SPARC Kips Bay
425 East 25th Street (Manhattan Block 962, p/o Lot 100)

Special Permit Pursuant to ZR Section 74-901, "Bulk Modifications for Laboratories"

Applicant's Statement of Findings

74-901
Bulk Modifications for Laboratories

In #Residence Districts# and #Commercial Districts#, the City Planning Commission may permit, in conjunction with a laboratory listed under Use Group VII, modifications to #bulk# regulations, other than #floor area ratio#, provided that the following findings are met.

In order to grant the special permit, the Commission shall find that the proposed #bulk# modifications:

(1) Will not unduly affect the essential character or impair the future use and development of the surrounding area;
(2) Will not unduly obstruct the access of light and air to adjoining properties or public #streets#.

The bulk and scale of the Proposed Development would not unduly increase the bulk of buildings within the project's block or unduly obstruct access of light and air to nearby blocks or users of public streets. Buildings on the Eastern and Western Parcels would generally use the C6-4 bulk envelope, but the base may rise to an effective height of 125 feet (depending on the various base plane measurements) without setback. As the Development Site is comprised of a zoning lot that is larger than the buildable area, the proposed bulk modifications are designed to allow a greater amount of floor area above 150 feet to allow the Development Site to adequately utilize available floor area. It should be noted that a zoning and tax lot subdivision will be sought as part of the project such that the Development Site becomes its own standalone zoning and tax lot.

Height and setback waivers established in the special permit pursuant to ZR Section 74-901 would allow for the Building B1 to encroach on the initial setback distance by 6.4 feet along its western street frontage and by 12 feet along its southern street frontage. It would also permit Building B1 to encroach on the sky exposure plane by 44.6 feet along its western street frontage and 109.2 feet along its southern street frontage. These modifications would allow the Proposed Development to accommodate the large floorplates required for modern, efficient laboratory uses at the Development Site.

While this provision allows taller buildings on the parcels, the proposed orientation of the massing of the Proposed Development would be similar to the existing site, with a collection of buildings on the periphery of the site surrounding a central open space fronting East 25th Street. However, the proposed massing shifts density and height towards First Avenue, with towers up to approximately 500-feet-tall resonating with other recent development in the Kips Bay neighborhood and beyond. This allows the massing of the Proposed Development to drop in scale from west to east towards the river, to be more in line with the residential and institutional uses located to the south and east. The easternmost building on the Eastern Parcel would be shorter than nearby Waterside Plaza towers across FDR Drive. The intent of this massing strategy is to maximize light and air into the campus buildings, specifically for classrooms and offices,

while cascading the height of buildings towards residential and institutional buildings to the south and east and introducing terraces with additional access to open space and air throughout.

The location of the proposed buildings also helps offset the height of the buildings on the parcels. The tower portions of Buildings B1 and B2 would be separated by a minimum of approximately 60 feet, with the exception of two possible skybridge connections that would provide connections between Buildings B1 and B2. The tower portions of Buildings A and B2 would be separated by a minimum of approximately 60 feet, with the bases of the two buildings abutting one another. The initial streetwall of Building A, which would be set back 15-feet from the property line along East 25th Street and 10 feet along FDR Drive, would rise to a base height of approximately 76-feet above the design flood elevation (DFE), before reaching a maximum building envelope height of up to approximately 370-feet (including mechanical bulkhead) after a series of setbacks along the building's frontages facing East 25th Street and FDR Drive. The initial streetwall of Buildings B1 and B2 would rise to a base height of approximately 100-feet and 92-feet above the DFE, respectively, before reaching a maximum building envelope height of up to approximately 500-feet and 420-feet (including mechanical bulkhead), respectively. Building B1 would be set back by 3.6 feet from First Avenue and three feet from 25th Street. Building B2 would be set back 88.9 feet from 25th Street to accommodate the proposed 0.6-acre publicly accessible open space, further improving the pedestrian experience.

With the location of the proposed open space and the cascading of building heights towards the residential and institutional buildings to the south and east, light and air would be able to penetrate the middle and eastern portions of the block, benefitting the adjacent development parcels as well as the blocks directly to the north, south, and east of the Proposed Development.

Shadow and urban design impact analyses were performed for the immediate vicinity of the Proposed Area for the DEIS. With the lack of a 20-foot setback starting at 85 feet above curb height on the Western Parcel for Buildings B1 and B2 and the proposed bulk modifications for all proposed buildings within the Development Site, the Proposed Development would not unduly restrict access of light and air to occupants or users of buildings in the block or nearby blocks or of users of the street at this location. The closest public park, Asser Levy Playground, is located south of the Development Site, and would experience no incremental shadows from the Proposed Development as it is located within the area that cannot be shaded by the Proposed Development (i.e., to the south and not within ±108 degrees of True North). While several sunlight-sensitive resources were identified within the surrounding area warranting further analysis (i.e., one historic resource, Parish of Our Lady of the Scapular and Saint Stephen's; four open space resources, including Bellevue South Park, Alexandria Center Public Plaza and Urban Garden, 240 East 27 Street Plaza, and East River Greenway; one natural resource, the East River; and one privately owned open space, Bellevue Sobriety Garden, that is currently able to be accessed by the public), none are expected to experience significant adverse shadow impacts due to incremental shadows from the Proposed Development. As detailed in the DEIS and the SPARC Kips Bay Technical Memorandum, it was determined that given the short duration (12 minutes) of shading on the stained-glass windows featured at the Parish of Our Lady of the Scapular and Saint Stephen's, the public's enjoyment of this resource would not be affected. For the open space resources that were studied in the detailed shadows assessment, although incremental shading could eliminate sunlight from the resources during the day in some of the analysis periods, incremental shadows would be of limited duration and would occur on spaces that either receive uninterrupted sunlight during other periods of the analysis day or on spaces that do not receive uninterrupted

sunlight under existing conditions. Thus, it was determined that incremental shadows would not adversely impair the public's enjoyment of the space or the viability of vegetation of these resources. Finally, incremental shading would occur over limited portions of the East River for brief periods of time during the afternoon, and therefore are not expected to result in significant adverse impacts to any resident organisms.

In view of the foregoing, the proposed height and setback modifications would not unduly obstruct light and air to the detriment of the occupants or users of buildings in the block or nearby blocks or of people using the public streets.