From:	McGrory, Madeleine (MBPO)
To:	24DCP094M_DL
Cc:	Chaparro, Lizette (MBPO)
Subject:	MSMX Scoping Comments
Date:	Tuesday, April 30, 2024 4:59:30 PM
Attachments:	Electeds Scoping Comments - MSMX 2024-04-30.pdf

Hi DCP!

I hope your week is off to a pleasant start. Please see the attached scoping comments from the BP, and Councilmembers Powers and Bottcher.

Best,
Madeleine

Madeleine McGrory (she/her)
Senior Urban Planner
Office of the Manhattan Borough President Mark Levine
[redacted]

April 30, 2024

Stephanie Shellooe, AICP, Director
Environmental Assessment and Review Division
New York City Department of City Planning
120 Broadway, 31st Floor
New York, New York 10271

Dear Ms. Shellooe:

We appreciate the opportunity to submit comments on the proposed Midtown South Mixed-Use rezoning. Our offices have been happy to support the Department of City Planning (DCP) as you've embarked on an analysis of the conditions within the Project Area (generally four noncontiguous "quadrants" that span from 23rd Street to 41st Streets between 8th and 5th Avenues) alongside discussion with stakeholders in the area. We agree with DCP that the area's underutilized office stock, along with its outdated manufacturing zoning, presents not only a call to action, but an opportunity to create housing—especially affordable housing—and to bring much needed benefits to this part of Manhattan.

Levine, Bottcher, Powers-01

Land Use, Zoning and Public Policy

Analysis of City of Yes Proposals

DCP's proposed scope includes an analysis of the potential impact that multiple public policy initiatives might have on the study area. The initiatives include Housing New York, Housing Our Neighbors, Vision Zero, Where We Live NYC, FRESH, BID's and OneNYC. We recommend that the scope also include the potential impacts of City of Yes for Carbon Neutrality, which was approved in December 2023, City of Yes for Economic Opportunity and City of Yes for Housing Opportunity, which are both currently undergoing public review. In particular, we would like an in-depth analysis of the new manufacturing districts included in the Economic Opportunity text amendment, which are contemplated as part of this proposal.

Levine, Bottcher, Powers-02

Floor Area Bonuses

We are pleased to see that this proposal seeks to incentivize public realm and transit improvements. However, by incentivizing these improvements via floor area bonuses, the proposal may force these goals to compete with the goal of boosting housing production. We encourage DCP to undertake a careful analysis of how these bonus programs would impact housing production, including a study of which sites would be best suited to provide covered pedestrian spaces, and which ones would be suited to provide transit improvements so we can better understand how they might be used. Moreover, we seek to better understand how these bonuses might be layered, including with other programs such as the Universal Affordability Preference that is part of the City of Yes for Housing Opportunity proposal.

Levine, Bottcher, Powers-03

We also encourage DCP to study how the recent lifting of the NY State 12 FAR cap may encourage the production of housing units in the study area, particularly with respect to commercial-to-residential conversions.

Levine, Bottcher, Powers-04

Socioeconomic Conditions

Compared to its surrounding neighborhood, the Project Area is a housing desert —home to only 2,300 apartments compared to the 74,000 units that are within the nearest half-mile radius. Even more concerning is that only 317 of these units are affordable. In an area that is well served by public transit lines, including 15 subway lines and other regional transit options, it's imperative to provide more housing, including affordable housing. We applaud the Department for presenting potential incentive options to spur housing production. As this plan is studied and refined, we urge you to implement the zoning and policies that will maximize residential development.

Levine, Bottcher, Powers-05

While prioritizing housing production, we must also protect the remaining businesses still operating in the Project Area. Once a major hub of activity, the fashion industry in the area has declined significantly in past decades. Garment manufacturing jobs declined as much as 75% between 1987 and 2016, and today the Project Area is home to only 3% of the jobs in New York City. Still, the area's impact on our fashion industry is significant, with almost 25% of fashion manufacturing and wholesale jobs concentrated in the area, and nearby Broadway productions relying on its services. A successful proposal for the area will accurately reflect and accommodate the current, more constrained, needs of the industry. It is also crucial to pay special attention to the businesses of the Flower District, as they frequently extend beyond the ground floor, forming a unique commercial ecosystem that requires careful consideration.

Levine, Bottcher, Powers-06

Notably, the tech sector has surged in the southeastern portion of the Project Area, where it's grown by 73% in the last decade. We appreciate DCP's nuanced analysis that looks at the micro economies in each of the 4 subsections of the Project Area and we encourage you to look at strategies for ensuring that this vibrant part of the area can remain a hub for startups.

Levine, Bottcher, Powers-07

A rezoning of this area must allow for both businesses and housing opportunities to flourish. To that end, we recommend that the DCP consider additional mechanisms to maintain the diverse manufacturing and commercial uses that make the area economically unique and valuable.

For example, to encourage a diversity of uses within or among new buildings, the DCP could study an M2-9A district that offers 1 additional FAR for manufacturing uses, or application of tools similar to FRESH (for example, exempting some garment manufacturing space from FAR, paired with a financial incentive) or the "Gowanus Mix" (for example, reserving a little floor area just for garment manufacturing).

Levine, Bottcher, Powers-08

Urban Design & Visual Resources

DCP has noted that much of the residential development that is anticipated to result from the proposed actions would occur through commercial-to-residential conversions, as opposed to new construction. We encourage you to pursue conversion strategies particularly in the more-developed portions of the Project Area. As we noted above, we are concerned about the provision of multiple FAR bonuses and its potential unintended perverse incentive to demolish buildings. We ask that DCP carefully study how that potential outcome could be averted.

Levine, Bottcher, Powers-09

DCP also acknowledges that the proposed actions would "affect a pedestrian's experience of public space". In the Garment District, streetwalls are a defining architectural characteristic. We ask that you explore implementing height caps in this portion of the Project Area—without compromising on density—to ensure that the built character of this area is maintained.

Levine, Bottcher, Powers-10

Transportation

The Project Area includes extensive surface level transit infrastructure that makes it well suited for increased residential development. However, with the expected 6,639 residents that this rezoning could bring, more can be done to make public transit reliable, and bike travel safer. We ask that DCP evaluate the need for continuous bus lanes on avenues where they do not exist, improving bus service East and West on 34th, and create two-way East West protected bike lanes across the Project Area

Levine, Bottcher, Powers-11

Community Facilities and Services

The scoping documents note that the proposed actions would not result in the displacement or alteration of any hospitals or clinics. However, we'd like to put this proposal within a broader context. Bellevue Hospital, a public hospital located less than one mile outside of the Project Area, is already at approximately 90% capacity. The closure of local hospitals, coupled with the expected 6,639 residents that this rezoning could bring, will mean that Bellevue will need to be expanded to meet increased needs. The prospective closure of Mount Sinai Beth Israel alone will mean that Bellevue is expected to get approximately 14,000 more emergency room ambulance visits per year. We know that the hospital will need at least $1 million to undertake an expansion. Given this startling reality, we ask that DCP closely evaluate the impact that this rezoning would have on the need for services and propose mitigations for any increase in demand for services.

Levine, Bottcher, Powers-11

Similarly, we ask that DCP take a broader approach in its evaluation of emergency services, particularly in light of the recent and planned development in the Hudson Yards area.

Levine, Bottcher, Powers-12

Historic and Cultural Resources

We request that in tandem with this rezoning proposal, the DCP closely evaluate properties that have historic or cultural significance and work with the Landmarks and Preservation Commission to ensure that these properties are calendared so that they may be protected from any future demolition.

Levine, Bottcher, Powers-13

Our offices look forward to working with you to arrive at a successful proposal that addresses these concerns.



Mark Levine
Manhattan Borough President



Erik Bottcher
Council Member, District 3



Keith Powers
Council Member, District 4

MCB4 Letter re Draft Scope of Work for MSMX Plan

Pretente, Janine [redacted]
Fri 4/26/2024 4:23 PM
To:24DCP094M_DL <24DCP094M_DL@planning.nyc.gov>
[redacted]

1 attachments (166 KB)
01 CHKLU Letter to DCP re Comments on Draft Scope of Work for Midtown South Mixed Use Plan.pdf;

Respectfully submitted by Manhattan Community Board 4. This letter is subject to ratification at our May 1st Full Board meeting.

Janine Pretente-Yusuf
Community Associate
Manhattan Community Board 4
[redacted]

** Due to the abundance of State and City directives regarding the COVID-19 Pandemic, the Manhattan Community Board 4 office is closed to unscheduled visitors. We can be reached via email and phone. All meeting details can be found on our website's calendar page.*
*** MCB4 Members Only: Remote Participation Request Form*

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JESSICA CHAIT
Chair

JESSE R. BODINE
District Manager

April 26, 2024

Daniel Garodnick
Chair
Department of City Planning
120 Broadway, 31st Floor
New York, NY 10271

Re: Midtown South Mixed-Use Plan
Draft Scope of Work

Dear Chair Garodnick,

At Manhattan Community Board 4's (MCB4) Clinton/Hell's Kitchen Land Use (CHKLU) Committee meeting on April 10, 2024, the committee reviewed the Draft Scope of Work (DSOW) for the NYC Department of City Planning's (DCP) Midtown South Mixed Use (MSMX) Plan. MCB4 wrote to DCP on March 18, 2024, regarding the board's concerns surrounding the MSMX Plan. The DSOW raises further concerns, detailed in this letter.

MCB4 supports the proposed changes with conditions[1]. MCB4 has been a long-time advocate for finding solutions to our housing crisis, notably for permanently affordable housing options, including middle- and moderate-income housing. This zoning change proposes solutions to move forward the conversion of underutilized (and many overbuilt) manufacturing buildings into housing units. However, there are many unaddressed issues that could lead to negative unintended consequences which would harm the character and architectural uniqueness of the built environment of the Garment Center District. Therefore, MCB4, in an effort to promote conversions without unnecessary demolition requests additional studies on how to address neighborhood concerns and further neighborhood goals. These include:

Chait-01

- Creating family-sized units, 2 bedrooms or more.
- Applying any bonus to the creation of a maximum of affordable apartments.

[1] This letter is subject to ratification at the Manhattan Community Board 4 May 1st Full Board meeting.

- Applying the transit bonus to improving transportation solely in the vicinity of new or renovated buildings as a direct benefit to those residents.
- Encouraging conversions instead of demolitions.
- Ensuring social service facilities are run by quality providers, maintain high standards, and are not concentrated in one area

MCB4's is mostly concerned with the 8th Avenue corridor that is part of the proposed Northwest area described below.

Background
In October 2023, DCP introduced the concept MSMX proposal. The plan proposes rezoning 4 distinct areas in Midtown South, totaling 42 blocks:

- Northwest Area: West 34th to West 40th Streets, Broadway to the west side of 8th Avenue
- Northeast Area: West 35th to West 39th Streets, 5th to 6th Avenues
- Southeast Area: West 23rd to West 31st Streets, 5th to 6th Avenues
- Southwest Area: West 23rd to West 31st Streets, 6th to 8th Avenues

A portion of this proposed rezoning is within MCB4.
- Northwest Area: The west side of 8th Avenue from West 35th to West 39th Streets
- Southwest Area: West 23rd to West 26th Street between 6th and 7th Avenues

The plan proposes rezoning the 4 areas, currently zoned M1-6, into mixed-use districts:

- Northwest and Northeast Areas: M1-9A/R10
- Southwest and Southeast Areas: M1-8A/R10

Through this proposed rezoning, DCP proposes to create mixed-use neighborhoods by introducing residential uses as-of-right in these areas of Midtown South. By permitting residential use as-of-right, with a requirement for affordable housing under Mandatory Inclusionary Housing (MIH), the proposal would foster a mixed-use neighborhood character similar to surrounding blocks.

Response to the DSOW Proposed Zoning Text Amendments
Elimination of Dwelling Unit Factor
The DSOW proposes the elimination of the Dwelling Unit Factor (DUF) within the Project Area, removing the controls on the maximum number of dwelling units in a building. By eliminating the DUF, developers could build more smaller units, creating more apartments bolstering the housing stock. However, developers could capitalize on the lack of the DUF to build larger, more expensive apartments. MCB4 does not support the idea of fewer larger apartments consuming available square footage. MCB4 requests language in the Proposed Zoning Text Amendments that will ensure development of smaller apartments if the DUF is removed. For example, the Special Clinton District requires 20% of units to be 2-bedroom for developments, enlargements, extensions, or conversions of an existing building to a residential use. DCP needs to study zoning mechanisms to:

Chait-02

- Prevent fewer larger units and therefore reducing the overall number of units produced by this zoning action.
- Require 20% of the units be 2 bedrooms or larger in order to ensure a mix of apartments for larger households while at the same time encouraging smaller units.

Chait-02

Covered Pedestrian Space Bonus

Under this proposal, certain development sites within the Northwest Area would be allowed to apply for the Covered Pedestrian Space Bonus for a floor area increase of up to 20%. The built context of the Northwest area has no relation to covered pedestrian spaces. The midblock building typology is typically bulkier, loft-style buildings. The avenues have higher street walls.

The Northwest Area, situated between Penn Station and Port Authority Bus Terminal, is a major corridor for transient use between the two transportation nodes. The current public plaza bonus has been an abject failure in front of multiple budget hotels and during the day has functioned as a waiting area for hotel guests. In the evening and night hours, those poorly designed public spaces have created a haven for illegal activity. The hotels have responded by partially blocking them off, creating a lack of compliance for public space. Covered pedestrian spaces are an indoor version of the multiple non-functioning public plazas.

Chait-03

The Northwest Area contains West 34th to West 40th Streets, an area where a majority of narcotic arrests have taken place. In 2023, Midtown South Precinct had 1,280 narcotic arrests, ranking in the top 3 out of New York's 77 police precincts. Privately-owned open space (POPS), whether a covered outdoor plaza or an indoor arcade, are not appropriate in an area continuing to have serious public safety challenges.

Providing options for density bonuses will only create the easiest bonus and not serve the need to create affordable housing, a central part of this proposal. In the Special Clinton District in 1973, both an affordable housing bonus and a public plaza bonus were introduced. From 1973 to the early 1990s, three plazas were built and no affordable housing. When the public plaza bonus was eliminated, affordable housing through inclusionary bonus came to be built. Developers will always choose producing indoor or outdoor space over affordable housing. Please study having the covered pedestrian space bonus eliminated *as well as the public plaza bonus*.

Transit Bonus

The proposed action would define the proposed MSMX project area as a Central Business District (CBD), making all sites within the Project Area qualifying transit improvement sites. This would allow all sites within the Project Area to receive a 20% density bonus for improving an adjacent subway station. This proposed action was not disclosed during the March 13th, 2024, presentation from DCP to CHKLU. Designating the MSMX Project Area as a CBD expands the CBD further south and west and encourages major demolition of building stock that should be converted to residential. The introduction of multiple incentives will push developers to demolish large existing buildings. This plan should stimulate the conversion of existing buildings, including those that are underbuilt, instead of incentivizing demolition of existing buildings. The identification of potential conversion sites combined with the designation of a CBD is a backhanded attempt to bring excessive density to this area, which has already been accomplished in Hudson Yards. The transit bonus should not be used over the entire area but

Chait-04

should have a direct nexus to subway entrances. Study maintaining the current transit bonus text within 500 feet of a subway entrance.

Development Scenario Parameters
The Development Scenario Parameters lists floor heights for ground, commercial, and residential floors. However, there is no mention of mechanical voids. In 2019, the City Council adopted the Residential Tower Mechanical Voids text amendment. Mechanical voids taller than 25 feet count as zoning floor area, and mechanical void spaces located within 75 feet of each other count as zoning floor area. Please clarify what is the plan to restrict excessive height by the utilization of mechanical voids.

Chait-05

Projected and Potential Development Sites
MCB4 appreciates the analysis of existing projected and potential development sites for which additional FAR could be built under the new zoning. Those development sites focus on small 1-6 story buildings. However, considering the large proposed increase in zoning to a potential 15 FAR, the range of development sites may include existing loft buildings under 15 FAR. Please provide a map, as requested in the MCB4 letter on April 3rd, 2024, of lots underbuilt to 12 FAR and to 15 FAR.

Further, the current scoping does not incorporate the availability of development rights from adjacent properties. Therefore, there are many potential development sites adjacent to buildings underbuilt within the proposed new FAR limits. Please study zoning mechanisms to include limiting aggregating of FAR from underbuilt sites to prohibit the development in the style of the West 57th Street Billionaires' Row. Such development will have a major impact on the visual resources of the surrounding Times Square, Garment Center, and Penn Station areas.

Chait-06

Response to the DSOW Proposed Zoning Map Amendment
The existing zoning in the four project areas is M1-6, which has a maximum 10 FAR, bonusable to 12 FAR only through a plaza bonus.

DCP's plan proposes mixed-use zoning districts in the four areas.

- The Southwest and Southeast areas are proposed to be rezoned to M1-8A/R10 with a maximum 12 FAR (maximum 12 FAR residential).
- The Northwest and Northeast areas are proposed M1-9A/R10 zoning, with an increase of 3 FAR, to a maximum of 15 FAR (maximum 12 FAR residential)

Chait-07

<u>Rationale of Rezoning Based on Surrounding Area</u>
DCP's rationale for this action is that parts of the surrounding blocks area are a C5-3 high-density zone, with a maximum 15 FAR (maximum 12 FAR residential). However, that high density zone is mapped along wide Midtown avenues and the southern portion of Times Square, not in the midblocks, on narrow 60-foot-wide streets. Please study the need for such density and the potential unintended consequences.

Existing Overbuilt Buildings
DCP has noted that the majority of the buildings in the project areas were built prior to the 1961 Zoning Resolution with current bulk greater than 12 FAR. Therefore, those buildings will be prime candidates for residential conversion. It is standard NYC DOB practice to permit full conversion to residential use of manufacturing or commercial buildings built prior to 1977, even existing density exceeds an FAR of 12. Therefore, an existing commercial or manufacturing building, for example, built to 16 FAR, could be converted as of right to residential building. MCB4 supports that consequence and result.

Chait-08

Existing Underbuilt Buildings
However, a maximum of 15 FAR will lead to demolition of underbuilt to 15 FAR. To address that issue, before proceeding with this proposed rezoning, MCB4 requests that DCP produce maps of the existing bulk and density of buildings within the project areas to illustrate which buildings are underbuilt and overbuilt, both to current and proposed zoning. Therefore, the consequences of this proposed action can be evaluated and understood in the upcoming public review process.

Chait-09

West side of 8th Avenue between West 35th and West 39th Street
The west side of 8th Avenue is an integral part of the Hell's Kitchen neighborhood, from West 34th to West 57th Street. North of West 42nd it is mapped as the Perimeter Area B, of the Clinton Special District. The Perimeter Area of 8th Avenue and West 42nd Street functions as a high-rise development corridor, with a 10 FAR, bonusable to 12 FAR only through Inclusionary Housing. It balances the low-rise low-density Preservation Area to the West as transition zone in density from Midtown to Hell's Kitchen. That transition zone must continue south from West 39th to West 35th Streets. Currently those blocks are zoned M1-6, with a maximum FAR of 10, bonusable to 12 FAR only through a Plaza Bonus.

Based upon information from the 2018 Garment Center Rezoning, the majority of buildings on the west side of 8th Avenue between West 35th and 39th Streets are currently well overbuilt above 12 FAR. To achieve the goal of converting those buildings to housing, there is no further need for such a major upzoning.

Chait-10

Height limits coupled with high density work. They are mapped at 250 feet immediately to the west from West 35th to West 38th Streets, 8th to 9th Avenues, and have accommodated a density of 13 FAR. In the blocks along 8th Avenue and further east, any proposed height limits should be adjusted whether along the avenues or midblocks built environment. Height limits will not hinder development but will reinforce the neighborhood character of the existing Garment Center early 20th century loft buildings.

Chait-11

Please study a modest density increase to 13 FAR, to map the same density at that immediately to the west. Those midblocks were rezoned as part of Hudson Yards Rezoning 2005 to C6-4M, with a maximum FAR of 13, to encourage residential development of 12 FAR, with an additional 1 FAR for ground floor retail use.

Chait-10

Response to the Tasks Outlined for the DEIS
Task 4: Community Facilities and Services

Despite the addition of 3,952 under the Reasonable Worst-Case Development Scenario (RWCDS), the Proposed Action does not meet the threshold for detailed analyses of potential impacts on healthcare facilities and police/fire protection. Please clarify what the trigger is that would necessitate the analysis.

The development of Hudson Yards with no corresponding expansion of emergency services has overwhelmed the NYPD in the area. Adding residential density in the Project Area will further overwhelm emergency services.

Chait-12

DCP noted in their March 13, 2024 presentation to the CHKLU committee that "social services are providing necessary resources, but more support is necessary." In fact, the area contains a significant concentration of existing social service facilities. For example, in a 3-block area between 7th and 9th Avenues, the following social service facilities are located:

- 311 West 35th Street – West Midtown Medical Group (Methadone clinic)
- 255 West 36th Street – ACI Outpatient Services (Substance abuse)
- 330 West 36th Street– Praxis Shelter/Transitional Housing, 100 beds at the Hotel Barbour
- 301 West 37th Street – Housing Works Positive Health Project (Harm reduction center/syringe distribution)
- 347 West 37th Street – Fountain House (Supportive Housing, 30 permanent beds and 12-bed shelter)

Chait-13

The challenge is that some of these facilities are not well-managed or responsibly run, creating further street activity problems. The solution is not simply to add more services, but to improve current services and avoid the over-concentration of services. In fact, according to a November 9, 2023, report by the Office of the New York City Comptroller— Fair Share? Siting New York City's Municipal Facilities – social service facilities such as homeless shelters (including sanctuary sites and HERRCs), mental health centers, and substance use disorder treatment programs – are distributed unfairly in New York City, with Midtown, along with Harlem and East Harlem, have far higher concentrations than communities outside of this core region of Manhattan. And Manhattan Community District 5 (Midtown) has one of the highest highest rates of shelter beds per capita.

Please study how to avoid an overconcentration of social services within the Project Area. The City needs to ensure that existing social service facilities are dispersed and not concentrated within a portion of a neighborhood and that they provide quality services --especially in a neighborhood currently managing high drug and street crime activities. (It should be noted that in 2023 Midtown South Precinct (MTS) had 1,280 narcotic arrests, ranking in the top 3 out of New York's 77 police precincts. The majority of arrests have taken place in the 8th Avenue corridor from West 34th to West 45th Streets.)

We also request that studies to confirm that public school seats are in compliance with the new NYS Education Law 211-D.

Chait-14

Conclusion
MCB4 delivers these comments to DCP with the recognition for the potential that this proposed rezoning has for residential growth creating a greater mixed-use environment. We support the expansion of housing options to bring even more vitality to this neighborhood. Continued engagement through the public review process is paramount to the success of this proposed rezoning, and MCB4 takes its role in this process seriously. We look forward to further collaboration and responses to the requests for study as the proposed zoning continues to be developed.

Sincerely,



Jessica Chait
Chair
Manhattan Community Board 4



Jean-Daniel Noland
Co-Chair
Clinton/Hell's Kitchen Land Use Committee



Paul Devlin
Co-Chair
Clinton/Hell's Kitchen Land Use Committee

[EXTERNAL] Flatiron NoMad Partnership Written Comments

Ali Begazo [redacted]

Thu 4/25/2024 5:00 PM

To:24DCP094M_DL <24DCP094M_DL@planning.nyc.gov>
Cc:James Mettham [redacted]

1 attachments (521 KB)
Flatiron NoMad Partnership Scope Comments.pdf;

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Dear Department of City Planning,

Attached you will find Flatiron NoMad Partnership's response to the Draft Scope of Work released on March 19, 2024, for the Midtown South Mixed Use (MSMX) Plan.

As the Business Improvement District (BID) that covers the southeastern quadrant of the study area, we have an in-depth knowledge of the needs and challenges of the area. It is our belief that the attached comments are necessary for the MSMX study area to live up to its full potential through this pivotal re-zoning process.

Please let us know if you have any questions that we can clarify.

Thank you,

ALI BEGAZO
Director of Economic Development

FLATIRON NOMAD PARTNERSHIP
[redacted]

FLATIRON NOMAD

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Flatiron NoMad Partnership
Testimony to the New York City Planning Commission

Draft EIS Scoping Document for Midtown South Mixed-Use Rezoning
CEQR No. 24DCP094M

Submitted by James Mettham, President
on behalf of the Board of Directors
April 25, 2024

The Flatiron NoMad Partnership manages the Business Improvement District (BID) in the Flatiron and NoMad neighborhoods of Manhattan from 32nd Street to 20th Street, particularly the Southeastern quadrant outlined in the Midtown South Mixed-Use Plan. We serve the businesses, people, and places that help make this district one of Manhattan's most iconic and authentic destinations.

The Partnership generally supports New York City Department of City Planning's (DCP) Midtown South Mixed-Use Plan (MSMX) proposal and submits the following comments regarding additional recommendations for the Draft Environmental Impact Statement Scoping Document. We consider the following recommendations key to the success of the MSMX rezoning in unlocking a greater mix of dynamic uses in the district.

Begazo-01

We urge DCP and NYC City Planning Commission to give the following comments and recommendations careful consideration.

1. **Facilitating the genuine creation of Midtown South neighborhoods requires additional open & green spaces**

In the project area south of 32nd Street, there are currently only three open spaces and four Privately Owned Public spaces (POPs). The three open spaces are Madison Square Park, Third Cemetery of the Spanish-Portuguese Synagogue, and the Penn South Playground. One park and one playground is not nearly enough space to alleviate the needs of a growing residential community. To mitigate the inevitable overcrowding of the already limited number of open spaces, and to right-size the amount of open space with a more residential future in mind, the Partnership believes it imperative to prioritize public realm enhancements and the creation of passive and recreational public spaces with the help of NYC Department of Parks & Recreation and the NYC Department of Transportation.

Begazo-02

2. **Flatiron and NoMad are pedestrian-first neighborhoods with stakeholders that seek further public realm enhancements and infrastructure.**

97% of respondents to our 2024 Community Survey reported that they walk, cycle, or use public

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transportation to get in and around Flatiron NoMad. However, the highest ranked challenge for the Partnership to prioritize was bicycle and pedestrian safety and infrastructure. In these pedestrian-first neighborhoods, pedestrians are feeling unsafe and advocating for better infrastructure and rules.

Under the current proposal, the main concerns regarding Task 8: Urban Design and Visual Resources pertain to view corridors, wind conditions, and building characteristics such as setbacks and street wall height. A pedestrian's experience of public space contains much more than the elements outlined in the draft scope. Utilizing this rezoning as an opportunity for streetscape enhancements that will positively impact a new residential demographic is imperative. Begazo-08

In the Partnership's 2024 Community Survey, respondents ranked Sixth Avenue as the number one corridor that needed to see traffic configuration upgrades. As the rezoning quadrants straddle both sides of Sixth Avenue, the Partnership urges City agencies to prioritize the reimagination of the Avenue of the Americas into a corridor to better balances multi-modes of transportation and safety for residents, visitors, and commuters/workers. The MSMX rezoning and neighborhood planning effort serves as an opportunity to redesign the urban fabric impacted by the rezoning with initiatives supported by thorough observational Begazo-03

analysis and targeted stakeholder engagement with the local community. The Partnership recommends the creation of a Public Realm Improvement Fund, Concept Plan, and a governing body (modeled after the East Midtown Public Realm Improvement Fund Governing Group) charged with the selection and allocation of funds toward pedestrian realm and transit network projects in and around the study area. Begazo-04

3. **Specific office-to-residential conversion sites should be explored, and incentives should be implemented.**

The 3% blanket conversion rate for office-to-residential conversions referenced in the Draft Environmental Impact Statement Scoping Document, while based on 2010-2020 rates of conversion, appears low considering the changing nature of our office environment. As of April 2024, the Southeastern Quadrant alone had an office availability rate of about 18% and more than 700,000 SF of vacant office space. Given the changing commercial office/workers landscape, there are many more opportunities to explore commercial to residential conversions in the MSMX study area. While we do not expect nor encourage the conversion of all office space to residential uses, the area is already a desirable location for housing, and we expect additional office-to-residential conversions to bring residents to the neighborhood. Begazo-06

We have heard from building owners about the challenges of office to residential conversions, including incompatible floor plates, prohibitive costs, and FAR limitations. We ask that DCP and our elected officials to continue to investigate potential incentives (such as those proportioned through M-CORE and other programs) to encourage office to residential conversions where appropriate and feasible. The draft EIS should identify specific sites across the MSMX study area where potential housing units could be created through conversion.

4. **Support for existing small businesses and legacy industries.**

Legacy industries and areas like the Flower District and wholesale retailers have struggled and shrunk in Begazo-07

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recent decades for a variety of economic and land use reasons. When examining potential business displacement in the EIS, we recommend that DCP investigate appropriate and flexible protections and incentives specifically for these long-standing industries and for their employees.

Begazo-07

[EXTERNAL] MSMX Scoping REBNY Testimony

Maddie DeCerbo [redacted]

Thu 4/18/2024 3:40 PM

To:24DCP094M_DL <24DCP094M_DL@planning.nyc.gov>

1 attachments (593 KB)

20240418 REBNY Testimony MSMX DSOW.pdf;

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Hello,

Please see REBNY's testimony on the MSMX Draft Scope of Work attached.

Thank you,

Maddie DeCerbo
Senior Urban Planner
Policy and Planning

The Real Estate Board of New York
[redacted]

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REBNY
Real Estate Board of New York

REBNY Testimony | April 18th, 2024

The Real Estate Board of New York to

The Department of City Planning on the Midtown South Mixed-Use Plan Draft Scope of Work

The Real Estate Board of New York (REBNY) is the City's leading real estate trade association representing commercial, residential, and institutional property owners, builders, managers, investors, brokers, salespeople, and other organizations and individuals active in New York City real estate. REBNY appreciates the opportunity to comment on the Midtown South Mixed-Use Plan (MSMX) Draft Scope of Work, CEQR No. 24DCP094M.

DeCerbo-01

REBNY supports the Midtown South Mixed-Use Plan, which considers recommendations by The Office Adaptive Reuse Taskforce, to rezone centrally located, high-density Midtown districts from manufacturing use to allow for the creation of new residential buildings through conversions or new construction alongside commercial activity. MSMX will include amendments to the zoning map and amendments to the Zoning Resolution which will affect a 42-block area of the Midtown South neighborhood to facilitate a more vibrant, mixed-use neighborhood, create opportunities for housing development and conversions. The proposal is a comprehensive plan, answering the needs of the current neighborhood and changing nature of work patterns, while addressing the ongoing housing crisis in NYC. REBNY commends the Department of City Planning for this undertaking.

New York City is facing a housing crisis with housing production significantly lagging job growth. NYC permits only 29 units of housing for every 1000 residents. According to research by the Furman Center, increases in housing supply decrease or slows rent growth across a given jurisdiction and can lead to decreased rent in the surrounding area.

Outdated zoning regulations impede housing construction and undercut the City's Fair Housing goals. The City of Yes (COY) for Housing Opportunity seeks to address these inequitable barriers by expanding the City's capacity for increased housing development across all neighborhoods, while the MSMX plan will serve as a catalyst for housing production by permitting residential use in a neighborhood with great transit access and proximity to jobs.

DeCerbo-02

Importantly, the project area will allow for the highest permitted residential density and will foster office-to-residential conversions, contingent on the passage of City of Yes for Housing Opportunity.

DeCerbo-04

City of Yes for Housing Opportunity is the last of the three citywide zoning text amendments proposed by the Department of City Planning under Mayor Adam's City of Yes initiative. Once passed, the zoning resolution will permit the conversion of office to residential use for buildings constructed prior to 1990 in areas of the city that permit residential use. This is an important change to the Zoning Resolution, which currently only permits buildings up to 1961, or 1977 south of Murray Street in Lower Manhattan, to convert their floor area to residential use. DeCerbo-04

Housing Opportunity will also introduce two new districts, R11 and R12 districts into the Zoning Resolution, which will permit up to 15 and 18 FAR respectively, above the existing 12 FAR Cap. While the ability to implement a residential FAR higher than 12 FAR will ultimately depend on state action to do so via changes to the New York State Multiple Dwelling Law (MDL), and the subsequent adoption of the text amendment creating these districts, the department should include in its scope here for the MSMX plan these proposed new residential districts as potential options for the rezoning. DeCerbo-05

The City's affordability crisis will persist without tools that allow supply to match demand. Rezonings like the MSMX plan are an important catalyst for securing more housing production in NYC. However, it's important to keep in mind that regulatory reform is not enough without a tax incentive, and a tax incentive won't work if there's no place to use it.

Given the cost constraints associated with converting and the affordability requirements that come with the requirements of MIH, a tax incentive is imperative. The successful imposition and implementation of MIH is predicated on the need for a tax tool to offset the permanent loss in revenue from setting affordable rents below operating costs. DeCerbo-06

Whether a building is suitable to convert will depend on a variety of physical and financial considerations unique to each building, and a voluntary tax incentive will be an important part of the financial picture to make a mixed income rental viable. At the same time, since not every former office building will be a suitable conversion candidate, and with the potential for higher residential density, opportunities for new construction should be encouraged as well under MIH, and those new development projects will need a tax tool to complement the new construction. DeCerbo-08

DeCerbo-09 While the MSMX plan will help to address the housing crisis in New York City and directly responds to the City of Yes Housing Opportunity proposal to permit conversions citywide, it's important to scope all possible outcomes such as residential density above 12 FAR. Lastly, conversions will not be realized and housing development will not occur without a tax tool from the state to offset cost constraints associated with developing housing in New York City. DeCerbo-07

Thank you for the consideration of these points.

CONTACTS:

Maddie DeCerbo

Senior Urban Planner

Real Estate Board of New York

[redacted]

[EXTERNAL] Noise pollution at MSMX

Paulo Ribeiro [redacted]

Thu 4/18/2024 10:13 AM

To:24DCP094M_DL <24DCP094M_DL@planning.nyc.gov>

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Dear Dept of Planning representative,

Ribeiro-04

I'm writing to express my concern about the lack of concern (or at least a lack of visibility) around noise pollution in the target area for MSMX.

Noise is a "silent killer" linked to several concerning negative health impacts. Noise in the midtown area is pervasive and grossly overlooked by NYC health and environmental authorities. It's often dismissed as "this is NY what should you expect?"

What the citizens expect is the authorities, including the Planning Dept, to seriously investigate the noise problem in the area and propose enforceable mitigation measures that will make the area more attractive as a residential neighborhood.

The main noise culprit, in my humble opinion, is traffic. Aside from excessive noise, including from emergency vehicles' sirens, traffic causes air pollution which is well documented and, rightly so, a source of numerous studies.

Ribeiro-05

As a resident of the northwest quadrant of MSMX - the quadrant with the lowest number of residential units by far - I can tell you the traffic is terrible. I live on West 36th and the traffic from Lincoln Tunnel (often to the Midtown tunnel) is heavy and loud. EM vehicles often get stuck in traffic with their sirens at full blast.

Ribeiro-06

As part of the noise pollution mitigating measures, I suggest the Transportation Dept should look into eliminating parking along West 36th.

The new report from the Mayor's Office of Climate & Environmental Justice (which doesn't cover noise pollution unfortunately) shows that a significant part of the MSMX area needs remedial equity and environmental justice actions. Those should be taken into consideration in the planning and permitting of infrastructure for the MSMX area.

Ribeiro-07

Best,

Paulo Ribeiro

From: richard.bass[redacted]
To: 24DCP094M_DL
Subject: [EXTERNAL] Scoping Concerns
Date: Monday, April 29, 2024 9:47:49 AM

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1. Maintaining the conversion prohibition in M1-6M zoning districts in the Special Garment Center District for buildings greater than 70K square feet makes no planning or economic sense. There are only approximately 7 buildings greater than 70K square feet and their preservation for Class C office space is not market reality driven. One of the buildings I represent already was partially converted to residential use by variance and the remainder of the building is currently vacant because it cannot attractive an as of right use. As of right conversion to residential use should be permitted. Bass-01
2. There may be an inconsistency between proposed Midtown South Mixed-Use Plan (the "Plan") and the City of Yes Housing Plan, in that one permits as of right conversion for existing building in M1-6D zoning districts and the other prohibits such conversion. See Comment Z-4 for ZR 15-012 in City of Yes. Bass-02
3. In C6-4M zoning districts in the Special Garment District, as well as elsewhere in the Plan, conversion of existing buildings to community facility use, especially for supportive housing, is not covered under Article 1 Chapter 5 type conversions. For example, the building referenced above could be converted to supportive housing as of right today, but because of the required 20' rear yard, the rear façade would have to be relocated, a very expensive undertaking. All conversions, regardless of use, should recognize existing built conditions. Bass-03
4. Rear yard requirements indicated in 23-342(a) can be clarified. The proposed zoning text reads:

   "In the districts indicated, for #buildings# or portions thereof at or below a height of 75 feet, a #rear yard# with a depth of not less than 20 feet shall be provided, and for portions above 75 feet, where permitted, a #rear yard# with a depth of 30 feet shall be provided above adjoining grade shall be provided at every #rear lot line# on any #zoning lot# except as otherwise provided pursuant to the provisions of Section 23-34, inclusive."

   Is "for portions above 75 feet" intended to apply to buildings that are above 75', or portions of buildings above 75'? If the latter, does the language "a rear yard with a depth of 30 feet shall be provided above adjoining grade" need to be modified to require the 30' depth only at 75' above grade and higher? Or is the text intended to require a 30' rear yard starting at grade for any building exceeding 75' in height?

   In any event it appears that "shall be provided" is repeated unnecessarily. Bass-04
5. Corridor termination requirements listed in 23-232(a) can be clarified. Part (2) reads "the corridor is served by a stairwell where the enclosing walls contain transparent materials;" Are there any size requirements for the quantity of transparent materials between the corridor and the stair and/or between the stair and the exterior? Bass-05

Part (4) reads: "the corridor contains a window with a clear, non-tinted, glazed area of at least 20 square feet." Are there any requirements for the space into which the window opens? Bass-05

6. 24-111(c) states that certain buildings must comply with 24-11. This seems circular. Bass-06

Thank you for your consideration.

Richard Bass, AICP, PP
Senior Planning and Development Consultant
[redacted]
[redacted]

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[EXTERNAL] MSMX Scoping Statement - Steve Boxer

Steve Boxer [redacted]

Wed 4/17/2024 9:23 PM

To:24DCP094M_DL <24DCP094M_DL@planning.nyc.gov>

Some people who received this message don't often get email from sboxer@pachyderm.net. Learn why this is important

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I own Pachyderm Consulting, a boutique IT firm that was located in the Garment District for 15 years. This was an ideal place to locate my business because the neighborhood's unparalleled transit access made it easy for me to attract employees and reach client sites.

However, the Garment District today is struggling from the long-lasting impacts of the pandemic. Commercial vacancies, failing retail, and increased crime have diminished the quality of life in the neighborhood, making it difficult to find and retain quality employees. In 2022, I reluctantly moved my company out of the area to a safer, more active neighborhood. However, I still commute through the Garment District and find myself feeling vulnerable when I need to work during evenings and weekends, because the neighborhood feels particularly uncomfortable during those times. Boxer-01

I support the MSMX rezoning because it is abundantly clear that the Garment District's reliance on commercial tenants is untenable. For a safer, more economically stable future, the district must be allowed to develop into a 24/7 community with mixed uses that can support each other and bring life to the streets. This can only be accomplished by allowing residential conversions and development to take place. Boxer-02

At a time when the city is experiencing a housing crisis that further threatens the workforce, the MSMX rezoning presents an opportunity to revitalize one of New York's most important neighborhoods, while also addressing this critical, city-wide challenge. Boxer-03

Steve Boxer
Founder, Pachyderm
[redacted]

AUDIO TRANSCRIPT

PUBLIC SCOPING MEETING FOR MIDTOWN SOUTH MIXED-USE PLAN

April 19, 2024

00:00:50.780
Stephanie Shellooe, Director, EARD:

Good afternoon. Welcome, everyone you are tuning into the remote public scoping meeting for the Midtown South Mixed-Use Plan or MSMX.

For the record, the City Environmental Quality Review, or CEQR number is 24DCP094M.

My name is Stephanie Shellooe. I'm the Director of the Environmental Assessment and Review Division here at the Department of City Planning, and I will be hosting today's meeting. Evren Ulker-Kacar, Deputy Director of EARD will co-host today's meeting.

I want to thank everyone for taking time out of your day to join us and attend this meeting. I also want to emphasize - we'll hear from everyone who wishes to speak today, and this meeting will remain open until we've had a chance for all registered speakers to have an opportunity to provide their testimony. We also welcome written comments on this proposal and we'll accept written comments through 5 PM on Monday, April 29th, 2024, and we provide written comments with the same attention and consideration as we do to comments provided live today at this meeting.

If I can have production pull up our slide presentation.

We will now proceed to the public scoping meeting for the Midtown South Mixed-Use or MSMX proposal.

Again, for the record, the City Environmental Quality Review or CEQR application number is 24DCP094M. Today's date is April 18th, 2024, and the time is approximately 2:02 pm.

Next slide. And next slide.

Again, I'm Stephanie Shellooe, the Director of the Environmental Assessment and Review Division, or EARD at the Department of City Planning. The Department of City Planning is acting on behalf of the City Planning Commission as the Lead Agency for the proposal's environmental review.

As Lead Agency, the Department will be responsible for overseeing the preparation and completion of the proposal's environmental impact statement or EIS. Joining me today are several of my colleagues from the Department of City Planning: Eric Botsford, the Director of the Departments, Manhattan Office, and Nabila Malik, Deputy Director for the Manhattan Office. As I mentioned, Evren Ulker-Kacar, Deputy Director of EARD, and Max Marinoff, also from EARD is the Environmental Review Project Manager. Andrew Cantu, Azka Mohyuddin, and Ezra Moser, our lead planning team for the MSMX proposal in the Manhattan Office. We're also joined by additional members of the planning team, Abby Rider, Audrey

Wachs, and Trevor Lovitz. We also have Josh Simoneau, Rich Wang on the urban design team, and Joy Kim from our Counsel's Office. We also have several members of the Department working in the back of house in this meeting to make sure that it runs smoothly today. Thank you everyone for helping today.

Next slide.

Together, we're here to receive your comments on the Draft Scope of Work for the Environmental Impact Statement for the MSMX Proposal. The Draft Scope of Work identifies the subjects that will be analyzed in the upcoming Draft Environmental Impact Statement or DEIS and describes the methodologies that will be used in those studies. The Draft Scope of Work materials are available on the Department of City Planning website and the ZAP search website.

The purpose of today's meeting is to allow for public participation in the preparation of the DEIS at the earliest stage possible in the environmental review process. Specifically, scoping allows the public to help shape the DEIS before it is written.

Toward that end, the Department, as Lead Agency, will receive verbal testimony on the Draft Scope of Work today from elected officials, government agencies, and representatives speaking on behalf of the local community boards as well as members of the general public. As I mentioned, we also welcome written comments on the Draft Scope of Work. Those can be submitted through Monday, April 29, 2024, at 5 PM.

At the end of the written comment period, the Department as Lead Agency will review all the comments we receive, those that we hear today, as well as any written comments that come through before the deadline. After carefully reviewing all the comments, the Department will decide what changes, if any, will be made to the Draft Scope of Work and we will issue a Final Scope of Work. It's the Final Scope of Work that serves as the basis for preparing the Draft Environmental Impact Statement.

Today marks the beginning of the written comment period on the Draft Scope of Work. Again, as a reminder, no decisions will be made today regarding the Draft Scope of Work. Again, the purpose is to allow the public to provide their comments, allow the Department to listen to those comments and consider them. And it's important for all voices to be heard today.

I'll now focus on the structure of today's meeting, which will be divided into 3 parts. During the first part, the Department of City Planning will provide a brief overview describing the MSMX Plan. Then a representative from our environmental consultant, WSP, will provide a short summary of the Draft Scope of Work. Together, this is around a 20-minute presentation. Then, during the second part of the meeting, the Department will hear from elected officials, government agencies, and those speaking on behalf of the Community Board. Then, during the third and final part of the meeting, we'll hear from members of the general public.

Onto a few logistics. If you wish to speak and plan to join the meeting online, using a computer tablet or smartphone, please register through the Midtown South Mixed-Use Plan public scoping meeting on the NYC Engage portal. The website shown here on the screen. www.nyc.gov/engage.A link after you've completed that registration, a link to join us and provide your testimony will be emailed to you after

you've completed that registration process. Then you'll be added to our speakers' queue, and everyone who is registered to speak will have an opportunity to do so today.

When it's your turn to speak, I will call your name, and you'll be promoted to panelist. This will allow you to unmute your microphone and the ability to turn on your camera if you wish. There is a short period that appears you're no longer in the meeting. Don't be alarmed. You'll automatically rejoin the meeting as a panelist. At that time, you'll be asked to convey your remarks.

To allow to hear from everyone who wishes to speak. We will ask folks to limit their remarks to 3 minutes. If you're viewing us on zoom a 3-minute countdown clock will run on the screen, and at that 3-minute mark your time will expire. You'll be asked to conclude your remarks.

This process does take a moment, so please be patient as we're promoting and managing speakers.

An additional note for anyone joining by phone. If you wish to provide testimony via phone, please select Star 9 on your telephone when I prompt you. Please listen for me to call out the last 3 digits of your phone number. At that point you'll be given the temporary ability to share your testimony.

You'll need to press Star 6 to unmute your telephone, and we'll be able to hear you speak at the meeting. When your testimony is complete or your 3 minutes have expired, whichever comes first, you'll press Star 6 again to mute yourself. We'd like to encourage dial-in participants who wish to provide testimony to register using the dial-in participant hotline. That was the information shown on the screen at the beginning of the meeting.

Next slide.

Onto time limits. Speakers from the general public have 3 minutes to provide their testimony. There are a few exceptions to the 3-minute time limit. Elected officials, for example, are given the courtesy of jumping to the front of the queue and are not time limited.

To those of you viewing us on live stream, and wishing to testify, please be mindful of potential background noise during your testimony, make sure that the live stream is muted when you begin to avoid hearing an echo.

If anyone is viewing the presentation, but does not wish to provide testimony, please do remember that you can join this meeting live stream, using links on the NYC Engage and DCP websites.

Again, if you wish to submit written testimony, it can be submitted to the Department of City Planning. Our mailing address is shown here: 120 Broadway, 31st Floor, New York, New York, 10271. Attention to myself, Stephanie Shellooe, of the Department of City Planning's EARD. We also have an email address set up to receive your comments on this proposal. The email address is 24DCP094M_dl@planning.nyc.gov. As a reminder. Those written comments will be accepted through Monday, April 29th, by 5 PM.

If you missed any of our instructions, please do remember that there are instructions on how to participate and provide testimony on the NYC Engage website. We will now move on to the first part of the meeting where our colleagues from the Manhattan office of the Department of City Planning will provide an overview of the proposal.

00:10:25.910
Ezra Moser (DCP):

Thank you, Stephanie. Next slide, please.

Alright. Well, good afternoon. I'm Ezra Moser. I'm one of the study leads for the Midtown South Mixed-Use Plan and we've recently completed a robust public engagement phase which followed our March 7th Town Hall, and we're now at the outset of a process to further develop and refine the neighborhood plan.

A neighborhood plan is guided by community priorities, our research, as well as local citywide and agency goals. Today, we're at the scoping meeting, which is where you, as members of the public, can provide recommendations on what should or shouldn't be included in the environmental analysis for this plan.

Our environmental consultants are also with us this afternoon, and they'll be walking you through the CEQR process in more detail. Following this brief overview of the proposal.

Next slide.

So the total MSMX plan area spans about 42 blocks across 4 separate areas in Midtown South, which you can see outlined in the image here. The area is generally bounded by 40th Street to the north, Fifth Avenue to the east, 23rd Street to the south, and Eighth Avenue to the west. The 4 areas are clustered by their ordinal directions: northeast, northwest, southeast, and southwest.

So why are we developing this plan? And why now?

As we've all seen, the COVID-19 pandemic has reshaped the way many New Yorkers work, commute, and shop. And in turn these trends have impacted the commercial office market with hybrid work options resulting in decreased demand for office space. Despite these recent trends, New York City has seen tremendous job growth over the last 20 years, but housing production has not kept pace with the city's growing population. The little housing growth that we've seen, particularly new affordable housing has been concentrated in relatively few neighborhoods. And then you look at areas like Midtown South, which is central and has excellent transit access where housing is not permitted because of half century old zoning rules, and so we feel it's time to undo the barriers holding back housing opportunity and give more New Yorkers housing choice. Next slide, please.

So the plan area is located in what's arguably the most transit dense part of the country with access to 15 subway lines. PATH, LIRR, NJ Transit, Amtrak as well as commuter buses at Port Authority Bus Terminal. The sheer number of transit options have already made Midtown South a desirable place to

work, but it's accessibility also makes it an ideal place to live and highlights the need to consider the public realm in the planning process. Next slide, please.

Because of its history as a commercial district and the restrictive zoning that prohibits housing, there are relatively few homes in the plan area. Only about 2,300, which is compared to about 74,000 within a 10-minute walk. You can see on this map the pronounced difference between the dark red just outside the plan area which indicates lots with housing compared to the relative absence of housing within the plan area itself.

The M1-6D District in the Southwest quadrant reveals the untapped demand for residential development here. This was rezoned in 2011 to allow a limited amount of housing, and the M-16D area contains more than a third of total homes in the entire plan area despite covering less than 2 blocks. Several hundred affordable homes have been built here under the Voluntary Inclusionary Housing Program.

It's important to note that Midtown South is a critical economic driver for both the city and the region. The plan area contains about 135,000 jobs in over 7,000 businesses, an employment density that's comparable to the core of the Midtown office districts to the north. In general, jobs in traditional manufacturing have declined sharply over the years, mostly due to changes in the fashion industry.

These trends mirror broader macroeconomic headwinds for production-based sectors. Despite a client of manufacturing, there's still a presence of fashion jobs, mostly in the Northwest Quadrant, although most of those are now office based or include design studios, show rooms, retail, and wholesale. While all 4 areas grew at a faster rate than the City and the US over the last decade, remote work has significantly impacted the number of workers who are actually present in the office and is associated with high vacancy rates in commercial properties. Subway ridership as well in the area stations is only about two-thirds of what it was pre-pandemic, creating a noticeable drop off in activity.

So the existing buildings in the plan area reflect the neighborhood's industrial history. The area is almost completely built out, meaning there are very few undeveloped sites. The vast majority of buildings were constructed before the current 1961 zoning resolution and nearly half of all buildings are larger than what today's zoning rules would allow.

On your right is a map of existing built density, or FAR, and the darker the red, the higher the density, or the higher the FAR.The Northwest is the densest part of the plan area, with more than half of existing buildings built to over 12 FAR and a significant share actually between 15 and 39 FAR.

These are very big buildings. The median FAR is similar in the northeast quadrant, and in general the existing densities are slightly lower in the southern part of the plan area compared to the north, which calls out for treating these two general areas distinctly in a potential rezoning. Many of these buildings' architectural and structural qualities make them attractive candidates as well for office to residential conversions, a possibility that's currently precluded by today's zoning.

Over the last few months we have done robust community engagement and channeled what we've heard into our draft planning approach. We've held two public meetings, seven stakeholder

roundtables, held office hours for the public, and solicited public input through surveys, interactive maps and online engagement tools. All these conversations and public feedback have been integral to shaping our understanding of the community's priorities for Midtown South.

These priorities can be summarized under 6 main topics. The first is to increase the opportunity for more housing, including affordable housing through zoning changes and state and city tax incentives. The second is to balance housing with legacy and growing businesses like fashion, wholesale tech among others. The third is to encourage development that's in-line with the existing neighborhood context through both controls and conversions of existing buildings. Another community priority is to encourage more local retail and services in order to enable a livelier, cleaner, and safer streetscape. The community is also emphasizing the need for a comprehensive and improved public realm for a better connected Midtown South. And last, but not least, improved public safety is a major community priority.

So at this point, you've seen the data and what we've heard from our engagement meetings. We've learned about the neighborhood strengths and some opportunities for improvements. We'll focus now on how we can use these tools at our disposal to realize our goal of making Midtown South a more dynamic 24/7 neighborhood.

The planning approach we've developed is intended to be a roadmap for the next several months, guiding what our priorities will be as we flesh out a zoning proposal and the interventions outside of zoning at a very high level. The plan seeks to foster a 24/7 mixed-use neighborhood within the plan area. We aim to create new opportunities for housing, including affordable housing, while also aiming to enhance the diverse economic sectors that already exist in the neighborhoods today. And of course, our goal is to address and help improve quality of life in the area by creating conditions for active street life and public spaces. So, taking our cue from those broad planning goals, we synthesize our analysis and stakeholder feedback and organize them into a series of recommendations under three main buckets.

Create vibrant mixed-use communities, support critical economic activity, and enhance neighborhood character. Each element of the approach is designed to complement and reinforce the others.

So the first leg of the stool is supporting vibrant mixed-use communities. These neighborhoods are already a pretty lively part of the city during the day, but the key to supporting that vibrancy after business hours is by introducing more residents and diversifying the economy.

Our recommendations include establishing mixed-use zoning districts that allow a broad range of uses, including housing, which is not allowed today. In most areas of the neighborhood, we propose allowing housing at the highest density currently permitted by State law. 12 FAR across all portions of the plan area. This will allow for housing, both in new construction and in conversions of existing buildings, and at the same time we the city is advocating for the State to move the 12 FAR cap, so that we could potentially create even more housing. In the M1-6D area within the southwest, as we noted earlier, there are zoning rules that do allow some housing, but there are restrictions on where it can be built. For that area we're proposing to remove those restrictions. For the areas we're proposing housing for the first time, 20 to 30% of units would need to be set aside as permanently, income-restricted through the MIH Program.

Finally, the MSMX Plan is complemented by citywide initiatives like City of Yes for Housing Opportunity which would enable, most commercial buildings to take advantage of more flexible conversion regulations that currently only apply to a few areas of the city and areas where residential is allowed.

Recognizing the Midtown South is also home to tens of thousands of jobs. The second leg of the stool is intended to reinforce the neighborhood as a regional employment hub. We can accomplish that by allowing for higher commercial densities in the northern areas that reflect the existing buildings, both within the plan area and the surrounding zones.And with a mapping of mixed-use districts we can continue to allow commercial wholesale light manufacturing uses as well as offices, garment, design, and production to coexist with restaurants and shops. Again, the MSMX plan is complemented by the City of Yes for Economic Opportunity which allows for flexible live work arrangements, allows different uses to intermingle in the same building, and makes it easier for businesses to locate and expand.

The final leg of the planning approach focuses on enhancing neighborhood character. When we asked what they liked about the neighborhood, many express a strong affinity for Midtown South's loft architecture, particularly in the northern areas. Our approach recommends establishing urban design controls that ensure new buildings reflect that existing character of the neighborhood, and create a more inviting streetscape.

Second, by simply allowing for more homes and residents. we're going to encourage an expanded range of retail offerings and neighborhood amenities which in turn will contribute to more active street life after work hours, and lastly, we heard loud and clear from the community that there are many concerns related to quality of life and the need to make the neighborhood feel welcoming and safe for everyone. Over the next several months we'll continue to explore potential improvements in the public realm and resources to support vulnerable populations in the area. While zoning can go a long way towards making an area livable, we will also be working with our partner agencies to explore non-zoning approaches to improve quality of life.

So now, informed by months of community input and research we've developed a high level, preliminary zoning approach that we think goes a long way towards achieving many of the plans' recommendations. I want to stress that the preliminary zoning approach you're looking at is a draft. It establishes a scope of what the environmental review is required to analyze, but can be refined over the next several months, based on additional public comments.

Our preliminary zoning approach replaces the existing M1-6 and M1-6D manufacturing districts and mapping high density mixed-use districts in the northern two quadrants where existing built densities inside the study are often a lot higher than what's allowed under today's zoning. We propose to map an M1-9A district which would allow a base FAR of 15 for non-residential uses paired with an R-10 district, which allows residential uses up to 12 FAR with inclusionary housing. In the southern two districts, consistent with the built and allowed density in and around the plan area, we propose mapping an M1-8A slash R-10 districts which allows 12 FAR for all uses. Nonresidential and residential.

These new M1-A districts, were created as part of the City of Yes for Economic Opportunity and if you know, fully approved, it would be the first time these districts would be mapped. Well, state law

prevents us from allowing residential uses higher than 12 FAR. We at the City are pushing for changes at the state level that would allow us to add even more housing, and for tax incentives to make things like residential conversion, more likely and feasible.

Based on a preliminary analysis, we estimate that over the next 10 years the rezoning could result in around 4,000 new homes, including up to 1,100 permanent income restricted units.

Of course, if the State acted to lift the 12 FAR cap and adopted new tax incentives, we could see even more housing.

Like I noted earlier - we want to ensure that all types of businesses, legacy, manufacturing wholesalers, floral shops, as well as emerging sectors such as Tech can continue to call Midtown South home.

The proposed paired districts allow the broadest possible range of light, manufacturing, commercial, residential, and community facility uses. And finally, our zoning approach also seeks to establish bulk controls that reflect the neighborhoods loft buildings. Exact regulations like minimum maximum base heights will continue to be refined over the next few months.

So to achieve these aims, we're proposing a zoning map amendment in order to map the proposed mixed use districts. We're also proposing a zoning text amendment that would, broadly speaking, establish regulations for a proposed Midtown South mixed-use district.

As noted in the previous slide, the text would modify certain bulk regulations and would expand the radius of eligibility for transit bonuses and also expand applicability of the covered pedestrian space bonus. It would establish the requirement for income restricted affordable housing under the MIH Program and promote the adaptive reuse of existing commercial buildings by eliminating nonresidential floor area preservation requirements where applicable.

So I'll now hand the presentation over to our environmental consultants. WSP, who will go through the CEQR components of the proposal and the draft scope in more detail. Thank you.

00:24:58.910
Jonathan Carey, WSP:

Thank you, Ezra. Good afternoon, everybody. My name is Jonathan Carey. I'm with WSP. WSP is leading a team of consultants to prepare the Environmental Impact Statement for this project. That includes Historical Perspectives, BJH Advisors, Harris, Miller, Miller, and Hansen, Philip Habib and Associates, and Radon Consulting. Next slide. Please.

So CEQR is City Environmental Quality Review. It's a disclosure process by which decision makers evaluate potential environmental consequences of their actions. In this case the two actions are the zoning text amendment and the zoning map amendment. And CEQR is the City's implementation of SEQR, which is the State Environmental Quality Review Act.

The analysis will compare the future no action and with action condition through a reasonable worst-case development scenario and analyzes the increment in changes that could occur in the rezoning area if the actions are undertaken.

So we are in the scoping process, and we are here to receive public comments on the Draft Scope of Work that will be incorporated within the Final Scope of Work which is the Final Scope of Work for the Environmental Impact Statement.

We will prepare the Environmental Impact Statement under the guidance and in collaboration with the Department of City Planning, and then will be published for public review and comment, and a public hearing will be held on the DEIS and comments received will be incorporated into the final EIS. Next slide, please.

So the Department of City Planning developed a reasonable worst-case development scenario and the analysis framework. The analysis framework has a build year of 2034, and it analyzes the No action condition and with action condition. In that year, the no action condition assumes no residential development, and vacant and underutilized parcels are generally redeveloped. Given the outdated zoning, the with action condition assumes residential infill development, including two stories of commercial space as well as some sites with a mix of residential community facility and or commercial uses.

City planning projects that 27 sites would be redeveloped within the next 10 years. Those are the projected development sites. In addition, there are 16 potential development sites that are anticipated to be redeveloped, but probably in a longer timeline than the 10-year period.

It's important to note that City Planning is also analyzing conversion sites. The reasonable worst-case development scenario accounts for a conversion of a certain number of commercial office spaces to residential uses given the implementation of the Proposed Actions. Next slide, please.

So the table on the slide shows the no action condition in the second column, the With action condition, and then the increment in the final column. The increment is what we will analyze in the Environmental Impact Statement. You can see in that column that there would be more than 3,000 new residential units, as well as additional affordable units. There would be an overall decrease in office floor area and an increase in community facility space. There would be a decrease in warehouse space and an overall decrease in nonresidential use. Finally, there would be a decrease in total parking spaces in the area. At the bottom of the slide, you can see that there'd be a large net increase in residence and a commensurate decrease in workers associated with the increase in residential space and decrease in commercial office space. Next slide, please.

So the Draft Scope of Work incorporates all the topics that are slated to be analyzed. This includes every topic in the CEQR Technical Manual, with the exception of natural resources, given the areas built out nature. Key technical areas we anticipate to be covered are socioeconomics, traffic and transportation, and historic resources.

In addition, pursuant to the CEQR Technical Manual, we will present mitigation alternatives to the proposed action and summary chapters commensurate with the requirements of CEQR. Next slide, please

The full Draft Scope of Work and Environmental Assessment Statement are available at this link, so you can download the materials and review them and submit comments either today or at a later period. And I'll turn it over to City Planning.

00:29:38.470
Stephanie Shellooe, Director, EARD:

Thank you. Thanks, Jonathan and Ezra for the presentation.

At this point we will now move on to part two of this public scoping meeting where we will be receiving testimony from elected officials, folks speaking on behalf of the Community Board, and any government agencies. When it's your turn to speak, your name will be called, and you will be promoted to panelist. This will allow you to unmute your microphone and to turn on your camera if you wish.

Again, as a reminder it will appear as you're no longer in the meeting, you'll automatically rejoin as a panelist. If anyone experiences technical issues that prevent you from sharing your testimony - we'll pause, work to troubleshoot in the background while we move to the next speaker and come back to you if we're able to resolve the technical difficulties.

If this happens, if you're not able to provide your testimony note the information at the bottom of this screen in red and see the how to guides on the NYC Engage website. You can also dial into our dial in participant hotline. You can dial any of the toll-free numbers shown at the top of this screen, including (877) 853-5247 and when prompted for a meeting ID, dial (618) 237-7396, and when prompted for a password dial one.

Alright. We are ready to get into our speakers of elected officials, community boards, and government agencies. In this group we have one registered speaker, that is Paul Devlin. So, Paul Devlin will be our first speaker. We'll promote you to panelists in just a moment and be ready for your testimony.

00:31:37.490
Paul Devlin:

Alright!

00:31:41.370
Stephanie Shellooe, Director, EARD:

Hello! Welcome.

00:31:42.670
Paul Devlin:

Hi, can you hear me okay?

00:31:43.890
Stephanie Shellooe, Director, EARD:

Yes.

00:31:44.640
Paul Devlin:

Great. Thank you. My name is Paul Devlin. I'm the co-chair of the Clinton Hills Kitchen land use committee of Manhattan's Community Board 4. Overall, we are in favor of the idea of converting commercial space to residential use to create a mixed-use neighborhood. We have a long history of advocating for new and creative ways of increasing housing stock, notably for permanently affordable housing, and this is a great step towards achieving those goals. Devlin-01

However, as is often our concern. An overly broad, unnuanced rezoning may lead to unintended and undesirable consequences. We're asking to make sure that you dig deeper and examine for some of those unintended consequences.

Overall, the theme of our concerns is that the noted architectural character and quality of the built blocks is maintained, and that unnecessarily overly tall buildings don't impede the quality-of-life issues in our neighborhood and create uncharacteristically tall glass pencils. Devlin-02

The primary issue is the threat of demolition. We would stress that language needs to be included to ensure that the zoning advocates for conversion, while ensuring the demolition, is not something enticing to developers. Devlin-03

There are some areas that already have high density without excessive height. For example, the majority of buildings on the west side of Eighth Avenue between West 35th and West 39th Streets are currently well overbuilt above 12 FAR. To achieve the goal of converting those buildings to housing. There is no further need for such a major upzoning. Devlin-04

We propose a more modest increase to map the same density that immediately to the west, with a 13 FAR, and as part of the scoping would request a study of such a lower FAR.

We have experience that height limits, coupled with high density, does, in fact, work. Height limits will not hinder development, but will reinforce the neighborhood character of the existing Garment Center's early twentieth century loft buildings. Devlin-05

The Community Board asks that DCP make its development objectives clear and provide adequate guardrails to protect the neighborhood from overdevelopment as it transitions from manufacturing lofts to a balanced, viable, and livable mixed-use commercial and residential community. Devlin-06

In our written communication we will be asking that the proposed zoning text address these matters without compromising fire, safety, and light, and ventilation requirements for residential apartments.

We also ask that you assess the impact of eliminating the dwelling unit factor. Community Board 4 requests language in the proposed zoning text amendment that will ensure development of smaller apartments, if the DUF is removed, and not larger units. Certain development sites within the northwest area could be allowed, would be allowed to apply for covered pedestrian space bonus for floor area increase of up to 20 percent. Devlin-07

We ask that you study other ideas for generating a floor area bonus, such as making a nearby subway station ADA accessible. Devlin-08

Bringing me to the point that designating the MSMX Project Area as a central business district, expands the CBD further south and west, and encourages major demolition of building stock that would be converted to residential. Devlin-09

The introduction of multiple incentives will push developers to demolish, demolish large existing buildings. This plan should stimulate the conversion of existing buildings, including those that are overbuilt, instead of incentivizing demolition of existing buildings.

As to the worst-case development scenario: we have concerns that the examination of proposed and projected development sites didn't take into account available transferred development rights if parcels are combined. We ask that a study provides assurances that the newly available FAR under the rezoning is not transferable to adjacent underbuilt sites creating unnecessary and excessive height. Devlin-10

Our final concern specifically is that within the scope we have concerns regarding the fourth task regarding community facilities and services which states that the threshold is not reached, and thus no study is needed. We ask that you clarify what that trigger is that would necessitate this analysis, because our experience is that the development of Hudson Yards, with no corresponding expansion of emergency services, has overwhelmed the NYPD in the area. Adding residential density in the project area will further overwhelm emergency services and we urge you to study the impact on need for those emergency services. Devlin-11

Again, we applaud the efforts to bring this necessary change to provide more housing units to bring about more vitality to our area.

Thank you so much for your time.

00:36:11.190
Stephanie Shellooe, Director, EARD:

Thank you. Thanks for being here and providing your testimony. I think you said you would be submitting written comments, so we'll be looking to receive those. Thank you so much.

Alright, I'm checking our records. It looks like that was our only speaker registered in this group of elected officials, community board representatives and government agencies. So at this time we will move on to part three of the public scoping meeting where members of the general public are invited to speak, and we're limited to 3 minutes.

We will display our 3 minute time tracker at this time again, the protocol is the same. I will call folks names in the order in which they registered. You'll be promoted to panelist and provided the opportunity to share your testimony. When your 3 minutes are up, you'll be asked to conclude your remarks. And if anyone experiences technical difficulties that don't allow you to provide your testimony. We'll move on to our next speaker and try to troubleshoot in the background.

Alright! So, moving through our speakers in the order in which we've registered. We have Maddie DeCerbo to be followed by Leila Law-Gisiko, to be followed by Ali Begazo. So, Maddie DeCerbo, you will be our first speaker in this group. You'll be promoted to panelist in just a moment.

Hi, welcome.

00:37:47.700
Maddie DeCerbo:

Alright, thank you. Hi. [inaudible] representing the Real Estate Board of New York REBNY is the city's leading real Estate Trade Association, representing commercial, residential, and institutional property owners, builders, managers, investors, brokers, salespeople, and other organizations and individuals active in New York City real estate. REBNY appreciates the opportunity to comment on the Midtown South Mixed-Use Plan Draft Scope of Work.

We support the Midtown South Mixed-Use Plan which considers recommendations by the office adaptive reuse task force to rezone centrally located town districts from manufacturing use to allow for the creation of new residential buildings, through conversions or new construction alongside commercial activity. The proposal is a comprehensive plan, answering the needs of the current neighborhood and changing nature of work patterns while addressing the ongoing housing crisis in New York City. REBNY commends the Department of City Planning for this undertaking. DeCerbo-01

New York City is facing a housing crisis with housing production significantly lagging job growth. New York City permits only 29 units of housing for every 1,000 residents, according to research by the Furman Center, increases in housing supply, decrease or slows rent growth across a given jurisdiction, and can lead to a decrease rent in the surrounding area. Outdated zoning regulations impede housing, construction, and undercut the cities for housing goals. DeCerbo-02

The City of Yes for Housing Opportunity seeks to address these inequitable barriers by expanding the city's capacity for increased housing development across all neighborhoods, while the MSMX plan will serve as a catalyst for housing production by permitting residential use in a neighborhood with great transit access and proximity to jobs. DeCerbo-03

Importantly, the project area will allow for the highest permitted residential density and will foster office to residential conversions contingent on the passage of City of Yes for Housing Opportunity. DeCerbo-04

Housing opportunity will also introduce two new districts, R11 and R12, into the zoning resolution which will permit up to 15 and 18 FAR. respectively, above the existing 12 FAR cap. While the ability to implement a residential FAR higher than 12 will ultimately depend on State action, the Department DeCerbo-05

should include in the MSMX scope to plan these proposed new residential districts as potential options for the rezoning. The city's affordability crisis will persist without tools that allow supply to match demand. DeCerbo-05

Rezonings, like the MSMX Plan, are an important catalyst for securing more housing production in New York City. However, it's important to keep in mind that regulatory reform is not enough without a tax incentive, and the tax incentive won't work if there's no place to use it. Given the cost constraints associated with converting the affordability requirements that come with MIH, a tax incentive is imperative. DeCerbo-06

While the Midtown South Mixed-Use Plan will help to address the housing crisis in New York City and directly response to the City of Yes for Housing Opportunity proposal to permit conversion citywide - it's important to scope all possible outcomes, such as residential density above 12 FAR. Lastly, conversions DeCerbo-05

will not be realized, and housing development will not occur without a tax rule from the State to offset the cost constraints associated with developing housing in New York City. Thank you for the consideration. DeCerbo-07

00:40:56.560
Stephanie Shellooe, Director, EARD:

Thank you. Thanks so much. We had a little difficulty with our timer, but I think you're just right under the 3 minutes as is. So, thank you for providing your testimony and for being here today. If you have written comments, of course we're happy to receive them.

Our next speaker is Leila Law-Gisiko, to be followed by Ali Begazo, to be followed by William Coggins. Hello, welcome.

00:41:32.430
Layla Law-Gisiko:

Hi, thank you. My name is Leila Law-Gisiko. I am a former member of Manhattan Community Board 5, and I am speaking today as a concerned and educated resident. The scope of the environmental review for Midtown South proposed rezoning requires to be addressed both on its substance and its boundaries.

On the plan itself, I urge the Department to consider contextual zoning, neighborhood character, and historic preservation for a successful rezoning. The Ladies' Mile rezoning that was enacted in 2005 should serve as your model. Law-Gisiko-01

The plan should not entice demolition. Instead, the plan should encourage preservation and conversion of existing buildings. Excessive density will change the character of the district and should be reevaluated. I second the comments made by my colleague, Paul Devlin, of Community Board 4, and I urge the Department to take these comments to heart. Law-Gisiko-02

The area delineated by the proposal covers 4 quadrants that have the unique characters. The major absent is Penn Station and its surroundings. It sits smack in the middle, and it should be considered. The area is in dire need of comprehensive planning while the existing GPP, a state plan would override the underlying city zoning, the city zoning still coexists. It is imperative that the area be taken into account, otherwise we take the risk of the area being frozen in time for the worse. The GPP is disastrous. For example, it precludes housing on many sites around Penn Station as a permitted use. It is in a time of housing crisis this is atrocious. The city must include the Penn Station Area in its scope of work in this particular proposal.

Law-Gisiko-03

Furthermore, the environmental impact must assess the cumulative impact in the worst-case scenario and let me break it down to you.

It is reasonable to assume that Beth Israel Hospital will close, and that the NYCHA Campus Chelsea campuses will be redeveloped. Therefore, your scope of work and your data must be based on these assumptions, including the need for mitigation.

Law-Gisiko-04

It is critical that we are able to retain or provide sufficient hospital beds, school seats, and parkland for a population that could grow by 20 percent. Why does it matter? It should be self-evident. But I will share a personal experience that may convince you.

I used to live in Tribeca, and I gave birth in a car because I live too far from a hospital. Don't let South Midtown become a hospital desert, a park desert, a school desert. The CEQR environmental formula may not capture the full, comprehensive picture, so use the CEQR formula as a floor, and go beyond that. I am urging the Department to take the reality into account beyond what CEQR tells you to do to fully evaluate the reality of the impact of this proposal. Thank you.

Law-Gisiko-05

00:44:38.080
Stephanie Shellooe, Director, EARD:

Right on time. Thank you so much. Thanks for your comments, and we're happy to receive them in writing as well. Thank you. Our next speaker is Ali Begazo, to be followed by William Coggins, followed by Grace O'Meara. Ali Begazo. You will be our next speaker. You'll be promoted to panelist in just a moment.

00:45:01.390
Ali Begazo:

Great. Can you hear me?

00:45:02.540
Stephanie Shellooe, Director, EARD:

Yes, welcome.

00:45:03.800
Ali Begazo:

Excellent. Good afternoon. My name is Ali Begazo, and I'm the Director of Economic Development at the Flatiron NoMad Partnership. The Partnership manages the Business Improvement District in the Flatiron and NoMad neighborhoods of Manhattan, from 32nd Street to 20th Street, particularly the southeastern quadrant of the plan. The Partnership generally supports DCP's proposal and submits the following comments regarding additional recommendations. Begazo-01

The first is - facilitating the genuine creation of Midtown South neighborhoods requires additional open and green spaces. In the Project Area south of 32nd Street there are currently only three open spaces and four privately owned public spaces. To right size the amount of open space with a more residential future in mind, it is imperative to prioritize the creation of passive and recreational public spaces. Begazo-02

Secondly, Flatiron and NoMad are pedestrian first neighborhoods that seek further public realm enhancements and infrastructure. DCP should use this rezoning as an opportunity for streetscape enhancements that will positively impact a new residential and pedestrian demographic. We urge city agencies to prioritize through the reimagination of Sixth Avenue to better balance modes of transportation and safety for residents, visitors, commuters, and workers. Begazo-03

The Partnership recommends the creation of a public realm improvement fund, concept plan, and a governing body charged with the selection and allocation of funds towards pedestrian realm and transit network projects. Begazo-04

Third, specific office to residential conversion sites should be explored and incentives should be implemented. We have heard from building owners about the challenges of office to residential conversions, including incompatible floor plates, prohibitive costs, and FAR limitations. We ask that DCP, and our elected officials continue to investigate potential incentives to encourage conversions where appropriate and feasible. Begazo-05

The document should also identify sites where potential housing units could be created through conversion. Begazo-06

Finally, support for existing small businesses and legacy industries. When examining potential business displacement, we recommend that DCP investigate appropriate and flexible protections and incentives specifically for longstanding industries and for their employees. Thank you. Begazo-07

00:47:21.650
Stephanie Shellooe, Director, EARD:

Thank you. Thanks for your testimony and for being here today.

Alright. Our next speaker is William Coggins, William Coggins. Your name is showing up twice in our speakers list. So if the person in the room that registered if you could, please click the raise hand button in Zoom, so we know which person to promote here. William Coggins, if you are in the room and can click the raise hand feature in Zoom. Alright, not seeing anyone raise their hand for that name. So we'll move on to our next speaker and and try to contact that person in the background, so we will move to our next speaker, Grace O'Meara.

Grace, you will be our next speaker here.

00:48:38.450
Grace O'Meara:

Can you hear me?

00:48:40.470
Stephanie Shellooe, Director, EARD:

Yes, we can. Welcome.

00:49:00.534
Grace O'Meara:

My name is Grace O'Meara. I've lived in Manhattan for the past three years. I also spent the first 10 years of my career in the Garment District as a sweater designer at Ralph Lauren and Tommy Hilfiger. I'm a member of Open New York, a nonprofit that advocates for housing that we need in New York City.

I'm participating in today's meeting because the Midtown South rezoning is a rare opportunity to add new housing to a part of Manhattan that remains locked in the past by outdated zoning rules. I'm very excited that the city is taking the initiative to rezone this area to create a more vibrant 24/7 future for Midtown South. O'Meara-01

However, in the DCP's final proposal, I hope they include options to build or convert denser residential buildings than is currently included. As DCP's scoping documents show, the Midtown South area already has very dense buildings. For example, buildings in the northwest part of Midtown South have FARs up to 30. It is totally reasonable for the city to include options, for denser and higher housing in this area. It would be contextual, contextual with what already exists. O'Meara-02

We are in the middle of a dire housing and climate crisis and Midtown South, that's fantastic transit connections and proximity to the greatest concentrations of jobs and entertainment venues in the country is a perfect place to add more opportunities for new housing of all kinds. I hope DCP will revise the scope of the rezoning and analyze the possibility of additional and denser residential development in the area. Thank you very, very much for giving me time to testify. O'Meara-03

00:50:39.170
Stephanie Shellooe, Director, EARD:

Thanks. Thanks for being here today, and for your testimony.

That brings us to the end of our speaker's queue. I will once again ask if William Coggins is in the Zoom and could click the raise hand button in the zoom so that we can hear your testimony.

Alright. We are going to take a brief pause. This does bring us to the end of our registered speakers list. If you are in the Zoom, and we did not call your name. It means that you did not register through the NYC Engage portal, and we would ask you to do so now, so that we can hear you, and you can provide your testimony at this time.

The information to register to speak is shown on the screen at this time. Please visit the NYC Engage website. www.nyc.gov/NYCEngage or Engage under the upcoming meetings tab. Click City Planning Scoping Meeting for Midtown South Mixed-Use Plan, and you will see a link to register to speak.

If you're having difficulties, please dial one of these toll-free numbers shown at the top of the screen. Including (877) 853-5247, and follow the instruction shown in red at the bottom of the screen. Using meeting ID (618) 237-7396, and password 'one' to receive help on registering or joining the meeting.

At this time, I believe we have a 5-minute timer. If we could move to that slide. And at this time we'll take a 5 minute pause. We'll be back at 2:57 to reconvene the meeting and hear from any registered speakers who've had a chance to register during our break, so we'll be back in just a few minutes. See you all shortly.

Hello, everyone! Welcome back. This is the remote public scoping meeting for the Midtown South Mixed-Use plan or MSMX. Again, for the record the City Environmental Quality review number is 24DCP094M. My name is Stephanie Shellooe, Director of the Environmental Assessment and Review Division. We are currently on part three of our public scoping meeting where members of the public are permitted to speak up to 3 minutes on this matter. After the 3 minutes are up. You'll be asked to conclude your remarks. We were just on a 5-minute recess to allow anyone who had not yet had an opportunity to register to speak, to do so, or anyone that was viewing the YouTube to go ahead and register to speak. We will now turn to those speakers who have registered during the break.

There is one additional speaker at this time, James Francois-Pijuan, who appears to be in the Zoom at this time. So, James, you are our next speaker at this time we will promote you to panelist. It will appear that you're no longer in the meeting. For a second, you'll automatically rejoin and be invited to share your testimony.

00:59:13.150
James Francois-Pijuan:

Am I on?

00:59:14.790
Stephanie Shellooe, Director, EARD:

Yes, welcome!

00:59:15.870
James Francois-Pijuan:

Hi. I'm basically a florist here on 28th Street between Sixth and Seventh and I am trying to speak for the florist businesses that are in this community and as well as for the artists that work in the buildings here. We are more than happy to have the area rezoned for residential and for a lower income. We're all for that. The only thing that we we're struggling with is to retain our businesses here. Because a lot of the development that has happened because of the hotels in the past.

Francois-Pijuan-01

So currently, we're just wanting to know if you can help retain the businesses. That we have here the floors. I've been here for several generations, some since the 1930s. And so that's basically it. We're just as floral businesses here, we're fighting to survive, just like the fashion industry. And we're just hoping that not only that, we also get, you know.

It'll be great to have you know, more people who are lower income to live in a neighborhood which would be great, but also some way you can retain our businesses and help provide incentives for the landlords to keep us here. Because so far, a lot of the businesses have been closing because of the rents.

Francois-Pijuan-02

So that's basically it. Thank you.

01:00:50.260
Stephanie Shellooe, Director, EARD:

Thank you. Thanks for your testimony and for joining the meeting today. Alright, I'm seeing if any other registered speakers had an opportunity to register, to speak at this time, and at this time we are not seeing any additional registered speakers.

If you are in the room, have not yet registered, have not yet had an opportunity to speak and wish to do so. If you could use the raise hand feature, otherwise we will move to close this public scoping meeting.

Alright. Anyone back of house have anything?

Alright. At this time, it does appear that we have reached the end of our registered speakers list, and there is no one else indicating that they wish to provide testimony at this time. We also do not have anyone in a dial-in dialing into the meeting via phone wishing to provide testimony so at this time we will move to close the public scoping meeting.

If anyone had difficulty providing testimony today, please recall that you can submit written testimony through the NYC Engage Portal. If we could go to, I believe there's one slide with the information on how

to provide testimony. You are invited to provide your written comments to us. Our mailing address again, is 120 Broadway, 31st Floor, New York, New York, 10271. And the email address set up for this proposal's Draft Scope of Work is 24DCP094M_dl@planning.nyc, dot, gov.

This information is provided on our DCP website, and oh, I see we do have one last registered speaker right under the buzzer. So we will hear this person's testimony at this time.

Paulo Ribeiro, you are right and under the buzzer so we will just at this time promote you to panelist, and you'll be invited to provide your testimony.

01:03:37.440
Paulo Ribeiro:

Hi.

01:03:38.800
Stephanie Shellooe, Director, EARD:

Hi! Welcome!

01:03:40.220
Paulo Ribeiro:

Thanks. Thanks, for letting me join last minute. I just. I submitted it in an email today. I just want to chime in one issue that, I think is critical importance for consideration for the development of this area. I live on the West 36th Street is one of the few residential units on the northwest Quadrant for the proposed area, and one of the major, if not the major issue we, in my experience, face there is traffic and associated noise with traffic. And you know, something, I hope, part of the congestion pricing intent to reduce vehicle traffic in Midtown would help.

But I think it's important as you try to bring more residential folks, develop more residential units in the area that it's properly addressed. I moved from the Upper West Side, and the difference is night and day between what you have. I knew what I was getting into. I got more space there.

So as described in your plans, that that area has more loft, like kind of space that could be used, adapted to residential use. I'm very happy with this space I got. But that said, the amount of traffic and noise associated with that is staggering. I moved right around the pandemic. So, at the time wasn't an issue. We know what happened at the beginning of the pandemic. But now it's just beyond what would be acceptable on the you know, normal quality of life criteria that people would look in, in my opinion, in a

Ribeiro-01

I think I thought, too, that during the recently environmental justice report that came out. That that particular corridor around 36th Street is one of the areas where, there is just too much pollution of any kind. And thus, I think that initiatives that would reduce pollution here.

Ribeiro-02

And it's one that people most talk about. Noise is the quote, unquote, silent one, that people don't talk, but again, just to stress that the need to reduce and adapt.

Some streets be curbed, how the curbside is used. Traffic patterns in the report that was submitted by the Governor and the Mayor at the end of to December 2022, about what to do about Manhattan in general and Midtown was a big focus of that. That was also raised as a concern in that area is how traffic patterns are getting from bad to worse. And the need to address that. And I think, yeah. That's it. Thanks.

Ribeiro-03

01:06:55.820
Stephanie Shellooe, Director, EARD:

Okay, thank you so much. Thanks for your testimony. I'm glad we were able to hear your testimony. And of course, any comments that we receive in writing by the deadline of Monday, April 29th, 2024, by 5 PM will be given the same consideration as we provided, as we provide to those received in this meeting.

For everyone who provided testimony as for your reference all of the comments that we hear today, and those that we receive in writing will be summarized and responded to and published along with the Final Scope of Work which again presents the methodologies to be used in the upcoming Draft Environmental Impact Statement, and any changes that are made based on testimony that we hear today will be documented. I want to thank everyone again for coming out virtually and joining this remote public scoping meeting. We appreciate everyone's thoughtful testimony. Again, we look forward to also receiving your comments in writing, if you would like to submit them, and continuing this environmental review process.

At this time, we will close the public scoping meeting. It is 3:07 PM and the public scoping meeting is now closed. Thanks everyone, have a great afternoon.