DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Daniel R. Garodnick, *Director*
Department of City Planning

April 21, 2025

NOTICE OF PUBLIC HEARING ON THE
DRAFT ENVIRONMENTAL IMPACT STATEMENT
(CEQR No. 24DCP094M)

Midtown South Mixed-Use Plan (MSMX)

Project Identification
CEQR No. 24DCP094M
ULURP No. C250185ZMM, N250186ZRM

Lead Agency
City Planning Commission
120 Broadway, 31st Floor
New York, New York 10271

SEQRA Classification: Type I

Contact Person
Stephanie Shellooe, AICP, Director, 212-720-3328
Environmental Assessment and Review Division
New York City Department of City Planning

The City Planning Commission (CPC), acting as lead agency, issued a Notice of Completion on January 17, 2025 for a Draft Environmental Impact Statement (DEIS) for the Midtown South Mixed-Use Plan (MSMX) proposal in accordance with Article 8 of the Environmental Conservation Law. **A public hearing on the DEIS will be held on Wednesday, May 7, 2025, at 10:00 AM at the City Planning Commission Hearing Room, located at 120 Broadway, Lower Concourse, New York, New York 10271, in conjunction with the CPC's public hearing pursuant to ULURP. Comments are requested on the DEIS and will be accepted through 5:00 PM, Tuesday, May 19, 2025. To continue to allow for broad public participation, DCP will hold the public hearing accessible both in-person and remotely via the teleconferencing application Zoom. Anyone attending the meeting in-person is encouraged to wear a mask.**

To join the meeting and comment remotely, please visit the NYC Engage site, https://www.nyc.gov/engage

If you would like to register to testify remotely via phone, need assistance with technical issues, or have any questions about participation you may call any of the phone numbers listed below, then enter the following Meeting ID.

(877) 853-5247 (Toll-free)
(888) 788-0099 (Toll-free)
(213) 338-8477 (Toll)
(253) 215-8782 (Toll)

Then enter the following meeting ID and password when prompted.

Meeting ID: 618 237 7396
Password: 1
[The Participant ID can be skipped by pressing #]

Instructions on how to participate remotely, as well as materials relating to the hearing, will be posted on the NYC Engage site on the day of the Public Hearing, no later than 1 hour prior to the hearing. To help the meeting host effectively manage members of the public who sign up to comment, those who do not intend to actively participate are invited to watch the livestream or the recording that will be posted after the meeting. The Public Hearing livestream can be found in the above referenced NYC Engage site and will be made available on the day of the Public Hearing.

Comments are requested on the DEIS and will be accepted through 5:00 PM, Tuesday, May 19, 2025. They can be submitted via email to 24dcp094m_dl@planning.nyc.gov or mailed to 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.

Copies of the DEIS may also be obtained by contacting the Environmental Assessment and Review Division, at the contact address above, by calling (212) 720-3328 or by emailing sshellooe@planning.nyc.gov.

In addition, the DEIS and Final Scope of Work are available for download on the project ZAP page: https://zap.planning.nyc.gov/projects/2024M0142. To view the MSMX Final Scope of Work, DEIS Notice of Completion and full DEIS and Appendix, navigate to the MSMX project page in ZAP and select Public Documents, then "Final Scope of Work," "DEIS_Notice of Completion" and "DEIS_24DCP094M".

Please inform the Department of City Planning if you need a reasonable accommodation, such as a sign language interpreter, in order to participate in the meeting. Requests for a reasonable accommodation or foreign language assistance during the meeting should be emailed to AccessibilityInfo@planning.nyc.gov or by calling 212-720-3508. Requests must be submitted at least ten business days before the meeting.

The New York City Department of City Planning (DCP) proposes a zoning map amendment and a zoning text amendment (the "Proposed Actions") to the New York City Zoning Resolution (ZR) that would foster a vibrant, mixed-use Midtown South neighborhood in the heart of Manhattan. The Proposed Actions would encourage the creation of critically needed housing in both new residential development and conversions, support critical commercial activity, respond to changing conditions in the wake of the COVID-19 pandemic and shifting work patterns, and affirm the area's architectural legacy and industrial character.

The area affected by the Proposed Actions (the "Affected Area") includes approximately 141 total acres, consisting of all or parts of 42 blocks of the Midtown South neighborhood, and is roughly bounded by 40th Street to the north, Fifth Avenue to the east, 23rd Street to the south, and Ninth Avenue to the west. The Affected Area is comprised of Subdistrict A-2 in the Special Garment

Center District, and the "Rezoning Area" -- an approximately 127-acre area consisting of all or parts of 42 blocks of the Midtown South neighborhood. Most of the Rezoning Area (all or portions of 35 blocks) is located in Manhattan Community District 5, while the balance (all or portions of seven blocks) is located in Manhattan Community District 4. The Rezoning Area consists of four noncontiguous manufacturing-zoned areas roughly bounded by 40th Street to the north, Fifth Avenue to the east, 23rd Street to the south, and Eighth Avenue to the west. Subdistrict A-2 of the Special Garment Center District (GC) encompasses approximately four blocks, bounded by a line 100 feet east of 9th Avenue to the west, 35th Street to the south, a line 100 feet west of 8th Avenue to the east, and 39th Street to the north. The Special Midtown South Mixed-Use District created by the Proposed Actions and described below will not be mapped on Subdistrict A-2 of the Special Garment Center District (GC).

The Proposed Actions include discretionary actions that are subject to review under ULURP, Section 200 of the City Charter, and City Environmental Quality Review (CEQR) process, as follows:

- ***Zoning Map Amendments***. The Proposed Actions would rezone portions of existing M1-6 and M1-6D manufacturing districts with high-density paired manufacturing/residential mixed-use districts, establish a new Special Midtown South Mixed Use District (MSX) coextensive with the Rezoning Area, and make additional changes to the boundaries of several special purpose districts that overlap with the Affected Area.

- ***Zoning Text Amendments***. The Proposed Actions would amend the ZR to establish regulations for the proposed Special Midtown South Mixed Use District (MSX), amend Appendix F of the ZR to apply the MIH program to the Rezoning Area, and modify text in the Special Garment Center District, Special Midtown District, and Special Hudson Yards District, among other changes, which are described in greater detail in project materials found on the ZAP page, linked above.

The Reasonable Worst-Case Development Scenario (RWCDS) for the Proposed Actions identified 61 projected development sites, as well as 1,093,808 gross-square-feet (gsf) of non-residential floor area likely to be converted to residential uses within the Affected Area. On these projected development sites and in the eligible conversion area, the Proposed Actions are expected to result in a net (incremental) increase of approximately 9,676 dwelling units (DU), including 1,940 to 2,890 permanently affordable units; 462,129 gsf of projected retail space (local retail), 81,755 gsf of community facility use, and decreases of 732,619 gsf of commercial office space, 69,782 gsf of industrial/warehouse space and approximately 1,093,808 gsf of non-residential floor area modeled to convert to residential uses. The RWCDS also identified seven potential development sites that are considered less likely to be developed by the 2034 analysis year.

The Proposed Actions would result in significant adverse impacts to Open Space (indirect and direct impacts from incremental shadows), Shadows, Historic and Cultural Resources (architectural), Transportation, Air Quality and Construction. Additionally, due to the non-site-specific nature of DCPs model for residential conversions as a result of the Proposed Actions, significant adverse Hazardous Materials, Air Quality, and Noise impacts cannot be precluded for the residential conversion area. To the extent practicable, mitigation has been proposed for these identified significant adverse impacts. However, in some instances, no practicable mitigation has been identified to fully mitigate significant adverse impacts, and there are no reasonable alternatives to the Proposed Actions that would meet the Proposed Actions' purpose and need,

eliminate potential impacts, and not cause other or similar significant adverse impacts. If no feasible mitigation can be identified, an unavoidable significant adverse impact would result.

The DEIS considered two alternatives – a No-Action Alternative and a No Unmitigated Significant Adverse Impacts Alternative. The No-Action Alternative examines future conditions within the Affected Area but assumes the absence of the Proposed Actions (i.e., none of the discretionary approvals proposed as part of the Proposed Actions would be adopted). In the No-Action Alternative, existing zoning would remain in the area affected by the Proposed Actions. The No Unmitigated Significant Adverse Impacts Alternative examines a scenario in which the density and other components of the Proposed Actions are modified to avoid the unmitigated significant adverse impacts associated with the Proposed Actions which include impacts related to open space, shadows, historic and cultural resources (architectural), hazardous materials, air quality, transportation, noise and construction.