



IN THE MATTER OF an application submitted by the New York City Department of City Planning, Manhattan Borough Office pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 8d:

1. eliminating a Special Midtown District (MiD) bounded by a line midway between West 41st Street and West 40th Street, 7th Avenue - Fashion Avenue, West 40th Street, and Eighth Avenue;
2. eliminating a Special Garment Center District (GC) bounded by West 40th Street, 7th Avenue - Fashion Avenue, West 38th Street, Broadway, West 35th Street, 7th Avenue - Fashion Avenue, a line midway between West 35th Street and West 34th Street, Eighth Avenue, West 35th Street, a line 100 feet easterly of Ninth Avenue, West 39th Street, and Eighth Avenue;
3. changing from an M1-6 District to an M1-8A/R11 District property bounded by West 29th Street, a line 125 feet westerly of Avenue of the Americas, a line midway between West 24th Street and West Twenty-Third Street, a line 100 feet easterly of Seventh Avenue, West 25th Street, Seventh Avenue, and 7th Avenue - Fashion Avenue;
4. changing from an M1-6 District to an M1-8A/R12 District property bounded by:
 - a. West 31st Street, a line 100 feet westerly of Fifth Avenue, West 26th Street, a line 100 feet southwesterly of Broadway, West 25th Street, a line 275 feet westerly of Fifth Avenue, West Twenty-Third Street, a line 100 feet easterly of Avenue of the Americas, a line midway between West 24th Street and West Twenty-Third Street, a line 150 feet easterly of Avenue of the Americas, West 28th Street, and a line 125 feet easterly of Avenue of the Americas;
 - b. West 29th Street, 7th Avenue - Fashion Avenue, West 28th Street, and a line 100 feet westerly of 7th Avenue - Fashion Avenue;
5. changing from an M1-6 District to an M1-9A/R12 District property bounded by:
 - a. a line midway between West 41st Street and West 40th Street, 7th Avenue - Fashion Avenue, West 38th Street, Broadway, West 35th Street, 7th Avenue - Fashion Avenue, a line midway between West 35th Street and West 34th Street, Eighth Avenue, West 35th Street, a line 100 feet westerly of Eighth Avenue, West 39th Street, and Eighth Avenue;
 - b. a line midway between West 40th Street and West 39th Street, a line 200 feet westerly of Fifth Avenue, West 39th Street, a line 150 feet westerly of Fifth Avenue, West 35th Street, and a line 150 feet easterly of Avenue of the Americas; and
 - c. West 31st Street, a line 125 feet westerly of Avenue of the Americas, West 29th Street, a line 100 feet westerly of 7th Avenue - Fashion Avenue, West 30th Street, and a line 225 feet easterly of 7th Avenue - Fashion Avenue;
6. changing from an M1-6D District to an M1-8A/R12 District property bounded by West 29th Street, a line 100 feet westerly of 7th Avenue - Fashion Avenue, West 28th Street, and a line 100 feet easterly of Eighth Avenue;

7. changing from an M1-6D District to an M1-9A/R12 District property bounded by West 30th Street, a line 100 feet westerly of 7th Avenue - Fashion Avenue, West 29th Street, and a line 100 feet easterly of Eighth Avenue;
8. establishing a Special Hudson Yards District (HY) bounded by West 39th Street, a line 100 feet westerly of Eighth Avenue, West 35th Street, and a line 100 feet easterly of Ninth Avenue; and
9. establishing a Special Midtown South Mixed-Use District (MSX) bounded by:
 - a. a line midway between West 41st Street and West 40th Street, 7th Avenue - Fashion Avenue, West 38th Street, Broadway, West 35th Street, 7th Avenue - Fashion Avenue, a line midway between West 35th Street and West 34th Street, Eighth Avenue, West 35th Street, a line 100 feet westerly of Eighth Avenue, West 39th Street, and Eighth Avenue;
 - b. a line midway between West 40th Street and West 39th Street, a line 200 feet westerly of Fifth Avenue, West 39th Street, a line 150 feet westerly of Fifth Avenue, West 35th Street, and a line 150 feet easterly of Avenue of the Americas;
 - c. West 31st Street, a line 125 feet westerly of Avenue of the Americas, a line midway between West 24th Street and West Twenty-Third Street, a line 100 feet easterly of Seventh Avenue, West 25th Street, Seventh Avenue, 7th Avenue - Fashion Avenue, West 28th Street, a line 100 feet easterly of Eighth Avenue, West 30th Street, and a line 225 feet easterly of 7th Avenue - Fashion Avenue; and
 - d. West 31st Street, a line 100 feet westerly of Fifth Avenue, West 26th Street, a line 100 feet southwesterly of Broadway, West 25th Street, a line 275 feet westerly of Fifth Avenue, West Twenty-Third Street, a line 100 feet easterly of Avenue of the Americas, a line midway between West 24th Street and West Twenty-Third Street, a line 150 feet easterly of Avenue of the Americas, West 28th Street, and a line 125 feet easterly of Avenue of the Americas;

Borough of Manhattan, Community Districts 4 and 5, as shown on a diagram (for illustrative purposes only) dated January 21, 2025, and subject to the conditions of CEQR Declaration E-830.

An application (C 250185 ZMM) for a zoning map amendment was filed by the Department of City Planning (DCP) on January 16, 2025. The zoning map amendment, along with a related application for a zoning text amendment (N 250186 ZRM), would facilitate land use changes across a 42-block (141 acre) area in the heart of Manhattan.

Together the proposed actions comprise the Midtown South Mixed-Use Plan (MSMX), a comprehensive neighborhood plan that would affect an area generally bounded by 40th Street to the north, Fifth Avenue to the east, 23rd Street to the south, and Ninth Avenue to the west. Within these boundaries, MSMX separates the neighborhood into Northwest, Northeast, Southeast, and Southwest quadrants and proposed zoning that reflects the distinctive character of each area. Most of the Rezoning Area (all or portions of 35 blocks) is in Manhattan Community

District 5, while the remainder (seven full or partial blocks) is in Manhattan Community District 4.

MSMX was developed in partnership with community stakeholders and elected officials in the neighborhood and in close coordination with City and other public agencies through a three-year-long visioning process. During this time, stakeholders crafted a plan that seeks to support critical commercial activity, respond to the evolving post-COVID 19 pandemic economic landscape and subsequent shift in work patterns, and affirm the area’s architectural legacy and industrial character. The plan also responds to a dire housing and affordability crisis by creating new opportunities for housing via ground-up residential development and residential conversions in one of New York City’s most transit- and jobs-rich areas.

Crucially, the plan would allow residential uses as of right and require permanently income-restricted housing in new development, conversions, and expansions through the establishment of a Mandatory Inclusionary Housing (MIH) area. Over a 10-year horizon, MSMX is projected to facilitate the development of almost 9,700 dwelling units, including up to 2,890 permanently income-restricted homes. The proposal would further the City’s equity and fair housing goals as articulated in *Housing New York* (2014), *OneNYC* (2015), and *Where We Live NYC* (2020), three guiding City reports that outline pathways for housing development that serves low, moderate, and middle-income New Yorkers.

RELATED ACTIONS

In addition to the zoning map amendment (C 250185 ZMM) that is the subject of this report, the proposed project also requires action by the City Planning Commission on the following application, which is being considered concurrently with this application:

N 250186 ZRM	Zoning text amendment to establish the Special Midtown South Mixed Use District (Article XII, Chapter 1), eliminate the Special Garment Center District (Article XII, Chapter 1), and amend other related provisions, including APPENDIX F, to establish a Mandatory Inclusionary Housing (MIH) area.
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BACKGROUND

The MSMX plan was developed in response to the COVID-19 pandemic, which exacerbated household wealth inequality and fundamentally reshaped commuting and work patterns. As New York City slowly recovered from the worst effects of the pandemic, including lower foot traffic, heightened public safety concerns, and increased retail and office vacancies, it became clear that some neighborhoods, including Midtown South, languished. Midtown South suffered from fewer commuters as well as a shortage of residents, which led to the perception that the neighborhood was becoming a ghost town. Concerned about the neighborhood's future, local stakeholders asked the City in 2022 to study land use or policy changes that would help reinvigorate the area.

At the same time, Local Law 43 of 2022, which established a task force to study office space conversions, impelled DCP to investigate how a reformed office-to-residential conversion regulatory framework could open opportunities for housing production and address the growing glut of under-tenanted Class B and C office space, an acute economic liability for post-pandemic New York. The task force culminated in the *Office Adaptive Reuse Study* (January 2023), which called for 11 legal and regulatory reforms meant to increase conversion opportunities and help ensure the vibrancy, adaptability, and long-term success of the city's central business districts.

It was determined that the study's findings could affect Midtown South's manufacturing zones and outdated office buildings, and thus closer consideration of land use and area zoning was appropriate. In early 2023, with support from the Manhattan Borough President and city councilmembers whose districts include Midtown South, DCP began gathering and analyzing neighborhood data, a process that foregrounded community engagement around the rezoning. The analysis' initial findings confirmed the sustained decline of the manufacturing sector, including fashion manufacturing, the industry for which Midtown South is best known. On the other hand, it also found a growing and diverse office-based economy, consistently high commercial vacancy rates, an outsized potential for office-to-residential conversions, and a mismatch between high demand for new housing and zoning that largely prohibits housing development as of right. These findings prompted DCP's initial outreach to key stakeholders like

local Business Improvement Districts (BIDs) and city agencies to identify policy or planning focus areas that needed further investigation.

In October 2023, DCP, alongside local elected officials, hosted a virtual public kickoff meeting which initiated a months-long, multiphase stakeholder engagement process. These conversations explored key land use and zoning issues, published findings from data collection and analysis, and sought community input on strategies to foster vibrant, 24/7 mixed-use neighborhoods across the proposed Rezoning Area.

The first phase, proposal development, was anchored by a series of roundtables attended by practitioners, policy experts, and those with first-hand knowledge of five topic areas: housing, business, existing residents, social services, and real estate. The roundtables were designed as opportunities to dig deep into issues affecting the neighborhood. Proposal development also consisted of a robust digital engagement effort which centered on a website, midtownsouthplan.nyc, that provided information and project updates to the public. The Midtown South planning team also offered opportunities for anyone to ask questions and provide feedback on the plan through a series of public virtual office hours. The proposal development phase culminated in the publication of a community priorities document that outlined a preliminary zoning proposal and synthesized recommendations from the stakeholder engagement process. These stakeholder recommendations were incorporated throughout the planning and proposal development process.

In April 2024, during the proposal development process, the New York State legislature eliminated a six-decade-old cap that limited the floor-area ratio (FAR) for residential uses to 12. Under the new rules, 15 and 18 FAR districts are now permitted to accommodate higher density residential development. MSMX is the first neighborhood rezoning to utilize the new rules via its proposal to map FARs greater than 12 for residential buildings. The opportunity for increased FAR enables MSMX to meet stakeholders' and citywide goals of increasing housing production, including income-restricted housing. Beyond housing, the vision for the future of Midtown South recognizes the area's varied context while addressing core needs like the cultivation of established and emerging industries and the rejuvenation of the public realm.

Project Area History

In the 18th century, the area that would become Midtown South was a sparsely populated expanse characterized by open farmland, small villages, and estates owned by the city's elite. In the early 19th century, the district gradually urbanized as the city expanded northward and the neighborhood's population grew. The Commissioners' Plan of 1811, which defined the Manhattan street grid from Houston Street to 155th Street, had a profound impact on Midtown South's development. New streets and avenues like Broadway, Sixth Avenue (originally the Eastern Post Road), and Eighth Avenue (originally Central Avenue) improved area access and fueled rapid real estate development.

Manhattan's expansion spurred significant population growth and economic diversification in Midtown South. By the mid-19th century, the area immediately to the north and west of Madison Square Park between West 23rd and West 34th streets was the city's social nexus and home to some of New York's wealthiest residents. They patronized the grand hotels and opera houses that lined Fifth Avenue and Broadway, including notable establishments like the now-landmarked Gilsey House and the Manhattan Opera House. The southeastern part of the Rezoning Area, with its large department and dry goods stores, was one of Manhattan's most fashionable shopping districts. Farther west, between West 23rd and West 42nd streets, inexpensive hotels, vaudeville theaters, gambling houses, saloons, brothels, and other seedy venues defined the Tenderloin, a working-class neighborhood with a vice-ridden reputation. The area's name is believed to originate from the practice of police officers accepting bribes from illegal businesses, which allowed officers to afford pricier cuts of meat like tenderloin steak.

In the latter part of the 19th century, the neighborhood became a hub for industry, including printing, publishing, and wholesaling. Sheet music publishers predominated on "Tin Pan Alley," a nod to the sounds of piano music on West 28th Street between Broadway and Sixth Avenue. By the 1890s, the city's flower wholesalers, which previously congregated along the Hudson River waterfront to meet ships from Long Island farms, had moved to the blocks between Sixth and Seventh avenues from West 26th to West 29th streets. In this burgeoning Flower District, sellers gained proximity to the elegant residences, hotels, and fashionable department stores on Fifth Avenue's Ladies' Mile.

The opening of Pennsylvania Station at 34th Street and Seventh Avenue in 1910 and Grand Central Terminal in 1913 dramatically accelerated the transformation of the neighborhood from a primarily entertainment, shopping, and residential district into the city's premier manufacturing zone. In the early 20th century, New York City's entertainment industry moved north to Times Square, making way for small garment manufacturers which moved from Lower Manhattan's cramped tenements into lofts and showrooms near Madison Square. At the same time, improved rapid transit service along Broadway and the major avenues made it easier for thousands of workers, particularly new Eastern European immigrants, to access employment in the garment industry. An influential business trade group, the Fifth Avenue Association, objected to the encroachment of industrial uses and immigrant laborers into the tony district and successfully endeavored to push nascent garment businesses west into the Tenderloin. By the 1920s, the area from Sixth to Ninth avenues between West 30th and West 42nd streets evolved into the Garment District, with hundreds of manufacturing lofts, design showrooms, and offices. Its sister neighborhood, the Fur District, employed highly skilled fur designers and workers in the area between West 25th and West 31st streets and Sixth and Eighth avenues.

In the years immediately before World War II, garment manufacturing, wholesale, retail, and related trades became New York's largest industry by employment and commercial output. The economic strength of the apparel sector stimulated the development of mid- and high-rise mercantile lofts which could accommodate all aspects of the industry, including office space, showrooms, and manufacturing facilities.

After World War II, however, changes in transportation and garment firms' spatial needs, as well as broader macroeconomic shifts like automation and a shift to production in countries with lower labor costs, significantly reduced the number of manufacturing businesses, particularly in the garment sector. Between 1958 and 1977, the number of garment manufacturing firms in Manhattan declined by about half—from approximately 10,000 to a little over 5,000. During this period, the geographic extent of the Garment District shrunk as well. Today, the center of the garment industry is generally limited to the northwest portion of the Rezoning Area.

From the 1960s to the early 2000s, industrial decline and a consequent drop in well-paid union jobs compelled the City to stabilize the manufacturing sector and property tax base via protectionist land use policies. In 1961, the Northeast Quadrant of the Rezoning Area—roughly

the midblocks from West 35th to West 39th streets between Fifth and Sixth avenues—was zoned C6-4, a high-density commercial zoning designation that reflected its historically mixed-use character near Midtown East’s office market and Fifth Avenue’s concentration of retail, hospitality, and residential uses. Nonetheless, this quadrant contained a significant amount of light manufacturing, wholesale, warehousing, and office uses of considerable economic value to the city. By the 1970s, extremely low vacancy rates for industrial loft spaces, coupled with increasing residential demand south of 59th Street, prompted policymakers to further enhance protections for manufacturing businesses in industrial areas. In February 1981, the Commission approved a zoning map amendment (C 800459 ZMM) and a zoning text amendment (N 800458 ZRM) to rezone the Garment Center East from C6-4 to C6-4M, a mixed-use district that limited as-of-right residential development and incentivized the preservation of manufacturing space. However, the Commission determined that nonresidential uses deserved a higher level of protection than the C6-4M could provide. Only a few months later, the Commission approved a proposal (C 810124 ZMM, N 810407 ZRM) to rezone the same geography to M1-6, thereby prohibiting all new residential uses.

Although the heart of the Garment District, which roughly extended from West 35th to West 40th streets between Broadway and Ninth Avenue, was not under acute threat from residential encroachment, policymakers feared that the conversion of mercantile lofts to offices might jeopardize the long-term viability of apparel production in the district, which was zoned M1-6 in 1961. In the early 1980s, as the area around Times Square emerged as an attractive office market, DCP, the Office for Economic Development, and the Public Development Corporation studied the potential impact of the Times Square redevelopment on the garment industry, including the possible loss of industrial loft space and manufacturing jobs. Market research showed that approximately 3.5 million square feet of garment-related production activity—more than 40 percent of the manufacturing loft inventory existing at the time—would be threatened if the existing M1-6 zoning, which allowed for unrestricted industrial to office conversions, remained unchanged.

Thus, in 1987, the Commission established the Special Garment Center District (C 870242 ZMM, N 870241 ZRM) to insulate garment manufacturers from market competition for loft space. In the midblocks between Broadway and Ninth Avenue, which were perceived as

particularly vulnerable to displacement pressures, the Special Garment Center District regulations allowed for conversion to office use only by preserving an equal amount of comparable floor area for retail, wholesale, showroom, warehousing, or industrial uses. The zoning on the avenues remained unchanged, and office use remained as of right. Since the enactment of the special district, approximately 180,000 feet of space (around two percent of the manufacturing floor area in the Special Garment Center District) has been preserved for manufacturing or warehousing uses.

In the early 2000s, the planning approach to the Garment District changed. As the city sought to recover from the post-9/11 economic recession, Mayor Michael Bloomberg's administration pursued an aggressive strategy of encouraging new commercial development in Manhattan's central business districts to recapture office jobs that migrated to low-density suburban office parks beginning in the 1970s. As part of the 2005 Hudson Yards Rezoning (N 040500(A) ZRM, *et al.*), the City rezoned the midblocks from West 35th to West 39th streets between Eighth and Ninth avenues from M1-5 and M1-6 to C6-4M and modified the Special Garment Center District regulations to encourage contextual loft-like building envelopes. DCP's pre-rezoning analysis for this initiative identified a diminishing need for garment industry space and weak development potential for the area's underutilized parcels due to zoning that encouraged non-contextual manufacturing buildings. It also found that most industrial uses occupied larger loft buildings, which suggested that allowing residential uses as of right on smaller sites would pose little displacement risk to existing manufacturing firms. Consequently, the new C6-4M district regulations allowed for as-of-right new residential development and commercial-to-residential conversions on sites with less than 70,000 square feet of floor area. To complement market-rate developments, the rezoning also established an Inclusionary Housing (IH) area to incentivize the creation of income-restricted units. Despite the rezoning's housing goals and changing industrial landscape, most new development resulted in hotels

Six years later, a similar rezoning from M1-5 to M1-6D of the midblocks bounded by West 28th Street, Eighth Avenue, West 30th Street, and Seventh Avenue in the Southwest Quadrant of the Rezoning Area (C 100063 ZMM, N 110285 ZRY) recognized that the legacy M1-5 manufacturing zoning had stymied new investment, particularly new housing. The area, once part of the Fur District, had seen a decline in fur-related businesses, while the remaining firms

shifted from production to sales. Like the recently established C6-4M district, the M1-6D district sought to protect the economically important Class B and C office market that was disproportionately concentrated on the larger sites. Under the M1-6D rules, residential uses were allowed as of right on lots with less than 40,000 square feet of floor area, while lots with 40,000 square feet or more of floor area were required to preserve the amount of nonresidential floor area to construct any new residential floor area. Additionally, the rezoning applied contextual bulk rules to match new development with the prewar character of the area, introduced restrictions on large hotel development, and mapped an IH area which resulted in the production of hundreds of income-restricted units. Overall, the rezoning demonstrated that reforms could complement existing uses, enhance the business environment by enlivening streets and bringing in new retail services, and create a more robust mixed-use community.

By 2016, on the eve of the Special Garment Center District's 30th anniversary, it was clear that special district's goals, particularly providing opportunities for apparel production were difficult to achieve in the current economy. In the Garment Center, apparel manufacturing employment declined to around 4,400 employees—an approximately 75 percent decline from 1987. In the same period, apparel manufacturing space in the special district shrunk by almost 93 percent to about 1.4 million square feet. The statistics for the midblock preservation areas, which limited existing buildings to retail, wholesale showroom, warehousing, and industrial uses, were even bleaker: apparel manufacturing jobs had declined by 90 percent. These trends reflected the downward trajectory of the sector throughout Midtown, the five boroughs, and the country, which accelerated in the 1990s and early 2000s due to globalization and automation. In response, any of the remaining manufacturing firms resisted closure by reducing their employee footprint and adopting new technologies.

In subsequent years, unused manufacturing space was repurposed. by other commercial businesses as well as nonprofits. Despite zoning that limited office use, the Special Garment Center District saw a 56 percent increase in jobs between 2000 and 2016, most of which were office-based. In 2018, the City passed a zoning text amendment to the Special Garment Center District (N 180373 ZRM) to better align zoning with the area's land use and employment trends. The changes lifted restrictions on the conversion of manufacturing and warehousing uses to office uses, created new contextual bulk envelopes for the M1-6-zoned areas, and established a

special permit for transient hotels. In tandem with these zoning reforms, the City also developed a package of incentives and subsidies to support investments in the broader apparel production industry to support what remained of a waning—yet historically important—source of jobs. Today, while the Rezoning Area contains only three percent of New York City’s total jobs, it boasts almost a quarter of the city’s fashion manufacturing and wholesale jobs.

In addition to its central location, which is accessible by 15 subway lines and regional transit, current businesses and nonprofit organizations are attracted to the Rezoning Area because of lower rents compared to other central business district submarkets. With a median building age of 104 years, almost 90 percent of the buildings in the Rezoning Area were built prior to 1961. Per an analysis by the real estate data firm CoStar, 99 percent of the office space in the Rezoning Area is classified as either Class B or Class C. Many of these buildings, typically versatile lofts or older purpose-built offices, generally have lower floor-to-ceiling heights, smaller floorplates, and fewer amenities than the newer Class A office space. Because of its desirable location, attractive rents, and favorable zoning, the Rezoning Area is both a gateway for small, growing businesses to gain a foothold in Manhattan and a refuge for nonprofits and firms in vulnerable industries that have few options for affordable offices.

While favorable conditions nourish new business types, job growth is soft and unevenly distributed in the Rezoning Area’s traditional sectors. Employment in non-fashion manufacturing and wholesale has remained relatively steady over the last 20 years, with 6,400 jobs, 84 percent of which are in wholesale. However, there are only about 2,300 fashion manufacturing jobs (less than two percent of area jobs) remaining in the Rezoning Area, an almost 80 percent decline in the sector over the preceding two decades. This trend is not consistent across the Rezoning Area’s quadrants, however. While manufacturing has declined in the Northeast, Southeast, and Southwest Quadrants, in the Northwest Quadrant, wholesale jobs have grown by 24 percent, and manufacturing jobs have grown by 29 percent over the last 20 years. Nevertheless, overall manufacturing growth has not offset the decline in fashion manufacturing.

Although Rezoning Area businesses have largely recovered jobs lost during the COVID-19 pandemic, post-pandemic remote work policies contribute to rising vacancy and sublease rates. Reflecting a growing trend of fewer in-office days for workers and more flexible work environments, the Metropolitan Transportation Authority (MTA) turnstile data for the subway

stations in and around the Rezoning Area show that ridership is only at two-thirds of the pre-pandemic average. As a result, the office market has a high commercial vacancy rate, averaging 17.5 percent citywide and representing approximately 100 million square feet of available office space. This rate is nearly double the pre-COVID rates and is anticipated to remain elevated as the office supply responds to structural changes to workplace cultures and office space demand.

The Rezoning Area's commercial availability rate of more than 19 percent indicates a softer office market that will struggle to attract and retain tenants. Compounding this challenge, many businesses are taking advantage of the downturn by moving to higher quality offices as a strategy for encouraging employees to work from the office and equipping them to be their most productive when there. This "flight to quality" phenomenon represents an existential threat to the Rezoning Area where Class A office properties are almost nonexistent. Projections indicate that as long-term leases expire, office vacancies will continue to grow and are unlikely to return to the 10 percent pre-Covid rate in the foreseeable future.

Despite these obstacles, the Rezoning Area has experienced a renaissance in recent years and has evolved into a more diverse neighborhood. Today, the Rezoning Area is home to approximately 7,000 businesses across a wide range of industries which together employ over 135,000 people—a comparable job density to the core Midtown office submarket to the north. A 23 percent job growth rate across the Rezoning Area has outpaced the borough (11 percent), New York City (19 percent), and national (17 percent) economies over the last decade. The largest share of jobs across the Rezoning Area, about one-third, is in professional and business services; this sector represents the plurality of jobs in all quadrants except for the southeast area near Madison Square Park's upscale retail market, where the highest share of jobs is in leisure and hospitality. This trend is driven by outsized gains in emerging technology and creative industries, which have seen an explosive 60 percent growth rate over the last decade. Complementing the established fashion-related businesses, the Northwest Quadrant's share of jobs in design, media, and the arts has almost doubled over the last 10 years. The tech sector, which includes software, web platform, and computing services as well as nano and biotechnology development, has grown by 35 percent overall in the last decade. The tech sector has seen a particularly rapid acceleration (73 percent) in the Southeast Quadrant—a popular cluster for startups, and where much of the area's trophy office space is located.

Project Area

The Rezoning Area lies at the nexus of Manhattan's busiest and most-visited neighborhoods. The quadrants of the Rezoning Area are bifurcated by a commercially zoned area extending from West 31st to West 34th streets between Fifth Avenue and Eighth Avenue. This area contains Penn Station, Penn Plaza, Madison Square Garden, Macy's flagship store, Herald and Greeley squares, and the Empire State Building, among other destinations, and thus is one of the most heavily trafficked transportation, business, and retail neighborhoods in the country. To the north of the Rezoning Area across 42nd Street, Times Square, the Port Authority Bus Terminal, the Theater District, Bryant Park, and the New York Public Library's main branch draw millions of tourists, workers, and other visitors each day. To the south, 23rd Street is a major east-west corridor and shopping destination.

Except for Broadway, which cuts across the Northwest and Southeast Quadrants at a diagonal, the Rezoning Area is laid out on a typical gridiron pattern with blocks that are generally 800 feet wide by 200 feet deep. The quadrants are broadly similar in terms of building typologies and building ages represented, with most structures consisting of mercantile and office lofts constructed in the first decades of the 20th century.

Historic Districts

Approximately nine percent (11.5 acres) of the Rezoning Area is within two Landmarks Preservation Commission (LPC)–designated historic districts: the Ladies' Mile Historic District (all or parts of 14 tax lots) or the Madison Square North Historic District (all or parts of 62 tax lots), both in the Southeast Quadrant.

LPC designated the Ladies' Mile Historic District in 1989. The district is roughly bounded by West 15th Street to the south, West 24th Street to the north, and extends to the blocks east of Broadway and to the blocks west of Sixth Avenue. It covers all or parts of 28 city blocks and contains approximately 440 individual buildings. With a concentration of hotels and large department stores that once catered to clienteles of varying economic classes, the Ladies' Mile Historic District is significant for its role in the commercial, retail, and hospitality development of New York City.

The Madison Square North Historic District, designated by the LPC in 2001, includes approximately 96 historically significant structures from the 1870s to the 1930s. The buildings reflect the area's history as a major entertainment district of hotels, clubs, stores, and apartment buildings, and its later transition mercantile district of high-rise offices and lofts. Located to the north and west of Madison Square Park along Fifth Avenue and Broadway, the district also contains numerous rowhouses, Art Deco towers, and modest 20th-century commercial structures, all of which represent successive phases of the area's development.

New construction, alteration, reconstruction, or demolition that would affect buildings in these historic districts would be subject to LPC review.

Neighborhood Context

Unlike most other neighborhoods where commercial uses concentrate on avenues and wide streets and residential uses occupy midblocks and side streets, Midtown South is almost uniformly commercial. While its offices, manufacturing, wholesale, showrooms, and newer hotel developments make the area an important job hub that drives the local and regional economy, the absence of residents and everyday retail options does not support the conditions necessary for vibrant, diverse, mixed-use neighborhoods that are active outside the nine-to-five workday.

The Project Area is divided into discrete Northwest, Northeast, Southeast, and Southwest quadrants that are zoned M1-6- and M1-6D. The quadrants share similar land uses, zoning, and buildings, with most structures consisting of mercantile and office lofts constructed in the first decades of the 20th century. However, there are subtle differences between their respective built characters and mix of uses, as highlighted below:

Northwest Quadrant

The Northwest Quadrant, which makes up the majority of the Garment Center Special District, is roughly bounded by Broadway and Seventh Avenue to the east, West 35th Street to the south, West 40th Street to the north, and a line 100 feet west of Eighth Avenue to the west. The quadrant is characterized by loft buildings constructed in the early part of the 20th century that were originally used for production and showroom space. On the side streets, buildings are generally around 15 stories tall, while buildings generally rise from 25 to more than 40 stories on the avenues. These buildings were designed for general purposes and could accommodate

manufacturing, warehousing, retail, and office uses. More recently, buildings whose upper floors were used for production have become showrooms or Class B or C office spaces, though some garment production remains. Avenue frontages tend to have a consistent ground-floor retail presence, often occupied by large chain stores including banks, restaurants, and variety stores; second-floor retail is not uncommon. The midblocks tend to have smaller retail storefronts populated by bars, local services, and specialty, fashion-related wholesale establishments. The Northwest Quadrant has the fewest residential units in any part of the Rezoning Area, but its 65,000 jobs represent almost half of the Rezoning Area's total employment.

It is also the Rezoning Area's densest quadrant. Building FARs range from 9.0 to 18.0, with some buildings over 30.0 FAR. Existing commercial loft buildings come in two basic variations: a squat, boxy typology that typically rises to its full height at the street wall, and the wedding cake style, which above a high street wall has multiple shallow setbacks whose tiers are each set back from the one below. (The wedding cake loft, with its distinctive ziggurat-like profile, is a legacy of the 1916 Zoning Resolution, which was designed to allow light and air to filter into narrow streets below.) Both loft typologies have high street walls which often climb to over 150 feet before setbacks on side streets and rise to as much as 200 feet before setbacks on the avenues. These buildings tend to have high lot coverage with no or shallow rear yards.

Northeast Quadrant

The Northeast Quadrant is bounded by a line 150 feet west of Fifth Avenue to the east, 150 feet east of Sixth Avenue to the west, West 35th Street to the south, and the centerline of the block between West 39th and West 40th streets to the north.

Unlike the other three quadrants, which have been zoned for manufacturing since 1961, the Northeast Quadrant was originally zoned C6 and only rezoned to M1-6 in the 1980s. As a result, the building stock is more diverse, with lofts, older walkup rowhouses, and tenements, as well as newer hotels. Over the last 15 years, due to the M1-6 zoning (which, as of 2021, no longer allows transient hotel accommodation as of right) and proximity to the Midtown theater district, the Northeast Quadrant has seen a proliferation of budget and mid-rate chain hotel development. As a result of the quirks of the M1-6 bulk regulations, these hotels tend to have street walls that set back 20 to 25 feet from the street line and rise to their full height without setback, breaking up the street wall and creating an awkward "missing tooth" character. Most loft buildings have

been converted from manufacturing and wholesale uses to Class B and C office use, while ground-floor retail typically consists of local services such as salons, dry cleaners, hardware stores, bars, and restaurants. Buildings are around 15 stories tall with a median FAR of 11.0, but a significant concentration of buildings in the 3.0 to 6.0 and the 12.0 to 15.0 FAR ranges.

Southeast Quadrant

Bisected by Broadway, the Southeast Quadrant consists of the midblocks bounded by a line 100 to 275 feet west of Fifth Avenue to the east, a line 125 to 150 feet east of Sixth Avenue to the west, West 23rd Street to the south, and West 31st Street to the north. It has the most heterogeneous built character and is the most historically intact portion of the Rezoning Area, with nine individual landmarks and approximately 50 percent of the area within a LPC-designated historic district. While 10- to 15-story lofts are still the predominant building type, there are many three- to six-story historic rowhouses as well as office buildings, which were mostly converted from former department stores and hotels. The median FAR for the Southeast Quadrant is 5.2, though there is a notable concentration of buildings in the 9.0 to 15.0 FAR range.

In recent years, this area has become part of the trendy NoMad (North of Madison Square Park) neighborhood. Because of its popularity with tourists and employers, the Southeast Quadrant has seen a proliferation of large upscale hotel developments, including the Ritz-Carlton at Broadway and West 28th Street and the Virgin Hotel at Broadway between West 29th and West 30th streets. Myriad institutional uses are concentrated here, including the Serbian Orthodox Cathedral of Saint Sava at 13 West 25th Street and Marble Collegiate Church at Fifth Avenue and West 29th Street. The southeast has the second-highest residential population among the quadrants, with approximately 425 residential units, mostly Interim Multiple Dwellings (IMDs) and pre-1961 legally nonconforming residences. The area also includes at least one residential development enabled by the issuance of a 74-711 special permit. Located at 39-41 West 23rd Street in the Ladies' Mile Historic District, the development allowed 43 homes, four of which are income restricted. In its approval of the application (C 140404 ZSM), the Commission noted that there was already an appreciable residential presence in the M1-6 district and surrounding areas alongside shrinking demand for conforming manufacturing and commercial uses, particularly on small sites. The Southeast Quadrant has a wide range of retail, including

upmarket restaurants, boutiques, bookstores, and gyms, as well as a robust but dwindling concentration of small wholesale import shops and low-cost clothiers. Notably, it has the Rezoning Area's highest concentration of large, underdeveloped and undeveloped soft sites, such as parking lots.

Southwest Quadrant

The Southwest Quadrant is roughly bounded by Seventh Avenue and a line 100 feet east of Eighth Avenue to the west, a line 125 feet west of Sixth Avenue to the east, West 28th Street and the centerline of the block between West 23rd and West 24th Street to the south, and West 30th and West 31st streets to the north. Like the Northeast Quadrant, the southwest has seen a proliferation of hotels over the last two decades that are built 15 to 20 feet from the street line and rise without setbacks or articulation to a height taller, sometimes over 40 stories higher, than their prewar neighbors. In contrast, most other buildings consist of 12- to 15-story masonry loft buildings. The Southwest Quadrant has the widest variation of building densities: while the median FAR is 8.3, there are a significant number of buildings built to less than 5.0 FAR and greater than 12.0 FAR.

Although many of the older lofts have been converted to office use, this quadrant still has the Rezoning Area's highest concentration of wholesale establishments, a trend that has remained relatively stable over the last two decades, despite a shrinking manufacturing sector. With approximately 37,000 jobs and a flourishing creative and tech sector, the Southwest Quadrant is second only to the Northwest Quadrant in economic impact. It has historically been the heart of the Flower District. Today, several dozen floral retail and wholesale businesses employ around 200 people and are mostly concentrated along West 28th Street between Sixth and Seventh avenues. In the warmer months, the sidewalks and streets along this stretch of West 28th Street transform into an open-air flower market that serves restaurants, hotels, and other businesses across Manhattan and beyond.

The Southwest Quadrant is within the orbit of the Fashion Institute of Technology and its large population of students and staff. Like the Northwest Quadrant, avenue frontages usually have ground-floor retail dominated by chain stores, while the midblocks have smaller storefronts occupied by restaurants, bars, local services, and fashion-related businesses. The Southwest Quadrant has the largest share (over 70 percent) of the Rezoning Area's homes. Most residential

development is concentrated in a roughly two-block M1-6D area west of Seventh Avenue, which was rezoned in 2011 from M1-5 and mapped as an Inclusionary Housing (IH) area. The success of the 2011 rezoning, which catalyzed hundreds of new market-rate and income-restricted units, indicates strong demand for residential development in the Rezoning Area.

Existing Zoning

The Project Area is covered by M1-6 and M1-6D districts and overlaps with two Special District subdistricts: The Special Garment Center District's Subdistrict A-1 and the Special Midtown District's Theater Subdistrict. These districts are described below:

M1-6

The majority of the Rezoning Area is mapped M1-6. M1-6 districts are high-density manufacturing districts that permit a maximum FAR of 10.0 for commercial, light manufacturing, and a limited range of community facility uses. Residential use or community facility uses with sleeping accommodations are not permitted as of right. M1-6 districts are eligible for a density bonus for the provision of public plazas and arcades. The maximum height of a building at the street wall is six stories or 85 feet, whichever is less, above which an initial setback of 20 feet (narrow street) or 15 feet (wide street) is required. Maximum building height is controlled by a sky exposure plane (2.7:1 on a narrow street or 5.6:1 on a wide street) that may be penetrated by a tower subject to lot coverage requirements. A steeper sky exposure plane is permitted if front setbacks are provided at the ground floor, while a 20-foot rear yard is required in most cases. Most of the loft buildings in the Rezoning Area were built prior to 1961 and do not comply with today's M1-6 bulk regulations.

M1-6D

The M1-6D district, mapped across portions of two blocks in the Southwest Quadrant, is a high-density mixed-use district that allows 10.0 FAR for light manufacturing, commercial, and community facility uses. The base residential FAR is 10.0 or 12.0 with Qualifying Affordable Housing (QAH). Residential use is only permitted as of right on zoning lots with less than 40,000 square feet of floor area. On sites with more than 40,000 square feet of floor area, residential use is permitted only by preserving the amount of non-residential floor area existing on the lot at the time of conversion/redevelopment. M1-6D district bulk regulations generally

follow the bulk regulations of C6-4A (R10A equivalent) districts. For non-residential buildings, the maximum height of a building's street wall is six stories or 85 feet, whichever is less, above which an initial setback of 20 feet (narrow street) or 15 feet (wide street) is required. Maximum building height and setbacks for non-residential uses are controlled by a sky exposure plane (2.7:1 on a narrow street or 5.6:1 on a wide street) that may be penetrated by a tower subject to lot coverage requirements. For residential buildings subject to R10A bulk regulations within 100 feet of a wide street, the base height must be between 125 and 155 feet, and the maximum building height is 290 feet. For residential buildings along narrow streets, the base height must be between 60 and 125 feet (155 feet with QAH), and the maximum building height is 185 feet, or 235 feet with QAH. Alternative tower regulations do not apply to R10A districts. A standard setback of 10 feet along wide streets or 15 feet along narrow streets applies above the base. Residential buildings have a maximum lot coverage of 80 percent for interior and through lots and 100 percent for corner lots. Residential buildings are required to provide a 20-foot rear yard below a height of 75 feet and a 30-foot rear yard above a height of 75 feet.

Special Garment Center District – Subdistrict A-1 (underlying M1-6)

The Special Garment Center District extends roughly from a line 100 feet east of Ninth Avenue to Broadway between West 35th and West 40th streets. When it was established in 1987, residential use was already restricted by the M1-6 zoning. The special district's primary goal was to protect the remaining garment manufacturing sector and the ecosystem of related businesses by restricting the conversion of existing factory, warehouse, and showroom floor area to office use within designated Preservation Areas that roughly corresponded to the midblocks within the special district boundaries. As part of the 2005 Hudson Yards Rezoning, the Preservation Areas were divided into two zones with slightly different preservation requirements. P-1 spanned two midblock areas east of Eighth Avenue where most of the remaining garment-related activity was concentrated. The manufacturing preservation controls of the 1987 Special Garment Center District zoning were maintained here. The second zone, P-2, covered the midblock area west of Eighth Avenue. In P-2, which was remapped from M1-5 and M1-6 to C6-4M, restrictions on office conversions were lifted. It also instituted new rules for residential conversions and the construction of new residential buildings based on site size. Conversion and new constructions on sites with less than 70,000 square feet of floor area were permitted as of right while

residential conversions on sites above 70,000 square feet of floor area were permitted subject to modified floor area preservation requirements. The 2005 amendments also applied new bulk regulations to P-2 to ensure that new development would be consistent with the “wedding cake” loft typology and subjected P-2 to some Special Hudson Yards District regulations.

The 2018 Garment Center Text Amendment reexamined the appropriate mix of uses and opened the area to a wider mix of uses. The amendment removed the restriction on the conversion of manufacturing and warehousing uses to office uses in P-1, thereby permitting a wide range of non-residential manufacturing and commercial uses. P-1 and all the avenue frontages outside the preservation areas were then renamed Subdistrict A-1. To maintain the larger sites for both office and manufacturing uses in P-2 (now Subdistrict A-2) the floor area preservation requirements were amended to prohibit the conversion of manufacturing and warehousing space in buildings 70,000 square feet or larger to residential or dormitory use. The 2018 text amendment also established contextual bulk regulations for Subdistrict A-1 that encourage building envelopes to smoothly align with the existing context of Manhattan loft districts, in part by requiring street walls along the street line. On wide streets, base heights must range from 125 and 155 feet but may extend up to 205 feet to match existing adjoining buildings. On narrow streets, the minimum base height is 85 feet and the maximum base height is 135 feet. After an initial setback above the base height (10 feet on wide streets, 15 feet on narrow streets), there is no maximum building height. Instead, buildings must comply with tower regulations that limit tower coverage to a maximum of 50 percent of the lot area. To promote contiguous street walls along the avenues, the public plaza bonus is only available on lots 100 feet beyond a wide street, while the arcade bonus is not available at all. Finally, the signage regulations applicable to C6-4 districts apply across the special district.

Special Midtown District – Theater Subdistrict (underlying MI-6)

The portion of the Northwest Quadrant of the Rezoning Area between Seventh Avenue to the east, Eighth Avenue to the west, West 40th Street to the south, and the midline of the block between West 40th Street and West 41st Street to the north is within the Theater Subdistrict of the Special Midtown District. The Theater Subdistrict was created to preserve and protect the character of the area as a cultural, theatrical, and entertainment destination and to preserve a complementary cluster of shops, restaurants, and amusement activities. Permitted uses are

limited to a defined set of uses intended to support the theater industry and enhance the character of the area. Ground floors are further restricted to active retail and service uses, while larger developments are required to provide entertainment-related uses like theaters and studios. Qualifying sites may increase the maximum allowable FAR up to an additional 4.4 FAR through a single or a combination of density bonus programs, including a transfer of development rights from a listed theater or a special permit for the substantial rehabilitation or restoration of a theater. Retail and street wall continuity requirements apply along Seventh Avenue.

Vision and Goals

DCP established planning goals for MSMX that are built on stakeholder conversations, which were described earlier in this document, and crafted in conformance with agency and City affordable housing, economic development, and urban design goals. These goals prioritize residential growth, cultivate established and emerging industries, and rejuvenate the public realm while respecting the built legacy of one of Manhattan’s most distinctive neighborhoods.

Below is a synopsis of the overall vision for the neighborhood as well as specific land use recommendations:

Create opportunities for housing, including income-restricted housing, by replacing outdated manufacturing districts with mixed-use regulations

While Midtown South’s industrial history manifests in its distinctive loft-style buildings, most manufacturing businesses have departed the area, lured by cheaper rents, lower labor costs, and newer facilities in the outer boroughs and beyond. While some manufacturing uses remain in the neighborhood today, the existing manufacturing zoning, which largely prohibits housing production, is incongruous with an intense need for housing that far exceeds the supply of available units. Housing is being built in many neighborhoods to address the citywide shortage, but areas like Midtown South—with its exceptional proximity to jobs and amenities—are especially suited for zoning changes that would facilitate housing development, including income-restricted housing, while still allowing for commercial and manufacturing uses.

Compared to surrounding neighborhoods like Chelsea, Midtown West, Flatiron, and Murray Hill, the Rezoning Area has far too few housing units. Despite its central location in the largest and densest U.S. city, Midtown South’s manufacturing zoning generally doesn’t permit

residential outside of the two-block M1-6D district in the southwest. That area, which was rezoned in 2012, contains over a third of the plan area's 2,300 housing units, including several hundred income-restricted homes built under the Voluntary Inclusionary Housing (VIH) program. (In contrast, there are 74,000 units within a ten-minute walk of the Rezoning Area.) The lopsided distribution of housing in and beyond the Rezoning Area clearly illustrates the demand for housing in Midtown South. The housing that does exist in the M1-6 zoning districts was either built prior to the 1961 Zoning Resolution, permitted through the Loft Law, or allowed via other discretionary actions like special permits or variances granted by the Board of Standards and Appeals (BSA).

The area's lack of housing also affects quality of life in the neighborhood, particularly after 5 p.m. When Midtown South office workers go home, there are fewer people on the streets and fewer patrons for the area's restaurants and retail businesses. An area that feels deserted, particularly at night, repels potential visitors and diminishes the vitality of the neighborhood, an effect at odds with Midtown South's history as a bustling hub for commerce and people.

The antidote to a less active neighborhood is residential development, particularly high-density residential development. The proposed zoning would align with Midtown's existing density: Older loft-style buildings built prior to the implementation of 10 FAR zoning is already very dense—buildings with FARs of 20, 30, and up to 40 are not uncommon, especially in the northern portion of the neighborhood, which hosts dozens of buildings with 18 FAR or higher. The southern area, while generally less dense than the northern area, still features a heterogeneous mix of low-, medium-, and high-density buildings.

The proposed zoning would complement the neighborhood's high density mix by mapping paired manufacturing/residential districts that would support housing, commercial, manufacturing, and community facility uses which together would create a vibrant 24-hour neighborhood. Nonresidential density would range from 12 to 15 FAR, while residential density would reach 15 to 18 FAR. MIH, which requires permanently income-restricted housing, would be mapped across all proposed zoning districts to ensure equitable housing access for working- and middle-class New Yorkers.

In recognition that housing is needed outside the immediate plan area and in conformance with new residential zoning facilitated by the 2024 City of Yes for Housing Opportunity (CHO)

citywide zoning text amendment, the proposed actions will remove restrictions on housing development in the Special Garment Center District's C6-4M district that is immediately west of the Rezoning Area. Finally, a new special district that covers the Rezoning Area would help shape building forms and incentivize public realm improvements.

Support diverse economic sectors and job growth

While legacy industries such as fashion, apparel manufacturing, and wholesale continue to maintain a foothold in Midtown South, overall manufacturing activity has declined in recent years. At the same time, the neighborhood has experienced robust job growth, outpacing both the citywide and national economy. This growth has been fueled in part by recent zoning changes and targeted incentives that have attracted a wide array of businesses—particularly in the creative, tech, and media sectors—contributing to Midtown South's identity as a dynamic employment center.

Recent data show encouraging signs of recovery, including rising foot traffic, increased subway ridership, and growing bike share usage. However, challenges persist. The post-pandemic economy continues to put pressure on smaller firms, particularly those in Class B and C office space, which face rising interest rates, higher rents, and lease cycle pressures. Meanwhile, the broader “flight to quality” trend has pulled tenants toward newer, higher-end offices, raising concerns that Midtown South's largely older building stock may struggle to attract and retain a diverse mix of tenants over time.

The Proposed Actions aim to reinforce Midtown South's role as a diverse, mixed-use employment district by maintaining all existing M1-permitted uses, allowing the full spectrum of manufacturing and non-manufacturing businesses to continue operating and expanding. Just as importantly, by introducing housing into an area where it is currently prohibited, the plan would help support a broader ecosystem of businesses—such as neighborhood retail, grocery stores, personal services, and restaurants—that serve a residential population. The addition of new residents would promote street-level activity during evenings and weekends, helping to activate the neighborhood beyond regular business hours and create a more vibrant, 24-hour community.

To further support the area’s economic resiliency, DCP is actively collaborating with other City agencies and local partners to explore non-zoning strategies that sustain legacy industries, retain smaller firms, and foster new opportunities for growth across sectors.

Create conditions for active sidewalks, streets, and public spaces

The Proposed Actions aim to transform Midtown South’s public realm into one that reinforces the district’s emerging identity as a vibrant, mixed-use neighborhood. While the area is rich in architectural character and centrally located, its street life today falls short of its potential. Long blank walls, inconsistent street walls, and sheer rising towers contribute to an environment that lacks cohesion and fails to support an active pedestrian experience.

By pairing new housing and job-generating uses with improved urban design standards and public realm incentives, the Proposed Actions will bring more people to the neighborhood throughout the day and into the evening—supporting local businesses and increasing street-level vitality. Proposed zoning text includes new urban design regulations that require buildings to meet the street while allowing flexibility for architectural variety. Specifically, new construction would be required to align the ground-floor street wall within eight feet of the street line, consistent with the blocky, prewar loft buildings that define the area’s built character. Above the ground floor, recesses would be allowed on up to 30 percent of the street wall to allow for light, air, and articulation. These controls would not apply to frontages that abut new public plazas, allowing for more open, welcoming conditions where appropriate.

To further enhance the pedestrian environment and accommodate the anticipated growth in residents and workers, the Proposed Actions retain and expand key floor area bonus mechanisms that incentivize private investment in public amenities. These include bonuses for covered pedestrian spaces and subway improvements, helping to deliver critical infrastructure alongside new development.

Taken together, these measures are designed to elevate the quality of Midtown South’s streets and public spaces—supporting walkability, encouraging neighborhood interaction, and promoting a 24-hour environment that is more welcoming for residents, workers, and visitors alike.

Proposed Actions

The Proposed Actions would replace the existing M1-6 and M1-6D manufacturing districts with high-density mixed-use districts and make further modifications to the adjacent C6-4M district.

Zoning Map Amendment (C 250185 ZMM)

The proposed zoning map amendment would rezone all or portions of existing M1-6 and M1-6D districts within the Rezoning Area with a range of paired manufacturing districts and high-density residential districts. Additionally, a series of zoning map amendments would create a new special district—the Special Midtown South Mixed-Use District (MSX)—and reconfigure the boundaries of three other special districts in the area to accommodate the new MSX district. The proposed districts detailed below would respond to varied contexts within the Rezoning Area and are intended to respect differing neighborhood contexts, achieve the right balance of uses, as well as facilitate appropriate building forms that reflect existing bulky, loft-style buildings with high street walls.

The proposed paired high-density M/R districts differ only in their respective FAR limits. Most residential, community facility, commercial, and light industrial uses in Use Groups I through X would be permitted as of right. Across the entire Rezoning Area, the proposed districts would require a minimum base height of 60 feet and a maximum base height of 155 feet. A standard setback of 10 feet along wide streets or 15 feet along narrow streets would apply above the base. There would be no maximum building height limit, but tower regulations would require that the lot coverage of any portion of a building above a height of 350 feet cannot exceed 50 percent of the area of the zoning lot. Within 100 feet of an intersection, no rear yard would be required, though, in practice, light and air requirements for legal windows would typically result in at least 20-foot-deep rear yards for residential buildings. Beyond 100 feet of an intersection, non-residential buildings must provide a 10-foot-deep rear yard below a height of 65 feet, a 15-foot-rear yard above a height of 65, and a 20-foot-deep rear yard above a height of 125 feet; residential buildings would be required to provide a 20-foot-deep rear yard below a height of 75 feet and a 30-foot-deep rear yard above a height of 75 feet. On through lots, no rear yard equivalent would be required for non-residential buildings; residential buildings must provide a rear yard equivalent of 40 feet below a height of 75 feet and 60 feet above a height of 75 feet. Residential buildings would have a maximum lot coverage of 80 percent for interior and through

lots beyond 100 feet of an intersection and 100 percent for corner lots, interior, and through lots within 100 feet of an intersection. Non-residential buildings would not be subject to lot coverage requirements.

Proposed M1-9A/R12 (Existing M1-6 and M1-6D)

A new M1-9A/R12 zoning district is proposed to encompass 22 full or partial blocks across three distinct areas. These areas are the Northwest Quadrant, which is generally bordered by West 40th Street to the north, Broadway to the east, West 35th Street to the south, and Eighth Avenue to the west. The second area is the Northeast Quadrant, typically bounded by the midblocks between West 39th Street to the north, Fifth Avenue to the east, West 35th Street to the south, and Sixth Avenue to the west. The third area is the northern portion of the Southwest Quadrant, generally delineated by West 30th and West 31st streets to the north, Sixth Avenue to the east, West 29th Street to the south, and Eighth Avenue to the west. Within this proposed M1-9A/R12 district, the maximum permissible FAR would be 15 for commercial, light manufacturing, and community facility uses. For residential uses that include MIH, the maximum FAR would be 18.

Proposed M1-8A/R12 (Existing M1-6 and M1-6D)

A new M1-8A/R12 zoning district is proposed for an area covering 14 full or partial blocks, situated in two main sections. The first section is the Southeast Quadrant, which is generally bordered by West 31st Street to the north, Fifth Avenue to the east, West 23rd Street to the south, and Sixth Avenue to the west. The second section is the southwestern portion of the Southwest Quadrant, typically bounded by West 29th Street to the north, Seventh Avenue to the east, West 28th Street to the south, and Eighth Avenue to the west. Under this proposed M1-8A/R12 district, the maximum allowable FAR for commercial, light manufacturing, and community facility uses would be 12, while residential uses could reach a maximum FAR of 18. However, within areas designated as LPC historic districts, state law caps the residential FAR at 12.

Proposed M1-8A/R11 (Existing M1-6)

One M1-8A/R11 district is proposed to be mapped across six full or partial blocks in the southeastern portion of the Southwest Quadrant, generally bounded by West 29th Street to the north, Sixth Avenue to the east, West 23rd Street to the south, and Seventh Avenue to the west.

The proposed M1-8A/R11 district would allow a maximum of 12 FAR for commercial light manufacturing and community facility uses and a maximum of 15 FAR for residential uses.

Special Garment Center District (GC)

The Proposed Actions would remove the Special Garment Center District (GC) from the zoning map. GC Subdistrict A-1 (underlying M1-6 zoning district) would be remapped as part of the larger MSX special purpose district. GC Subdistrict A-2 (underlying C6-4M zoning district), bounded by a line 100 feet east of Ninth Avenue to the west, West 35th Street to the south, a line 100 feet west of Eighth Avenue to the east, and West 39th Street to the north, would be subsumed into the Special Hudson Yards District as a new Subdistrict H.

Special Hudson Yards District (HY)

The Proposed Actions would expand the boundaries of the Special Hudson Yards District eastward approaching Eighth Avenue between West 39th and West 35th streets, subsuming Subdistrict A-2 (underlying C6-4M zoning district) of the Special Garment Center District and reconstituting it as HY Subdistrict H.

Special Midtown District (MiD)

The Proposed Actions would eliminate from the zoning map the half-block portion of the Special Midtown District (Theater Subdistrict) bounded by West 40th Street to the south, Seventh Avenue to the east, Eighth Avenue to the west, and the centerline of Block 1012 to the north. This half block would be remapped as part of the larger MSX special purpose district.

Special Midtown South Mixed-Use District (MSX)

The proposed MSX district would be mapped over the entire Rezoning Area, which spans all or parts of 42 blocks. To support the above-specified planning goals, the MSX special district would establish regulations to address the neighborhood's distinctive history, building typologies, as well as existing and anticipated mix of uses. The proposed MSX special purpose district would be mapped over existing portions of the Special Garment Center District and the Special Midtown District.

Zoning Text Amendment (N 250186 ZRM)

A related action (N 250186 ZRM) for a zoning text amendment to establish special rules for the MSX special purpose district as well as an amendment to Appendix F of the ZR to map an MIH area across the Rezoning Area is being considered concurrently with the zoning map amendment that is the subject of this report.

Special Midtown South Mixed-Use District (MSX)

The MSX district would modify the typical regulations of the underlying paired districts and establish additional requirements and parameters for future development derived from and responsive to block- and neighborhood-wide characteristics.

Street Wall and Streetscape Requirements

It is typical for many of the older buildings in the Rezoning Area to have street walls that are built right at the street line. However, due to the permissive M1-6 bulk regulations, much of the new development built over the last two decades contain shallow front setbacks—often 20 to 25 feet—with buildings rising to their full height without setbacks. These conditions limit visibility into ground floors and can feel out of scale with the rest of the neighborhood. To maintain a strong street wall in harmony with the existing built character and create an inviting pedestrian experience, the Proposed Actions would require 100% of a building's street wall on the first story be within eight feet of the street line. Above the first story, at least 70 percent of a building's street wall would have to be located within eight feet of the street line and extend to at least the minimum base height of 60 feet, or the height of the building, whichever is less. These rules would balance the need for a strong, contiguous street wall while allowing for architectural expression and flexibility.

Additionally, building frontages along north-south streets would be subject to the ZR's highest Tier C streetscape standards. Tier C street frontage regulations strictly regulate the percentage of a building's ground floor street wall that can be devoted to non-active uses such as lobbies, residential amenity space, parking, and loading. East-west streets would be subject to Tier B urban design standards, which are slightly more permissive than Tier C, but still have strong active ground floor requirements.

Provide More Flexible Base Heights

Base height provisions are generally intended to align new development with neighboring buildings but can prevent alignment when they are not flexible enough. The Proposed Actions would retain existing minimum and maximum base heights while adding an allowance that enables new developments in the Rezoning Area to go higher than those limits to match the base heights of neighboring buildings, similar to a provision that already exists in Subdistrict A-1 of the Special Garment Center District.

Minimum Distance Between Buildings

The Rezoning Area contains a number of large lots capable of being redeveloped with multiple buildings. In order to provide additional site planning flexibility and minimize the potential for non-compliances, the Proposed Actions would reduce the minimum distance between buildings or portions of buildings on a single zoning lot to eight feet. Residential developments would still be required to comply with legal light and air requirements of the state Multiple Dwelling Law (MDL).

Large Retail Uses

In M1 districts, many common retail and services uses such as clothing stores, grocery stores, and electronics stores, among others, are limited to 10,000 zoning square feet per establishment. The surrounding Midtown neighborhood is characterized by a range of large retail offerings, including department stores such as Macy's that are famous for their expansiveness. Limiting the scale of retail uses is inconsistent with Midtown's role as a regional shopping destination. Therefore, the Proposed Actions would eliminate the 10,000-square-foot cap on Use Group VI uses with such size restriction.

Floor Area Exemption for Public Schools

In order to better facilitate the siting of public schools to serve the local community, the Proposed Actions would permit up to 150,000 square feet of floor space within a public school, constructed in whole or in part pursuant to an agreement with the New York City School Construction Authority (SCA) and subject to the jurisdiction of New York City Schools, to be exempt from the definition of floor area for the purposes of calculating the permitted floor area

ratio for community facility uses and the total maximum floor area ratio of the zoning lot. This exemption would apply to qualifying sites of at least 20,000 square feet in area.

Split Lots with Historic Landmarks

Ordinarily, the ZR restricts the movement of floor area on zoning lots that are split between zoning districts with different maximum FARs. However, the Rezoning Area contains sites with this split lot condition. Moreover, these sites may contain LPC-designated landmark buildings with excess development rights for which it is often difficult to find appropriate landing sites that can utilize that floor area. To allow greater flexibility in site planning, maximize the development of new homes, and ensure that landmark buildings are best able to capture the value of their unused development rights, the special district would allow floor area to be distributed anywhere on a zoning lot divided by zoning district boundaries provided that the majority of the zoning lot is within MSX and the zoning lot contains an LPC-designated landmark.

Covered Pedestrian Space Bonus

Currently, Covered Pedestrian Spaces (CPS), a type of Privately-Owned Public Space (POPS) that can be outdoor or indoor, are not permitted within the proposed mixed-use zoning districts. To provide additional opportunities for valuable public space within Midtown South, the Proposed Actions would allow new developments or enlargements to apply via CPC special permit for a CPS floor area bonus of up to 20 percent.

Transit Bonus

Currently, large portions of the Rezoning Area are located more than 500 feet from a mass transit station, making many sites ineligible for a transit bonus and related bulk waivers pursuant to ZR 66-50. For the purposes of applying ZR Article 6, Chapter 6 regulations, the Proposed Actions would add the proposed MSMX to the definition of “Central Business District” (ZR 66-11), thus extending the density bonus applicability to 1,500 feet from mass transit stations and making virtually all sites within the Rezoning Area qualifying transit improvement sites.

Special Garment Center District

The Proposed Actions would remove Article XII, Chapter 1 (Special Garment Center District) from the ZR in its entirety.

Special Midtown District

The Proposed Actions would modify Appendix A of ZR Article VIII, Chapter 1 to eliminate the southern half of Manhattan Block 1012 (West 40th Street to the south, Seventh Avenue to the east, Eighth Avenue to the west, and the centerline of the block to the north) from the Special Midtown District maps.

Special Hudson Yards District

With the removal of Special Garment Center Subdistrict A-1, Subdistrict A-2 would be an island less than four blocks in area. Recognizing that Subdistrict A-2 already contains provisions related to the Special Hudson Yards District (HY), namely, the district improvement bonus, parking regulations, and anti-harassment and demolition rules, the Proposed Actions seek to rationalize the patchwork of special districts in the area. The Proposed Actions would modify the Special Hudson Yards District maps (Appendix A and Appendix B of ZR Article IX, Chapter 3) and create the new Subdistrict H within HY co-extensive with the existing Special Garment Center Subdistrict A-2. Subdistrict H would retain all the rules that currently apply to GC Subdistrict A-2 except that the prohibition on residential conversions in buildings over 70,000 square feet would be eliminated.

Mandatory Inclusionary Housing Program

The Proposed Actions include a zoning text amendment to Appendix F of the ZR to apply the MIH program to the Rezoning Area. The MIH program requires permanently affordable housing within new residential developments, enlargements, and conversions from nonresidential to residential use within the mapped Mandatory Inclusionary Housing Areas. The program requires permanently affordable housing set-asides for all developments over 10 units or 12,500 zoning square feet within the MIH-designated areas or, as an additional option for developments between 10 and 25 units (12,500 to 25,000 sf), a payment into an Affordable Housing Fund. Developments, enlargements, or conversions that do not exceed either 10 units or 12,500 sf of residential floor area would be exempt from the requirements of the program.

In cases of hardship, where these requirements would make development financially infeasible, developers may apply to BSA for a special permit to reduce or modify the requirements. In addition, within the MSX special district, for conversions from non-residential to residential use

in buildings that are not otherwise subject to the MIH program's affordable housing fund provisions, BSA may permit a contribution to the affordable housing fund where strict compliance with the options for affordable housing requirement may not be feasible. In such case, BSA must determine that the configuration of the building imposes constraints such as deep, narrow or otherwise irregular floorplates, limited opportunities to locate legally required windows, or pre-existing locations of vertical circulation or structural column systems that would create practical difficulties in reasonably configuring the required affordable floor area into a range of apartment sizes and bedroom mixes.

In most areas of Manhattan, the MIH program includes three primary options that pair set-aside percentages with different affordability levels to reach a range of low and moderate incomes while providing flexibility for the number of affordable units and level of affordability. Option 1 would require 25 percent of residential floor area be for affordable housing units for residents with incomes averaging 60 percent of the area median income (AMI). Option 1 also includes a requirement that 10 percent of residential floor area be affordable at 40 percent AMI. Option 2 would require 30 percent of residential floor area be for affordable for residents with incomes averaging 80 percent AMI. Option 3 would require that 20 percent of the residential floor area be affordable to residents with incomes averaging 40 percent AMI. For all options, no units could be targeted to residents with incomes above 130 percent AMI. (Option 4, a middle-income affordability option, does not apply to the Manhattan Core.)

ENVIRONMENTAL REVIEW

This application (C 250185 ZMM), in conjunction with the application for the related action (N 250186 ZRM), was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq. and the City Environmental Quality Review Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 24DCP094M. The lead is the City Planning Commission.

It was determined that the proposed actions may have a significant impact on the environment, and that an environmental impact statement would be required. A positive declaration was issued

on March 19, 2024, and subsequently distributed, published, and filed. Together with the Positive Declaration, a Draft Scope of Work for the Draft Environmental Impact Statement (DEIS) was issued on March 19, 2024. A public scoping meeting was held on April 18, 2024, and the Final Scope of Work was issued on January 17, 2025.

A DEIS was prepared and a Notice of Completion for the DEIS was issued on January 17, 2025. A Technical Memorandum 001 outlining the new information that became available since the DEIS publication, was issued on May 6, 2025. Pursuant to the SEQRA regulations and the CEQR procedures, a joint public hearing was held on the DEIS on May 7, 2025, in conjunction with the public hearing on the ULURP item (C 250185 ZMM) and the related item (N 250186 ZRM).

A Final Environmental Impact Statement (FEIS) reflecting the comments made during the public hearing was completed, and a Notice of Completion of the FEIS was issued on June 6, 2025. Significant adverse impacts related to hazardous materials, air quality and noise would be avoided through the placement of (E) designations (E-830) on selected projected and potential development sites as specified in Chapters 9, 14 and 16, respectively, of the FEIS.

The FEIS determined that approval of the proposed actions would result in significant adverse impacts to Open Space, Shadows, Historic and Cultural Resources, Transportation, Air Quality and Construction. Additionally, due to the non-site-specific nature of DCP's model for residential conversions because of the Proposed Actions, significant adverse Hazardous Materials, Air Quality, and Noise impacts cannot be precluded for the residential conversion area. The identified significant adverse impacts and proposed mitigation measures under the proposed actions are summarized in Chapter(s) 21, "Mitigation" of the FEIS.

A Technical Memorandum (Technical Memorandum 002) was issued on June 13, 2025, in connection with this application and the related applications, which assesses potential modifications to the proposed actions. The Technical Memorandum concludes that the application as modified would not result in any significant adverse impacts that were not already identified in the FEIS issued on June 6, 2025.

UNIFORM LAND USE REVIEW

This application (C 250185 ZMM) was certified as complete by the Department of City Planning on January 21, 2025 and was duly referred to Manhattan Community Board 4, Manhattan Community Board 5, and the Manhattan Borough President in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b), along with the related application for a zoning text amendment (N 250186 ZRM), which was referred for information and review in accordance with the procedures for non-ULURP matters.

Community Board Public Hearing

Manhattan Community Board 4 held a public hearing on this application (C 250185 ZMM) and the related application (N 250186 ZRM) on March 5, 2025, and that same day, by a vote of 36 in favor, four against, and two abstaining, adopted a resolution recommending conditional disapproval of the application.

Manhattan Community Board 5 held a public hearing on this application (C 250185 ZMM) and the related application (N 250186 ZRM) on March 19, 2025, and on April 10, 2025, by a vote of 33 in favor, none against, and one abstaining, adopted a resolution recommending conditional approval of the application.

The complete Community Board 4 and Community Board 5 resolutions are appended to this report.

Borough Board Recommendation

The Manhattan Borough Board considered this application (C 250185 ZMM) and the related application for a zoning text amendment (N 250186 ZRM). On April 17, 2025, the Borough Board adopted a resolution recommending conditional approval of the application. The full recommendation is appended to this report.

Borough President Recommendation

The Manhattan Borough President considered this application (C 250185 ZMM) along with the related application for a zoning text amendment (N 250186 ZRM) and on April 24, 2025, issued a conditional favorable recommendation. The full recommendation is appended to this report.

City Planning Commission Public Hearing

On April 23, 2025 (Calendar No. 7), the City Planning Commission scheduled a public hearing on this application (C 250185 ZMM) and the related zoning text amendment (N 250186 ZRM) for May 7, 2025. The hearing was duly held on May 7, 2025 (Calendar No. 25). Thirty-one speakers testified in favor of the application and 10 in opposition.

Speakers in favor included the representatives of three business improvement districts (Garment District Alliance, Flatiron Nomad Partnership, and the 29th Street Neighborhood Association), as well as representatives from advocacy groups, including Citizens Housing & Planning Council, Open New York, the Real Estate Board of New York (REBNY), New York Landmarks Conservancy, and the New York Housing Conference. Additional speakers in favor included area residents, a real estate professional, and two members of Manhattan Community Board 5.

The president of the Garment District Alliance BID spoke in strong support of the plan, stating the Garment District has very few residents and should convert to a 24/7 mixed-use neighborhood for improved security and quality of life, a condition which they attributed to the concentration of social service providers 8th Avenue. They asserted that adding housing would revitalize the neighborhood, which has experienced significant job losses and high commercial vacancy rates due to the COVID-19 pandemic.

The president of the Flatiron Nomad Partnership, another area BID, conveyed the group's commitment to the district's evolution as a thriving 24/7 mixed-use area, noting the area's vital blend of residential, retail, and entertainment uses, as well as its strong commercial occupancy and rents. They noted that the Southeast Quadrant, which contains two historic districts and 12 individual landmarks, currently offers a substantial amount of unused FAR that could be used for residential development. They requested that the proposal be modified so that surplus landmark and historic district FARs are better utilized, which they stated would protect and support the historic nature of the neighborhood. They also urged a consideration of urban design modifications for the southeast quadrant, claiming that the proposal as written would throw NoMad's midblock side streets into permanent shadow. Lastly, they noted concerns about Privately Owned Public Spaces (POPS) being the sole open space mitigation and suggested a public realm improvement fund.

The director of the 29th Street Neighborhood Association, a nonprofit corporation, expressed support for housing creation via updates to outdated manufacturing zoning, but also shared concerns that the MSMX plan would result in the demolition of large historic buildings by developers seeking luxury towers. They worried that if developers were to abandon projects, teardowns could create blighting vacant lots, noting Midtown South's Hotel Pennsylvania, the Bancroft Building, and others as precedents.

A policy analyst at the CHPC, a nonprofit research and education organization, stated that CHPC finds the core purpose of the MSMX proposal sound in its aim to reinvigorate portions of Midtown South, Chelsea, and Flatiron with housing and mixed-use development, but expressed concern that the proposal treats all quadrants as if they have similar neighborhood characteristics and built context. Consequently, they urged modifications to the proposed actions, arguing that zoning narrow side streets for higher density (15 or 18 FAR) than adjacent avenues (12 FAR) in some areas is not a rational allocation of bulk or density. They observed that this zoning arrangement would depart from a long-standing policy of prioritizing commercial development in the Manhattan central business district, noting that commercial FAR is typically equalized with residential FAR.

A campaign coordinator for nonprofit Open New York expressed support for the proposal to rezone Midtown South with the highest currently allowed residential density. They asserted that New York City's housing crisis stems from not building enough homes, and that providing more market-rate and income-restricted housing, especially in transit-rich areas like Midtown South, would help alleviate a dire housing shortage.

A representative of REBNY, a trade association for the real estate industry, testified in strong support of the MSMX plan, calling it a critical step toward increasing housing production in a centrally located neighborhood. They highlighted that the plan aligns with the Office Adaptive Reuse Task Force recommendations and mentioned that this is the first application of R11 and R12 districts. They argued against any reduction in proposed density, stating it would significantly impact housing projections. They also discussed existing tax incentives for office-to-residential conversions and new rental construction, stressing that all MIH options should remain available to ensure financial feasibility of developments.

The director of public policy at the nonprofit New York Landmarks Conservancy expressed support for income-restricted housing and conversion of underused buildings to housing in Midtown South, but voiced concerns that an upzoning would incentivize demolition of historic buildings instead of conversion. They highlighted potential negative impacts on the Madison Square North, Ladies' Mile, and Garment Center historic districts as well as individual landmarks, expressing fear that an overall upzoning would open unused development rights for many buildings and thus weaken demand for landmarks' unused development rights. They urged the Commission to further tailor the plan for each quadrant, possibly by reducing FAR in some areas or excluding historic districts, which could prioritize reuse of existing historic buildings and encourage sustainable development while still supporting the city's housing production goals.

The director of policy and operations at New York Housing Conference, a nonprofit affordable housing policy and advocacy organization, spoke in favor of the plan, emphasizing an overall need for rezonings which open opportunities for more housing, especially income-restricted housing. They highlighted disparities between housing production in whiter, wealthier neighborhoods and housing production in predominately Black and Latino or neighborhoods with lower incomes, noting that adding income-restricted housing in whiter, wealthier neighborhoods like Midtown South is necessary and equitable.

Two members of Manhattan Community Board 5 (CB5) testified in measured support of the proposal. The vice chair of the Manhattan Community Board 5 (CB5) Land Use Committee stated that CB5 supports the conversion of outdated manufacturing zones into vibrant mixed-use neighborhoods with housing and jobs, but stressed that short-term housing targets should not be traded for long-term livability. They raised concerns about a broad-brush application of 18 FAR for residential districts without adequate open space mitigation in an area that already lacks open space. They explained that stakeholders have told CB5 that they believe an 18 FAR may disincentivize participation in floor area bonus programs. They shared that CB5 proposed a lower-density alternative that would map 15 FAR for the Southeast and Northwest Quadrants, which they claim would align with historic districts and preserve TDR in the former quadrant and encourage conversions as well as preserve light in the latter. For the Southwest and Northeast Quadrants, she shared the board supported 15 FAR and 18 FAR, respectively.

The CB5 Transportation Committee chair, who is also a Land Use Committee member, elaborated on CB5's points of agreement. They underscored the need for better pedestrian circulation, possibly by extending the Broadway Vision Plan throughout the MSMX Project Area, permanently widening temporary sidewalk expansions on 7th and 8th Avenues, and exploring ideas to improve circulation between Port Authority and Penn Station. They also explained the need to protect existing residential and small business tenants and noted that hotels are a particularly good use in the area.

These individuals were joined by additional speakers in favor of the proposal, a group that primarily included Midtown South residents and neighborhood workers, as well as one real estate attorney.

Many speakers emphasized the need to create thousands of new housing units, including income-restricted housing units, in high-density, transit-rich neighborhoods like Midtown South. They largely supported updating antiquated zoning regulations, utilizing higher FARs, and applying modern zoning tools that were introduced in the three City of Yes citywide zoning text amendments. They argued the proposed actions would potentially reduce housing costs, facilitate shorter commutes, and contribute to a more vibrant street life, particularly in areas that empty out after 5 p.m.

Other speakers, including several residents of the Southeast Quadrant, expressed measured support for the proposed actions but raised concerns about their impact on specific areas. They argued the proposal was overly broad and failed to account for each quadrant's specific density and neighborhood character. Residents also shared fears that tall, high FAR new construction with minimal setbacks would diminish light and air for existing residential buildings and they called for further environmental studies before future approval of the proposed actions.

Some speakers suggested modifications to the proposal, including maintaining existing larger rear yard requirements, imposing deeper setbacks on mid-block buildings, maintaining current base height and setback regulations, and capping commercial and residential FAR at 10–12 to match existing commercial FAR. There was also a lament that the proposed actions could have better incentivize the adaptive reuse of the area's loft buildings.

Ten speakers testified in opposition, including representatives from industry group New York Fashion Workforce Development Coalition (NYFWDC), preservation advocacy organization Historic Districts Council (HDC), and members of Manhattan Community Board 4 (CB4). These representatives were joined by a local fashion business owner, residents—including a former chair of the City Planning Commission—a historic preservation advocate, and other members of the public.

A member of NYFWDC and longtime designer in the Garment District supported the goal of more housing but argued the proposal does not reflect the needs of the Garment District's fashion industry. They emphasized their and their peers' daily reliance on the district's ecosystem of vendors, suppliers, artisans, and sample rooms, explaining that the area supports thousands of jobs and cannot be rebuilt if lost. They warned that the proposed actions would displace the industry and asked for consideration of FAR limits, funding for adaptive reuse, tax relief for fashion businesses, and a displacement fund for fashion businesses.

The executive director of HDC stated that the group supports new housing in Midtown South but believes the proposal will incentivize the demolition of historic buildings and erase Garment District manufacturing jobs. They opposed the higher residential FARs compared to lower commercial FARs, arguing that the different FARs incentivize demolition—particularly the demolition of historic, undesignated buildings—over reuse. They supported lowering proposed FARs to incentivize adaptive reuse, encouraged support for landmark TDR policies, and urged DCP to work with the LPC to identify future landmarks and sites for adaptive reuse. They also criticized the perceived lack of incentives for retaining manufacturing jobs, despite significant losses, and called for revisiting promises from the 2018 fashion production support package, which described pathways to support manufacturing jobs.

The CB4 Clinton/Hell's Kitchen Land Use Committee co-chair stated that while CB4 initially recognized the need for residential uses, it believes that the current iteration of MSMX will not create a vibrant, livable neighborhood. The co-chair asked for a residential FAR cap, urged protections against demolition, incentivization of conversions and adaptive reuse, strengthening streetwall requirements by eliminating the proposed eight-foot setback, and restricting lot mergers to prevent pencil towers.

A second member of CB4, a Housing Committee co-chair and Land Use Committee member, reiterated that CB4 was initially in favor of MSMX, but now opposes the proposal because of the very high-density residential FAR. They noted that the board requested height limits by subarea, arguing density, not height alone, produces housing. They recommended lowering FARs to incentivize adaptive reuse first. They also criticized the proposed eight-foot setback for street walls, arguing it breaks the district's strong street wall character and creates opportunities for illicit activity and consequent public safety challenges.

A resident of the Northwest Quadrant, who is president of the Midtown South Precinct Community Council, Garment District board member, and member of CB4, chose to speak as a resident only. They emphasized the importance of livability and the existing built environment, recalling earlier DCP engagement that centered on conversions and projected far fewer units than currently proposed. They argued that the current proposal incentivizes the demolition of 12- to 15- story commercial loft buildings, then suggested changes to the proposal, including lower FAR, lower height limits, and elimination of the eight-foot setback. They also asked that the Northwest Quadrant's POPS and transit bonuses be reconsidered, citing ongoing illicit activity and public safety issues, particularly along 8th Avenue where social service providers are concentrated.

A former chair of the City Planning Commission and longtime Midtown South resident expressed support for more housing and the conversion of manufacturing zoning to mixed-use, but argued the current proposal's high FARs will cause harm, particularly in the Southeast Quadrant. They cautioned that high residential FARs would displace small businesses and nonprofits, as well as negatively impact landmarks and historic district buildings by devaluing their air rights. They also raised concerns about the potential adverse impacts of bulk regulations on existing residential buildings' light and air in the Southeast Quadrant and drew attention to proposed changes in the Special Midtown Theater District that would eliminate a receiving site for Broadway theater air rights.

Additional speakers expressed opposition to the land use actions and their potential impact on the neighborhood while noting their support for some of the proposal's goals, including creating income-restricted housing.

The proposed FARs and the scale of future developments were major points of opposition, with speakers expressing alarm that 12 to 18 FARs, particularly in the Southeast Quadrant, would result in oversized buildings which limit light and air for existing buildings on the midblocks.

Speakers were also concerned that the proposal would diminish the neighborhood's character and economy. A glovemakinger stated that the proposal would endanger their Garment District factory and similar businesses that rely on the area's loft building features, cautioning that the proposal could harm New York's role as a global fashion capital. An architect shared similar fears, characterizing the rezoning as a significant threat to Midtown South's distinct loft buildings and their businesses tenants. One speaker, an area resident, expressed concern that the rezoning would negatively impact the Southeast Quadrant's historic districts and smaller midblock structures.

There were no other speakers and the hearing was closed.

The Commission also received written testimony, which included testimony both in support of and in opposition to the proposal reflecting a broad mix of perspectives, with most supportive testimony emphasizing the urgent need for housing, particularly permanently affordable units, in a high-opportunity and transit-rich area like Midtown South. Supporters, including housing advocates, nonprofit developers, and some community organizations, praised the plan's potential to deliver thousands of new homes and argued that the area is well-suited for higher-density, mixed-use development. Critics of the proposal expressed concerns about displacement of small businesses, especially in creative and garment-related industries, and the risk of the neighborhood becoming overly residential. Multiple testimonies also raised objections to the proposed base residential FARs, particularly in the Southeast Quadrant, arguing that they could discourage the use of bonus mechanisms like landmark TDRs and limit opportunities for public benefits such as POPS or transit improvements. Some also questioned whether the plan adequately preserved the architectural character of the area or accounted for midblock-avenue distinctions. There was both concern and support expressed regarding the inclusion of high-density residential districts (R11/R12) following the lifting of the 12 FAR cap, with some arguing that the shift lacked sufficient notice or study. Overall, the testimonies reflect strong

support for new housing coupled with calls for more thoughtful calibration of density, preservation, and economic diversity

CONSIDERATION

The Commission believes that this application for a zoning map amendment (C 250185 ZMM), in conjunction with the related zoning text amendment (N 250186 ZRM), as modified herein, is appropriate.

The Commission finds the Proposed Actions appropriate for a centrally located, transit-rich neighborhood with extraordinary access to jobs, services, and amenities. Midtown South is an area flush with potential, already boasting a vibrant mix of uses, including office space, hotels, retail, light industrial and creative production, institutions, and entertainment venues. The area's built form is defined by robust, loft-style buildings that contribute to its distinctive identity. The Commission recognizes that the Proposed Actions are consistent with citywide land use policy goals to facilitate the production of both market-rate and income-restricted housing—particularly in high-opportunity neighborhoods well served by infrastructure—and to support a diverse and inclusive economy.

At the same time, the Commission finds it particularly striking that, despite Midtown South's tremendous strengths—its central location, high-quality transit access, and proximity to hundreds of thousands of jobs—the area's four manufacturing districts continue to prohibit or severely limit new housing. This outdated framework not only prevents New Yorkers from living in one of the city's most opportunity-rich neighborhoods, it also constrains the area's ability to adapt to new patterns of living and working. The Commission observes that the zoning mapped in these districts has remained largely unchanged for decades, with bulk regulations that often conflict with the neighborhood's architectural character. Despite longstanding zoning protections, the area's manufacturing sector has seen a steady, decades-long decline, and the COVID-19 pandemic exacerbated structural challenges, particularly for Class B and C office buildings that dominate much of the built fabric. The Proposed Actions will correct this imbalance by permitting new housing as-of-right and expanding opportunities for community facility uses, while continuing to allow the full range of non-residential uses—including office, retail, light manufacturing, and creative production—that define Midtown South's dynamic character.

Zoning Map Amendment (C 250185 ZMM)

The Commission notes that the facilitation of residential development will be achieved in part by the establishment of M1-9A/R12, M1-8A/R12, and M1-8A/R11 districts, three paired high density zoning options created by the recent City of Yes for Economic Opportunity (N 240011 ZRY) and City of Yes for Housing Opportunity (N 240290 ZRY) citywide text amendments. The Commission celebrates that the Proposed Actions will be the first to map these districts in New York City and is pleased to see City of Yes put into practice to both enable additional housing as well as reinforce the strong non-residential character of the area. The CPC additionally notes that a novel zoning framework for a dynamic, mixed-use environment is especially needed in Midtown South given its concentration of older loft and commercial buildings that often exceed typical zoning densities as well as its location within the Manhattan Core.

The Commission heard testimony expressing concern that the MSMX proposal applies a blanket rezoning approach across the four subareas—Northwest, Northeast, Southwest, and Southeast—without adequately accounting for their unique conditions. The Commission agrees that a one-size-fits-all strategy would be inappropriate for an area as complex and varied as Midtown South. Ironically, it is the current zoning—largely a uniform application of M1-6 across the entire Rezoning Area—that reflects a true blanket approach, failing to account for the district’s evolving land use, built form, and potential for growth. In contrast, the Commission finds that the proposed zoning framework was developed with attention to nuance and is responsive to the distinct characteristics of each quadrant. The MSMX strategy reflects a detailed, block-by-block and lot-by-lot analysis of existing conditions, including built form, land use, development potential, and neighborhood context. As a result, the highest-density mixed-use districts (M1-9A/R12) are proposed for the northern quadrants, where built densities are already among the highest in the city and where adjacency to regional anchors like Hudson Yards, Penn Station, and the Midtown core make higher density appropriate. In the southern quadrants, particularly the Southwest, the plan calls for more moderate densities (e.g., M1-8A/R11) to reflect a transition toward the lower-scale context of Chelsea. The Southeast quadrant, while proposed for higher residential density, was carefully studied for development feasibility and opportunity for income-restricted housing delivery in what is currently the wealthiest portion of Midtown South closest

to open space resources. Taken together, the Commission finds that the MSMX proposal does not impose a uniform solution but rather replaces outdated blanket zoning with an intentional, carefully calibrated, and context-sensitive framework that aligns density and use with the planning goals and built character of each subarea.

In light of the distinctive characteristics of Midtown South’s built environment and regional significance, the Commission finds the proposed M1-9A/R12 district to be an appropriate zoning designation. This district is proposed for portions of the Northwest, Northeast, and Southwest Quadrants—areas already defined by high-density development, including numerous buildings built to or above 15 FAR. The presence of major transportation infrastructure, including Penn Station and Moynihan Train Hall—the busiest transit hub in the Western Hemisphere—further reinforces the suitability of this high-density mixed-use designation. The Commission finds that allowing up to 15 FAR for commercial and light manufacturing uses and up to 18 FAR for residential uses appropriately supports the area's dual roles as a major employment center and a high-opportunity location for significant new housing growth. Increasing the maximum allowable non-residential FAR from 10 to 15 will also reduce non-compliances for existing buildings, bring the area into closer alignment with adjacent zoning in the Special Midtown District, and create a more coherent and flexible density framework to support the neighborhood’s future.

The Commission finds the proposed M1-8A/R12 district, which will be mapped primarily in the Southeast Quadrant, similarly appropriate, as this area is less commercial in character and possesses significant opportunity for residential development. A small area in the Southwest Quadrant will also be mapped M1-8A/R12 in recognition of the significant presence of existing housing that was developed following a private rezoning approved in 2011. Considering these conditions, the Commission believes that prioritizing high-density residential development would be suitable and would not hinder commercial and light manufacturing uses. The Commission notes that in the two historic districts partially within the Southeast Quadrant, residential FAR will remain capped at 12 FAR per New York State law.

Lastly, the Commission finds that the proposed M1-8A/R11 district in a smaller portion of the Southwest Quadrant appropriately balances an eclectic, lower-scale context in adjacent areas

with the goal of new housing development. The Commission notes that this portion of the Rezoning Area directly adjoins the Chelsea neighborhood, which is lower density and more residential in character. As such, mapping a slightly lower residential density district in this portion of the quadrant will provide an appropriate transition from Midtown South's high-density core to more moderate-density neighborhoods south and west of the Rezoning Area.

Prior to the certification of the MSMX Plan, the New York State Legislature repealed the longstanding 12 FAR cap on residential development. In response, DCP staff updated the proposal to reflect this important policy shift by incorporating new R11 and R12 districts, which allow residential densities above 12 FAR. The Commission received testimony expressing concern about the timing of this change, with some suggesting that higher residential densities were introduced without sufficient public notice, study, or discussion. The Commission acknowledges these concerns but finds that the incorporation of higher-density residential districts was a natural and well-signaled evolution of the planning process. The inclusion of R11 and R12 districts in MSMX reflects years of advocacy and planning by the administration, elected officials, and policy experts seeking to better align allowable residential densities with the city's urgent housing needs—particularly in high-opportunity, transit-rich neighborhoods like Midtown South. Even before the repeal of the State cap, the City had consistently expressed its intent to pursue higher residential densities and publicly advocated for this change as part of a broader housing agenda. The R11 and R12 districts were introduced and adopted through the City of Yes for Housing Opportunity text amendment following extensive citywide engagement and environmental review. While MSMX marks the first application of these new districts, their use here is grounded in sound planning principles and a clear, transparent process. The Commission finds that their inclusion was neither rushed nor unexpected but rather a deliberate response to both the area's unique capacity and the city's housing crisis. These new districts were publicly presented at certification, discussed throughout the public review process, and are thoughtfully mapped in areas with high-density built form, excellent access to transit and jobs, and strong potential to deliver permanently income-restricted housing.

The Commission notes that several speakers at the public hearing raised concerns about the proposed zoning framework's treatment of avenues and midblocks—particularly in the Northwest and southern quadrants, where higher-density residential districts (R11 and R12) are

proposed to span full blocks. Some testimony advocated for lower-density zoning on midblocks or the use of zoning tools to better distinguish between street types. The Commission has carefully considered these concerns and finds that, unlike in other parts of the city, Midtown South and adjacent areas do not exhibit a strong historic, zoning, or urban form-based distinction between avenues and midblocks. This area's legacy as a dense commercial and manufacturing district has produced a building stock where bulky, high-FAR structures are common across both avenues and midblocks. Many existing buildings exceed 15 FAR and are overbuilt under current zoning, regardless of their location on the block. Moreover, zoning districts in Midtown South—including the M1-6 districts currently mapped across the plan area—often span entire blocks without differentiating between avenues and midblocks. Even in areas where separate zoning districts are mapped, such as in the southern quadrants, those districts typically permit the same maximum densities, effectively nullifying any practical distinction. The Commission finds that the proposed zoning appropriately reflects these built realities. Rather than impose an artificial distinction that the neighborhood's fabric does not support, the proposed framework respects Midtown South's existing urban form and responds to its central location, strong transit access, and potential to support both new housing and economic growth.

The Commission also heard testimony expressing concern that allowing high-density residential development could shift Midtown South's character toward being predominantly residential. While acknowledging this concern, the Commission finds that evidence from similar rezonings suggests otherwise. In nearby areas such as the C6-4M district in the Garment Center, the M1-6D district in the Southwest Quadrant, and the adjacent C6-4A district, zoning changes to permit housing have not led to a loss of jobs or a decline in business activity. These neighborhoods remain vibrant employment centers and have seen economic growth alongside increased housing production. Moreover, much of the broader Midtown area has long been mapped with mixed-use commercial zoning that allows both residential and non-residential uses. Despite this permissiveness, non-residential uses have remained dominant, demonstrating that housing and jobs can successfully coexist. The Commission believes that Midtown South's enduring appeal for office, hotel, retail, combined with its central location and exceptional transit access, will continue to support a strong commercial presence. The introduction of new housing is not expected to displace jobs, but rather to complement them, helping to create a more dynamic, 24-

hour neighborhood and expanding the local customer base for businesses after normal business hours.

The Commission also received testimony expressing concern that the introduction of residential use and increased residential densities could lead to the loss of Class B and C office space, which is often occupied by small businesses, nonprofits, and start-ups that rely on more affordable space. The Commission appreciates the importance of maintaining a diverse office market and acknowledges that Class B and C buildings support a wide range of tenants and business activity. However, the Commission also notes that Midtown South currently has a substantial supply of non-residential floor area and that the Environmental Impact Statement (EIS) for the proposed action projects a relatively modest shift—approximately 700,000 square feet—from non-residential to residential use, representing approximately 1 percent of the borough’s Class B and C office inventory. Given the broader context of elevated commercial vacancies in Manhattan—particularly in the Class B and C submarket, of which there is a 23% availability rate—the Commission does not believe that the proposed action will result in a meaningful contraction of available space or pricing pressures for this segment of the office market. The Commission finds that the proposal appropriately balances the introduction of housing with the continued viability of non-residential uses and does not pose a significant threat to the availability of office space in Midtown South.

The Commission also recognizes that global and local economic shifts over the past several decades have contributed to a decline in manufacturing employment in Manhattan: In 1980, there were approximately 100,000 jobs in the sector, while today there are fewer than 15,000. The Commission underscores the importance of maintaining the vibrancy of the manufacturing and fashion-related sectors in Midtown South, noting that the fashion industry’s design and production sectors, as well as related creative sectors, sustain a diverse, dynamic neighborhood economy. The Commission recognizes and appreciates the testimony and public comments that highlight the continued significance of these industries to the city's identity and economy. Consequently, the Commission encourages the continued use of non-zoning tools, financial incentives, and targeted investments to strengthen and support the long-term viability of these industries alongside the broader goals of the Proposed Actions.

To optimally achieve the goals of the rezoning, the Commission finds the modification of existing special district boundaries and regulations appropriate. It supports the removal of the Special Garment Center District, the adjustment to the boundary of the Special Midtown District, and the reconfiguration of Subarea A-2 of the Special Garment Center District into a new subdistrict within the Special Hudson Yards District. The Commission observes that Subarea A-2 already contains provisions related to the Hudson Yards District, including parking regulations and eligibility for the District Improvement Bonus (DIB), and finds that formalizing this integration will simplify and rationalize special district regulations. Given the evolution of land use patterns and the changing economic base of the area, the Commission believes these adjustments will better align zoning with current conditions and future development goals.

While the Commission finds it appropriate to remove the northernmost half block in the Northwest Quadrant (Manhattan Block 1012) from the Special Midtown District (MiD) to create a cohesive, rational regulatory framework for the entire Rezoning Area, the Commission is modifying the application to retain the MiD theater transfer of development rights (TDR) mechanism for the southern portion of Block 1012. This modification ensures that these parcels will continue to be eligible receiving sites for development rights from listed theaters, consistent with longstanding policy goals to support and preserve the Broadway theater industry. The Commission acknowledges testimony received from stakeholders expressing concern that removing this eligibility could reduce the effectiveness of the theater TDR mechanism. By maintaining this provision for the affected sites—while still rezoning the area from M1-6 to M1-9A/R12 and incorporating it into the new Special Midtown South Mixed-Use District (MSX)—the Commission seeks to strike an appropriate balance between advancing the broader goals of the Proposed Actions and preserving a critical tool for theater preservation and investment.

Zoning Text Amendment (C 250186 ZRM)

In consideration of the proposed zoning text amendment (N 250186 ZRM), the Commission notes that the establishment of the Special Midtown South Mixed-Use District (MSX) will appropriately respond to Midtown South's unique history and context while supporting housing creation alongside other key goals of the proposal.

Given the area's present and future built environment, the Commission finds the MSX district's special regulations for street walls, streetscape, and open space will appropriately reinforce the area's characteristic urban design patterns. To realize these changes, the Proposed Actions will replace obsolete M1-6 bulk controls that encourage deep front setbacks, disrupt street walls, and fail to respect the historic loft character of Midtown South. The Commission also supports the street wall requirements which mandate that 100 percent of the street wall at the ground floor be located within eight feet of the street line, and that above the ground floor, 70 percent of the street wall must be within eight feet of the street line. The Commission notes these reasonable requirements will help correct out-of-context streetscape changes caused by deep front setbacks, which are particularly characteristic of recent hotel developments.

The Commission heard concerns that the proposed urban design regulations—particularly the allowance for ground-floor street walls to be within eight feet of the street line—may be overly permissive and risk eroding the defining streetwall character of Midtown South. Some testimony called for a more prescriptive approach, suggesting that the proposal should more strictly enforce a consistent street wall at the street line to better reflect existing built conditions. While the Commission acknowledges that Midtown South is characterized by loft-style buildings with strong street walls, it also notes that it is not uncommon for older lofts to be set back slightly from the street line and that some newer buildings in the area also set back in ways that enhance pedestrian circulation space. The Commission also notes that the proposed street wall rule is significantly more prescriptive than the existing M1-6 zoning, which does not require any street wall condition, and is also stricter than typical zoning in most high-density residential, commercial, and mixed-use districts, which generally requires only 70% of a building to have a street wall within eight feet of the street line and permits the remaining 30% to set back beyond eight feet. The MSMX proposal introduces this new urban design control precisely to reinforce the area's historic physical form that developed prior to the introduction of M1-6 zoning in 1961. The Commission finds that the eight-foot flexibility strikes a necessary balance between preserving street wall continuity and allowing modest flexibility for building articulation, expression, and/or site-specific constraints. A too-rigid street wall requirement may preclude innovative site planning or architectural variation that enhances the pedestrian experience, particularly on constrained sites. The Commission believes the proposed provision sets a clear

expectation for street wall consistency while still allowing for creativity in design and responsiveness to unique site conditions.

The Commission further notes that the proposed minimum and maximum base heights of 60 feet to 155 feet appropriately reflect and reinforce Midtown South's prevailing built character, which is defined by muscular, loft-style buildings with consistently high street walls. The Commission also supports the expansion of the base height matching provision, which will allow developments to exceed the 155-foot maximum base height if they abut an existing building with a taller base height. The Commission notes that this regulation is available in historic districts citywide and believes that it is appropriate for MSX given the dense concentration of older loft buildings in the Rezoning Area. In its final consideration of streetwall urban design controls, the Commission supports the expansion of Tier B and Tier C streetscape requirements that will create active ground-floor frontages and enhance the pedestrian experience throughout the Rezoning Area.

While noting that strong street wall regulations are appropriate given the area's historic built context, the Commission finds that the text amendment, as certified, may be too prescriptive for certain constrained sites. Consequently, the Commission is modifying the MSX regulations to exempt sites from the 100 percent ground-floor street wall requirement within 15 feet of a landmark building. This modification acknowledges that many LPC-designated buildings in Midtown South were constructed with setbacks from lot lines and thus seeks to foster adaptive reuse and development projects that are responsive to and harmonious with such landmark buildings.

In further consideration of the relationship between landmark and non-landmark sites, the Commission supports provisions related to the flexibility of allowing floor area to move freely across zoning district boundaries on split lots with designated landmarks, a proposal that will better facilitate adaptive reuse and new development while protecting historic buildings. Relatedly, the Commission supports provisions that reduce the minimum distance between buildings on the same zoning lot to eight feet to facilitate superior site planning on constrained or large sites where strict compliance with the 40-foot minimum distance requirement would be unfeasible or lead to undesirable outcomes.

The Commission notes the appropriateness of a maximum floor area bonus of up to 20 percent above base FAR for developments that deliver transit station improvements or POPS. These incentive zoning mechanisms complement the objectives of the MSMX Plan by facilitating the potential improvement of local transit facilities and creation of new public space. It also notes that while various bonus mechanisms can be stacked together, the maximum floor area bonus that can be achieved by the bonuses in combination is capped at 20 percent above the maximum allowed base FAR. The Commission also acknowledges that the application of the CPS or qualifying transit improvement bonuses would require a separate discretionary action, which would provide future opportunities to evaluate public benefits and impacts.

With regard to the transit bonus, the Commission observes that every site in the Rezoning Area will qualify as a Transit Improvement Site due to the expanded applicability radius from 500 feet to 1,500 feet from transit stations, the latter of which is only available in designated Central Business Districts (CBDs). The Commission finds it appropriate to apply the CBD framework to Midtown South given the area's exceptional density of buildings, jobs, and transit infrastructure, as well as the existing and future residential community that will benefit from improved transit facilities.

The Commission also finds the introduction of the Covered Pedestrian Space (CPS) bonus within the Special Midtown South Mixed-Use District to be a thoughtful and appropriate tool for enhancing the public realm in a high-density environment that lacks public open space. The CPS bonus offers a mechanism to incentivize high-quality, publicly accessible spaces that provide weather-protected pedestrian circulation, seating, and other amenities. These elements are especially important in Midtown South, where sidewalk congestion and a growing residential population underscore the need for more diverse and flexible public spaces. The Commission notes that qualifying covered pedestrian spaces must meet clear and enforceable design criteria to ensure they are genuinely accessible, welcoming, and beneficial to the public. By tying floor area bonuses to tangible public benefits, the CPS provision aligns with the broader planning goals of the Proposed Actions, including promoting pedestrian-oriented design, improving walkability, and contributing to a more activated and inclusive streetscape.

The Commission acknowledges the citywide need for improved access to public restrooms, particularly in high-density neighborhoods like Midtown. While the Zoning Resolution does not currently mandate restrooms within covered pedestrian spaces, the Commission notes that the special permit process for CPS bonuses includes findings that could provide a rational basis for evaluating restrooms as a potentially appropriate component of future CPS applications, particularly where local need is well-demonstrated and restroom inclusion meaningfully enhance comfort and accessibility, subject to case-by-case review. The Commission encourages applicants to consider including public restrooms where feasible and believes that such features can contribute positively to the usability and equity of the public realm in Midtown South.

Some testimony in opposition to the plan expressed concern that the high base FARs proposed—particularly in the Southeast Quadrant—could reduce the incentive for developers to pursue floor area bonuses or utilize transferable development rights (TDRs) from landmarks. It was suggested that lowering as-of-right FARs could better promote the use of these mechanisms and help preserve the value of landmark development rights. The Commission disagrees with this approach, noting that reducing base residential density would result in a substantial loss of housing potential, especially in the Southeast Quadrant, which is among the best-suited areas for new housing due to its residential character, proximity to transit, and abundance of amenities. Of particular concern is that lowering base FARs in this quadrant will also forgo a significant number of income-restricted units. This outcome would be especially troubling given that the Southeast Quadrant is the wealthiest portion of the MSMX Plan Area, where the surrounding housing stock is largely market-rate and lacks affordability requirements. The potential loss of income-restricted housing in such a high-opportunity area would run counter to the City's equity and fair housing goals.

The Commission further notes that while landmark TDRs can complement housing production, they cannot replace it. There is not enough available landmark floor area to compensate for the housing that would be lost under a reduced FAR scenario, and current zoning does not permit transfers from non-landmarked buildings within historic districts. While tools such as transit bonuses and landmark TDRs provide valuable optional benefits, they are inherently discretionary and cannot be relied upon to meet core housing goals. The Commission finds that appropriate base densities should be established using sound planning principles, with incentive zoning

mechanisms providing the opportunity for additional floor area and public benefits where feasible. As-of-right base density ensures timely and predictable housing production—particularly critical for income-restricted units—whereas discretionary or transaction-based mechanisms are often subject to delay, uncertainty, and limitations on receiving capacity. For these reasons, the Commission finds the proposed base FARs reasonable and necessary to meet the plan’s housing objectives, and to ensure meaningful affordable housing delivery in one of the city’s most amenity-rich and exclusive neighborhoods.

The Commission further recognizes that the projected increase in residential population will place additional demands on community facilities, which are currently broadly prohibited under the existing manufacturing zoning districts. It finds that Proposed Actions’ extensive range of permitted community facility uses, including essential resources like public schools and libraries, will complement new housing. To support the integration of vital public infrastructure in Midtown South, the Commission finds the proposed floor area exemption of up to 150,000 square feet for new public schools to be appropriate and necessary. This exemption is narrowly tailored to apply only to sites of at least 20,000 square feet—the School Construction Authority’s (SCA) minimum site size for new school construction—and only when such schools are delivered pursuant to an agreement with the SCA. The Commission acknowledges testimony expressing concern that the exemption could result in out-of-scale development. However, the Commission notes that any new development utilizing this exemption would still be subject to all applicable bulk, height, and setback regulations under the proposed zoning framework. The exemption permits additional floor area, but it does not alter the form-based controls that govern the building envelope. As such, the exemption is not expected to result in disproportionate or out-of-context buildings. Rather, the Commission believes this provision strikes an appropriate balance—removing a significant disincentive to co-locating schools in private development while maintaining the regulatory tools necessary to ensure that such developments remain compatible with their surroundings. In a neighborhood expected to see substantial new housing and job growth, the ability to facilitate new educational infrastructure without displacing residential or commercial floor area is a key element of a holistic planning strategy that prioritizes livability, equity, and long-term neighborhood vitality.

The Commission also recognizes that new residents also place additional focus on the availability of public open space. While opportunities for new parkland are greatly limited by the lack of publicly owned sites within the area, the Commission acknowledges that zoning mechanisms such as the continued allowance of POPS and expansion of the applicability of the CPS bonus within Midtown South will provide some measure of relief. The Commission further notes that the City is engaged in efforts along Broadway, through the Department of Transportation's Broadway Vision initiative, to transform public streets into shared public space that will ensure a high quality of life for current and future residents, visitors, and workers.

The proposed zoning text amendment will map MIH across the Rezoning Area with all three MIH options available. The Commission finds that providing all MIH options will offer developers the flexibility to achieve deeper and broader affordability while ensuring permanently income-restricted housing in an area with extremely low residential vacancy rates. In consideration of existing building stock, the Commission also acknowledges that deep floorplates and idiosyncratic layouts could present practical difficulties in configuring efficient floorplans, and that providing a relief pathway for conversions will ensure the feasibility of income-restricted housing development. Consequently, the Commission finds that the proposed expansion of the Board of Standards and Appeals (BSA) hardship special permit for MIH projects in the MSX district is appropriate and builds on a similar mechanism first established by the 2021 SoHo/NoHo Neighborhood Plan.

The Commission supports the elimination of the 10,000-square-foot cap on individual retail establishments. The Commission finds that the cap functions as an artificial constraint on reinvestment and retail diversity. Larger-format stores, particularly those offering food, fitness, home goods, or experiential retail, are increasingly important anchors for mixed-use neighborhoods. The inability to accommodate these uses has limited the district's ability to fully participate in the ongoing recovery of Midtown's commercial sector and to meet the needs of new residents, workers, and visitors. Encouraging a broader range of retail footprints supports the City's goals of fostering vibrant, 24-hour neighborhoods and helps restore Midtown South's historic role as a regional shopping destination. The Commission recognizes that maintaining a balanced retail ecosystem remains important, and that appropriate zoning tools and ongoing monitoring can ensure that retail variety is preserved even as larger establishments are allowed.

On balance, the Commission finds that lifting the cap is a necessary and timely step toward unlocking the district’s full potential as a dynamic, mixed-use area.

Finally, the Commission supports the removal of the prohibition on residential conversions in buildings over 70,000 square feet in the C6-4M district within the former Special Garment Center District. Implemented as part of the 2018 Garment Center rezoning, this prohibition replaced an older non-residential floor area preservation requirement that applied to buildings over 70,000 square feet – a regulation that proved difficult to administer. The Commission notes that the 2024 City of Yes for Housing Opportunity suite of reforms eliminated conversion restrictions and non-residential floor area preservation requirements in most areas of the city, finding that they often no longer served their intended purpose and impeded the city’s ability to address its housing needs. The Commission finds that continuing to prohibit residential conversions in the C6-4M district is no longer justified given the district’s transformation, the city’s housing production goals, and the strong existing commercial base in Midtown. Allowing conversions as-of-right in larger buildings aligns with broader city policy to facilitate housing growth in centrally located, transit-rich areas and supports the evolution of Midtown South into a vibrant, 24/7 mixed-use district.

In consideration of each proposed change and their collective impact, the Commission finds that the Proposed Actions will create a balanced, flexible framework for the future growth of a mixed-use Midtown South, promoting housing production, economic vitality, public realm improvements, and long-term neighborhood resilience.

RESOLUTION

RESOLVED , that having considered the Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on June 6, 2025, and the Technical Memorandum 002 dated June 13, 2025, with respect to this application (CEQR No. 24DCP094M), the City Planning Commission finds that the requirements of the New York State Environmental Quality Review Act and Regulations have been met and that:

1. The environmental impacts disclosed in the FEIS and Technical Memorandum 002 were evaluated in relation to the social, economic, and other considerations associated with the actions that are set forth in this report; and

2. Consistent with social, economic, and other essential considerations from among the reasonable alternatives available, the action, with modification set forth and analyzed in the Technical Memorandum 002, is one which avoids or minimizes adverse environmental impacts to the maximum extent practicable; and

The report of the City Planning Commission, together with the FEIS, issued June 6, 2025, and the Technical Memorandum 002 dated June 13, 2025 constitute the written statement of findings that form the basis of the decision pursuant to Section 617.11(d) of the SEQRA regulations; and be it further

RESOLVED, by the City Planning Commission, pursuant to Sections 197-c and 200 of the New York City Charter that based on the environmental determination and the consideration described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No 8d:

1. eliminating a Special Midtown District (MiD) bounded by a line midway between West 41st Street and West 40th Street, 7th Avenue - Fashion Avenue, West 40th Street, and Eighth Avenue;
2. eliminating a Special Garment Center District (GC) bounded by West 40th Street, 7th Avenue - Fashion Avenue, West 38th Street, Broadway, West 35th Street, 7th Avenue - Fashion Avenue, a line midway between West 35th Street and West 34th Street, Eighth Avenue, West 35th Street, a line 100 feet easterly of Ninth Avenue, West 39th Street, and Eighth Avenue;
3. changing from an M1-6 District to an M1-8A/R11 District property bounded by West 29th Street, a line 125 feet westerly of Avenue of the Americas, a line midway between West 24th Street and West Twenty-Third Street, a line 100 feet easterly of Seventh Avenue, West 25th Street, Seventh Avenue, and 7th Avenue - Fashion Avenue;
4. changing from an M1-6 District to an M1-8A/R12 District property bounded by:
 - a. West 31st Street, a line 100 feet westerly of Fifth Avenue, West 26th Street, a line 100 feet southwesterly of Broadway, West 25th Street, a line 275 feet westerly of Fifth Avenue, West Twenty-Third Street, a line 100 feet easterly of Avenue of the Americas, a line midway between West 24th Street and West

- Twenty-Third Street, a line 150 feet easterly of Avenue of the Americas, West 28th Street, and a line 125 feet easterly of Avenue of the Americas;
- b. West 29th Street, 7th Avenue - Fashion Avenue, West 28th Street, and a line 100 feet westerly of 7th Avenue - Fashion Avenue;
5. changing from an M1-6 District to an M1-9A/R12 District property bounded by:
 - a. a line midway between West 41st Street and West 40th Street, 7th Avenue - Fashion Avenue, West 38th Street, Broadway, West 35th Street, 7th Avenue - Fashion Avenue, a line midway between West 35th Street and West 34th Street, Eighth Avenue, West 35th Street, a line 100 feet westerly of Eighth Avenue, West 39th Street, and Eighth Avenue;
 - b. a line midway between West 40th Street and West 39th Street, a line 200 feet westerly of Fifth Avenue, West 39th Street, a line 150 feet westerly of Fifth Avenue, West 35th Street, and a line 150 feet easterly of Avenue of the Americas; and
 - c. West 31st Street, a line 125 feet westerly of Avenue of the Americas, West 29th Street, a line 100 feet westerly of 7th Avenue - Fashion Avenue, West 30th Street, and a line 225 feet easterly of 7th Avenue – Fashion Avenue;
 6. changing from an M1-6D District to an M1-8A/R12 District property bounded by West 29th Street, a line 100 feet westerly of 7th Avenue - Fashion Avenue, West 28th Street, and a line 100 feet easterly of Eighth Avenue;
 7. changing from an M1-6D District to an M1-9A/R12 District property bounded by West 30th Street, a line 100 feet westerly of 7th Avenue - Fashion Avenue, West 29th Street, and a line 100 feet easterly of Eighth Avenue;
 8. establishing a Special Hudson Yards District (HY) bounded by West 39th Street, a line 100 feet westerly of Eighth Avenue, West 35th Street, and a line 100 feet easterly of Ninth Avenue; and
 9. establishing a Special Midtown South Mixed-Use District (MSX) bounded by:
 - a. a line midway between West 41st Street and West 40th Street, 7th Avenue - Fashion Avenue, West 38th Street, Broadway, West 35th Street, 7th Avenue - Fashion Avenue, a line midway between West 35th Street and West 34th Street,

- Eighth Avenue, West 35th Street, a line 100 feet westerly of Eighth Avenue, West 39th Street, and Eighth Avenue;
- b. a line midway between West 40th Street and West 39th Street, a line 200 feet westerly of Fifth Avenue, West 39th Street, a line 150 feet westerly of Fifth Avenue, West 35th Street, and a line 150 feet easterly of Avenue of the Americas;
 - c. West 31st Street, a line 125 feet westerly of Avenue of the Americas, a line midway between West 24th Street and West Twenty-Third Street, a line 100 feet easterly of Seventh Avenue, West 25th Street, Seventh Avenue, 7th Avenue - Fashion Avenue, West 28th Street, a line 100 feet easterly of Eighth Avenue, West 30th Street, and a line 225 feet easterly of 7th Avenue - Fashion Avenue; and
 - d. West 31st Street, a line 100 feet westerly of Fifth Avenue, West 26th Street, a line 100 feet southwesterly of Broadway, West 25th Street, a line 275 feet westerly of Fifth Avenue, West Twenty-Third Street, a line 100 feet easterly of Avenue of the Americas, a line midway between West 24th Street and West Twenty-Third Street, a line 150 feet easterly of Avenue of the Americas, West 28th Street, and a line 125 feet easterly of Avenue of the Americas;

Borough of Manhattan, Community Districts 4 and 5, as shown on a diagram (for illustrative purposes only) dated January 21, 2025, and subject to the conditions of CEQR Declaration E-830.

The above resolution (C 250185 ZMM) duly adopted by the City Planning Commission on June 18, 2025 (Calendar No. 16), is filed with the Office of the Speaker, City Council, and the Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

DANIEL R. GARODNICK, Esq., *Chair*

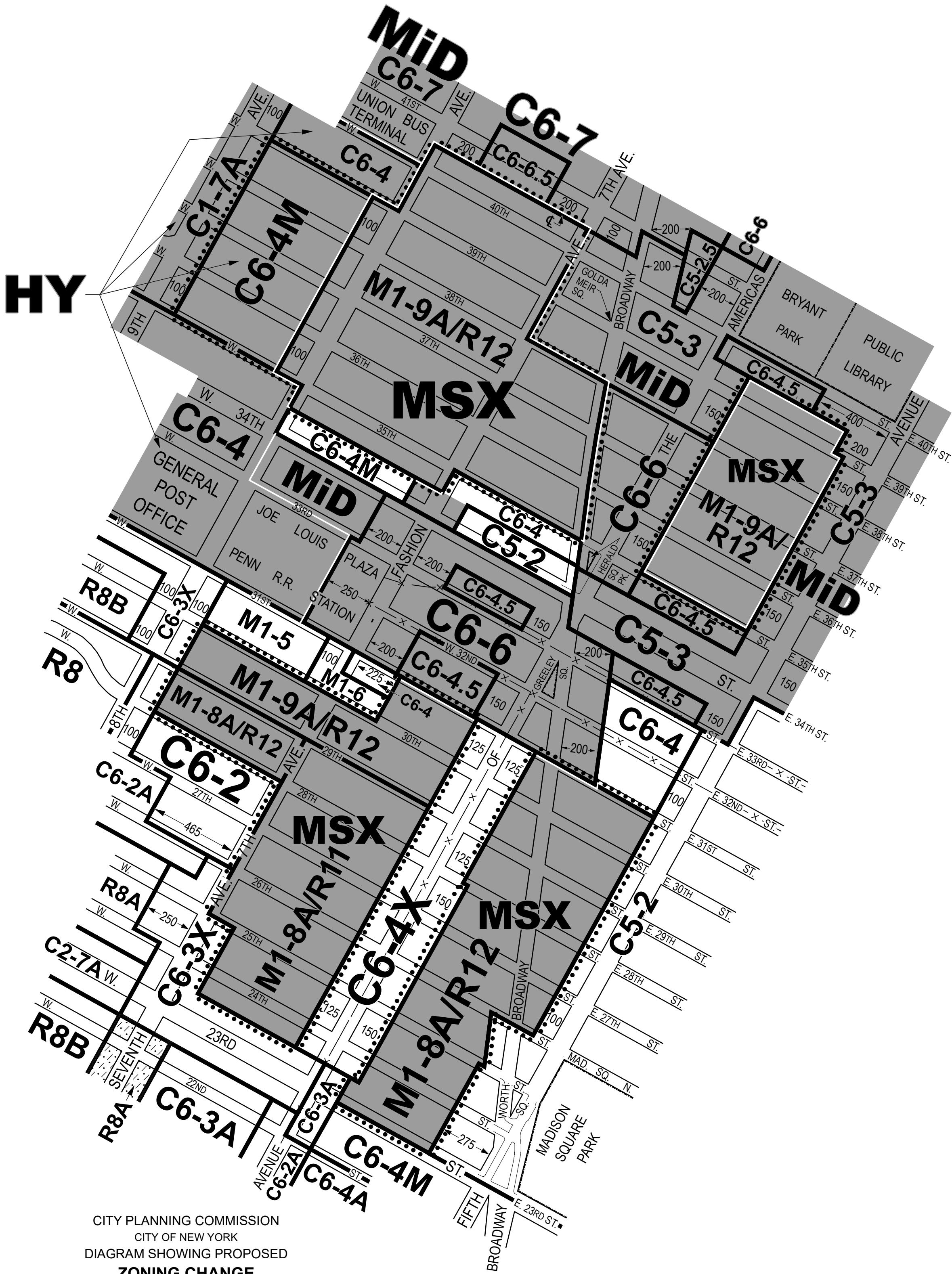
KENNETH J. KNUCKLES, Esq., *Vice Chairman*

GAIL BENJAMIN, ALFRED C. CERULLO III, Esq., ANTHONY W. CROWELL, Esq.,

JOSEPH I. DOUEK, DAVID GOLD, Esq., RASMIA KIRMANI-FRYE,

RAJU MANN, ORLANDO MARÍN, RAJ RAMPERSHAD, *Commissioners*

JUAN CAMILO OSORIO, *Commissioner*, *VOTING NO*

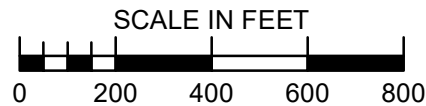


CITY PLANNING COMMISSION
CITY OF NEW YORK
DIAGRAM SHOWING PROPOSED
ZONING CHANGE
ON SECTIONAL MAP
8d
BOROUGH OF
MANHATTAN

S. Lenard
S. Lenard, Director
Technical Review Division



New York, Certification Date:
January 21, 2025



- NOTE:**
- Indicates Zoning District Boundary
 - The area enclosed by the dotted line is proposed to be rezoned by eliminating a Special Midtown District (MiD) and a Special Garment Center District (GC), by changing M1-6 and M1-6D Districts to M1-8A/R11, M1-8A/R12, and M1-9A/R12 Districts, and by establishing a Special Hudson Yards District (HY) and a Special Midtown South Mixed-Use District (MSX).
 - Indicates a C2-5 District
 - MSX** Indicates a Special Midtown South Mixed-Use District (**MSX**)
 - MiD** Indicates a Special Midtown District (**MiD**)
 - HY** Indicates a Special Hudson Yards District (**HY**)



COMMUNITY/BOROUGH BOARD RECOMMENDATION

Project Name: Midtown South Mixed-Use Plan (MSMX)			
Applicant: Department of City Planning MSMX Team Manhattan Office		Applicant's Primary Contact: ANDREW CANTU	
Application # 250185ZMM		Borough:	
CEQR Number: 24DCP094M		Validated Community Districts: M04,M05	

Docket Description:

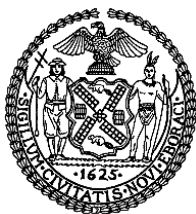
Please use the above application number on all correspondence concerning this application

RECOMMENDATION: Conditional Unfavorable			
# In Favor: 36	# Against: 4	# Abstaining: 2	Total members appointed to the board: 50
Date of Vote: 3/5/2025 12:00 AM		Vote Location: 1000 10th Avenue	

Please attach any further explanation of the recommendation on additional sheets as necessary

Date of Public Hearing: 3/5/2025 6:30 PM	
Was a quorum present? Yes	<i>A public hearing requires a quorum of 20% of the appointed members of the board but in no event fewer than seven such members</i>
Public Hearing Location:	1000 10th Avenue, Conference Room 2B

CONSIDERATION: See attached.		
Recommendation submitted by	MN CB4	Date: 3/11/2025 11:46 AM



JESSICA CHAIT
Chair

JESSE R. BODINE
District Manager

CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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March 10, 2025

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

Re: ULURP #N250186ZRM
Midtown South Mixed-Use Plan
Proposed Zoning Map and Zoning Text Amendments

Dear Chair Garodnick,

Manhattan Community Board 4 (MCB4) appreciates the overall planning and diligence by the NYC Department of City Planning (DCP) in their effort to rezone 42 full and partial blocks across 4 non-contiguous areas in Midtown South, currently zoned for manufacturing, to allow for and incentivize residential development. The goal of our recommendations and comments is to bring balance and nuance to the proposed zoning text, which affects the Special Garment Center District, as well as mixed-use blocks within Hell's Kitchen.

At its regularly scheduled Full Board meeting on March 5, 2025, MCB4 voted 36 in favor, 4 opposed, 2 abstaining, and 1 present but not eligible, **to deny ULURP #N250186ZRM, Midtown South Mixed-Use Plan (MSMX), unless the changes to zoning text and approach, as detailed below, are adopted.**

Introduction

The built environment of the Garment Center District is largely defined by manufacturing loft-style buildings, which rise to between 12 and 15 stories along the mid-blocks, with greater height

and density along the avenues, whose street-walls rise to series of ‘wedding-cake’ setbacks on the upper floors.

The buildings were predominately built during the 1920’s to accommodate garment manufacturing uses displaced from an increasingly fashionable ‘Ladies Mile’ along lower Fifth Avenue. These otherwise utilitarian buildings’ distinctive facades, adorned with decorative masonry ornamentation and brick patterning, are punctuated by grids of tall windows designed to bring light and air into the expansive manufacturing spaces. Built to their sidewalk lot-lines, adjacent properties help define cohesive street-walls lined with street-level retail and second floor ‘showrooms’ spaces that typify this building typology.

However, the most significant impact of the Garment District’s built environment on the residents, workers, and commuters navigating the streets, is the series of wedding-cake setbacks engineered to maximize light and air on the narrow sidewalks - effectively balancing density with livability. While manufacturing loft style buildings make up the bulk of the district, notable low-rise exceptions of historic, cultural, and architectural significance are interspersed throughout, contributing positively to the pedestrian experience.¹

The Special Garment Center District (SGCD), established in 1987 to insulate garment manufacturers against market competition for loft space, is zoned M1-6, which allows for light manufacturing and commercial use, but does not allow residential use. The SGCD has changed incrementally over time to allow limited housing, and amendments in 2018 allowed for a wide range of non-residential uses. MSMX proposes a wholesale change, including demapping of SGCD, that will allow residential development throughout Midtown South. MCB4 supports residential development throughout Midtown South; however, the proposed rezoning:

- does not provide adequate protection for the preservation of the built environment except for “soft sites”
- is too dense throughout the proposed rezoned areas, creating incentives for demolition
- provides zoning bonuses for affordable housing
- provides zoning bonuses for public open space through both plazas and covered arcades
- provides zoning bonuses for transit improvements in a wide area radius of a development
- allows all the above bonuses to be used in combination with each other
- has no overall height limits

The current zoning allows 10 FAR bonusable to a maximum 12 FAR via a plaza bonus. There are many existing 1920’s era buildings which exceed 12 FAR with majority of fully built lower

¹ Of note: 311 W 35th St, 308-312 W 36th St, 322 W 36th St., and 557 Eighth Ave

floors with heights of 16 to 25 stories. **However, with the combination of zoning bonuses, buildings FAR would increase from between 15 FAR and 18 FAR up to 21.6 FAR, nearly doubling the allowable density throughout the proposed rezoning areas.**

This rezoning proposal to allow residential use and increase density has become a kitchen sink approach to serve too many objectives at once—affordable housing, open space and transit improvements. This proposal must be sharpened and must be modified to ensure such protections to preserve the Garment Center are in put in place while allowing development to proceed at the same time in a managed and balanced fashion.

For this former manufacturing area to become a vibrant residential neighborhood, protections must be put in place:

- Provide varying building height caps, by subarea, to ensure density is managed and remains contextual to the existing built environment and the fabric of the community
- Require setbacks to ensure light and air to the street
- Expand sidewalks to allow for the projected increased pedestrian flow
- Require that ground floor and second floor spaces are used for local retail and/or professional offices
- Require that community facility space is created, including museums, day-care facilities, and education facilities
- Require that sanitation services for trash management are integrated into the buildings
- Require that all new construction install Con-Ed grids inside buildings rather than on public ways

The vibrancy and vitality of a neighborhood is not solely dependent on creating more density and housing units, but by enhancing the network that brings people together as humans.

Background

In October 2023, DCP introduced the proposed MSMX concept. The plan includes rezoning four (4) distinct areas in Midtown South², 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

² [Project Area Map](#)

A portion of this proposed rezoning is within MCB4.

- Northwest Area: The west side of Eighth Avenue from West 35th to West 39th Streets
- Southwest Area: West 23rd to West 26th Streets 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/R12
- Southwest and Southeast Areas: M1-8A/R12 and M-8A/R11

The mixed-use districts would be the first time that either an R11 or R12 District would be mapped in New York City, following the New York State FY 2025 Budget Legislation which eliminated the 12 FAR cap for residential buildings and thus permitting residential development greater than 12 FAR. The proposed FAR for each mixed-use district would be as follows:

	Maximum Residential FAR	Maximum Community Facility FAR	Maximum Commercial/Manufacturing FAR
M1-9A/R12	18.0	15.0	15.0
M1-8A/R12	18.0	12.0	12.0
M1-8A/R11	15.0	12.0	12.0

Since this is the first time the City will be mapping housing density above the 12-FAR limitations, it is important that norms and protocols are established as precedence is established for future projects with high density housing. MCB4 stated in our recommendations on the removal of the density cap that special permits should be required for each building. A special permit process would ensure that neighborhood protections would be enshrined in new developments.

The proposed rezoning also maps Mandatory Inclusionary Housing (MIH) across the plan area, which DCP states will require up to 2,900 permanently income-restricted residential apartments in Midtown South. This would be the first time that MIH is mapped in Midtown.

Through the proposed rezoning, DCP aims to create mixed-use neighborhoods by introducing new mixed-use districts that allow for residential development as-of-right. Permitting residential use, coupled with a requirement for affordable housing under Mandatory Inclusionary Housing (MIH), would foster a mixed-use neighborhood character similar to surrounding blocks.

Prior Discussion on the MSMX Plan

On April 22, 2024, MCB4 wrote to DCP following the City's presentation to the Clinton Hell's Kitchen Land Use (CHKLU) Committee on the MSMX proposed rezoning plan³. MCB4 provided DCP with multiple comments on elements of the plan, including:

- The need to reexamine high density mapped in the midblock when the midblocks of the surrounding area are not zoned for high density.
- The threat of demolition to underbuilt buildings – if the zoning allows for a maximum of 15 FAR, the underbuilt buildings may be demolished. MCB4 requested DCP produce a map of underbuilt buildings in the project area.
- Capping the maximum residential FAR at 12 to maintain the density that moves from the low-rise low-density Special Clinton District (SCD) Preservation Area to the west, across 8th Avenue, and into the Special Garment Center District.
- Creating a height limit that varies by location to reinforce the neighborhood character of the existing Garment District's early 20th century loft buildings.
- Landmarking certain landmark eligible buildings in the project area⁴, including several buildings on the west side of 8th Avenue from West 34th to West 39th Streets. Especially noteworthy is 300 West 38th Street, a 3-story building, designed uniquely in both the Art Nouveau and Egyptian revival style. Designed by Emery Roth, the architect of Beresford, the San Remo, and Eldorado on Central Park West.

CHKLU Committee Discussion

On February 12, 2025, there was a robust and lengthy discussion on the elements of the plan at the CHKLU Committee meeting. During that discussion, several concerns were raised.

Protecting Existing Character

MCB4 requests that the following items be examined as potential additions to the final plan to preserve the existing character of the Garment Center District.

- **Protections against demolition, in favor of more and faster conversions to residential use, restoration, and adaptive re-use.** The proposed plan, through the introduction of residential FAR's of 15 and 18, incentivizes larger, denser development on the midblocks and avenues to produce more housing. The existing building stock is prime for conversion to residential use and can deliver much needed affordable housing in less time than it would take to demolish a building and build a new one. Introducing incentives for conversion to residential use would go a long way to preserving the fabric of the area.
- **Include zoning requirements for light and air to reach the street and sidewalk.** The Garment Center District is typified by a built environment that allows light and air to

³ [4.22.24 - MCB4 Response to MSMX Plan Presentation](#)

⁴ As noted in the project DEIS

penetrate through the windows of buildings and reach the street and sidewalk, enhancing the pedestrian and residential experience.

- **Strengthen the street wall requirements and eliminate any recessed walls from the sidewalk.** The cohesive street wall is a defining characteristic of the previously-manufacturing building type that make up the project area. The proposed rezoning would allow the street wall to setback after the first story of the building, which would break the contiguous street wall and undermine the street level experience.
- **Eliminate plaza bonuses to create Privately-Owned Public Spaces (POPS) that create sidewalk recesses and add to building heights.** Either open air plazas or covered pedestrian spaces are not effectively maintained throughout the district and serve as a space for congregation and encourage illicit activity. Granting developers a 20% FAR bonus for building a covered pedestrian space undermines the safety of the residents and allows for buildings to go beyond the 18 FAR to a maximum of 21.6 FAR.
- **Landmark significant buildings to protect those structures and further incentivize their conversion to housing through the use of Historic Tax Credits.**
- **Impose restrictions on lot mergers and transfer of development rights.**

Managing Building Height and Density

- **Require a minimum of 30% of all units to be permanently affordable with no disparity in materials, finishes, or amenities. Higher density residential developments will not provide more income-restricted affordable housing unless required to do so through regulation⁵.** As a tool to continue to address the City's shortage of affordable housing, language should be incorporated into the zoning text that requires the percentage of permanently affordable units to increase once a residential building exceeds 12 FAR. This public action is the first time that residential FAR above 12 is being mapped in the city. It presents an opportunity for securing the development of a greater degree of more permanently affordable housing in exchange for greater density.
- **Modify proposed density to 13 FAR on the west side of 8th Avenue from West 35th to West 39th Street with a height cap of 350 feet to better align with those same blocks to the west.** MCB4 supports those western mid blocks, (from West 35th to West 39th, 100 feet west of 8th Avenue to 100 feet east of 9th Avenue) be included in Special Hudson Yards District.
- **Consider a Special Permit process for any building over 12 FAR.** The SGCD currently has a Special Permit process for hotels. This process ensures that hotels are appropriately sized, supports the surrounding area, and limits the number of hotels on the edge of the Midtown Manhattan tourist areas. A Special Permit process for buildings over 12 FAR would give the public some input over building design, ensuring that buildings over 12 FAR are not egregiously high or dense and/or disruptive to the existing character of the neighborhood.

⁵ [12.19.2023 - Letter to Mayor and DCP re 12 FAR Working Group Recommendations](#)

- **Include height caps for different subareas or sections subareas restrictions.** As expressed in MCB4's letter of April 22, 2024, MCB4 requests a height limit that varies by location in order to reinforce the neighborhood character of the existing Garment District's early 20th century loft buildings. Height limits 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. Height caps should range from 300 to 450 feet depending on subarea context.
- **Restrict lot mergers to ensure resulting construction does not result in out of context buildings or create Billionaire's Row type pencil tower. Prohibit the creation of open-air parking lots that could be used as a means to construct higher buildings on receiving sites, or delay construction while awaiting merging of sites.**
- **Restrict and manage the layering of affordable housing and transit bonuses,** which could result in a residential building of greater than 20 FAR. No residential building should be greater than 18 FAR.
- **Transit Bonus-- reduce the covered distance to the original 500-foot radius or restrict only to the specific blocks within the new mixed-used zones.**

Other Concerns

In order to foster a residential neighborhood as this historically manufacturing area undergoes a zone change, MCB4 urges consideration of factors to make the neighborhood a vibrant, livable area. To that end, MCB4 urges:

- Restricting mechanical voids to commercial as well as residential buildings
- Widening sidewalks into the street to assist with pedestrian flow
- Adding new greenery including tree pits and 9-foot planters
- Offering incentives to promote preservation rather than demolition
- Increasing the mix of dwelling unit to include more multiple bedroom homes

Conclusion

At the beginning of this process, MCB4 recognized the need to adopt new zoning regulations to permit residential uses on these proposed blocks. There was a willingness to work with DCP to cultivate an influx of residential conversions and adaptive re-use of many properties. At that time, the overbuilt status of the buildings throughout the Garment Center District would have restricted incentives for developers to raze buildings in order to build higher density residential buildings and would have allowed for the creation of thousands of new housing units. There is room for building higher density housing on these blocks without harming the character of the built environment.

However, in the time it has taken to move through this process, changes in residential FAR and passage of City of Yes Housing Opportunity, including the addition of various bonuses, the

potential built environment under these proposed zoning changes are no longer supporting a livable, vibrant neighborhood.

MCB4 urges DCP to re-evaluate the unintended consequences this current iteration of the zoning changes will have on our community and urge passage of the zoning change only with the revisions suggested above to guarantee a successful movement towards a livable residential neighborhood on these blocks.

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

Enclosure

Cc: Hon. Erik Bottcher, NYC Council Member,
Hon. Mark Levine, Manhattan Borough President
Hon. Eric Adams, NYC Mayor

Appendix A: Buildings MCB4 Requests for Landmarking with Excerpts from DEIS Chapter 7 – Historic and Cultural Resources

Building Name	Address	Status
Hoover Building	505 8 th Avenue	S/NR-Listed, LPC-Eligible
519 8 th Avenue	519 8 th Avenue	S/NR-Listed, LPC-Eligible
New Yorker Hotel	481-497 8 th Avenue	S/NR-Listed, LPC-Eligible
(Former) McBurney YMCA Building (63)	213 West 23 rd Street	S/NR-Eligible, LPC-Eligible
300 West 38 th Street	300 West 38 th Street	LPC-Eligible

Hoover Building

The Hoover Building (S/NR-Listed 2009, LPC-Eligible) at 501-507 8th Avenue is a 25-story Art Deco garment loft building. Designed by Chester J. Storm, it was built in 1929–1930. Most of the building is clad in light-colored brick and articulated with bays of three window columns flanked by brick piers. Brick spandrel panels provide some ornamentation to the shaft. Above the modernized ground floor, the four-story showroom base is clad in richly patterned terracotta. The upper floors rise in a series of setbacks and are ornamented with Art Deco stone details and cornices of corbelled brick arches.



519 8th Avenue

Designed by George and Edward Blum, the 25-story Art Deco building (S/NR-Listed 2009, LPC-Eligible) with stylized Gothic details at 509-519 8th Avenue was built in 1925–1926. Situated on a corner lot, its north and east façades rise flush for 16 stories before they rise in a series of four setbacks. Set on a three-story base with large showroom windows, the shaft is divided into six bays of three-windows columns. The bays are flanked by brick piers, as are the window columns. Decorative spandrels separate the windows in each column. Arched windows, a cornice of corbelled arches, and stone caps to the brick piers mark the parapet of the shaft.

These details are repeated on the parapet at each setback. The second bay from the northeast corner does not set back above the 16th floor but rises another four stories to create a pavilion. The building's northeast corner is set back and angled. The mechanical penthouse forms an Art Deco Gothic-style corner tower at the northeast corner. The ground floor has been altered.



The New Yorker Hotel

The New Yorker Hotel (S/NR-Listed, NYCL-Eligible) at 481-497 8th Avenue was constructed in 1928–1930 to designs by Sugarman & Berger. The bold massing of the 43-story, brick-and-stone building is the most significant feature of its design. Corner towers rise in a series of deep setbacks to the central tower, which has a form accented by deep light courts on each of its façades. On the north and south façades, there are two light courts that create a central pavilion flanked by the corner towers; on the 8th Avenue façade, there is only one central light court. Art Deco ornamentation is found in carved stone blocks at the parapet of each setback, in panels above the fourth-floor windows, and on the base. From 1975 until the early 2000s, the building housed the national headquarters of the Holy Spirit Association for the Unification of World Christianity (Unification Church). It now functions again as a hotel.



(Former) McBurney YMCA Building

The McBurney YMCA Building (S/NR-Eligible, LPC-Eligible) was built in about 1900 and served as a YMCA from 1904 to 2002. The state-of-the-art building had a roof garden, a cork running track, and a marble lined swimming pool; it was thought to be the finest YMCA building in the United States. In 1943 it was renamed in honor of Robert Ross McBurney, an Irish immigrant who rose from librarian of the New York Association in 1862 to chief executive in 1883, a post he held until his death in 1898. He is known as the first paid secretary of the YMCA. The building was converted to luxury condominiums in 2004. The McBurney architect was Charles B. Atwood (1849-1895). The five-bay rusticated three-story base is crowned in the center by an elaborate carved and stepped limestone entrance surround. The front door is flanked by columns. The tripartite design's shaft floors four through eight are surfaced in dark brick with contrasting white keystones on each of the square, plain windows. Brick-formed quoins are on each end of the façade and emphasize verticality. The capital's deep cornice supports running crest tiles.



300 West 38th Street

The three-story building (NYCL-eligible) at 300 West 38th Street and 557 Eighth Avenue is a unique, brick-and-terracotta, Beaux Arts structure built in 1902-1903 that originally housed offices on the ground floor and dwellings on the upper floors. Stein, Cohen & Roth designed the small rectangular building with a profusion of ornamentation. Although the ground floor has been altered with modern storefronts, the upper two floors retain their original features. Filling the majority of the east and north façades are two rows of windows with terracotta architraves (image 11 of Figure 9-9). The windows are also carried across the angled northeast corner of the building. On the second floor, the window architraves have cornices and friezes decorated with floral reliefs. On the third floor, the architraves lack cornices but are more elaborately molded. At each end of the north façade, there are two double-height, metal bay windows. Brick piers articulate the spaces between the windows. Except at the corners, the piers are only the height of the second floor, but are capped with terracotta heads set on a base of floral reliefs that, with the

sills of the adjacent windows, create a terracotta course across the base of the third floor. A deeply projecting, sheet metal cornice caps the building. Supported on brackets that are attached to the double-height corner piers, the cornice has a frieze with panels of geometric reliefs and a parapet decorated with roundels, cartouches, and relief panels. In a letter dated November 18, 2003, the LPC determined that this building appears to be eligible for LPC designation.





Docket Description:

RECOMMENDATION: Conditional Favorable			
# In Favor: 33	# Against: 0	# Abstaining: 1	Total members appointed to the board: 40
Date of Vote: 4/10/2025 6:00 PM		Vote Location: 12 West 39th Street, NY, NY 10018	

Date of Public Hearing: 3/19/2025 6:00 PM	
Was a quorum present? Yes	<i>A public hearing requires a quorum of 20% of the appointed members of the board but in no event fewer than seven such members</i>
Public Hearing Location:	450 Seventh Avenue, New York, NY 10123

CONSIDERATION:		
Recommendation submitted by	MN CB5	Date: 4/11/2025 12:40 PM



Manhattan Community Board Five

Bradley Sherburne, Chair

450 Seventh Avenue, Suite 2109
New York, NY 10123-2199
212.465.0907 f-212.465.1628

Marisa Maack, District Manager

April 11, 2025

Dan Garodnick
Director
Department of City Planning, 31st Floor
120 Broadway
New York, NY 10271

Re: Midtown South Mixed use Rezone Plan

Dear Director Gardonick:

At the regularly scheduled monthly Community Board Five meeting on Thursday, April 10, 2025, the following resolution passed with a vote of 33 in favor; 0 opposed; 1 abstaining:

WHEREAS, The New York City Department of City Planning (DCP) proposes a zoning map and text amendment to foster a vibrant, mixed-use Midtown South neighborhood in Manhattan.

WHEREAS, According to DCP, the Proposed Actions would help foster a dynamic mixed-use neighborhood through four key components.

1. Increase Housing Access: Allow residential uses as of right and require permanently affordable housing through a Mandatory Inclusionary Housing (MIH) area, supporting equity and fair housing goals. This would create approximately 9,676 dwelling units, including 1,940 to 2,890 affordable homes over 10 years.
2. Modernize Zoning Regulations: Update outdated zoning provisions and reduce barriers to create a balanced mix of residential, commercial, and manufacturing uses, fostering economic recovery and growth.
3. Establish FAR and Bulk Regulations: Incentivize mixed-use buildings with regulations that ensure new developments blend with the surrounding built context.
4. Promote Adaptive Reuse of Commercial Buildings: Eliminate nonresidential floor area preservation requirements, where applicable, to encourage the reuse of existing commercial buildings; and

WHEREAS, The changes would apply to a 42-block, 141-acre area in Midtown South, spanning Community Boards 4 and 5, and the Proposed Actions include:

1. Zoning Map Amendment: The Proposed Actions would rezone portions of the M1-6 and

M1-6D districts, which currently allow a density of 10 FAR (Floor Area Ratio) for commercial, community facility (CF), and manufacturing uses, to high-density mixed-use districts (M1-9A/R12, M1-8A/R12, and M1-8A/R11), allowing up to 18 FAR for residential use and 15 FAR for commercial, community facility, and manufacturing uses. The proposal would also establish a new Special Midtown South Mixed Use District (MSX) and adjust the boundaries of several overlapping special purpose districts.

2. Zoning Text Amendment: The Proposed Actions would establish regulations for the MSX District, apply the MIH program to the Rezoning Area, and modify regulations in the Special Garment Center, Special Midtown, and Special Hudson Yards Districts, among other changes; and

WHEREAS, The Proposed Actions would lead to the development of approximately 9,676 dwelling units (DUs), including 1,940 to 2,890 affordable units, along with 462,129 gross square feet (gsf) of local retail space and 81,755 gsf of community facility space. This would add an estimated 16,256 residents to the Affected Area compared to the No-Action scenario; and

WHEREAS, It could potentially displace 91 residents and 54 DUs within the district, out of a total of 2,268 existing housing units; and

WHEREAS, Additionally, the Proposed Actions are anticipated to result in a decrease of 732,619 gsf of office space and 69,782 gsf of industrial/warehouse space, leading to a reduction of approximately 5,523 workers in the Affected Area. along with 779 firms at risk within a 1/2- mile radius of MSMX; and

WHEREAS, At a public hearing held on March 19, 2025, the Committee heard testimony from the community about differences between the quadrants and a number of specific concerns with the proposed MSMX rezoning; and

WHEREAS, The four quadrants have significant differences despite a consistent Manufacturing zoning including:

1. The quadrants are surrounded by different land uses and densities of development, from low-rise residential in Chelsea in the Southwest to Midtown high-rise office buildings in the Northeast;
2. The Southeast quadrant is almost 50% defined by two historic districts, the Ladies Mile and Madison Square North;
3. The Northeast has access to Bryant Park and the Southeast to Madison Square while the other two quadrants are lacking in public space access;
4. The quadrants are currently built to many different densities ranging from 8 FAR in the Southeast to 13 in the Northwest;
5. While there is currently very little residential in any of the zones, the bulk of the existing units resulted from rezonings and loft conversions in the Southwest quadrant and loft conversions

in the Southeast; and

WHEREAS, The concerns raised at the public hearing included the following:

1. Housing Production: Community members, outside groups and members of the committee were focused on maximizing the number of affordable apartments built in the zone;
2. Landmark and Historic District Transferable Development Rights and Bonuses for Transit and Open Space improvements: A representative of the Flatiron Nomad BID expressed concern that at high Floor Area Ratios, particularly in the Southeast Quadrant, TDR's and bonuses would not be necessary to maximize building envelopes and would therefore not be a revenue source for preservation or infrastructure;
3. Balanced Development: Members of the committee and the public raised the issues of balance between commercial and residential buildings and the effect of different FAR levels for each, and the balance between conversion and new construction which is impacted by the difference between existing built and proposed FARs;
4. Planning Considerations: Residents and committee members felt that the proposed FARs should be reduced in the midblock in order to preserve light and air and minimize travel distances to transit and retail for residents;
5. Public Realm: In addition to concerns with the zoning proposal, community and committee members raised a number of issues from the DEIS that had significant adverse impacts without proposed mitigation measures including lack of open space, pedestrian circulation, crime, emergency services, and preservation of landmarks; and

WHEREAS, In developing its own proposal, the Committee sought to find a balance between these issues and to reach consensus on a revised plan that would meet the needs of the overall community; and

WHEREAS, It is MCB5's position that any comprehensive neighborhood planning, zoning and/or development initiative in Midtown must include the following:

1. Vision + Goals: Prioritize affordability, livability, and equity to create a thriving, diverse community for future generations. Aim to create not just more housing, but a healthier, safer, and more inclusive neighborhood for future generations.
2. Urban Planning Focus: Address housing needs while fostering public spaces, accessible amenities, and essential infrastructure, with a focus on children's needs.
3. Comprehensive Approach Required: A community-driven and interagency neighborhood strategy that integrates affordability, sustainability, and public amenities is essential, rather than relying solely on zoning regulations to address these complex challenges.
4. Housing Crisis: NYC faces a severe housing crisis, with rising costs and a 1.4% vacancy rate, despite a population decline of 326,118 since 2020 according to July 2024 census

data. A majority of renter households are rent-burdened, with rental costs consuming more than 30% of their income and nearly 30% of low-income renters across the five boroughs are severely rent-burdened, spending more than 50% of their pre-tax income on housing.

5. Climate Crisis: Emphasize sustainable building practices to reduce carbon emissions, improve energy efficiency, and enhance resilience through urban greening.

6. Mental Health Crisis: Combat loneliness and social isolation by restoring public spaces and addressing physical health disparities through increased access to community resources; and

WHEREAS, In collaboration with a zoning consultant and through a detailed review of feasibility massing studies, FAR projections, and zoning lot mergers—as well as an analysis of existing buildings, FAR, available transfer of development rights (TDRs) from landmarks and historic districts, the lack of public open space, and future transportation infrastructure needs—we have identified the following key concerns:

1. Excessive FAR on Typical Lots: The proposed FAR is so high that it would be difficult for existing lots, typically 25' or 50' wide, to fully utilize the allowable FAR without merging with adjacent lots, as the large FAR on existing individual lots would likely result in tall, slender towers that are costly to build and financially impractical.

2. Challenges with Zoning Lot Mergers: Even with zoning lot mergers, the resulting FAR would be so large that it could create towers exceeding the height of the Empire State Building, potentially leaving FAR unused due to construction cost and feasibility constraints.

3. Disincentive for TDR Purchases: The scale of the proposed FAR could reduce the incentive to purchase TDRs, which are critical for preserving landmark buildings and maintaining the character and value of historic districts. This could undermine efforts to sustain placemaking and preservation in Midtown South.

4. POPS Incentive Opportunities in MSMX Rezoning: The proposed FAR could also diminish the incentive to utilize the POPS (Privately Owned Public Space) program, which is essential to mitigating the rezoning's impact on open space. To meet the City-wide median open space ratio of 1.5 acres per 1,000 residents, a combination of city-funded initiatives and public-private partnerships is necessary. Currently, CB5 has only 0.4 acres of city parks per 1,000 residents—well below the median—even before accounting for future population increases:

a). POPS incentives under the MSMX rezoning can provide significant development rights and enhance the value of ground-floor space, making it more appealing to both residents and tenants. The programs described below would receive a FAR bonus via a special permit:

i. Covered Pedestrian Spaces: Allow covered pedestrian spaces within the MSMX Special District to receive a Special Permit bonus of 11-14 square feet of additional floor area for every 1 square foot of covered pedestrian plaza, capped at a 20% bonus.

ii. Arcade Bonus: Define arcades as publicly accessible open spaces, such as courts, yards, or covered pedestrian areas, located within 10 feet of a street or lot line and extended along such lines. Grant 3 square feet of additional bonus for every 1 square foot of arcade space.

5. Transit Bonus Incentive Undermined: The proposed FAR could also weaken the incentive to utilize the transit bonus, which is essential to improving subway accessibility and functionality. The transit bonus allows for a 20% FAR increase through City Planning Commission authorization, and the MSMX rezoning extends the radius for this bonus to 1,500 feet from a subway or train station.

6. Conversions Undermined: A review of the existing FAR of large buildings in the NW quadrant shows that they typically range from 15 to 18 FAR. Reducing the proposed 18 FAR in this quadrant would encourage the preservation of these buildings, as conversions can be costly. Preserving the existing building fabric not only maintains the neighborhood's character but also is critical to environmental sustainability and reducing embodied carbon; and

WHEREAS, These findings underscore the importance of recalibrating the proposed FAR the balance development goals with financial feasibility, preservation incentives, and critical public space and infrastructure improvements; therefore, be it

RESOLVED, MCB5 recommends **approval** of the Midtown South Mixed use Rezone Plan **with the following 12 conditions** to better align with the unique character and needs of the Midtown South and Flatiron NoMad districts. These adjustments aim to enhance the existing built environment, support community goals, and foster a balanced approach to development:

1. Southeast Quadrant Density Mapping. We propose mapping the lower density M1- 8A/R11 (12 FAR for commercial uses / 15 FAR for residential) instead of M1-8A/R12 (12/18) in the Southeast Quadrant. This adjustment aligns more closely with the extensive historic district, which is effectively a 12 FAR equivalent under LPC review, and will preserve the value of landmark transferable development rights (TDRs). It will help preserve view corridors to the Empire State Building and mitigate afternoon sunlight issues in Madison Square Park. Additionally, this change would retain more of the existing built environment in the quadrant, which currently has the lowest existing FAR of 8, thereby eliminating the need for lower midblock zoning.

2. Northwest Quadrant Midblock Zoning. We propose mapping R11 in the midblocks of the Northwest Quadrant to support the conversion of existing buildings rather than demolition. This approach meets the planning goal of maintaining lower density on narrow streets for improved light and air and easier access to services for large buildings on the avenues. Given the block's 750-foot width between 7th and 8th Avenues, we propose that the R12 zoning on the west side of Broadway, both sides of 7th Avenue, and the east side of 8th Avenue be designated at 200 feet in width to accommodate most existing buildings and reasonable-sized floorplates for both residential and commercial uses.

3. Southwest Quadrant Avenue Zoning. We do not currently propose any changes to the proposed zoning in the Southwest Quadrant. However, CB5 received comments from area residents requesting a reduction in density to R11 from R12 in the area between 29th and 30th Streets from 6th to 8th Avenues to better align with the current built character. CB5 ultimately felt that R12 in this area was appropriate as a buffer to the very high density that could exceed 30 FAR in the GPP on Block 780 and the neighboring blocks.

4. No Change to NE Quadrant. We do not propose any changes to the proposed zoning in the Northeast Quadrant. This quadrant is currently surrounded by very high density development.

5. Retention of Rear Yard for Large Sites. We propose the retention of rear yards for large sites (greater than 1.5 acres) throughout MSMX. We believe that the two towers with a garden design is more appropriate than a single supertall tower. However, we may need to consider an exception for school construction due to complex structural challenges.

6. Addressing FAR Differential Concerns. Although we struggled with the effectiveness of the proposed 3 FAR difference between commercial and residential uses (12/15 or 15/18) as an incentive to build housing, we believe that implementing R11 in the NW Quadrant (15/18 Avenues, 12/15 midblock) will address this concern by focusing commercial uses on large sites on the Avenues.

7. Broader Mapping of R11 to Expand TDR and Bonus Utilization. Mapping R11 more broadly should help address historic district, theater, and landmark Transfer of Development Rights (TDR) issues and preserve the fabric of these districts. This adjustment is also expected to increase the utilization of open space and transit bonuses while maintaining a lower base FAR.

8. Comparison with Manhattan Institute Revisions. While our proposal shares some similarities with the Manhattan Institute revisions, we find their approach too stringent in reducing the R12 zone. Our adjustments aim to strike a better balance that considers the unique characteristics of our district.

9. Protection of Site #40 for School Development. We must protect Site #40 in the Southeast Quadrant, which the School Construction Authority (SCA) identified as the sole site feasible for school development. This site is critical for meeting educational needs in the area.

10. Undercounting of Residential Units.. We assert that DCP's CEQR methodology significantly undercounts the number of units that could be delivered in MSMX. Past rezonings have also resulted in multiples of the number of projected units. Therefore, the zoning adjustments proposed by CB5 will still generate a number of new apartments at least equal to the current projections. Adverse impacts will therefore be proportionally larger than presented in the DEIS.

11. Developer Insights on Housing Feasibility. Conversations with real estate industry contacts reveal that due to the high prevailing wage requirements of 485x for larger apartment buildings, many developers are focusing on smaller buildings or conversions under 467m. Additionally, as DCP has indicated, contacts believe that condominium buildings with MIH but without 485x may not be feasible.

While this reflects the current situation, it could change as the housing shortage persists and tax abatements evolve.

12. Follow-on Avenue Rezonings. Most of the MSMX areas are mid-block adjacent to older Avenue zones. In order to rationalize the Avenue and midblock densities, we support follow-on rezonings on 5th and 6th Avenues to increase densities relative to the new MSMX densities.

Conclusion. These proposals aim to create a zoning framework that respects the unique characteristics of the Midtown South and Flatiron NoMad district while facilitating necessary development. By adopting these adjustments, we can ensure that the MSMX area remains vibrant, balanced, and supportive of its diverse community needs. We look forward to further discussions and feedback on these proposals; and therefore, be it

FURTHER RESOLVED, MCB5 has drawn up 'Points of Agreement' on issues outside the scope of the zoning text to ensure that the MSMX zoned communities thrive with all the amenities to create livable, long term neighborhoods for residents, and will share the 'Points of Agreement,' including but not limited to the following topics, with our elected officials:

- Community Oversight and Accountability
- Affordable Housing
- Small Business and Retail Protections
- Residential Tenant Protection
- Open Space and Public Space
- Sustainability and Resilience
- Additional Community Facilities and Services
- Historic Buildings
- City Investment in Public Safety

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in cursive script, reading "Bradley Sherburne".

Bradley Sherburne
Chair, CB5

Cc: Hon. Mark Levine, Manhattan Borough President
Hon. Erik Bottcher, New York City Council, District 3
Hon. Keith Powers, New York City Council, District 4



COMMUNITY/BOROUGH BOARD RECOMMENDATION

Project Name: Midtown South Mixed-Use Plan (MSMX)			
Applicant:	Department of City Planning MSMX Team Manhattan Office	Applicant's Primary Contact:	ANDREW CANTU
Application #	250185ZMM	Borough:	Manhattan
CEQR Number:	24DCP094M	Validated Community Districts:	M04,M05

Docket Description:

Please use the above application number on all correspondence concerning this application

RECOMMENDATION: Conditional Favorable			
# In Favor: 4	# Against: 1	# Abstaining: 0	Total members appointed to the board: 23
Date of Vote: 4/17/2025 6:00 PM		Vote Location: 1 Centre Street, 19th Floor	

Please attach any further explanation of the recommendation on additional sheets as necessary

Date of Public Hearing: 4/17/2025 9:00 AM	
Was a quorum present? Yes	<i>A public hearing requires a quorum of 20% of the appointed members of the board but in no event fewer than seven such members</i>
Public Hearing Location:	1 Centre Street

CONSIDERATION: See attached resolution		
Recommendation submitted by	MN BP	Date: 4/17/2025 2:44 PM

**MANHATTAN BOROUGH BOARD RESOLUTION APPROVING WITH CONDITIONS
THE MIDTOWN SOUTH MIXED USE PLAN ZONING TEXT AMENDMENTS AND
ZONING MAP AMENDMENTS**

WHEREAS, the New York City Department of City Planning (DCP) proposes zoning map and text amendments to foster a vibrant, mixed-use Midtown South neighborhood in Manhattan; and

WHEREAS, the Proposed Actions would affect four quadrants over a 42-block (the “Affected Area”), approximately 141-acre area of Manhattan’s Midtown South across Community Boards 4 and 5, bound by 40th Street, Fifth Avenue, 23rd Street, and Ninth Avenue; and

WHEREAS, the four quadrants in the Affected Area are zoned M1-6 or M1-6D and therefore only allow manufacturing or commercial uses as-of-right; and

WHEREAS, the Proposed Actions would rezone the Affected Area to allow residential uses as-of-right; and

WHEREAS, the rezoning of a neighborhood establishes a Mandatory Inclusionary Housing area, which requires permanently affordable housing within its boundaries; and

WHEREAS, the crushing weight of Manhattan's historically high residential rents and low vacancy rates falls heavily on the shoulders of everyday New Yorkers, causing many to face the painful prospect of leaving the neighborhoods and communities they helped build; and

WHEREAS, housing production is not keeping pace with demand, and community boards are producing housing at unequal rates; and

WHEREAS, Manhattan Community Board 4 produced a net increase of 1,356 units in 2024, the most amount of housing of any community board in Manhattan¹; and

WHEREAS, Manhattan Community Board 5 produced an abysmal 19 units in 2024, the least amount of housing of any community board Citywide²; and

WHEREAS, Manhattan faces a dire housing emergency with families and individuals struggling to find affordable homes in a market characterized by historically high rates of rent burden; and

WHEREAS, Midtown South has historically been prohibited from contributing to the housing stock despite its central location and excellent transportation infrastructure, representing a missed opportunity to address Manhattan's critical housing shortage; and

¹<https://public.tableau.com/app/profile/marcus.louizaire/viz/CDcompletionsdashboard24Q4/CDcompletiondashboard>

²

<https://public.tableau.com/app/profile/marcus.louizaire/viz/CDcompletionsdashboard24Q4/CDcompletiondashboard>

WHEREAS, the Midtown South Mixed-Use Plan offers a transformative vision to create much-needed housing and represents a rare opportunity to add density in an area with established transportation infrastructure and access to jobs; and

WHEREAS, following the opening of Pennsylvania Station and Grand Central Terminal in the early 1900s, the neighborhood's historic manufacturing uses diminished after World War II; and

WHEREAS, despite preservation efforts, apparel manufacturing employment in the Garment Center declined by approximately 75 percent from 1987 to 2016, with apparel manufacturing space shrinking by almost 93 percent over the same 30-year period; and

WHEREAS, the area has evolved from a primarily manufacturing district to a more diverse mixed-use neighborhood, with a 56 percent increase in jobs between 2000 and 2016, most of which were office-based, despite zoning that limited office use; and

WHEREAS, today, the Rezoning Area contains only three percent of New York City's total jobs but still accounts for almost a quarter of the city's fashion manufacturing and wholesale jobs; and

WHEREAS, the Proposed Actions aim to modernize outdated zoning provisions and reduce existing barriers to create a balanced mix of residential, commercial, and manufacturing uses; and

WHEREAS, the proposal would encourage a wider range of commercial, community facility, and light manufacturing uses to promote economic recovery, resilience, and growth; and

WHEREAS, the Proposed Actions would map R11 and R12 zoning districts establishing Floor Area ratios of 12-18; and

WHEREAS, the Proposed Actions would establish a new Special Midtown South Mixed-Use District contemporaneous with the Rezoning Area; and

WHEREAS, over 10-year, the Proposed Actions are projected to facilitate the creation of approximately 9,676 dwelling units, including 1,940 to 2,890 permanently affordable homes; and

WHEREAS, Manhattan Community Board 4 voted to disapprove the Proposed Actions with conditions; and

WHEREAS, Manhattan Community Board 4 included the following conditions in their recommendation:

1. Protections against demolition, in favor of more and faster conversions to residential use, restoration, and adaptive re-use.
2. Include zoning requirements for light and air to reach the street and sidewalk.
3. Strengthen the street wall requirements and eliminate any recessed walls from the sidewalk.
4. Eliminate plaza bonuses to create Privately-Owned Public Spaces (POPS) that create sidewalk recesses and add to building heights.

5. Landmark significant buildings to protect those structures and further incentivize their conversion to housing through the use of Historic Tax Credits.
6. Impose restrictions on lot mergers and transfer of development rights.
7. Require a minimum of 30% of all units to be permanently affordable with no disparity in materials, finishes, or amenities. Higher density residential developments will not provide more income-restricted affordable housing unless required to do so through regulation.
8. Modify proposed density to 13 FAR on the west side of 8th Avenue from West 35th to West 39th Street with a height cap of 350 feet to better align with those same blocks to the west.
9. Consider a Special Permit process for any building over 12 FAR.
10. Include height caps for different subareas or sections subareas restrictions.
11. Restrict lot mergers to ensure resulting construction does not result in out of context buildings or create Billionaire's Row type pencil tower. Prohibit the creation of open-air parking lots that could be used as a means to construct higher buildings on receiving sites, or delay construction while awaiting merging of sites.
12. Restrict and manage the layering of affordable housing and transit bonuses.
13. Transit Bonus-- reduce the covered distance to the original 500-foot radius or restrict only to the specific blocks within the new mixed-used zones.
14. Consider restricting mechanical voids, widening sidewalks, adding new greenery, offering incentives to promote preservation rather than demolition, increasing the mix of dwelling units to include more multiple bedroom homes; and

WHEREAS, Manhattan Community Board 5 voted to approve the Proposed Actions with conditions; and

WHEREAS, Manhattan Community Board 5 included the following conditions in their recommendation:

1. Southeast Quadrant Density Mapping. We propose mapping the lower density M1-8A/R11 (12 FAR for commercial uses / 15 FAR for residential) instead of M1-8A/R12 (12/18) in the Southeast Quadrant. This adjustment aligns more closely with the extensive historic district, which is effectively a 12 FAR equivalent under LPC review, and will preserve the value of landmark transferable development rights (TDRs). It will help preserve view corridors to the Empire State Building and mitigate afternoon sunlight issues in Madison Square Park. Additionally, this change would retain more of the existing built environment in the quadrant, which currently has the lowest existing FAR of 8, thereby eliminating the need for lower midblock zoning.
2. Northwest Quadrant Midblock Zoning. We propose mapping R11 in the midblocks of the Northwest Quadrant to support the conversion of existing buildings rather than demolition. This approach meets the planning goal of maintaining lower density on narrow streets for improved light and air and easier access to services for large buildings on the avenues. Given the block's 750-foot width between 7th and 8th Avenues, we propose that the R12 zoning on the west side of Broadway, both sides of 7th Avenue, and the east side of 8th Avenue be designated at 200 feet in width to accommodate most

existing buildings and reasonable-sized floorplates for both residential and commercial uses.

3. Southwest Quadrant Avenue Zoning. We do not currently propose any changes to the proposed zoning in the Southwest Quadrant. However, CB5 received comments from area residents requesting a reduction in density to R11 from R12 in the area between 29th and 30th Streets from 6th to 8th Avenues to better align with the current built character. CB5 ultimately felt that R12 in this area was appropriate as a buffer to the very high density that could exceed 30 FAR in the GPP on Block 780 and the neighboring blocks.
4. No Change to NE Quadrant. We do not propose any changes to the proposed zoning in the Northeast Quadrant. This quadrant is currently surrounded by very high density development.
5. Retention of Rear Yard for Large Sites. We propose the retention of rear yards for large sites (greater than 1.5 acres) throughout MSMX. We believe that the two towers with a garden design is more appropriate than a single supertall tower. However, we may need to consider an exception for school construction due to complex structural challenges.
6. Addressing FAR Differential Concerns. Although we struggled with the effectiveness of the proposed 3 FAR difference between commercial and residential uses (12/15 or 15/18) as an incentive to build housing, we believe that implementing R11 in the NW Quadrant (15/18 Avenues, 12/15 midblock) will address this concern by focusing commercial uses on large sites on the Avenues.
7. Broader Mapping of R11 to Expand TDR and Bonus Utilization. Mapping R11 more broadly should help address historic district, theater, and landmark Transfer of Development Rights (TDR) issues and preserve the fabric of these districts. This adjustment is also expected to increase the utilization of open space and transit bonuses while maintaining a lower base FAR.
8. Comparison with Manhattan Institute Revisions. While our proposal shares some similarities with the Manhattan Institute revisions, we find their approach too stringent in reducing the R12 zone. Our adjustments aim to strike a better balance that considers the unique characteristics of our district.
9. Protection of Site #40 for School Development. We must protect Site #40 in the Southeast Quadrant, which the School Construction Authority (SCA) identified as the sole site feasible for school development. This site is critical for meeting educational needs in the area.
10. Undercounting of Residential Units.. We assert that DCP's CEQR methodology significantly undercounts the number of units that could be delivered in MSMX. Past rezonings have also resulted in multiples of the number of projected units. Therefore, the zoning adjustments proposed by CB5 will still generate a number of new apartments at least equal to the current projections. Adverse impacts will therefore be proportionally larger than presented in the DEIS.
11. Developer Insights on Housing Feasibility. Conversations with real estate industry contacts reveal that due to the high prevailing wage requirements of 485x for larger apartment buildings, many developers are focusing on smaller buildings or conversions under 467m. Additionally, as DCP has indicated, contacts believe that condominium buildings with MIH but without 485x may not be feasible. While this reflects the current situation, it could change as the housing shortage persists and tax abatements evolve.
12. Follow-on Avenue Rezonings. Most of the MSMX areas are mid-block adjacent to older Avenue zones. In order to rationalize the Avenue and midblock densities, we support

follow- on rezonings on 5th and 6th Avenues to increase densities relative to the new MSMX densities.

Be it RESOLVED that Manhattan Borough Board votes to recommend approval of Application Nos. C250185ZMM and N250186ZRM with the following conditions:

1. Per the request of Community Board 5, map the lower density M1- 8A/R11 (12 FAR for commercial uses / 15 FAR for residential) instead of M1-8A/R12 (12/18) in the Southeast Quadrant. This adjustment aligns more closely with the extensive historic district, which is effectively a 12 FAR equivalent under LPC review, and will preserve the value of landmark transferable development rights (TDRs). It will help preserve view corridors to the Empire State Building and mitigate afternoon sunlight issues in Madison Square Park. Additionally, this change would retain more of the existing built environment in the quadrant, which currently has the lowest existing FAR of 8, thereby eliminating the need for lower midblock zoning.
2. Per the request of Community Board 5, map R11 in the midblocks of the Northwest Quadrant to support the conversion of existing buildings rather than demolition. This approach meets the planning goal of maintaining lower density on narrow streets for improved light and air and easier access to services for large buildings on the avenues. Given the block's 750-foot width between 7th and 8th Avenues, we propose that the R12 zoning on the west side of Broadway, both sides of 7th Avenue, and the east side of 8th Avenue be designated at 200 feet in width to accommodate most existing buildings and reasonable-sized floorplates for both residential and commercial uses.
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5. Retention of Rear Yard for Large Sites. We propose the retention of rear yards for large sites (greater than 1.5 acres) throughout MSMX. We believe that the two towers with a garden design is more appropriate than a single supertall tower. However, we may need to consider an exception for school construction due to complex structural challenges.
6. Addressing FAR Differential Concerns. Although we struggled with the effectiveness of the proposed 3 FAR difference between commercial and residential uses (12/15 or 15/18) as an incentive to build housing, we believe that implementing R11 in the NW Quadrant (15/18 Avenues, 12/15 midblock) will address this concern by focusing commercial uses on large sites on the Avenues.
7. Broader Mapping of R11 to Expand TDR and Bonus Utilization. Mapping R11 more broadly should help address historic district, theater, and landmark Transfer of Development Rights (TDR) issues and preserve the fabric of these districts. This adjustment is also expected to increase the utilization of open space and transit bonuses while maintaining a lower base FAR.
8. Protection of Site #40 for School Development. We must protect Site #40 in the Southeast Quadrant, which the School Construction Authority (SCA) identified as the

sole site feasible for school development. This site is critical for meeting educational needs in the area.

9. Undercounting of Residential Units.. We assert that DCP's CEQR methodology significantly undercounts the number of units that could be delivered in MSMX. Past rezonings have also resulted in multiples of the number of projected units. Therefore, the zoning adjustments proposed by CB5 will still generate a number of new apartments at least equal to the current projections. Adverse impacts will therefore be proportionally larger than presented in the DEIS.
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11. Follow-on Avenue Rezoning. Most of the MSMX areas are mid-block adjacent to older Avenue zones. In order to rationalize the Avenue and midblock densities, we support follow-on rezonings on 5th and 6th Avenues to increase densities relative to the new MSMX densities.
12. Establish a Public Realm Fund for a new school, public space and transit improvements.
13. Ensure that the relevant agencies:
 - a. Further explore incentives that prioritize the conversion of properties rather than demolition.
 - b. Prioritize the delivery of more than 25% of affordable housing units in newly created buildings.
 - c. Explore methods by which legacy industries can be protected.

Adopted by the Manhattan Borough Board on the 17th day of April 2025.



Mark Levine
Manhattan Borough President
Chair of the Manhattan Borough Board



BOROUGH PRESIDENT RECOMMENDATION

Project Name: Midtown South Mixed-Use Plan (MSMX)	
Applicant: Department of City Planning MSMX Team Manhattan Office	Applicant's Administrator: ANDREW CANTU
Application # 250185ZMM	Borough: Manhattan
CEQR Number: 24DCP094M	Validated Community Districts: M04,M05

Docket Description:
--

Please use the above application number on all correspondence concerning this application

RECOMMENDATION: Conditional Favorable
--

Please attach any further explanation of the recommendation on additional sheets as necessary

CONSIDERATION: See attached resolution. 		
Recommendation submitted by	MN BP	Date: 4/24/2025 5:00 PM



OFFICE OF THE

**MANHATTAN
BOROUGH PRESIDENT**

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www.manhattanbp.nyc.gov**Mark Levine, Borough President****April 24th, 2025****Recommendation on ULURP Application No. C259185ZMM and N250186ZRM
By Department of City Planning MSMX Team Manhattan Office****PROPOSED ACTION**

The Department of City Planning (DCP) proposes a zoning map amendment and text amendment to rezone a 42-block, approximately 141 acre area in Manhattan's Midtown South within Community Boards 4 and 5. The area is roughly bounded by 40th Street to the north, 5th Avenue to the east, 23rd Street to the south, and Ninth Avenue to the west. The proposed rezoning is estimated to facilitate the development of approximately 9,676 dwelling units, including 1,940 to 2,890 permanently affordable homes. In order to facilitate the proposed rezoning, DCP is recommending the following actions:

- a) Zoning Map Amendment:
 - a. Rezone portions of existing M1-6 and M1-6D manufacturing districts
 - b. Establish a new Special Midtown South Mixed-Use District (MSX)
 - c. Modify boundaries of several special purpose districts
- b) Zoning Text Amendment:
 - a. Establish regulations for the Special Midtown South Mixed-Use District (MSX)
 - b. Amend Appendix F to apply the Mandatory Inclusionary Housing (MIH) program to the Rezoning Area
 - c. Modify text in the Special Garment Center District, Special Midtown District, and Special Hudson Yards District

BACKGROUND

The Midtown South area has undergone remarkable transformation throughout Manhattan's history, evolving from sparsely populated farmlands to a manufacturing powerhouse to the dynamic commercial and office district it is today. The Rezoning Area is a complex economic ecosystem, with approximately 7,000 businesses and over 135,000 jobs across a wide range of industries, reflecting the neighborhood's ongoing economic resilience and adaptability.

Despite the area's central location and rich transit access, the outdated manufacturing zoning has prevented it from helping to alleviate Manhattan's most pressing challenge: increasing the supply of housing. The limited supply of homes in the area and surplus of commercial properties also mean that the district experiences dramatic fluctuations in the population between 9 to 5 workdays and evenings and weekends and could benefit from new zoning that would allow for a vibrant, mixed-use neighborhood.

The Department of City Planning's Midtown-South Mixed-Use Plan is a historic opportunity to reimagine these 42 blocks as a true live-work community. This proposal will also be the first to include the new higher density residential districts recently established by the City of Yes for Housing Opportunity text amendments following the lifting of the state's 12 FAR cap on residential development. By replacing outdated manufacturing zoning with mixed-use zoning that respects the area's built character, this plan addresses our housing crisis through the type of

No. C259185ZMM and N250186ZRM

transit-rich, job-accessible neighborhood that should accommodate residential growth including thousands of permanently affordable homes through Mandatory Inclusionary Housing.

Proposed Development

The Department of City Planning's Midtown South Mixed-Use Plan proposes a rezoning across 42 blocks in Midtown South. The proposal would replace the existing M1-6 and M1-6D manufacturing districts with high-density mixed-use districts through both zoning map and text amendments.

The Proposal would create a new Special Midtown South Mixed-Use District (MSX) mapped across the entire rezoning area. Within this special district, the Proposal establishes three paired manufacturing/residential districts: M1-9A/R12, M1-8A/R12 and M1-8A/R11. The M1-9A/R12 district would be mapped across 22 blocks in the northwest and northeast quadrants, in addition to the northern portion of the southwest quadrant. This would allow for a residential FAR of 18 and commercial, light manufacturing and community facility FAR of 15. The M1-8A/R12 zoning district would be mapped over 14 blocks in the southeast quadrant and a portion of the southwest quadrant and would permit a maximum of 18 FAR for residential uses and commercial, light manufacturing and community facility FAR of 12. Finally, the M1-8A/R11 would occupy only 6 blocks in part of the southwest quadrant and would allow for the lowest densities of the three paired districts, with 15 FAR for residential uses and 12 FAR for commercial, light manufacturing and community facility uses. Property owners would also be able to gain additional density through two bonuses that are introduced in the proposal: the Covered Pedestrian Space Bonus and Transit Bonus. The Covered Pedestrian Space Bonus would allow for a 20 percent floor area increase via a City Planning Commission special permit if a new development includes Covered Pedestrian Spaces (CPS), a type of Privately-Owned Public Space (POPS) that can be outdoor or indoor. The Proposal would also extend the Transit Bonus applicability to 1,500 feet from a mass transit station so that all sites in the rezoning area could utilize the bonus.

The proposal would significantly expand housing opportunities by allowing residential uses as-of-right while requiring permanently affordable housing in new residential developments through the MIH program. The Proposal would map MIH across the entire rezoning area, requiring that new residential developments, enlargements, and conversions include affordable units. The Proposal would eliminate existing nonresidential floor area preservation requirements, facilitating the adaptive reuse of existing commercial buildings. Special district provisions would establish contextual street wall requirements to encourage a contiguous street wall. Additional provisions include more flexible base heights to better align with neighboring buildings, reduced minimum distance requirements between buildings on large lots, elimination of the 10,000-square-foot cap on retail uses, and a floor area exemption for public schools. The Proposal also reconfigures special district boundaries, eliminating the Special Garment Center District and adjusting the boundaries of the Special Hudson Yards District and Special Midtown District.

Area Context

The Midtown South area proposed for rezoning is located within Manhattan Community Districts 4 and 5. The area is predominantly zoned M1-6, with a portion designated as M1-6D in the Southwest Quadrant. M1-6 zoning permits high-density commercial and light manufacturing uses up to 10.0 FAR but prohibits residential development. The area serves as a major regional transit hub with exceptional public transportation access. The Proposed Area is served by the A,

No. C259185ZMM and N250186ZRM

C, E, 1, 2, 3, N, Q, R, W, B, D, F, and M subway lines at nearby stations including 34th Street-Herald Square, 34th Street-Penn Station, and Times Square-42nd Street. The Northeast Quadrant is accessible via the B, D, F, M, N, Q, R, and W trains at 34th Street-Herald Square, as well as the 6 train at 33rd Street. The Southwest Quadrant is served by the 1 train at 28th Street and the N, Q, R, and W at 28th Street, while the Southeast Quadrant is accessible via the R and W trains at 28th Street and 23rd Street, and the 6 train at 28th Street and 23rd Street. Bus service includes the M1, M2, M3, M4, M5, M7, M20, M23-SBS, M34-SBS, and Q32.

The rezoning area sits adjacent to Penn Station, one of the busiest transportation hubs in the United States, with Amtrak, Long Island Rail Road, New Jersey Transit, and six subway line services. This exceptional transit connectivity makes the area easily accessible from throughout the city and the broader region. The surrounding area includes numerous landmarks and destinations, including Herald Square, the Empire State Building, Madison Square Garden, and Macy's flagship store. The area also contains portions of the Ladies' Mile Historic District and Madison Square North Historic District in its Southeast Quadrant. The Northwest Quadrant encompasses much of the historic Garment Center, while the Southwest Quadrant includes the Flower District along West 28th Street between Sixth and Seventh avenues and is influenced by its proximity to the Fashion Institute of Technology. Cultural institutions in the area include the Serbian Orthodox Cathedral of Saint Sava and Marble Collegiate Church.

COMMUNITY BOARD RESOLUTION

On March 5th, Manhattan Community Board 4 (CB 4) voted to disapprove the applications with conditions with 36 board members voting in favor of the recommendation, four voting against, and two members abstaining. These conditions centered around concerns about protecting the existing character of the neighborhoods and managing building height and density. Conditions submitted by CB 4 related to protecting existing character included providing incentives to convert buildings rather than demolishing them, including zoning requirements for light and air to reach the sidewalk, strengthening street wall requirements, eliminating plaza bonuses to create POPS that produce sidewalk recesses and add to building height, landmarking significant buildings, and imposing restrictions on lot mergers and the transfer of development rights. Additionally, CB 4 proposed requiring a minimum of 30% of all units to be permanently affordable, modifying the proposed density to 13 FAR on the west side of 8th Avenue from West 35th to West 39th Street with a height cap of 350 feet, introducing a special permit for buildings over 12 FAR, height caps for subareas within the proposed rezoning area, restricting the layering of FAR bonuses and reducing the covered distance to the original 500-foot radius or restrict only to the specific blocks within the new mixed-used zones for transit bonuses.

Community Board 5 (CB 5) voted to unanimously approve the proposal with conditions on April 10th. Concerns heard by the board during their review process were mostly regarding the impact of new density on the existing character of the neighborhood, which led the board to submit conditions to reduce the density of the Southeast Quadrant from R12 to R11, and R11 in the midblocks of the Northwest Quadrant. CB 5 also recommended retaining rear yards for large sites, mapping R11 more broadly, protection of Site #40 for future school development, and follow-on rezonings of 5th and 6th Avenues for increase densities relative to the new MSMX densities.

BOROUGH PRESIDENT'S COMMENTS

No. C259185ZMM and N250186ZRM

Throughout its history, the Midtown South has played a transformative role in the economic development of our borough and the greater city. From its early days as a bustling manufacturing hub to its evolution into one of Manhattan's most important commercial centers, this district has continually adapted to meet New York's changing needs. Today, the Midtown South Mixed-Use Plan proposal is another pivotal moment in this area's story—one that can fundamentally reshape these 42 blocks from a mostly commercial district into a true 24/7 community with thousands of new homes, including permanently affordable ones that will serve New Yorkers for generations to come.

The combination of strong community support, state leadership in lifting the outdated 12 FAR cap on residential development, and the City of Yes for Housing Opportunity text amendments introducing higher density residential zoning districts have created the perfect circumstances to advance this plan. The timing couldn't be more urgent or the location more appropriate for addressing Manhattan's severe housing shortage.

The Midtown South rezoning was a centerpiece of my office's "Housing Manhattanites" plan, which comprehensively identified opportunities across our borough to unlock new housing sites. This 42-block area is well-positioned to accommodate substantial new residential development. With unparalleled access to transit, residents will enjoy transportation options that few other neighborhoods can match. Additionally, the area's location near major employment centers means future residents will have walkable access to tens of thousands of jobs, creating the possibility of a true live-work community that supports sustainability goals by reducing commute times.

We cannot overstate the urgency of moving forward with bold housing initiatives like this one. Manhattan and the entire city are in the midst of an unprecedented housing emergency. With vacancy rates hovering at historically low levels and median asking rents reaching record highs, housing has become increasingly inaccessible for most New Yorkers. The scale of this rezoning is exactly the kind of ambitious plan required to address our housing crisis.

With the introduction of any new residential area in New York City, we must ensure that community resources grow alongside population. That's why I am strongly recommending the establishment of a dedicated public realm fund to support critical neighborhood infrastructure. This fund would help finance new schools, expand library services, improve open spaces, and enhance streetscapes throughout the rezoning area.

Introducing significant residential development to Midtown South necessitates thoughtful consideration of public open space, an essential element of any thriving neighborhood. Currently, the Area has a deficit of open spaces and with thousands of new homes anticipated as a result of this proposal, well-designed public spaces will be critical for the wellbeing of the community. At the nexus of the four proposed rezoning quadrants sit Herald and Greeley Squares which should be granted significant investment as part of these rezonings to fulfill the neighborhoods needs and include expanded green space, and improved pedestrian circulation and seating areas.

The Midtown South Mixed-Use Plan represents a once-in-a-generation opportunity to reimagine an underutilized commercial district as a vibrant, inclusive, mixed-income community in the heart of Manhattan. I wholeheartedly support this proposal and urge its approval to help address our housing crisis while building a more equitable and sustainable city.

BOROUGH PRESIDENT'S RECOMMENDATION

Therefore, I recommend **approval** of ULURP Application Nos. C259185ZMM and N250186ZRM with the following conditions:

1. Establish a Public Realm Fund for a new school, public space and transit improvements.
2. Ensure that the relevant agencies:
 - a. Further explore incentives that prioritize the conversion of properties rather than demolition.
 - b. Prioritize the delivery of more than 25% of affordable housing units in newly created buildings.
 - c. Explore methods by which legacy industries can be protected.
 - d. Explore opportunities to invest in the revitalization of open spaces within and neighboring the rezoning area.



Mark Levine
Manhattan Borough President