CITY PLANNING COMMISSION

December 16, 2024 / Calendar No. 20 C 240390 ZSM

IN THE MATTER OF an application submitted by the New York City Economic Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-901 of the Zoning Resolution to modify the height and setback requirements of Section 33-442 (Alternate Front Setbacks In Other Commercial Districts) in connection with a proposed development on property located at 425 East 25th Street (Block 962, p/o Lot 100) in a C6-4 District, Borough of Manhattan, Community District 6.

This application for a zoning special permit was filed by the New York City Economic Development Corporation on May 28, 2024. This application, in conjunction with the related applications, would facilitate the development of a new life sciences and education campus at 425 East 25th Street in the Kips Bay neighborhood of Manhattan Community District 6.

RELATED ACTIONS

In addition to the zoning special permit (C 240390 ZSM) that is the subject of this report, the proposed development also requires action by the City Planning Commission (CPC) on the following applications, which are being considered concurrently with this application:

C 240369 ZMM	Zoning map amendment to change an R8 district to C6-4 district.
N 240371 ZRM	Zoning text amendment to map a Mandatory Inclusionary Housing (MIH) area.

C 240370 ZSM	Zoning special permit pursuant to Section 74-171 of the Zoning Resolution to permit a laboratory listed under Use Group VII, not otherwise allowed by the underlying use regulations.
C 240372 PPM	Disposition of city-owned property.
C 240373 PCM	Site selection and acquisition for use as a forensic pathology center and medical examiner facility.
C 240391 PQM	Acquisition of property by the City.
C 240309 MMM	City Map change for the elimination of a pedestrian overpass and the adjustments of grades, block dimensions, and angles necessitated thereby.

BACKGROUND

A full background discussion and description of this application appears in the report for the related zoning map amendment (C 240369 ZMM).

ENVIRONMENTAL REVIEW

This application (C 240390 ZSM) in conjunction with the related actions, 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 (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 23DME013M, and the lead is the New York City Mayor's Office of Environmental Coordination (MOEC).

It was determined that this application, in conjunction with the applications for the related actions, may have a significant effect on the environment and that an Environmental Impact

Statement (EIS) would be required. A Positive Declaration was issued on January 30, 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 January 30, 2024. A revised Draft Scope of Work was issued on February 13, 2024. A public scoping meeting was held on March 18, 2024, and the Final Scope of Work was issued on June 21, 2024. A full description of the environmental review is included in the report for the related zoning map amendment (C 240369 ZMM).

WATERFRONT REVITALIZATION PROGRAM

This application (C 240390 ZSM), in conjunction with related applications for a zoning map amendment (C 240369 ZMM), a zoning text amendment (N 240371 ZRM), a zoning special permit (C 240370 ZSM), a disposition of City-owned property (C 240372 PPM), an acquisition of property by the City (C 240391 PQM), a combination acquisition and site selection by the City (C 240373 PCM), and a City Map change (C 240309 MMM), was reviewed by the City Coastal Commission for consistency with the policies of the New York City Waterfront Revitalization Program (WRP), as amended, approved by the New York City Council on October 30, 2013 and by the New York State Department of State on February 3, 2016, pursuant to the New York State Waterfront Revitalization and Coastal Resources Act of 1981, (New York State Executive Law, Section 910 et seq.). The designated WRP number is 23-178.

UNIFORM LAND USE REVIEW

This application (C 240390 ZSM), in conjunction with related applications for a zoning map amendment (C 240369 ZMM), a zoning special permit (C 240370 ZSM), a disposition of City-owned property (C 240372 PPM), an acquisition of property by the City (C 240391 PQM), a combination acquisition and site selection by the City (C 240373 PCM), and a City Map change (C 240309 MMM), was certified as complete by the Department of City Planning on June 24, 2024, and duly referred to Manhattan Community Board 6 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 text amendment (N 240371 ZRM), which was referred in accordance with the procedures for non-ULURP matters.

Community Board Public Hearing

Manhattan Community Board 6 held a public hearing on this application (C 240390 ZSM), in conjunction with related applications a zoning map amendment (C 240369 ZMM), a zoning text amendment (N 240371 ZRM), a zoning special permit (C 240370 ZSM), a disposition of City-owned property (C 240372 PPM), an acquisition of property by the City (C 240391 PQM), a combination acquisition and site selection by the City (C 240373 PCM), and a City Map change (C 240309 MMM), on September 11, 2024, and on that date, by a vote of 41 in favor, one opposed, and zero abstaining, the community board adopted a resolution recommending approval of the application with conditions. A summary of the recommendation appears in the report for the related zoning map amendment (C 240369 ZMM).

Borough President Recommendation

On October 30, 2024, the Manhattan Borough President issued a recommendation on this application (C 240390 ZSM), in conjunction with related applications a zoning map amendment (C 240369 ZMM), a zoning text amendment (N 240371 ZRM), a zoning special permit (C 240370 ZSM), a disposition of City-owned property (C 240372 PPM), an acquisition of property by the City (C 240391 PQM), a combination acquisition and site selection by the City (C 240373 PCM), and a City Map change (C 240309 MMM), to approve the application with conditions. A summary of the recommendation appears in the report for the related zoning map amendment (C 240369 ZMM).

City Planning Commission Public Hearing

On October 16, 2024 (Calendar No. 13), the City Planning Commission scheduled November 6, 2024, for a public hearing on this application (C 240390 ZSM), in conjunction with related applications a zoning map amendment (C 240369 ZMM), a zoning text amendment (N 240371

ZRM), a zoning special permit (C 240370 ZSM), a disposition of City-owned property (C 240372 PPM), an acquisition of property by the City (C 240391 PQM), a combination acquisition and site selection by the City (C 240373 PCM), and a City Map change (C 240309 MMM). The hearing was duly held on November 6, 2024 (Calendar No. 20).

There were twelve speakers in favor and one in opposition, as described in the report for the related action (C 240369 ZMM), and the hearing was closed.

CONSIDERATION

The Commission believes that this application for a zoning special permit (C 240390 ZSM), in conjunction with related applications a zoning map amendment (C 240369 ZMM), a zoning text amendment (N 240371 ZRM), a zoning special permit (C 240370 ZSM), a disposition of City-owned property (C 240372 PPM), an acquisition of property by the City (C 240391 PQM), a combination acquisition and site selection by the City (C 240373 PCM), and a City Map change (C 240309 MMM), is appropriate.

A full consideration and analysis of the issues and the reasons for approving the application appear in the report for the related action (C 240369 ZMM).

FINDINGS

Based upon the above consideration, the City Planning Commission hereby makes the following findings required by Section 74-901 of the Zoning Resolution (Bulk Modifications for Laboratories).

74-901 (Bulk Modifications for Laboratories)

1. will not unduly affect the essential character or impair the future use and development of the surrounding area; and
2. will not unduly obstruct the access of light and air to adjoining properties or

public *streets*.

RESOLUTION

RESOLVED, that having considered the Final Environmental Impact Statement (FEIS), for which a Notice of Completion was issued on December 5, 2024, with respect to this application (CEQR No. 23DME013M), 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 were evaluated in relation to the social, economic, and other considerations associated with the action[s] that is set forth in this report; and
2. Consistent with social, economic, and other essential considerations, from among the reasonable alternatives provided in the application, the actions are one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
3. The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the greatest extent practicable.

The report of the City Planning Commission, together with the FEIS, issued December 5, 2024 constitutes 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, that the City Planning Commission, in its capacity as the City Coastal Commission, has reviewed the waterfront aspects of this application and finds that the proposed action is consistent with WRP policies; 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 and findings described in the report, the application submitted by the New York City Economic Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for

the grant of a special permit pursuant to Section 74-901 of the Zoning Resolution to modify the height and setback requirements of Section 33-442 (Alternate Front Setbacks In Other Commercial Districts) in connection with a proposed development on property located at 425 East 25th Street (Block 962, p/o Lot 100) in a C6-4 District, Borough of Manhattan, Community District 6, is approved, subject to the following terms and conditions:

1. The property that is the subject of this application (C 240390 ZSM) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following approved plans, prepared by Studio V, filed with this application and incorporated in this resolution:

Dwg No.	**Title**	**Last Date Revised**
Z-002.00	Zoning Analysis	12/11/2024
Z-110.00	Zoning Lot Site Plan	12/11/2024
Z-120.00	Waiver Plan	12/11/2024
Z-200.00	Waiver Section	12/11/2024
Z-201.00	Waiver Section	12/11/2024
Z-202.00	Waiver Section	12/11/2024
Z-203.00	Waiver Section	12/11/2024

2. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application. All zoning computations are subject to verification and approval by the New York City Department of Buildings.

3. Such development shall conform to all applicable laws and regulations relating to its construction, operation and maintenance.

4. In the event the property that is the subject of the application is developed as, sold as, or converted to condominium units, a homeowners' association, or cooperative ownership, a copy of this report and resolution and any subsequent modifications shall be provided to the Attorney General of the State of New York at the time of application for any such condominium, homeowners' or cooperative offering plan and, if the Attorney General so directs, shall be incorporated in full in any offering documents relating to the property.

5. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee or occupant.

6. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms or conditions of this resolution whose provisions shall constitute conditions of the special permit herby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, cancellation or amendment of the special permit hereby granted.

7. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city or such employees or agents failure to act in accordance with the provisions of this special permit.

The above resolution (C 240390 ZSM), duly adopted by the City Planning Commission on December 16, 2024 (Calendar No. 20), 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., DAVID GOLD, Esq., LEAH GOODRIDGE, Esq.,
RASMIA KIRMANI-FRYE, ORLANDO MARÍN, JUAN CAMILO OSORIO,
RAJ RAMPERSHAD, *Commissioners*