction laydown and other construction means and methods, which require clear space (i.e., no columns) and high clearance for the use of cranes and other equipment, and the PA's need to stage and store construction equipment and materials in connection with the ongoing maintenance and repair of the Lincoln Tunnel and the Project, the PA does not believe it is feasible to redevelop these properties as a mixed-use building with continued PA uses on the ground floor and cellar levels, and residential uses above.

If, however, the PA determines, in accordance with its governing statutes and by-laws and other applicable law, that one of the foregoing parcels or a portion thereof can either accommodate both PA public uses and residential uses, or is no longer needed for Port Authority public purposes and can therefore be disposed of, the PA will seek to first offer such property (the "ROFO"), as-is to a governmental entity, or work in partnership with a government entity, that is charged with, or commits to, developing the property with residential use, including affordable housing, ("Grantee") for a four year period (the "ROFO Period"), subject to the following terms and conditions: (i) the PA also determines that such property can feasibly be developed with residential use in a manner that does not interfere with or impede the PA's transportation operations (during both the construction and the ongoing operation of the proposed residential development); (ii) the processes for the PA's offering of such property and for its selection of a Grantee comply with applicable law; and (iii) the PA receives the appraised fair market value for such property (based on the property's highest and best use, unencumbered by an affordable housing requirement) and is reimbursed for any costs incurred in preparing the property for redevelopment, either through the received purchase price, assistance from one or more other governmental entities, or a combination thereof. If the transaction for the development of the property with residential use, including affordable housing, fails to occur during the ROFO Period, then the ROFO shall automatically terminate with respect to such property and the PA shall retain the right to offer such property for development without an affordable housing requirement.

The PA will evaluate the foregoing properties in accordance with its governing statutes and by-laws and other applicable law to determine whether the foregoing properties or a portion thereof can either reasonably accommodate both PA public uses and residential uses, including affordable housing, or are no longer needed for Port Authority public purposes and can therefore be disposed of. If after performing such evaluation the PA reasonably determines that (x) the aforementioned properties cannot accommodate both PA public uses and residential uses or (y) that such properties are needed for Port Authority public purposes and therefore cannot be disposed of, the PA shall thereafter re-evaluate such properties as described in this subparagraph every four years. The PA may cease such periodic evaluations upon the sooner to occur of (A) the date that is twelve years after the completion of the Project, and (B) the date that the PA determines that any of the foregoing properties or a portion thereof can reasonably accommodate both PA public uses and residential uses or are no longer needed for Port Authority public purposes. The periodic evaluations and determinations described in this paragraph shall be made solely by the Port Authority and shall be shared in writing with state and local government entities.

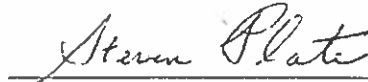
12. **Points of Agreement Accountability and Reporting:** The PA agrees to submit a written progress report and meet with representatives of City, State and Federal elected officials to report the progress on these Points of Agreement on an annual basis

beginning in Q2 2025. The PA agrees to elect a Points of Agreement representative who will convene these meeting and reports. The local NYC Council Member will support the convening of the elected officials.

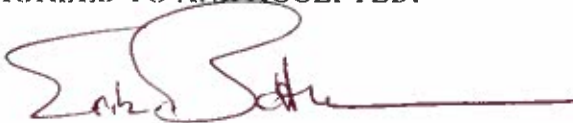
As you know, the Project has long been in consideration and the community has been an important part of the efforts to bring it to fruition. The PA believes the neighborhood, together with the New York/New Jersey region as a whole, will have improved transportation options and a far better physical environment upon completion of the Project as planned. We appreciate your consideration of this letter in that light.

This agreement remains subject only to the final determination of the Port Authority Board of Commissioners to move forward with the Project.

THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY

By: 
Name: Steven Plate
Title: Chief, Major Capital Projects

AGREED TO AND ACCEPTED:

By: 
Hon. Erik Bottcher
City Council Member, District 3

Enclosure

cc: Jerry Nadler, U.S. Representative, CD-12
Brad Hoylman-Sigal, NYS Senator,
SD47

Tony Simone, NYS Assembly Member, AD-75

Mark Levine, Manhattan Borough President

Manhattan Community Board 4

City Council Planning & Land Use Division

Kathryn Garcia, Director of State Operations and Infrastructure,
Office of Governor Hochul

David Ullman, Assistant Secretary for Transportation,
Office of Governor Hochul

EXHIBIT A

Prior Changes to Port Authority Project Plans in Response to Community Feedback¹

Project Plan

1. **Bus Terminal Project to be built only on Port Authority Property:** In response to community concerns, the PA has committed to no use of eminent domain or taking private property. The PA redesigned the Project to be built only on PA-owned land.
2. **Storage & Staging Facility + Direct Access Ramps:** After the community requested that the Project remove buses from local city streets and eliminate scattered surface-level parking lots, the PA added the new SSF which will consolidate storage and staging functions in a single facility, minimizing bus idling and circulation around local city streets and reducing congestion in and out of the Lincoln Tunnel. The new Ramp Structure was another key priority of the community. The Ramp Structure will provide a direct connection to the Lincoln Tunnel, with added queue space and bypass capability, thereby reducing bus circulation on local city streets.
3. **Intercity Bus Operations:** The design of the improved and expanded Main Terminal incorporates an additional floor with 40 gates for intercity buses. This modified design reflects the PA's agreement to accommodate these intercity buses, which currently use curbside space on local city streets, inside the new Main Terminal and reduce long-haul bus pickups/drop-offs on local city streets.
4. **Street-Facing Retail:** As requested by CB4, to ensure the Project is more welcoming to nearby residents and the surrounding neighborhood, the PA has designed the new Project to significantly increase street-facing retail (from approximately 25,000 sq ft to more than 100,000 sq ft). This includes locating street-facing retail along the Main Terminal's Ninth Avenue frontages, keeping with the context, character, and scale of the Paddy's Market Historic District ("Paddy's Market").
5. **South Wing Tower Relocation (Tower 2):** The PA agreed to move one of the Project's commercial office towers from Ninth Avenue to Eighth Avenue in response to the community's requests. This relocation significantly impacted the Main Terminal's site plan and reduced shadow impacts on adjacent historic properties.

¹ The changes to the Project made by the PA in response to community feedback and as described in this Exhibit A have nearly doubled the Project's estimated construction cost, from approximately \$5.5 billion to \$10 billion.

6. **Publicly Accessible Open Space:** In response to community feedback, the PA has committed to construct decks over Dyer Avenue on Block 736, Lots 22 and 73, and Block 735, Lots 18 and 22 (the “Dyer Deck-Overs”) and converting the Dyer Deck-Overs to nearly 3.5 acres of new publicly accessible open space (the “Dyer Deck-Over Open Space”) after the Project is in full operation. The new Dyer Deck-Over Open Space will help reconnect the neighborhood and provide open space in an area of midtown Manhattan that lacks such space.

Design Elements

7. **Architectural Context:** Per the community’s request, the PA has designed the Project with an architectural scheme appropriate for the various streets and avenues within which the Project exists. The PA has committed to incorporating varying facades, screening, and other urban design elements so that the Project reads as a grouping of smaller buildings with contextual materials and proportions, rather than as one monolithic structure.
8. **West 40th Street and Ninth Avenue Corner:** As requested by CB4, during the City Planning Commission’s review of the land use applications, the PA advanced a design proposal that maintains continuous street walls, built to the street line, along the base of the Main Terminal at the northeast corner of West 40th Street and Ninth Avenue, in keeping with the context, character, and scale of Paddy’s Market.
9. **Proportional Storefronts:** In response to community feedback, the Project’s ground- floor frontages on Ninth Avenue have been designed with retail storefronts that, in their design and proportions, achieve consistency with surrounding buildings in Paddy’s Market.
10. **Unclad Bridge Design on Tenth Avenue:** At the request of the community, the PA has modified the design of the Tenth Avenue bridge, which will connect the Ramp Structure with the SSF, to increase natural light and views through the structure.
11. **Bird-Friendly Glass:** In response to community concerns, the PA has committed to installing bird-friendly glass to protect local wildlife.
12. **Con Edison Sidewalk Grates:** Following CB4 feedback, the PA has coordinated with Con Edison to ensure that, to the maximum extent practicable, the design will not locate Con Edison grates in the sidewalks adjacent to the Project.

Improvements to Pedestrian Experience

13. **Sidewalk Widening and Street Trees:** The PA has agreed to coordinate with CB4, DOT and the New York City Department of City Planning to widen sidewalks adjacent to the new Main Terminal, SSF and Ramp Structure in a majority of instances. The goal is to achieve widened sidewalks to improve the pedestrian experience and accommodate more street trees, subject to subsurface conditions, DOT interests, and safety considerations at any particular location.
14. **New Sidewalk on West 41st Street:** At CB4's request, the PA has worked with DOT to ensure that a sidewalk will be created on the south side of West 41st Street between Ninth Avenue and Dyer Avenue. This will provide a missing pedestrian connection and allow for improved pedestrian circulation in the neighborhood.
15. **Taxi Stand Relocation:** In response to the community's request, the PA has agreed to locate the taxi stand on Eighth Avenue between West 40th and West 42nd Streets, instead of Ninth Avenue and West 40th Street. This will improve sidewalk conditions along the perimeter of the Main Terminal, as well as reduce congestion on city streets.
16. **Eliminate bus entrance on West 40th Street:** To address community concerns and objectives, the design for the Main Terminal eliminates the existing bus entrance on West 40th Street and replaces it with street-facing retail. The corresponding bus exit will also be eliminated from West 41st Street. These closures will reduce pedestrian/bus conflicts and congestion on city streets.
17. **Limited use of entrance/exit on West 39th Street:** Per CB4's request, the PA has agreed to minimize the pedestrian crossing distance on the north side of West 39th Street (between Tenth and Eleventh Avenues), and to limit vehicular use to non-routine responses arising from incidents or operations in connection with the Lincoln Tunnel