CITY PLANNING COMMISSION

December 16, 2024 / Calendar No. 15 C 240342 ZMM

IN THE MATTER OF an application submitted by 455 First Avenue Associates LLC and the NYC Economic Development Corporation 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 from within an existing R8 District a C2-5 District bounded by Pedestrian Way, First Avenue, East 26th Street, and a line 100 feet westerly of First Avenue; and
2. changing from an R8 District to a C6-4 District property bounded by Pedestrian Way, First Avenue, East 26th Street, and Mount Carmel Place;

Borough of Manhattan, Community District 6, as shown on a diagram (for illustrative purposes only) dated June 24, 2024.

This application for a zoning map amendment was filed by 455 First Avenue Associates LLC and the New York City Economic Development Corporation (EDC) on May 3, 2024. This application, in conjunction with related applications, would facilitate the development of a new commercial life sciences building at 455 First Avenue in the Kips Bay neighborhood of Manhattan Community District 6.

RELATED ACTIONS

In addition to the zoning map amendment (C 240342 ZMM) 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:

N 240344 ZRM	Zoning text amendment to map a Mandatory Inclusionary Housing (MIH) area.

C 240343 ZSM Zoning **s**pecial permit pursuant to Section 74-901 of the Zoning Resolution (ZR) to modify the height and setback requirements of Section 33-432 (In Other Commercial Districts).

BACKGROUND

The applicants are seeking a zoning map amendment to rezone Lot 17 of Block 932 from an R8 and R8/C2-5 zoning district to a C6-4 zoning district, a zoning text amendment to map an MIH area over the proposed rezoning area, and a zoning special permit pursuant to ZR Section 74-901 for bulk waivers for a laboratory use to facilitate a new thirteen-story, approximately 443,680 zoning square foot commercial life sciences building at 455 First Avenue in the Kips Bay neighborhood of Community District 6, Manhattan.

After this application was certified, the City Council adopted the City of Yes for Housing Opportunity zoning text amendment, which went into effect on December 5, 2024.

The proposed rezoning area is a full block bounded by First Avenue to the east, East 26th Street to the south, Mount Carmel Place to the west, and the East 27th Street pedestrian way to the north. East of the development site and south of the site along First Avenue, the surrounding area is characterized primarily by institutional uses, especially life science uses. This includes the New York University (NYU) College of Nursing, Dentistry, and Engineering directly south of the development site, Bellevue Hospital and the Hirsch Center for Forensic Sciences directly east of the site, and the City University of New York (CUNY) Hunter College Brookdale Campus southeast of the site, which is planned to become the Science Park and Research Campus (SPARC) Kips Bay. The area west of the development site is characterized by high-rise residential elevator buildings and mixed-use buildings.

Most of the surrounding area, including the proposed rezoning area, lies within an R8 district, with C2-5 overlays along the western side of the First Avenue corridor and on the eastern side of First Avenue between East 28th and East 29th Street. R8 zoning districts are residential districts

that allow for a maximum community facility floor area ratio (FAR) of 6.5, and a maximum residential FAR of 7.20 or 8.64 for a Universal Affordability Preference (UAP) development. C2-5 overlays in R8 districts allow for 2.0 FAR of commercial use. The eastern side of the Second Avenue corridor is zoned C1-9 south of East 26th Street, and C1-8 north of 26th Street. The western side of the corridor is zoned C1-8A. A portion of the Second Avenue corridor between East 26th Street and the midpoint between Eat 27th and East 28th Streets lies within the Special Transit Land Use District. About half of the surrounding area, beginning just west of the development site, lies within the Coastal Zone.

Open spaces within the surrounding area include Bellevue South Park, directly west of the development site, the Public Open Area at 240 East 27th Street (Parc East Tower Apartments), and the Public Access Area at 430 East 29th Street (Alexandria Science Center).

The nearest subway station, the 28th Street station is located one block north and four blocks west and provides access to the 4 and 6 subway lines. The M15 and M15 SBS buses run northbound along First Avenue and southbound along Second Avenue. The M9 bus runs northbound along First Avenue, west along East 29th Street, and then south along Second Avenue. The M34A bus runs south along Second Avenue.

The development site is a 44,250-square-foot lot with approximately 250 feet of frontage along First Avenue and Mouth Carmel Place and approximately 177 feet of frontage along East 26th Street and the East 27th Street pedestrian way. The site is improved with a fourteen-story building. Built in 1964, the existing building is an aging facility primarily occupied by the Department of Health and Mental Hygiene's (DOHMH) Public Health Laboratory, in addition to some other City uses and some leased spaces. The existing building is overbuilt and does not comply with the existing R8 and R8/C2-5 zoning. DOHMH plans to relocate the Public Health Laboratory to a new facility in Harlem, which will better meet the needs of a modern laboratory.

The development site is coterminous with the rezoning area and includes the entirety of Block 932, Lot 17. The area is zoned R8 with a 100-foot-deep C2-5 overlay along First Avenue.

Proposed Project

The applicant seeks to replace the existing building with a new thirteen-story, approximately 443,680-zoning-square-foot commercial life sciences development built to 10.0 FAR and rising to a height of 255 feet, with an additional height allowance up to approximately 270 feet to accommodate rooftop bulkheads and mechanical equipment.

The proposed development would contain incubation space for startups, graduation space for life science businesses, wet labs and other spaces for established research and development firms, anchor space for the NYU Grossman School of Medicine, and spaces for collaboration. The building would have 40,000 square-foot floorplates with an approximately 55-foot distance from core to perimeter on the north-south axis, which is well-suited to laboratory use. The main entrance to the building would be located on First Avenue. The proposed ground floor includes a life-sciences multi-purpose programming space, which would be used by building tenants and for life sciences-related events. There would also be a ground-floor retail space at the corner of First Avenue and the East 27th Street pedestrian way. Loading berths would be located on Mount Carmel Place and a bike room for building tenants would be accessible from East 27th Street. All critical infrastructure in the building would be raised above the design flood elevation.

Proposed Actions

To facilitate the proposed project, the applicant requests the following actions:

Zoning Map Amendment (C 240342 ZMM)

The applicant seeks to rezone the existing R8 and R8/C2-5 zoning districts to a C6-4 zoning district. C6-4 districts are high-density commercial zoning districts that allow for a maximum of 10.0 FAR for commercial uses, community facility uses, and residential uses and 12.0 FAR for residential uses with UAP. C6-4 districts allow a range of residential, community facility, and commercial uses, including laboratories. Height and setback are dictated by a sky exposure plane, starting at a height of 85 feet and with an initial setback distance of 15 feet fronting a wide street or 20 feet fronting a narrow street. The slope of the required sky-exposure plane is 2.7 on a

narrow street and 5.6 on a wide street.

Zoning Text Amendment (N 240344 ZRM)

The applicant is seeking an amendment to Appendix F of the Zoning Resolution to establish a Mandatory Inclusionary Housing (MIH) area conterminous with the rezoning area. The area would be mapped with MIH Options 1 and 2. Pursuant to MIH Option 1, any future development is required to provide 25 percent of the residential floor area as permanently income-restricted housing at 60 percent AMI or lower. Pursuant to MIH Option 2, any future development is required to provide 30 percent of the residential floor as permanently income-restricted housing at 80 percent AMI or lower.

Special Permit Pursuant to ZR Section 74-901 (C 240343 ZSM)

The applicant seeks a special permit pursuant to ZR Section 74-901 to modify height and setback regulations for a laboratory development. In C6-4 districts, ZR Section 33-432 requires an initial setback distance of 20 feet on narrow streets such as Mount Carmel Place or East 27th Street or 15 feet on wide streets such as First Avenue or East 26th Street. It also requires a sky-exposure plane of 2.7 on narrow streets or 5.6 on wide streets beginning 85 feet above the street line.

The applicant seeks bulk waivers along all four of the building's frontages in order to allow the building to rise sheer at the street line to a height of 255 feet. Above 255 feet, a mechanical bulkhead, set back at least 20 feet from each frontage could rise to a total maximum height of 270 feet. These waivers facilitate large, even floor plates suitable for modern, efficient laboratory use.

ENVIRONMENTAL REVIEW

This application (C 240342 ZMM), in conjunction with related applications for a zoning text amendment (N 240344 ZRM) and a zoning special permit (C 240343 ZSM), 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 23DME012M, and the lead is the New York City Mayor's Office of Environmental Coordination (MOEC).

After a study of the potential environmental impact of the proposed actions, a Negative Declaration was issued on June 21, 2024.

UNIFORM LAND USE REVIEW

This application (C 240342 ZMM), in conjunction with a related application for a zoning special permit (C 240343 ZSM), 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 application for a text amendment (N 240344 ZRM), which was referred in accordance with the procedures for non-ULURP matters.

Community Board Review

Manhattan Community Board 6 held a public hearing on this application (C 240342 ZMM) in conjunction with related applications for a zoning text amendment (N 240344 ZRM) and a zoning special permit (C 240343 ZSM) on September 11, 2024, and on that date, by a vote of 40 in favor, one opposed, zero abstaining, and one not entitled, the community board adopted a resolution recommending approval of the application with the following conditions.

"1. NYCEDC commits to coordinating planning efforts to identify sites and opportunities to increase the stock of affordable housing in Manhattan Community District 6;
2. NYCEDC commits to protecting the viability of the Bellevue South Park and will not build anything that puts parks flora at risk by diminishing exposure to sunlight;
3. Three (3) percent of revenue earned by the City from Innovation East is committed to enhancing and maintaining Bellevue South Park by providing increased lighting, public restrooms, and more frequent park cleaning;
4. NYCEDC secures commitments from MTA to increase 1st and 2nd Avenue bus service along with 23rd and 34th Street crosstown bus service, in addition to creating a new bus line dedicated to connecting the adjacent Science Park and Research Center (SPARC)

and Innovation East with the 4/5/6 subway stops and future 2nd Avenue Subway stops;

5. NYCEDC commits to designing a safe, inviting, and active pedestrianized 27th Street with permanent outdoor seating, shading, bike racks, wayfinding, and lighting, as required by the current New York City Department of City Planning's Publicly Owned Plaza Space (POPS) requirements;
6. NYCEDC maximizes ground floor active retail with extended hours of operation, with at least one bar, cafe, or restaurant tenant that will be open throughout the evening and provide services at a price point accessible to the wider community;
7. NYCEDC commits to providing an activated, beautified, and well-lit pedestrian space along the Mt. Carmel Place side of the building, which will be a loading dock;
8. NYCEDC provides a Memorandum of Understanding (MOU) to accommodate community board meetings and other public uses within the multi-purpose spaces of the building;
9. NYCEDC commits to a design that reflects a unique residential and mixed-use character for the neighborhood, with contextual human-scale façade design, and a choice of materials that account for impacts on the surrounding environment, to ensure a comfortable and inviting experience for tenants, visitors, and neighbors alike;
10. NYCEDC commits to a design and operations approach that meets and exceeds the highest energy-efficiency and environmental resilience standards."

Borough President Recommendation

On October 30, 2024, the Manhattan Borough President issued a recommendation to approve this application (C 240342 ZMM) in conjunction with related applications for a zoning text amendment (N 240344 ZRM) and a zoning special permit (C 240343 ZSM) with the following condition:

"1. Transform the 27th Street pedestrian way into a space that is accessible, active, and repairs the surface of the pedestrian way."

City Planning Commission Public Hearing

On October 16, 2024 (Calendar No. 8), the City Planning Commission scheduled November 6,

2024, for a public hearing on this application (C 240342 ZMM) and related applications for a zoning text amendment (N 240344 ZRM) and a zoning special permit (C 240343 ZSM). The hearing was duly held on November 6, 2024 (Calendar No. 15). Seven speakers testified in favor of the application and none in opposition.

The applicant team, comprising of three applicant representatives, testified in favor of the application, providing an overview of the proposed project. The team stressed the importance of creating more spaces for life science companies in order to compete with life sciences clusters in other cities, creating high-quality jobs for New Yorkers. They noted that the abundance of health and science uses along First Avenue in the surrounding area makes it well-suited for the proposed development. The team walked through the site plan for the proposed development, including active, transparent frontages that would improve the pedestrian experience. They also explained how the design of the building, with high floor-to-floor heights and 55' minimum core-to-permit dimensions, is specialized to the needs of life sciences tenants. The applicant team also emphasized their partnerships with life science education non-profits and workforce development organizations.

In addition to the applicant team, four other speakers testified in favor of the application.

A representative of a non-profit that provides science, technology, and engineering education to low-income and under-represented K-12 students, spoke in favor of the project, noting the partnership between the non-profit and the developer. They explained that a partnership with the proposed development would provide additional opportunities for training, education, and exposure to life science fields for the students that they serve.

A representative from another non-profit that connects the life science industry to non-profits that address poverty, spoke in favor of the project, noting a partnership between their organization and the developer. They expressed that the proposed development would provide more opportunities for education, community building, and food options for the area.

The Chair of Manhattan Community Board 6 spoke in favor of the application. They expressed support for the project, while also reiterating the conditions expressed in the board's resolution.

A representative of two non-profits spoke in favor of the application. They spoke about their partnership with the developer, noting that they have signed a Memorandum of Understanding (MOU) that specifies commitments from the developer to provide information about job opportunities in advance, provide training and education, assist with recruitment efforts, and provide free or discounted space within the proposed development.

There were no other speakers, and the hearing was closed.

CONSIDERATION

The Commission believes that this application for a zoning map amendment (C 240342 ZMM) in conjunction with related applications for a zoning text amendment (N 240344 ZRM) and a zoning special permit (C 240343 ZSM), is appropriate.

The proposed project will replace the aging Public Health Laboratory with a new thirteen-story, 443,680-zoning-square-foot commercial life sciences hub rising to a height of 255 feet, with an additional height allowance up to approximately 270 feet to accommodate rooftop bulkheads and mechanical equipment. The proposed development will include space for startups, life sciences businesses, research and development firms, and anchor space for the NYU Grossman School of Medicine, as well as a ground floor multipurpose space and ground floor retail.

The Commission believes that the proposed development is appropriate in relation to the land use and context of Kips Bay. The concentration of life sciences, healthcare, and academic uses makes this section of First Avenue and its surrounding area a notable life sciences corridor for the City. The program and design of the proposed development will provide opportunities for learning and collaboration amongst life sciences tenants, bolstering the existing life sciences ecosystem in the area, creating additional jobs, and helping realize the City's goal of expanding the life sciences industry. The proposed development's large, even floor plates are optimal for

modern laboratory work and the multipurpose space will facilitate opportunities for collaboration and learning. The ground floor retail space will serve to activate the pedestrian space along First Avenue and the East 27th Street pedestrian way.

Zoning Map Amendment (C 240342 ZMM)

The Commission believes the proposed zoning map amendment is appropriate. The proposed action would rezone the block from an R8 and R8/C2-5 district to a C6-4 zoning district.

The proposed C6-4 district, in conjunction with the special permit, will permit the use and bulk of the proposed development. Under the existing R8 zoning, only residential and community facility uses are allowed. The proposed C6-4 zoning district will allow for commercial uses, including laboratories and retail, which complement existing uses in the surrounding area. The proposed C6-4 district is appropriate to facilitate the continued growth of the life sciences sector in this area, allowing laboratories, offices, and retail along with additional density. The density and bulk of the C6-4 district is appropriate for this site given its frontage on two wide streets and its proximity to similar R10 equivalent zoning districts and a number of public transit options.

Zoning Text Amendment (N 240344 ZRM)

The Commission believes that the proposed zoning text amendment to Appendix F of the Zoning Resolution to establish an MIH area is appropriate. While the proposed development will not include residential use, it is the City's policy to map MIH areas in conjunction with any zoning text amendment that creates a substantial increase in the permitted residential floor area on a site otherwise appropriate for housing.

Special Permit Pursuant to ZR Section 74-901 (C 240343 ZSM)

The Commission believes that the proposed zoning special permit pursuant to Zoning Resolution Section 74-901 to allow for bulk modifications in conjunction with a Use Group VII laboratory is appropriate. The proposed development requires height and setback waivers to achieve programmatic functionality for a commercial life sciences development. Laboratory buildings require large, even floor plates with specific core-to-perimeter ratios in order to meet the

functional requirements of modern laboratory work and provide flexibility for a variety of different life science tenants. The proposed height and setback waivers on all four of the building's frontages allow the building to encroach upon the required sky exposure plane, facilitating a building that rises sheer at the street line to a height of 255 feet. Above 255 feet, a mechanical bulkhead, set back at least 20 feet from each frontage will rise to a total maximum height of 270 feet. These waivers allow for large, even floorplates on every floor.

The proposed life sciences building will be in context with the existing character of the surrounding area, which includes a myriad of existing life sciences, healthcare, and academic uses. The development site is located along two wide streets, allowing for substantial light and air. Thus, the proposed project meets the findings of the special permit which relate to avoiding adverse impacts on the essential character and future use and development of the surrounding area and avoiding the obstruction of access to light and air to adjoining properties and streets.

RESOLUTION

RESOLVED, that having considered the Environmental Assessment Statement, for which Negative Declaration was issued on June 21, 2024, with respect to this application (CEQR No. 23DME012M) the City Planning Commission finds that the actions described herein will have no significant impact on the environment; 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 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 from within an existing R8 District a C2-5 District bounded by Pedestrian Way, First Avenue, East 26th Street, and a line 100 feet westerly of First Avenue; and

2. changing from an R8 District to a C6-4 District property bounded by Pedestrian Way, First Avenue, East 26th Street, and Mount Carmel Place;

Borough of Manhattan, Community District 6, as shown on a diagram (for illustrative purposes only) dated June 24, 2024.

The above resolution (C 240342 ZMM), duly adopted by the City Planning Commission on December 16, 2024 (Calendar No. 15), 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., RASMIA KIRMANI-FRYE,
ORLANDO MARÍN, JUAN CAMILO OSORIO,
RAJ RAMPERSHAD, *Commissioners*

LEAH GOODRIDGE, Esq., *Commissioner ABSTAINED*

COMMUNITY/BOROUGH BOARD RECOMMENDATION

Project Name: 455 First Avenue			
Applicant:	455 First Avenue Associates LLC	**Applicant's Primary Contact**:	Ellen Lehman
Application #	240342ZMM	**Borough**:	Manhattan
CEQR Number:	23DME012M	**Validated Community Districts**:	M06

Docket Description:

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

RECOMMENDATION: Conditional Favorable			
# In Favor: 40	**# Against:** 1	**# Abstaining:** 0	**Total members appointed to the board:** 41
Date of Vote: 9/12/2024 12:00 AM		**Vote Location**: 25 Waterside Plaza	

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

Date of Public Hearing: 8/26/2024 6:30 PM	
Was a quorum present? Yes	*A public hearing requires a quorum of 20% of the appointed members of the board but in no event fewer than seven such members*
Public Hearing Location:	Lewis Davis Pavilion at 25 Waterside Plaza

CONSIDERATION: Manhattan Community Board Six conditionally supports the proposed actions with the following conditions/modifications:

• NYCEDC commits to coordinating planning efforts to identify sites and opportunities to increase the stock of affordable housing in Manhattan Community District 6;
• NYCEDC commits to protecting the viability of the Bellevue South Park and will not build anything that puts parks flora at risk by diminishing exposure to sunlight;
• Three (3) percent of revenue earned by the City from Innovation East is committed to enhancing and maintaining Bellevue South Park by providing increased lighting, public restrooms, and more frequent park cleaning;
• NYCEDC secures commitments from MTA to increase 1st and 2nd Avenue bus service along with 23rd and 34th Street crosstown bus service, in addition to creating a new bus line dedicated to connecting the adjacent Science Park and Research Center (SPARC) and Innovation East with the 4/5/6 subway stops and future 2nd Avenue Subway stops;
• NYCEDC commits to designing a safe, inviting, and active pedestrianized 27th Street with permanent outdoor seating, shading, bike racks, wayfinding, and lighting, as required by the current New York City Department of City Planning's Publicly Owned Plaza Space (POPS) requirements;
• NYCEDC maximizes ground floor active retail with extended hours of operation, with at least one bar, cafe, or restaurant tenant that will be open throughout the evening and provide services at a price point accessible to the wider community;
• NYCEDC commits to providing an activated, beautified, and well-lit pedestrian space along the Mt. Carmel Place side of the building, which will be a loading dock;
• NYCEDC provides a Memorandum of Understanding (MOU) to accommodate community board meetings and other public uses within the multi-purpose spaces of the building;

See attached resolution for additional comments.

Recommendation submitted by	MN CB6	Date: 10/1/2024 2:11 PM

SANDY MCKEE
CHAIR

JOHN KELLER, FIRST VICE CHAIR
MARK THOMPSON, SECOND VICE CHAIR

JESÚS PÉREZ
DISTRICT MANAGER

GABRIEL TURZO, TREASURER
BEATRICE DISMAN, ASST. TREASURER
LIVIA SHREDNICK, SECRETARY
RUPAL KAKKAD, ASST. SECRETARY

THE CITY OF NEW YORK
MANHATTAN COMMUNITY BOARD SIX
211 EAST 43RD STREET, SUITE 1404
NEW YORK, NY 10017

VIA E-MAIL

September 12, 2024

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

Andrew Kimball
President & CEO
New York City Economic Development Corporation
One Liberty Plaza
New York NY, 10006

Resolution to Approve with Modifications/Conditions the proposed zoning actions for 455 1st Avenue, also known as Innovation East

At the September 11, 2024 Full Board meeting of Manhattan Community Board Six, the Board adopted the following resolution:

WHEREAS, the New York City Economic Development Corporation (NYCEDC) is seeking to expand the First Avenue Life Sciences Corridor by replacing the Department of Health and Mental Hygiene health lab at 455 First Avenue with a new state-of-the-art life sciences hub to be named Innovation East;

WHEREAS, the application is being made to facilitate the construction of commercial laboratory space and is seeking the following zoning actions:

- Rezoning the site from an R8/C2-5 district to a C6-4 district to allow laboratory uses (Action 240342ZMM);
- Revising the zoning text to map MIH on the site (Action 240344ZRM);
- Requesting modifications to the height and setback regulations for additional height and bulk resulting in a building that is 78 feet taller than the current structure (Action 240343ZSM);

WHEREAS, this proposed project is expected to create approximately 1,114 permanent jobs in the described sectors and more than $1 billion in economic activity;

WHEREAS, these new jobs will add demand for housing to a market that is already facing a supply shortage and will add congestion to an overburdened transportation network;

WHEREAS, increased foot traffic in this area will increase the use of nearby public parks, particularly Bellevue South Park, and increase the resources necessary to maintain them;

WHEREAS, the pedestrian areas in the vicinity of 27th Street and 1st Avenue are not currently well designed to handle a large influx of foot traffic, nor are they typically activated beyond the close of business;

WHEREAS, the Land Use & Waterfront Committee has received materials related to this project and has shared direct feedback with NYCEDC about our needs and aspirations for this project in relation to public space usage, community amenities, housing, and other community priorities;

WHEREAS, Manhattan Community Board Six is currently looking for permanent meeting space in the district that can accommodate various board needs;

THEREFORE, BE IT RESOLVED that Manhattan Community Board Six conditionally supports the proposed actions with the following conditions/modifications:

- NYCEDC commits to coordinating planning efforts to identify sites and opportunities to increase the stock of affordable housing in Manhattan Community District 6;
- NYCEDC commits to protecting the viability of the Bellevue South Park and will not build anything that puts parks flora at risk by diminishing exposure to sunlight;
- Three (3) percent of revenue earned by the City from Innovation East is committed to enhancing and maintaining Bellevue South Park by providing increased lighting, public restrooms, and more frequent park cleaning;
- NYCEDC secures commitments from MTA to increase 1st and 2nd Avenue bus service along with 23rd and 34th Street crosstown bus service, in addition to creating a new bus line dedicated to connecting the adjacent Science Park and Research Center (SPARC) and Innovation East with the 4/5/6 subway stops and future 2nd Avenue Subway stops;
- NYCEDC commits to designing a safe, inviting, and active pedestrianized 27th Street with permanent outdoor seating, shading, bike racks, wayfinding, and lighting, as required by the current New York City Department of City Planning's Publicly Owned Plaza Space (POPS) requirements;
- NYCEDC maximizes ground floor active retail with extended hours of operation, with at least one bar, cafe, or restaurant tenant that will be open throughout the evening and provide services at a price point accessible to the wider community;

- NYCEDC commits to providing an activated, beautified, and well-lit pedestrian space along the Mt. Carmel Place side of the building, which will be a loading dock;
- NYCEDC provides a Memorandum of Understanding (MOU) to accommodate community board meetings and other public uses within the multi-purpose spaces of the building;
- NYCEDC commits to a design that reflects a unique residential and mixed-use character for the neighborhood, with contextual human-scale façade design, and a choice of materials that account for impacts on the surrounding environment, to ensure a comfortable and inviting experience for tenants, visitors, and neighbors alike;
- NYCEDC commits to a design and operations approach that meets and exceeds the highest energy-efficiency and environmental resilience standards.

VOTE: 40 In Favor 1 Opposed 0 Abstention 1 Not Entitled

Best regards,



Jesús Pérez
District Manager

Cc: Hon. Mark Levine, Manhattan Borough President
Hon. Carlina Rivera, Council Member
Majed Abdulsamad, Chair, CB6 Land Use & Waterfront Committee

BOROUGH PRESIDENT RECOMMENDATION

NYC PLANNING

Project Name: 455 First Avenue	
Applicant: 455 First Avenue Associates LLC	**Applicant's Administrator**: Ellen Lehman
Application # 240342ZMM	**Borough**: Manhattan
CEQR Number: 23DME012M	**Validated Community Districts**: M06

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:

Recommendation submitted by	MN BP	Date: 10/30/2024 2:59 PM

OFFICE OF THE
MANHATTAN
BOROUGH PRESIDENT

1 Centre Street, 19th Floor, New York, NY 10007
(212) 669-8300 p (212) 669-4306 f
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www.manhattanbp.nyc.gov
Mark Levine, Borough President

October 30, 2024

Recommendation on ULURP Application Nos. C240342ZMM, C240343ZSM, and N240344ZRM – 455 First Avenue
By 455 First Avenue Associates LLC

PROPOSED ACTIONS

455 First Avenue Associates LLC and the New York City Economic Development Corporation (EDC) (the "Applicants") are proposing multiple land use actions to facilitate the development of a 13-story commercial life sciences building ("Innovation East") located at 455 First Avenue, in Manhattan Community District 6 (the "Site").

To facilitate the project, the Applicant is requesting the following actions:

1. A zoning map amendment to rezone the Site from an R8 district with a C2-5 overlay along First Avenue to a C6-4 district;
2. A special permit pursuant to Section 74-901 of the New York City Zoning Resolution (ZR Section 74-901) to modify bulk regulations; and
3. A zoning text amendment to Appendix F of the New York City Zoning Resolution to map a Mandatory Inclusionary Housing (MIH) area on the Site.

BACKGROUND

The project proposed at the site is part of EDC's LifeSci NYC – a $1 billion initiative to advance the life sciences industry in NYC, announced in 2016. In 2018, EDC issued a Request for Expressions of Interest (RFEI) for the creation of an Applied Life Sciences Hub at the location. By 2022, the City announced that the new project, called Innovation East, would be developed in partnership with Taconic Partners and DivcoWest as a new life sciences building.

The Site currently has an existing 14-story, 191-foot-tall, 359,000-square-foot building that is primarily occupied by New York City's Public Health Laboratory, as well as New York City's Poison Control Center. These uses would be relocated. The Department of Citywide Administrative Services (DCAS) has applied to acquire replacement space at 215 Lexington Avenue for New York City's Poison Control Center, and the Public Health Laboratory is relocating to a new site at 40 West 137th Street, adjacent to Harlem Hospital. The new 240,000-square-foot Public Health Lab will have modern and upgraded facilities to allow the Department of Health and Human Services to strengthen their public health and disease prevention program. The new Public Health Lab is scheduled to be completed in 2026.

Proposed Development

The proposed project would replace the existing building at 455 First Avenue with a 443,680-square-foot, 255-foot tall, 13-story building, with bulkheads and mechanical equipment topping out at approximately 270 feet. Demolition of the existing building would begin in 2026 once the new Public Health Lab building in Harlem is operational, and construction for the new Innovation East building would begin in 2027. The public health use of the existing building does not comply with its current R8 zoning.

The proposed rezoning action would allow commercial laboratory use at the Site and the proposed modifications to height and setback regulations would facilitate the ideal internal configuration for laboratory use. The floorplates of the proposed building would be 40,000 square feet, including 11-foot lab modules and a 55-foot core-to-perimeter distance, as well as higher floor-to-ceiling heights for mechanical equipment and ventilation for laboratories. In order to obtain the special permit the Applicants must demonstrate that the project will not affect the essential character or impair future development of the area or obstruct access to light and air.

Innovation East would be occupied primarily by commercial life sciences tenants. The New York University Grossman School of Medicine would be the anchor tenant, occupying 40% of the building. Other tenants would be life sciences businesses at all stages of growth, from start-ups to established research and development firms. The building would also include a multi-purpose space on the ground floor for meetings, events, and lectures. Bike parking would be located in the building, accessible from East 27th Street. Ground-floor retail space would be located at First Avenue and East 27th Street, with seating for up to 200 people. The Applicant proposes to improve the 27th Street pedestrian walkway with active and well-lit facades, remove the existing parking, and reposition the Citi Bike station.

Area Context

The surrounding area includes multiple medical and institutional uses including Bellevue Hospital, the Department of Veterans Affairs Medical Center, the New York University College of Dentistry, the Alexandria Center for Life Science, the proposed Science Park and Research Campus (SPARC); open spaces and recreational uses including Asser Levy Park and Recreation Center, Bellevue Gardens, and Bellevue Sobriety Garden; and residential campuses including Waterside Plaza, Nathan Straus Houses, East Midtown Plaza, Peter Cooper Village, and Stuyvesant Town.

The Site is located in Manhattan Community District 6 in the Kips Bay neighborhood. The surrounding area is zoned R8 with C2-5 overlays on the west side of First Avenue, and C1-8, C1-9, and C1-8A along Second Avenue.

The Site is served by transit by the M15, M15-SBS, M23-SBS, M34A-SBS, and M9 buses, and the 6 Subway line at East 23rd or 28th Streets and Park Avenue. There is a Citi Bike station on the corner of East 27th Street and First Avenue. East 27th Street between First Avenue and Mt. Carmel Place is currently a car-free pedestrian way.

COMMUNITY BOARD RESOLUTION

On September 11, 2024, Manhattan Community Board 6 (CB 6) voted to recommend approval of the project with conditions. The conditions include requesting that EDC identify sites for affordable

housing within CB 6, maximize the public benefits of the pedestrian and open spaces around the proposed campus, including 27th Street and Bellevue South Park, ensure adequate public transportation, ensure that the site design makes it accessible to the community, and uphold the highest energy efficiency standards.

BOROUGH PRESIDENT'S COMMENTS

The life sciences industry is an evolving sector in New York City. We have seen the growth in employment and diversity of opportunities in the sector for a range of skill levels. Providing new spaces specifically designed for life sciences industry can help our city be competitive nationwide to attract companies and programs at all stages of development. Innovation East will allow the life sciences industry to grow in Kips Bay. The project is projected to create jobs and employ 1,000 people at a diverse range of skill and education levels. It is important to have space for start-ups and other emerging companies in addition to already established companies, and I hope that Innovation East will be a place in the Kips Bay corridor accessible to that sector of the industry. I am also excited that in advance of this project the Public Health Lab will be getting a new space close to Harlem Hospital.

By constructing a new building on the site, this project also has the opportunity to transform the surrounding streetscape. Right now, the pedestrian way on East 27th Street is in poor condition. Though lined with trees, the pedestrian walkway currently has uneven surfaces, fenced-off parked cars, blank facades, and minimal opportunity to stay or spend time. The pedestrian way has great potential to be a valuable public amenity with connections to Bellevue South Park, and I am glad that the proposed design incorporates streetscape improvements like transparent facades, seating connected to the retail space, lighting, and trees or plantings as needed. I hope that the surface of the pedestrian way will also be repaired or replaced, and that the public realm will be well maintained to preserve long-term use and enjoyment by the public.

I also encourage EDC to work with city and state agencies to determine if there are opportunities to fund the preservation of existing affordable housing in the area. Our city needs a balance of projects that promote jobs and economic growth while making sure New Yorkers can afford to live in the cities they work. Innovation East will help to accomplish the first goal, while the second is a critical need for the livability of our city.

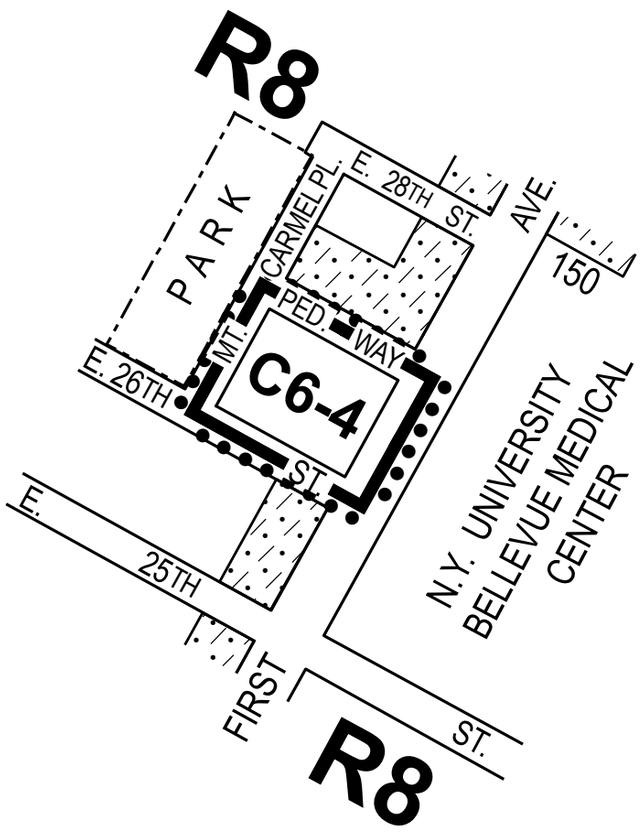
BOROUGH PRESIDENT'S RECOMMENDATION

Therefore, I recommend **approval** of ULURP Application Nos. C240342ZMM, C240343ZSM, and N240344ZRM **with the following condition**:

1) Transform the 27th Street pedestrian way into a space that is accessible, active, and repairs the surface of the pedestrian way.



Mark Levine
Manhattan Borough President



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

New York, Certification Date:
June 24, 2024

S. Lenard, Director
Technical Review Division

SCALE IN FEET

0 150 300 450 600

NOTE:

Indicates Zoning District Boundary

The area enclosed by the dotted line is proposed to be rezoned by eliminating a C2-5 District from within an existing R8 District, and by changing an R8 District to a C6-4 District.

Indicates a C2-5 District

NOTE: THIS DIAGRAM IS FOR ILLUSTRATIVE PURPOSES ONLY.