

[The blind men and the white elephant: N.Y.'s terrible Penn Station development plan](#)

By **CHUCK WEINSTOCK**

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The disqualifying problem with the state's plan to rezone the blocks across the street from Penn Station is best illustrated by the parable of the blind men and the elephant: Four blind men encounter an elephant for the first time. One of the men feels a leg, another a tusk, another the trunk, the last the tail. After comparing notes, they throw up their hands. No one has a clue what the animal is.

The elephant here is the long-overdue plan to rehabilitate Penn Station. The tusk is Gov. Hochul's proposal to fund it by gutting the city's zoning laws and bestowing on neighboring property owners around 18 million square feet of development rights. The state's plan is to knock down what's there now — handsome, sturdy buildings, seven of which are listed or eligible for listing in the National Register of Historic Places — and replace them with 10 office towers, one nearly the height of the Empire State Building. It's a bad plan.



There is a better way. (Shutterstock)

One reason to be skeptical about it is the continuing influence of Vornado Realty, [which owns or controls five of the eight properties that would benefit from the rezoning](#). Since 2002, [its chairman](#) has [contributed at least \\$384,000 to the political campaigns of former Gov. Cuomo](#), the architect of this suspect plan. Even worse, the company is now splitting the bill for the state's financing consultants, Ernst & Young — the very people who are advising the state on how much to charge Vornado and the other [developers](#).

Earlier this month, breaking with a long tradition of deference to the state, the City Planning Commission [withheld its support for the plan](#). As the commission explained, there's a cart/horse problem. The state doesn't yet have a budget for the new station, and for good reason: It doesn't have the slightest idea what the station is going to look like.



Derail this plan. (Shutterstock)

You and I would have a hard time getting a construction loan for a house we'd never bothered to design, and the state should too. Literally, the only information we have about the new station is a handful of "illustrative" renderings from the MTA. (Incidentally, not one of its partners on the project — the Federal Transit Administration, Amtrak and New Jersey Transit — has signed on to them, and they'd need to.)

This is urban planning on a cocktail napkin.

The MTA's renderings are for a generic suburban mall between Two Penn Plaza and Madison Square Garden. As for the station, it would remain pinned beneath the Garden. There are so many better solutions — like building a new station on Seventh Ave., replacing the lower floors of Two Penn or maybe the entire building. The best idea, as everyone knows, is moving the Garden and putting in an above-ground station right where the old Penn Station was before its soul-crushing demolition in 1963.

The state doesn't even know how much revenue it can expect from the developers. All it's said is that there are various mechanisms it "could" use to raise the money. "Could"? After a decade of planning and a line-up of expensive consultants, that isn't good enough. (The most likely mechanism is diverting much-needed city property taxes, [a process euphemistically known as "value capture."](#))

When the revenue comes is as important as how much. The state isn't requiring the developers to pay anything until they're ready to build, and it isn't giving them any deadline to start. In fact, developers are free *never* to build. In this shaky commercial market, it could be 15 or 20 years before they move ahead and the money begins flowing to the state.

Perhaps most seriously, this project trespasses brazenly on one of the essential powers of municipal government: the power to zone. Over the past 40 years, New York City has painstakingly exercised that power over the Penn Station area, rezoning five times. If that hasn't, in the end, been enough to fully transform the area, that's hardly the city's failure. The health of this neighborhood depends above all on the health of Penn Station itself, which the city has never had the authority or resources to overhaul. The state and its partners do. But they've failed to demonstrate that their current proposal, premised on the most fanciful of revenue projections, would help restore the station to good health. It's a gift to developers, not the city.

Weinstock is an attorney who recently submitted comments to the State's Empire State Development Corporation challenging this plan on behalf of Manhattan Community Board 5, the City Club of New York, ReThink NYC, the 251 W. 30th St. Residential Tenants Association and the Midtown South Community Council, among other organizations.