NYC DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

March 19, 2024

PUBLIC NOTICE OF A SCOPING MEETING
DRAFT ENVIRONMENTAL IMPACT STATEMENT
(CEQR No. 24DCP094M)

Notice is hereby given that pursuant to Section 5-07 of the Rules of Procedure for Environmental Review (CEQR) AND 6 NYCRR 617.8 (State Environmental Quality Review) that the New York City Department of City Planning (DCP), acting on behalf of the City Planning Commission as CEQR lead agency, has determined, based on the Environmental Assessment Statement, that a draft environmental impact statement (DEIS) is to be prepared for the **Midtown South Mixed-Use Plan (MSMX)** (CEQR Number 24DCP094M). The CEQR lead agency hereby requests that the applicant prepare a DEIS in accordance with 6 NYCRR 617.9(b) and Sections 6-08 and 6-12 of Executive Order No. 91 of 1977 as amended (City Environmental Quality Review).

A public scoping meeting has been scheduled for Thursday, April 18, 2024 at 2:00 PM. To continue to allow for broad public participation options, DCP will hold the public scoping meeting remotely. To join the meeting and comment, please visit NYC Engage (https://www1.nyc.gov/site/nycengage/events/index.page).

To dial into the meeting to listen by phone you may call

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

Enter the following meeting ID and password when prompted:

- Meeting ID: 840 9079 5935
- Password: 1
- [The Participant ID can be skipped by pressing #]

For technical support during the meeting you may call any of the phone numbers listed above. Then enter the following meeting ID and password when prompted:

- Meeting ID: 618 237 7396
- Password: 1

Instructions on how to participate, as well as materials relating to the meeting, will be posted on the site in advance of the meeting, at least one hour prior to the start time. 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 livestream can be found in the above NYC Engage link and will be made available on the day of the scoping meeting.

Written comments will be accepted through 5:00 PM, Friday, April 29, 2024. They can be submitted through the above webpage 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.

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 made by calling 212-720-3508. Requests must be submitted at least ten business days before the meeting, by Wednesday, April 3, 2024.

The New York City Department of City Planning, together other partner agencies, is proposing a series of land use actions, including zoning map amendments and zoning text amendments (including establishing a new Special District and Mandatory Inclusionary Housing (MIH)) (the "Proposed Actions") in order to nurture a more vibrant, mixed-use neighborhood, create opportunities for new housing through both ground-up development and conversions, support critical commercial activity and job growth, stabilize the commercial real estate market in the wake of the COVID-19 pandemic and shifting work patterns, and reflect the historic architectural legacy and industrial character of the Midtown South neighborhood in Manhattan.

The Proposed Actions would affect an approximately 127-acre area (the "Project Area") consisting of all or parts of 42 blocks of the Midtown South neighborhood in Manhattan, Community Districts 4 and 5. The Project Area consists of four noncontiguous manufacturing-zoned areas roughly bound by 40th Street to the north, Fifth Avenue to the east, 23rd Street to the south, and Eighth Avenue to the west.

The Proposed Actions are as follows:

- **Zoning Map Amendment** to:
    - Rezone all of the existing M1-6 and M1-6D districts to the high-density paired manufacturing/residential mixed-use M1-8A/R10 and M1-9A/R10 districts, establish a new Special District coextensive with the Project Area, and eliminate the Special Garment Center District from the Project Area's northwest quadrant.

- **Zoning Text Amendments** to:
    - Establish regulations for a proposed special district– the Special Midtown South Mixed-Use District – coterminous with the Project Area. The Special Midtown South Mixed-Use District would modify certain bulk regulations, expand the radius of eligibility for the transit bonus like other CBD special districts, and expand the applicability of covered pedestrian space bonuses.
    - Amend Appendix F of the ZR to apply the MIH program to qualifying portions of the Project Area.
    - Remove references to Subdistrict A-1 in the Special Garment Center District text. Regulations applicable to Subdistrict A-2, including bulk and relevant Hudson Yards regulations, would continue to apply. Other text changes may be made to rationalize the remaining portion of the Special Garment Center District.
    - Make the entire Project Area eligible for a floor area increase pursuant to the transit bonus authorization.

The Proposed Actions seek to accomplish the following land use objectives:

- Expand housing opportunities by allowing residential uses as of right and requiring permanently affordable housing through the Mandatory Inclusionary Housing (MIH) program in new development, conversions, and expansions to support neighborhood diversity and further the city's equity and Fair Housing goals.
- Promote economic recovery, resiliency, and growth by allowing a wider range of compatible commercial, community facility, and light manufacturing uses, modernizing outdated zoning provisions and reducing existing zoning barriers to accommodate a more balanced mix of uses.
- Establish appropriate floor area ratios (FAR) and bulk regulations that ensure new development harmonizes with the surrounding built context and incentivizes mixed-use buildings.
- Promote the adaptive reuse of existing commercial buildings by eliminating non-residential floor area preservation requirements, where applicable.

The Reasonable Worst-Case Development Scenario ("RWCDS") for the Proposed Actions identifies 27 projected development sites under the With-Action condition, and, for a conservative analysis, also assumes the residential conversion of 1,118,305 gross-square-feet (gsf) of existing non-residential uses within the Project Area .The With-Action condition would consist of approximately 4,736,278-gsf of total floor area, including 4,228,626-gsf of residential uses, (approximately 3,970 dwelling units (DU), a substantial proportion of which are expected to be affordable pursuant to MIH and city-based programs), 446,791-gsf of local retail uses, 27,386-gsf of office uses, 33,475-gsf of community facility uses, a loss of the non-residential 1,118,305-gsf (projected for residential use) as well as no accessory parking spaces. The projected incremental (net) change between the No-Action and With-Action

conditions that would result from the Proposed Actions would be an increase of 4,209,652-gsf of residential uses (3,952 DU), 296,946- gsf of local retail uses, 19,941-gsf of community facility uses, and a net reduction of 225 accessory parking spaces, 136,530-gsf of office uses, and 19,977-gsf of industrial uses on the projected development sites, as well as a net reduction in the 1,118,305-gsf of non-residential uses projected to convert to residential area. The RWCDS also identifies 15 potential development sites that are considered less likely to be developed by the analysis year, but will be analyzed in the EIS for site-specific effects.

The analysis year of the Proposed Actions is 2034.

Copies of the Draft Scope of Work and the Environmental Assessment Statement may also be obtained by contacting the Environmental Assessment and Review Division, New York City Department of City Planning, 120 Broadway, 31st Floor, New York, New York 10271, Stephanie Shellooe, Director, by calling (212) 720-3328 or by emailing sshellooe@planning.nyc.gov . In addition, to view the Midtown South Mixed-Use Plan (MSMX) Draft Scope of Work and the Environmental Assessment Statement, navigate to the project page in ZAP and select Public Documents, then "Draft Scope of Work_24DCP094M" and “EAS_24DCP094M.” To view the Scoping Protocol, select the Public Documents, then “Scoping Protocol.”