Lenox Hill Hospital Redevelopment
Project ID No. P2017M0299

December 20, 2024

Description of Proposal

1. Introduction

This is an application by Lenox Hill Hospital (the "Applicant") for the following actions (the "Proposed Actions") with respect to the block bounded by Lexington Avenue, East 76th Street, Park Avenue and East 77th Street (Manhattan Block 1411, Lots 1 & 113) (the "Development Site"):

- A zoning map amendment to (i) rezone the Lexington Avenue frontage of the Development Site from an C1-8X district to a C1-9 district and (ii) rezone the midblock of the Development Site from an R8B district to a C1-8 district;

- An amendment to the Zoning Resolution of the City of New York ("Zoning Resolution" or "ZR") to: (i) create a new special permit under ZR Section 74-904 (Non-profit or voluntary hospitals in R9 or R10 districts and certain Commercial Districts) pursuant to which the City Planning Commission (the "Commission" or "CPC") may, for a development or enlargement predominantly for Use Group III(B) hospital use on a full-block zoning lot improved with an existing hospital use and located in R9 or R10 districts, or equivalent commercial districts, and partially within the Special Park Improvement District, (1) permit a floor area increase of up to 20% for community facility use, (2) allow such floor area bonus to be used in combination with a floor area bonus permitted by authorization in connection with mass transit station improvements pursuant to ZR Section 66-51, and (3) permit modifications of applicable bulk regulations, provided that the amount of floor area located within the Special Park Improvement District does not exceed 10.0 FAR; (ii) amend ZR Section 66-513(a)(2) to allow a floor area bonus pursuant to Section 66-511 or 66-512, in combination with other floor area bonuses, to exceed 20 percent of the maximum floor area ratio otherwise permitted on the zoning lot where explicitly allowed by a special permit of the Commission; (iii) amend ZR Section 92-21 to allow the permitted floor area ratio on a zoning lot partially within the Special Park Improvement District for which a special permit is granted under ZR Section 74-904 to exceed 10.0 FAR; and (iv) establish the portions of the Development Site within the new C1-9 and C1-8 districts as a Mandatory Inclusionary Housing ("MIH") area; and

- A special permit pursuant to ZR Section 74-904 to permit a redevelopment of the Development Site predominantly for Use Group III(B) non-profit hospital use with up to 1,034,471 square feet of floor area (12.5 FAR);

- An authorization pursuant to ZR Section 66-511 to permit, as part of the total proposed 12.5 FAR, a floor area increase of up to 0.5 FAR in connection with improvements to the southbound platform of the 77th Street station (the "77th Street Station") of the Lexington Avenue subway line; and

- A certification pursuant to ZR Section 66-21(c) with respect to a transit volume encompassing the mass transit station improvements to be constructed in connection with the Proposed Development.

The Proposed Actions would facilitate the revitalization and enlargement of the Lenox Hill Hospital campus in its existing Upper East Side location, which it has occupied for over a century. On the eastern portion of the Development Site, a complex of outdated buildings would be demolished and a new, contemporary hospital building fronting on Lexington Avenue would be constructed (the "New Hospital Building"). The New Hospital Building would have large, efficient floor plates to accommodate single-bedded patient rooms in the upper floors, enlarged operating suites and a right-sized emergency department within the base, as well as new lobby entrances on Lexington Avenue and improvements to the 77th Street Station. The Proposed Actions would also allow renovation and alteration (including an additional fire stair) of existing buildings fronting on Park Avenue and East 77th Street, to provide on-going patient care during construction of the New Hospital Building. A new on-site ambulance bay would also be provided along the East 77th Street frontage, and a new on-site loading area would be provided on East 76th Street (collectively, the "Proposed Development"). Lenox Hill Hospital has a long history of healthcare innovation and patient service, and the Proposed Development will enable the hospital to effectively deliver the next generation of healthcare for the diverse population it serves, while also significantly improving the pedestrian experience adjacent to the Development Site.

2. Background

Hospital History and Existing Campus. Lenox Hill Hospital was originally founded 165 years ago, in 1857, as The German Dispensary of the City of New York. The first hospital building on the Development Site opened in the late 1860s, and over the next century, the hospital complex grew to encompass the entire block. Since 2010, Lenox Hill Hospital has served as the flagship hospital for the Northwell Health network in New York City, and it provides world-class service to patients of all income levels within the local Upper East Side community and from across the City. Lenox Hill Hospital is an iconic New York City institution that has a national reputation for

outstanding patient care and innovative medical and surgical treatments, and it has been the site of ground-breaking medical research, including in the fields of cardiology and sports medicine.

Lenox Hill Hospital's successes in healthcare innovation and delivery, including during the COVID-19 pandemic, have been achieved despite significant challenges posed by the physical limitations of the existing campus. The hospital complex consists of ten buildings of varying heights and footprints constructed between the late 1800s and early 1970s which have been integrated, to the extent possible, to function as a single institution. Since 2010, the year the Applicant acquired the hospital, there have been more than $275 million in capital improvements. However, the configuration of the current facility results in significant inefficiencies and does not meet current clinical care demands, and the existing buildings are not configured or equipped for efficient delivery of the next generation of healthcare. For example, since the 1970s, the industry standard for surgical suites, including critical support space, has effectively tripled, both to support modern equipment needs and to ensure sterile movement of supplies. The industry standard for patient rooms has also changed, as single-occupancy rooms with space for family members and other visitors have been shown to improve patient outcomes relative to multiple-occupancy rooms. The existing campus does not have sufficient floor area to accommodate a transition to optimally-sized operating suites or single-bedded patient rooms without a reduction in the number of patients that could be served.

In addition to multi-bedded patient rooms and inefficient operating suites, the existing Lenox Hill Hospital complex has an emergency department that, at approximately 14,000 square feet, is undersized relative to the needs of the community and current demand. There also is not adequate space to provide separate areas for infectious and non-infectious patients. Patients arriving to the hospital's emergency department by ambulance are unloaded on East 77th Street, as the existing buildings were constructed without an off-street ambulance bay, and it is not possible to accommodate off-street ambulance parking and unloading within the current physical plant. This results in pedestrian and traffic conflicts on 77th Street, as well as a suboptimal patient experience. On 76th Street, the hospital's existing loading berths, in a building constructed in the early 1970s, are limited to a depth of 35 feet and are not adequate to address the needs of a contemporary hospital, which results in loading activities taking place on the street and adjoining sidewalk, interfering with pedestrian and vehicular movement along that frontage of the Development Site. The COVID-19 pandemic has highlighted these constraints and affirmed the need for upgrades to the hospital's physical plant to ensure that it can continue to provide world-class healthcare over the next century. The Proposed Development, as described below, would address these needs.

Upper East Side Medical Institutions Context. Lenox Hill Hospital is one of several world-class medical institutions located on Manhattan's Upper East Side, including Mt. Sinai Hospital,

Memorial Sloan Kettering Cancer Center, Rockefeller University, New York Presbyterian Hospital, Weill Cornell Medical Center, the Hospital for Special Surgery, and the Manhattan Eye, Ear, and Throat Hospital. Healthcare institutions occupy prominent sites throughout the area, from "superblock" sites occupied by Mt. Sinai Hospital and Metropolitan Hospital at the northern portions of the neighborhood on Fifth Avenue and Second Avenue, respectively, to the concentration of institutions southeast of the Development Site, between First Avenue and the East River. As healthcare standards and medical technology have evolved since enactment of the Zoning Resolution in 1961, the City has facilitated the modernization and expansion of these facilities through zoning map amendments and other actions, in recognition of the importance of these institutions within the neighborhood and to the City more broadly.

For example, in 1962, shortly after enactment of the Zoning Resolution, the Commission approved a zoning map amendment, from an R7-2 district to an R9 district, to facilitate the expansion of Mt. Sinai Hospital's facilities on property along Madison Avenue between East 98th Street and East 102nd Street by placing all of the hospital's property in a district allowing 10.0 FAR for community facility uses (CP-17419, July 18, 1962 / Cal. No. 50). In 1972, the Commission approved a City Map amendment to facilitate the eastward expansions of the institutions southeast of the Development Site within volumes of space above the FDR Drive, stating in its report that "[t]he question is not whether the institutions should expand, but where" (CP-22062, January 31, 1972 / Cal. No. 11). Subsequently, the Commission has issued numerous approvals to allow construction of new hospital buildings within these volumes, as well as expansion on the blocks west of the FDR Drive, including zoning map amendments and special permits. Where necessary to facilitate the upgrade and modernization of medical institutions, the Commission has approved significant midblock expansions for existing institutions, including, in 2001, a midblock upzoning from an R8 district to an R9 district (10.0 FAR for community facility uses) to facilitate expansion of the Memorial Sloan Kettering Cancer Center campus, including a new research facility and hospital buildings (C 010547 ZMM, November 28, 2001 / Cal. No. 2).[1]

Large healthcare facilities, including Lenox Hill Hospital, have long been a prominent element of the Upper East Side neighborhood fabric, and there is a consistent pattern of expansion to accommodate evolving healthcare standards and new medical technologies. As has been the case with its peer institutions in this area of the City, Lenox Hill Hospital requires significant upgrades to account for contemporary medical space standards and the incorporation of new technologies; however, current zoning controls applicable to the Development Site do not allow for further expansion within the existing footprint.

[1] More recently, in 2021, the Commission approved a series of actions to facilitate development of a new headquarters for the New York Blood Center with a commercial life science hub, including a midblock upzoning from an R8B to a C2-7 (R9 equivalent) district (C 210351 ZMM, September 22, 2021 / Cal. No. 23).

Zoning Background. Six of the existing buildings on the Development Site, occupying the majority of the Lexington Avenue and East 76th Street frontages, were constructed prior to the enactment of the current Zoning Resolution on December 15, 1961. At enactment of the Zoning Resolution, the Development Site was mapped in three zoning districts: an R10 district with a depth of 125 feet was mapped along Park Avenue; a C1-9 district with a depth of 100 feet was mapped along Lexington Avenue; and an R8 district at the midblock. The other four existing buildings comprising the current hospital complex were developed over the next decade, with a zoning approval for the last building issued by the New York City Board of Standards and Appeals ("BSA") in 1972, as described further below. As a result, none of the current buildings fully comply with the current zoning district designations, other than the small four-story brownstones at the corner of Lexington Avenue and East 76th Street.

In 1973, the Special Park Improvement District was mapped over the R10 district along Park Avenue and along Fifth Avenue (CP-22240, February 28, 1973 / Cal. No. 26), which enacted street wall requirements and height limits (300 feet or 25 stories) intended to "maintain the architectural quality and continuity of existing buildings fronting on Fifth and Park Avenues" and created a floor area bonus available through contributions into a fund to improve the Park Avenue medians and Central Park, or provisions of a plaza, plaza-connected open area or arcade. In 1982, following the 1981 designation of the East Side Historic District by the Landmarks Preservation Commission, the Commission approved a zoning text amendment that, among other things, removed the floor area bonus mechanisms and reduced the maximum building height 210 feet or 19 stories (N 820188(A) ZRM, January 22, 1982 / Cal. No. 1).

The zoning districts currently mapped over the Development Site are the result of a series of zoning map amendments approved in the early 1980s. In 1983, the depth of the R10 district and Special Park Improvement District from Park Avenue was reduced by 25 feet, and the midblock R8 district was extended by the same amount towards Park Avenue (C 830111 ZMM, February 2, 1983 / Cal. No. 52). Under the same action, the Lexington Avenue frontage was rezoned to a C1-8A district, which established a contextual building envelope with mandatory street wall location and height requirements (with no height limitations but setbacks required above certain heights); but in 1984, the C1-8A district was replaced with a newly-created C1-8X district, which maintained the contextual building envelope with mandatory street wall location and height requirements and established a reduced sky exposure plane regulation (ratio of 2.0 to 1, above 110 feet above curb level) limiting building heights to development along Lexington Avenue (N 840235 ZRY & C 840364 ZMM, April 9, 1984 / Cal. No. 4 & 5). In 1985, the R8 district initially mapped in 1961 was rezoned to an R8B district (C 850539 ZMM, July 22, 1985 / Cal. No. 19). In 1986, the Commission approved a zoning text amendment to increase the permitted floor area ratio ("FAR") for community facility uses in R8B districts to 5.1 FAR (N 860470 ZRM, March 26, 1986 / Cal. No 45). Subsequently, the Commission approved zoning text amendments to modify

the contextual building envelope to establish a maximum height limit in contextual and non-contextual zoning districts, including the C1-8X district (maximum height of 160 feet) (N 870197(A) ZRY, June 17, 1987 / Cal. No. 78; N 940257 ZRY, May 23, 1994 / Cal. No. 3). Most recently, the Commission adopted a zoning text amendment known as "City of Yes for Housing Opportunity" (N 240290 ZRY, September 25, 2024 / Cal. No. 2) ("COYHO"), which modified floor area and height regulations applicable to the three districts mapped at the Development Site, allowing maximum heights of up to 235 feet in the R10 / Special Park Improvement District, 95 feet in the R8B district and 215 feet in the C1-8X district.

Prior BSA Approvals. Three of the existing buildings on the Development Site were constructed pursuant to approvals by the New York City Board of Standards and Appeals ("BSA").

- 1929 Variance. A building at the midblock of the Development Site's 76th Street frontage, known as East, was constructed pursuant to a zoning variance approved in 1929 (Cal. No. 582-29-BZ) allowing a 46-foot wide portion of the building to have a height of approximately 141 feet at the street line, matching the street wall elevation of an existing building, known as West, located 93 feet to the west. (East rises to a total height of over 200 feet at the midblock, well in excess of the maximum 75 foot height limit in the R8B district now mapped over the midblock of the Development Site.) The variance also allowed for construction at the same height fronting on East 77th Street; however, the existing building on that frontage (known as Lachman) does not utilize this approval.

- 1958 Variance. At the northwest corner of the Development Site, a 12-story building known as Wollman was constructed pursuant to a zoning variance approved in 1958 (Cal. No. 582-29-II-BZ) allowing the eastern approximately 32 feet of the building's 168-foot wide street wall on East 77th Street to exceed then-applicable maximum height limits by up to 16 feet, so as to provide a uniform street wall height.

- 1970 Variance and Special Permit. At the southwest corner of the Development Site, a 12-story building known as Uris was constructed pursuant to a 1970 approval under Cal. No. 287-70-BZ (with modified plans approved in 1972) of a variance to permit community facility lot coverage in excess of 75% and a special permit to allow the building to pierce the required initial setbacks and sky exposure planes on Park Avenue and East 76th Street under regulations in effect prior to enactment of the Special Park Improvement District controls in 1973 (which resulted in additional non-compliances with street wall requirements).

The Proposed Development would include demolition of the portion of East subject to the 1929 variance, while Wollman and Uris would be retained and altered.[2]

Zoning for Accessibility. The Development Site is adjacent to the southbound platform of the 77th Street Station of the Lexington Avenue (6 train) subway line (the "Subway Station"). On October 7, 2021, the New York City Council adopted an amendment to the Zoning Resolution known as "Zoning for Accessibility," which provides for, among other things, approvals by the Commission, by authorization or special permit, of floor area bonuses in connection with the construction of improvements to such mass transit stations. Since 2018 (prior to Zoning for Accessibility), the Applicant has been working with the Metropolitan Transportation Authority - New York City Transit ("NYCT") to determine a feasible scope of improvements to the southbound platform of the Subway Station that could be provided in connection with the Proposed Development.

3. Description of the Surrounding Area

The area within 600 feet of the Development Site (the "Surrounding Area") is located within the Lenox Hill neighborhood on the Upper East Side, within Manhattan Community District 8 and Council District 4.

Land Use. Land uses in the surrounding area are predominantly residential, including multifamily elevator buildings and single-family townhomes, but there is also a wide variety of non-residential uses. Along Third Avenue and Lexington Avenue, many buildings include ground floor retail use, and there are additional commercial uses to the west, approaching Madison Avenue, including the Carlyle Hotel one block west of the Development Site. There are also prominent institutional uses, including religious facilities at the midblocks on East 77th Street, East 75th Street and East 74th Street between Park Avenue and Lexington Avenue; the St. Jean Baptiste Church at the southeastern intersection of East 76th Street and Lexington Avenue; and its affiliated school on the north side of East 75th Street. There are also, in addition to Lenox Hill Hospital, several sites affiliated with Northwell Health, including three buildings at 111-115 East 77th Street, north of the hospital, which the Applicant anticipates will be redeveloped on an as-of-right basis for hospital support functions independent of the Proposed Actions; a 9-story building at 122 East 76th Street, south of the hospital, containing medical and administrative offices; a 4-story building at 115 East 75th Street, currently used as a parking garage; and a vacant site at 1345 Third Avenue, between 76th Street and 77th Street, that the Applicant anticipates will be improved

[2] As part of the Proposed Actions, the Applicant is seeking modifications of street wall, height and setback and community facility lot coverage controls applicable to Wollman and Uris so that the prior approvals by BSA may be relinquished.

on an as-of-right basis, independent of any hospital redevelopment, with a new building containing ambulatory medical offices above ground floor retail.

The built character of the Surrounding Area is also varied. The blocks to the west of the Development Site include the prominent 40-story Carlyle Hotel and a mixture of low-rise townhomes and mid-rise multifamily building. Park Avenue is characterized primarily by 12- to 21-story, predominantly masonry multifamily buildings, with high street walls. The blocks to the north of the Development Site include low-scale, predominantly residential buildings on narrow lots as well as 14- to 21-story residential buildings along the south side of East 79th Street. On the blocks south of the Development Site, there is a greater variety of building heights, including the 9-story building at 122 East 76th Street and other 9- to 10-story buildings on wide lots at the midblocks of East 75th and East 74th Streets. Building heights on Lexington Avenue within the Surrounding Area range from two to 16 stories, including two residential buildings with high street walls immediately across Lexington Avenue from the Development Site. The portion of Third Avenue within the Surrounding Area is improved with taller residential buildings, including 31-story buildings at the intersections of the avenue with East 78th Street and East 76th Street; several smaller, low-scale buildings, including a two-story commercial building at the intersection of Third Avenue and East 76th Street; and a vacant lot occupying the full frontage between East 76th Street and East 77th Street anticipated to be developed on as-of-right basis up to a maximum height of up to 215 feet for non-residential use.

Zoning. The Surrounding Area is zoned with high-density districts along the avenues and major cross-town thoroughfares, with lower-density districts in the midblocks along side streets.

Park Avenue is mapped within an R10 district within the Special Park Improvement District, which extends generally to a depth of 100 feet on both sides of the Avenue, with an increased depth of 125 feet at the intersection with East 79th Street. This district permits a maximum floor area ratio ("FAR") of 10.0 FAR for community facility uses and up to 12.0 FAR for residential uses with affordable housing, which may be increased only for sites adjacent to mass transit stations that provide transit improvements subject to either an authorization or a special permit by the City Planning Commission, depending on the amount of additional floor area sought. There is a street wall requirement on and within 50 to 70 feet of Park Avenue with a minimum height of 125 feet (or the height of the building, if lower) and maximum height of 150 feet. The maximum building height is 215 feet, or up to 235 for residential use with affordable housing. Beyond 50 to 70 feet from Park Avenue, as elected for a given development, the height and setback controls applicable within R10 districts apply: a street wall is not required at the street line, and a sky exposure plane is applied above a height of 85 feet with a ratio of 2.7-to-1 on narrow street frontages.

East of the intersection with Park Avenue, the East 79th Street frontage within the Surrounding Area is mapped within an R10A district, which permits a maximum of up to 12.0 FAR for residential use with affordable housing, imposes street wall requirements (minimum of 125 feet and maximum of up to 155 feet), and permits a maximum building height of up to 235 feet if a requisite amount of affordable housing is provided.

Lexington Avenue within the Surrounding Area is mapped within a C1-8X (R9X equivalent) district, with a depth of 100 feet, which permits up to 10.8 FAR for residential use with affordable housing, 9.0 FAR for community facility uses, and 2.0 FAR for commercial uses. A bonus FAR of up to 2.0 (not to exceed a maximum total FAR of 12.0) is available for sites providing a plaza or an arcade for a community facility building or a building containing both commercial and community facility uses, or for sites adjacent to mass transit stations that provide transit improvements in accordance with the new Zoning for Accessibility text, subject to either an authorization or a special permit by the City Planning Commission, depending on the amount of additional floor area sought. The minimum required street wall base height is 105 feet, the maximum permitted base height is up to 155 feet with affordable housing and the maximum total building height is up to 215 feet with affordable housing.

The portion of Third Avenue within the Surrounding Area is mapped within a C1-9 (R10 equivalent) district, with a depth of 100 feet, which permits a maximum of up to 12.0 FAR for residential use with affordable housing, 10.0 FAR for community facility use and 2.0 FAR for commercial use. A bonus FAR of up to 2.0 (not to exceed a maximum total FAR of 12.0) is available for sites providing a plaza or an arcade for buildings containing community facility or both community facility and residential uses, or for sites adjacent to mass transit stations that provide transit improvements, subject to either an authorization or a special permit by the City Planning Commission, depending on the amount of additional floor area sought. For buildings providing affordable housing, the transit improvement bonus is additive, allowing the total maximum FAR to exceed 12.0. Buildings may be developed under standard height and setback controls, with no street wall requirement, a sky exposure plane applied above 85 feet (ratio of 2.7-to-1 on narrow street frontages and 5.6-to-1 on wide street frontages), or under tower controls with no height limit; or, for mixed-use buildings, under optional Quality Housing bulk regulations, with a maximum height of up to 235 feet.

To the west, the Surrounding Area also encompasses portions of a C5-1 (R10 equivalent) district within the Special Madison Avenue Preservation District, which is mapped to a depth of 100 feet from the avenue. This district permits up to 12.0 FAR for residential use with affordable housing, up to 10.0 FAR for community facility use, and up to 4.0 FAR for commercial uses, which may be increased by up to 2.0 FAR for sites adjacent to mass transit stations that provide transit improvements, subject to either an authorization or a special permit by the City Planning

Commission, depending on the amount of the floor area bonus. There is a street wall requirement on and within 50 feet of Madison Avenue up to a height between 125 and 155 feet above curb level or the height of the building, whichever is less. On side streets more than 50 feet from Madison Avenue, the minimum base height is dependent upon the location and height of abutting buildings on the same street line, and the maximum total building height is up to 215 feet, or 235 feet with affordable housing.

The midblocks throughout the Surrounding Area (i.e., all areas other than the wide street frontages described above) are mapped within R8B districts, which permit a maximum of up to 5.1 FAR if only community facility uses are provided on a given zoning lot, or up to 4.8 FAR for residential and community facility uses (affordable housing is required for residential use in excess of 4.0 FAR). Street walls are required to have a minimum base height of 55 feet and maximum base height of 65 feet, or up to 85 feet if affordable housing is provided. In areas mapped only as R8B districts, the maximum permitted height is 75 feet, or 95 feet if affordable housing is provided, after a 15 foot setback from a narrow street frontage. The midblocks between Madison Avenue and Park Avenue, however, and between Park Avenue and Lexington Avenue not including the Development Site or the north side of 77th Street are also mapped as a limited height district (LH-1A), within which the maximum permitted building height is 60 feet.

There are no Inclusionary Housing Designated Areas or Mandatory Inclusionary Housing areas mapped in the Surrounding Area.

Transit. The Surrounding Area is well-served by public transit, including the Lexington Avenue subway line, accessible via the Subway Station at the intersection of Lexington Avenue and East 77th Street; bus service along Lexington Avenue (M101, M102 M103 and BxM1) and East 79th Street (M79-SBS); and CitiBike, which has bike share stations at the southwest corner of the intersection of Park Avenue and East 76th Street and northwest corner of the intersection of Third Avenue and East 77th Street. Dedicated bike lanes are provided along East 77th Street (westbound) and East 78th Street (eastbound) within the Surrounding Area, connecting Central Park to a dedicated two-way bike lane along Second Avenue outside the Surrounding Area.

Open Space. Public open space in the Surrounding Area is limited to a privately-owned public space at 900 Park Avenue, landscaped medians along Park Avenue, and a garden at the Eighth Church of Christ, Scientist at 103 East 77th Street, which is periodically open for public use. Central Park is located two blocks west of the Development Site, outside the Surrounding Area.

Landmarks, Historic Districts. There are several individual landmarks in the Surrounding Area. The St. Jean Baptiste Church is located at 1067 Lexington Avenue, across the intersection

of Lexington Avenue and East 76th Street from the Development Site, and a row of individually landmarked townhomes is located at 208 through 218 East 78th Street. The western portion of the Development Site is bordered on three sides by portions of the Upper East Side Historic District, which encompasses the western Park Avenue frontage, four buildings on the south side of East 76th Street and one building on the north side of East 77th Street.

4. Description of the Development Site / Project Area

The Development Site is a 82,757.7 square foot zoning lot comprising two tax lots (Block 1411, Lots 1 & 113), which encompasses the full City block bounded by Lexington Avenue, East 76th Street, Park Avenue and East 77th Street.

Existing Improvements. The Development Site is improved with ten buildings used for Use Group 4A non-profit hospital use, which together comprise the Lenox Hill Hospital complex. The existing buildings range in height from one to 14 stories and were constructed between the late 1800s and early 1970s. In the aggregate, the existing hospital contains approximately 620,500 square feet of zoning floor area (roughly 7.5 FAR), greater than the amount of floor area permitted as-of-right under the current zoning district designations.

Four of the existing buildings occupy the Lexington Avenue frontage. Two four-story brownstones, which were constructed in the late 1800s, are located at the intersection of Lexington Avenue East 76th Street. The midblock is improved with a nine-story building known as Achelis that was constructed between 1884 and 1917, and at the intersection of Lexington Avenue and East 77th Street, a 13-story building known as Black Hall was constructed circa 1963. The brownstones and Achelis are each located at the street line of Lexington Avenue, while Black Hall is set back several feet at grade, with planters provided to the sidewalk lines on Lexington Avenue and East 77th Street. The sidewalk width on Lexington Avenue is narrow, at 12 feet, and there are no public hospital entrances on this frontage.

On East 77th Street, Black Hall includes a public entrance to the hospital adjacent to an existing sidewalk stair for the Subway Station. West of Black Hall, the midblock of the East 77th Street frontage is improved with a 12-story building known as Lachman, constructed circa 1966. The first two stories of this building are located at the street line, above which an approximately 20-foot setback is provided. The existing public entrance to the hospital's emergency department, including the entrance for patients arriving by ambulance, are in Lachman. As the existing complex does not include off-street ambulance bays, East 77th Street is used by necessity for ambulance parking and unloading, with patients transported across the public sidewalk to the patient entrance in Lachman. Wollman, a 12-story building constructed in 1959, occupies the remainder of the 77th Street frontage and provides a third public entrance to the hospital on this frontage. The building

is set back from East 77th Street several feet at grade, with planters provided to the street line, and has a width of approximately 52 feet at the street line on Park Avenue.

The remainder of the Park Avenue frontage, south of Wollman, is occupied by Uris, which includes a low-rise, 1-3 story portion at the midblock, a 12-story portion near the intersection with East 76th Street, and a two-story, approximately 10-foot wide portion at the intersection. The Park Avenue frontage of the hospital includes minimal ground floor transparency and no public entrances; only emergency egress is provided.

The two-story portion of Uris along East 76th Street includes the entrance to the hospital's existing loading facility, which is limited to three bays and is undersized for the trucks necessary to serve the needs of a contemporary hospital. As a result, there are periodic conflicts with pedestrian movement along the northern sidewalk of East 76th Street, as well as vehicular traffic in the roadway.

There are three additional buildings fronting on East 76th Street, between Uris and the 1800s brownstones. The midblock is occupied by a 1913 building known as West, which rises 10 stories at the street line, with a width of approximately 47 feet, and a 1931 building that includes two portions: approximately 93 feet east of West is an approximately 47-foot wide portion known as East, which rises 11 stories at the street line, and between them is a portion known as Main, which rises 3 stories at the street line and 13 stories at approximately the midblock of the Development Site, resulting in a "u"-shaped structure. A secondary entrance to the hospital, used primarily by staff, is located within Main. Finally, a 3-story building constructed circa 1937, known as Einhorn is located between East and the brownstones.

The existing buildings represent a variety of architectural styles and multiple eras of hospital design, and as a result, do not present a cohesive presence. In addition, due to the history of development on the Development Site, while the existing building have been interconnected to function as a single hospital, there are inconsistencies in elevation, and many of the buildings have long, narrow floor plates. Due to these constraints, operating suites are undersized, emergency services are lacking, and the majority of patient beds are provided in multi-bedded rooms. Despite significant investment since 2010, Lenox Hill Hospital does not meet current best practices for hospital design, and there are serious inefficiencies that impact the delivery of patient care which cannot be addressed within the constraints imposed by the current complex.

Existing Zoning Districts. The Development Site is currently mapped within three zoning districts. The Lexington Avenue frontage, to a depth of 100 feet, is mapped within a C1-8X (R9X equivalent) district. This district permits up to 9.0 FAR for community facility use, up to 10.8 FAR for residential use with affordable housing, and 2.0 FAR for commercial uses, requires a minimum

street wall base height of 105 feet, and permits a maximum base height of 125 feet, or up to 155 feet with affordable housing, and maximum total building height of 175 feet, or up to 215 feet with affordable housing.

The Park Avenue frontage of the Development Site, to a depth of 100 feet, is mapped within an R10 district within the Special Park Improvement District. This district permits a maximum of 10.0 FAR community facility use and up to 12.0 FAR for residential use with affordable housing, which may be increased only for sites adjacent to mass transit stations that provide transit improvements in accordance with the Zoning for Accessibility text, subject to either an authorization or a special permit by the City Planning Commission, depending on the amount of the floor area bonus. There is a front wall requirement on and within 50 to 70 feet of Park Avenue with a minimum height of 125 feet (or the height of the building, if lower) and maximum height of 150 feet, and the Special District controls permit a maximum building height of up to 215 feet, or up to 235 feet for residential use with affordable housing. Beyond 50 to 70 feet from Park Avenue, as elected for a given development, the height and setback controls applicable within R10 districts apply: a street wall is not required at the street line, and a sky exposure plane is applied above a height of 85 feet (or nine stories, whichever is less) with a ratio of 2.7-to-1 on narrow street frontages.

Finally, the midblock of the Development Site is mapped within an R8B district, which permits a maximum of up to 5.1 FAR if only community facility uses are provided on a given zoning lot, or up to 4.8 FAR for residential and community facility uses (affordable housing is required for residential use in excess of 4.0 FAR). Street walls are required to have a minimum base height of 55 feet and maximum base height of 65 feet, or up to 85 feet if affordable housing is provided. In areas mapped only as R8B districts, the maximum permitted height is 75 feet, or 95 feet if affordable housing is provided, after a 15 foot setback from a narrow street frontage. The Development Site is not included within a limited height district (LH-1A) mapped on the blocks to the north and south.

Because the existing hospital complex was constructed prior to the enactment of current zoning controls in the early 1980s, there are numerous existing non-compliances with the bulk regulations described above, in addition to the waivers of then-applicable zoning controls granted by the BSA for East, Wollman and Uris. In particular, within the R8B district, most of the buildings are, well in excess of the maximum potential 95-foot height permitted under R8B regulations, with portions of the midblock buildings having a maximum roof height in excess of 200 feet.

Subway Station. The Subway Station, located at the intersection of Lexington Avenue and East 77th Street, functions as a stop along the Lexington Avenue (6 train) subway line, which provides local service between express (4 and 5 train) stations at 86th Street to the north and 59th

Street-Lexington Avenue to the south. The Subway Station does not include elevators and is not otherwise an accessible station in accordance with the Americans with Disabilities Act of 1990 ("ADA"). The southbound platform, which is adjacent to the Development Site, is accessible by two sidewalk stairs at the northwest corner of the intersection of Lexington Avenue and East 77th Street, across the street from the Development Site, and by two five-foot wide sidewalk stairs adjacent to the hospital's property line on East 77th Street. The two stairs adjacent to the Development Site are east- and west-facing, respectively, and connect below grade to a single stair leading to the Subway Station's mezzanine level.

5. Description of the Proposed Development

The Applicant has determined that enlargement and modernization of the existing Lenox Hill Hospital complex is necessary to ensure continued success in the delivery of acute care services in the hospital's historic location. To accomplish this, the Proposed Development includes two components. On the eastern portion of the block, including the midblock on East 76th Street, the 1800s brownstones, Achelis, Black Hall, Einhorn, and portions of Lachman and Main would be demolished to allow for construction of the New Hospital Building with efficient floor plates, an expanded emergency department, and industry standard surgical suites and patient rooms. For construction of the New Hospital Building under "Envelope 2" (described below), portions of East would also be demolished. On the western portion of the block, the buildings currently known as Wollman, Uris and West, and the retained portions of Lachman, East and Main would be renovated to contemporary standards, including single-bedded patient rooms, consistent with the proposed New Hospital Building. By retaining these buildings, exterior construction within western portion of the block would be minimized, and the hospital would be able to provide uninterrupted care throughout duration of construction. In addition, as part of the Proposed Development, a new off-street ambulance bay would be provided on East 77th Street, and a new loading bay with berths sized to accommodate contemporary hospital needs would be provided on East 76th Street, improving pedestrian and traffic conditions on the side streets.

New Building. The Proposed Development would result in an efficient, contemporary hospital, which would include significant streetscape improvements in addition to upgrading the hospital's capacity to deliver world-class healthcare to the communities it serves. The New Hospital Building would have a prominent lobby entrance at the southeast corner of the Development Site, with doors on the Lexington Avenue frontage. A new entrance to an expanded emergency department would be located at the northern portion of the Lexington Avenue frontage, immediately adjacent to the proposed transit improvements (which are described below). A dedicated patient discharge area would be located south of the emergency department entrance, and it is anticipated a small retail use, such as a pharmacy, would be provided in this discharge area. Along the full Lexington Avenue frontage, it is anticipated that the New Hospital Building

would include a non-bonused arcade to provide additional pedestrian space adjacent to the existing 12-foot wide sidewalk along this frontage, as well as an approximately 725 square foot at grade open area adjacent to the proposed new subway stair and elevator, beneath portions of the building. On East 77th Street, the New Hospital Building would include a dedicated staff entrance west of the Subway Station, and further west, an approximately 148-foot wide bay that would provide a covered, off-street area for up to six ambulances (the new bay would extend into portions of Lachman that would be retained). On East 76th Street, a new loading area would be provided within the New Hospital Building, with four berths sized to accommodate trucks fully within the hospital.

Above the ground floor, the New Hospital Building would include a podium portion rising to a height of approximately 195 feet at the street lines of Lexington Avenue, East 77th Street (approximately 172 feet of frontage at the ground floor) and East 76th Street (approximately 264 feet of frontage), except for a portion at the midblock of East 76th Street which would be set back at a height of 85 feet. The podium would include the expanded emergency department, 30 industry standard operating rooms (a net increase of five operating rooms) within suites that contain sterile cores for movement of supplies, single-bedded patient rooms, and support spaces.

Above the podium, two building envelopes are proposed in this application, which are identified as "Envelope 1" and "Envelope 2."

Under Envelope 1, the portion of the New Hospital Building within 180 feet of Lexington Avenue could rise to a total height of up to 436 feet, inclusive of screened mechanical bulkheads. This portion of the New Hospital Building would contain eight floors of patient rooms and several mechanical floors and the envelope would allow for an efficient configuration of patient rooms with natural light provided along all sides of the building. Under Envelope 1, the portion of the New Hospital Building at the midblock could rise to a height of up to 210 feet, consistent with the highest floors currently existing in the midblock portion of the Development Site.

Under Envelope 2, the height of the New Hospital Building would be lower than Envelope 1 along the Lexington Avenue frontage. To accommodate the hospital's programmatic needs with a reduced overall height, Envelope 2 allows the portion of the New Hospital Building at the midblock on East 76th Street to be taller than under Envelope 1. In particular, the portion of the New Hospital Building within 180 feet of Lexington Avenue would be reduced from the height of Envelope 1 by 41 feet, to a total height of up to 395 feet, inclusive of screened mechanical bulkheads. To the west, an approximately 84-foot wide portion of the New Hospital Building could rise to a height of up to 360 feet. Under Envelope 2, there would be six floors of patient rooms above the podium, in addition to mechanical floors. This portion of the New Hospital Building

would allow for an efficient configuration of patient rooms with natural light along all sides of the building, with a greater number of rooms per floor than would be provided under Envelope 1.

Renovated Buildings. The Proposed Development would include renovation, and reconfiguration of existing buildings on the western portion of the Development Site. As part of the renovation, a new, dedicated entrance to the hospital's mother-baby wing would be provided at the midblock of the Park Avenue frontage, introducing an entrance and transparency on that frontage. In addition to the mother-baby wing, the renovated buildings would contain hospital support spaces, patient rooms would be converted from multi-bedded to single-bedded rooms. As part of the proposed renovation and reconfiguration, a new fire stair would be constructed at the Park Avenue frontage of Wollman.

In total, following the renovation, Lenox Hill Hospital will provide 475 single-bedded patient rooms, representing a slight increase in the 450 beds currently provided. Because patient rooms would no longer be operated as double-bedded rooms in standard conditions, the improvement of the patient experience afforded by the Proposed Development will be dramatic. The total floor area within the Proposed Development comprising the New Hospital Building and renovated existing buildings would be up to 1,034,471 square feet (12.5 FAR), consisting of Use Group 4A non-profit hospital use and a small amount (up to 2,500 square feet) of ground floor retail, such as a pharmacy, within the New Hospital Building. Of this amount, which is roughly 5.0 FAR (approximately 414,000 square feet) more than the floor area currently provided on the Development Site, approximately 600,662 square feet would be provided within the New Hospital Building and the remaining approximately 433,809 square feet would be in renovated buildings to remain.

Subway Station Improvements. Following extensive consultation with NYCT, the Applicant is proposing the following improvements (the "Station Improvements"):

- The two existing five-foot wide stairs in the sidewalk adjacent to the Development Site would be replaced by a single, 15'-4" wide stair located on the hospital property. The new stair would be protected from the elements by overhanging portions of the New Hospital Building, and it represents a roughly 50% increase in stair capacity on the southwest corner of East 77th Street and Lexington Avenue;

- Full ADA access to the southbound platform would be provided by an elevator located on the Development Site, adjacent to the new stair, providing access between the street level and the mezzanine level of the Subway Station, and a ramp providing access between the mezzanine and platform level; and

- Improved lighting and security systems would be provided in connection with reconfigurations of the Subway Station's mezzanine level.

6. Actions Necessary to Facilitate the Project

The proposed revitalization of Lenox Hill Hospital requires the Proposed Actions, as follows:

a. *Zoning Map Amendment. A zoning map amendment to (i) rezone the Lexington Avenue frontage of the Development Site from a C1-8X district to a C1-9 district and (ii) rezone the midblock of the Development Site from an R8B district to a C1-8 district*.

The proposed zoning map amendment would rezone the Lexington Avenue frontage of the Development Site from a C1-8X district to a C1-9 (R10 equivalent) district and would rezone the midblock from an R8B district to a C1-8 (R9 equivalent) district. This would result in a basic maximum floor area ratio of 10.0 FAR for community facility use across the full Development Site in connection with the Proposed Development (increasing from 9.0 FAR in the C1-8X district and up to 5.1 FAR in the R8B district). The existing R10 district and Special Park Improvement District on the Park Avenue frontage of the Development Site would not be changed. The proposed zoning map change to C1-8 and C1-9 districts is an appropriate reflection of the historical development and ongoing use of the Development Site as a single non-profit hospital and would allow for the application of uniform height and setback controls on these portions of the block while maintaining a lower-scale midblock zoning, consistent with the Surrounding Area. A full comparison of the current and proposed zoning districts is provided in the Zoning Comparison Table included with this application.

Proposed C1-9 District

The C1-8X (R9X equivalent) district on the Lexington Avenue frontage of the Development Site was mapped in 1984, more than 20 years after construction of the last building comprising part of Lenox Hill Hospital on that frontage (Black Hall was constructed circa 1963). The proposed rezoning of the Lexington Avenue frontage to a C1-9 (R10 equivalent) district will increase the permitted floor area for community facility use from 9.0 FAR to a base maximum of 10.0 FAR, without increase to the permitted commercial floor area. This is consistent with the permitted floor area for community facility use on other avenue frontages in the Surrounding Area, including Park Avenue, which is mapped in an R10 district, and Third Avenue, which is mapped in a C1-9 (R10 equivalent) district, as well as with the original zoning of this frontage of the Development Site under the 1961 Zoning Resolution. The C1-9 district also allows development

of community facility buildings under sky exposure plane or tower regulations up to heights greater than the currently permitted 170 feet, but consistent with the varied built character of the Surrounding Area, which includes several high-rise buildings, including the Carlyle Hotel west of the Development Site and several residential towers to the east. A higher density and height on the Lexington Avenue frontage of the Development Site is appropriate, within the context of the Surrounding Area, and will allow for the upgrades and expansion of Lenox Hill Hospital, through construction of the New Hospital Building, that will ensure that the hospital can meet the needs of the next generation of care in the location it has occupied for more than 150 years.

Proposed C1-8 District

The R8B district at the midblock of the Development Site was mapped in 1985, almost 20 years after the construction of the Lachman building on the East 77th Street frontage and more than 50 years after construction of East, Main and West on the East 76th Street frontage. The district mapped in 1985 was not reflective of the built condition of this zoning lot and resulted in numerous non-compliances with R8B bulk regulation, including permitted floor area and maximum street wall and building heights: East, West and Lachman are each up to 12 stories tall, and Main rises up to 13 stories, exceeding a height of 200 feet, well in excess of the current maximum 75-foot height. The proposed C1-8 (R9 equivalent) district would reduce the degree of non-compliances with height and setback controls, and it would allow basic maximum community facility floor area ratio of 10.0 FAR, eliminating existing non-compliances with floor area limitations in the R8B district. Mapping a C1-8 district at the midblock, rather than a C1-9 district, would provide a lower potential residential floor area, consistent with the treatment of midblocks throughout the Surrounding Area. The proposed midblock upzoning to an R9 equivalent district is consistent with prior zoning map amendments approved by the Commission to allow modernization and upgrade of healthcare and life-science facilities on the Upper East Side: in 1962, the Commission approved an upzoning of the Mt. Sinai Hospital campus on Madison Avenue between East 98th Street and East 102nd Street from an R7-2 district to an R9 district to facilitate expansion of the hospital on its superblock site (CP-17419, July 18, 1962 / Cal. No. 50); and in 2001, the Commission approved a midblock upzoning from an R8 to an R9 district to facilitate an expansion of the Memorial Sloan Kettering Cancer Center campus (C 010547 ZMM, November 28, 2001 / Cal. No. 2). Similarly, proposed midblock upzoning of the Development Site to C1-8 (R9 equivalent) will allow for the expansion and upgrades necessary for Lenox Hill Hospital to be brought up to contemporary care standards within its current footprint, with a zoning district and density typical for and consistent with other medical campuses on the Upper East Side.

b. Zoning Text Amendment. A zoning text amendment to: (i) create a new special permit under ZR Section 74-904 (Non-profit or voluntary hospitals in R9 or R10 districts and certain Commercial Districts) pursuant to which the CPC may, for a

development or enlargement predominantly for Use Group III(B) hospital use on a full-block zoning lot that is improved with existing hospital use and located in R9 or R10 districts, or equivalent commercial districts, and partially within the Special Park Improvement District, (1) permit a floor area increase of up to 20% for community facility use, (2) allow such floor area bonus to be used in combination with a floor area bonus permitted by authorization in connection with mass transit station improvements pursuant to ZR Section 66-51, and (3) permit modifications of applicable bulk regulations and regulations applying to zoning lots divided by district boundaries, provided that the amount of floor area located within the Special Park Improvement District would not exceed 10.0 FAR; (ii) amend ZR Section 66-513(a)(2) to allow a floor area bonus pursuant to Section 66-511 or 66-512, in combination with other floor area bonuses, to exceed 20 percent of the maximum floor area ratio otherwise permitted on the zoning lot where explicitly allowed by a special permit of the CPC; (iii) amend ZR Section 92-21 to allow the permitted floor area ratio on a zoning lot partially within the Special Park Improvement District for which a special permit is granted under ZR Section 74-904 to exceed 10.0 FAR; and (iv) establish the portions of the Development Site within the new C1-9 and C1-8 districts as an MIH area.

Community Facility Special Permit Text

The Applicant proposes to create a new special permit pursuant to ZR Section 74-904 (Non-profit or voluntary hospitals in R9 or R10 districts and certain Commercial Districts) that would be applicable to full-block zoning lots located within R9 or R10 districts, or in equivalent commercial districts, and partially within the Special Park Improvement District, that are improved with existing non-profit or voluntary hospitals and related facilities. The special permit would allow floor area increases and modifications of bulk regulations for developments or enlargements on such zoning lots, provided that: at least 75 percent of the total floor area or such development or enlargement would be allocated to hospital use; all bonus floor area would be allocated to hospital use; and the amount of floor area within the Special Park Improvement District would not exceed 10.0 FAR. Under the proposed special permit, the Commission may allow a floor area up to 20% above the basic maximum floor area ratio for community facility uses, plus utilization of a further floor area bonus for mass transit improvements pursuant to the Zoning for Accessibility text, where it finds that the public benefit derived from the development or enlargement merits the additional floor area being granted. To accommodate the additional floor area, the Commission may modify bulk regulations, including height and setback controls, where it finds that the bulk modifications will provide a more satisfactory physical relationship to existing hospital buildings on the zoning lot and facilitate a more efficient and integrated site plan, and the modifications of

bulk regulations will allow a distribution of bulk that results in a satisfactory site plan and urban design relationships of buildings on the zoning lot to adjacent streets and the surrounding area.

The proposed special permit is intended to facilitate the upgrade of existing hospitals to meet contemporary care standards while addressing constraints imposed by controls for zoning lots partially within the Special Park Improvement District. The proposed allowance for a floor area increase for a community facility use acknowledges the historic land use patterns for medical institutions on the Upper East Side and reflects the reality that the modernization of existing hospitals requires increased floor space, including for single-bedded patient rooms and operating suites sized to accommodate new technologies, in order to promote optimal patient outcomes. The further allowance for utilization of a floor area bonus generated by a transit improvement under the Zoning for Accessibility controls is consistent with the intention of that text amendment and will encourage and facilitate the incorporation of transit improvements as part of a hospital upgrade under the new special permit. Finally, rather than creating an as-of-right allowance to increase the bulk of existing hospitals, the proposed special permit mechanism would ensure, through the required findings, that proposed developments and enlargements under the text would meet this intention, while also allowing for appropriate modifications of street wall, height and setback and other bulk controls, such as lot coverage, as may be necessary to incorporate the available floor area increases and otherwise address the specific circumstances of a given hospital project. In particular, the proposed special permit text would facilitate the Proposed Development to improve and expand Lenox Hill Hospital on the Development Site, allowing for significant upgrades to improve patient care while maintaining hospital operations throughout the proposed project.

Mass Transit Floor Area Bonus Limitations Modification

ZR Section 66-513 sets forth rules, limitations, conditions, findings, and requirements with respect to applications for floor area bonuses in connection with mass transit improvements by authorization, under ZR Section 66-511, or special permit, under ZR Section 66-512. The maximum potential floor area bonus for a transit improvement is twenty percent of the maximum floor area ratio otherwise permitted on the zoning, with bonuses of 200,000 square feet and less subject to an authorization and bonuses in excess of 200,000 square feet subject to a special permit. The current text of ZR Section 66-513 provides that a floor area bonus under these sections may be utilized in combination with other floor area bonuses on a given zoning lot, provided that the maximum floor area bonus from all sources does not exceed twenty percent of the maximum floor area ratio otherwise permitted on the zoning lot. There is currently an exception to this limitation where the regulations of a Special Purpose District allow for a bonus in excess of twenty percent of the maximum permitted floor area. The Applicant proposes to add a second exception to the existing limitation to allow a total floor area bonus in excess of twenty percent of the maximum permitted floor area ratio where explicitly allowed in a special permit by the CPC.

This proposed modification is sought in connection with the proposed new special permit under ZR Section 74-904, which permits an initial floor area increase of up to twenty percent of the maximum permitted community facility floor area for a development or enlargement that will upgrade an existing hospital use on zoning lots meeting certain criteria partially within the Special Park Improvement District. Where such zoning lots would also be eligible for a potential floor area bonus under ZR Section 66-51 due to proximity to a mass transit station, the amendment of Section 66-513(a)(2) will allow for a project subject to a special permit under Section 74-904 to utilize a further floor area bonus generated by improvements to the mass transit station, thereby incentivizing the inclusion of such improvements as part of the hospital upgrade project.

Special Park Improvement District Floor Area Modification

ZR Section 92-21 provides that in the Special Park Improvement District, no floor area bonuses are permitted beyond the floor area allowed pursuant to R10 district regulations, except where the Commission approves a floor area bonus for mass transit station improvements pursuant to ZR Section 66-51. The Applicant proposes to modify ZR Section 92-21 to provide that floor area bonuses may also be granted for a zoning lot within the Special Park Improvement District by the new special permit under ZR Section 74-904 (which would cap the floor area utilized within the Special Park Improvement District at 10.0 FAR on such portion of the Development Site). This modification is necessary to allow the lot area of a zoning lot partially within the Special Park Improvement District to contribute towards the calculation of permitted floor area bonuses under ZR Section 74-904. However, because the special permit would cap the relative density of such a project within the Special Park Improvement District at 10.0 FAR, the text would ensure the intention of the special district to maintain the character of Park Avenue in this location continue to be met.

MIH Text Amendment to Appendix F of the Zoning Resolution

In connection with the proposed zoning map amendment to rezone the Lexington Avenue frontage of the Development Site to a C1-9 district and the midblock to a C1-8 district, the Applicant is requesting a zoning text amendment to Appendix F to designate the Development Site as a Mandatory Inclusionary Housing area (Option 1 or Option 2), consistent with the policy goals of the *City's Housing New York: A Five Borough, Ten-Year Plan*. However, the Proposed Development would not include residential use.

c. Community Facility Special Permit. A special permit pursuant to ZR Section 74-904 to permit a redevelopment of the Development Site predominantly for Use

Group III(B) non-profit hospital use with up to 1,034,471 square feet of floor area (12.5 FAR).

The Applicant is seeking a special permit pursuant to ZR Section 74-904 (Non-profit hospitals in R9 or R10 districts and certain Commercial Districts) to permit the Proposed Development to be developed as an upgrade of the existing Lenox Hill Hospital complex in the manner described herein and as shown on the Proposed Drawings. The special permit would allow the Proposed Development to incorporate a floor area increase of 165,515 square feet (2.0 FAR) for community facility use, enabling the provision of a right-sized emergency department and healthcare industry-standard patient rooms and operating suites with relatively minor increases in the intensity of use on the Development Site. As described above, in connection with this floor area increase, the Proposed Development would also significantly improve ground plane conditions by providing off-street ambulance bays and expanded loading berths, as well as additional at-grade circulation space along Lexington Avenue. The special permit would also allow utilization of an additional proposed floor area increase of 41,379 square feet (0.5 FAR, out of a maximum potential bonus of 2.0 FAR) that is sought pursuant to an authorization by the Commission under ZR Section 66-511 in connection with a significant improvement to the southbound platform of the 77th Street station of the Lexington Avenue subway line, including the provision of ADA access to this platform for the first time. All of the proposed bonus floor area (up to 206,894 square feet) would be used for Use Group III(B) hospital use. The amount of floor area provided on the portion of the Development Site within the Special Park Improvement District would not exceed 10.0 FAR on such portion (approximately 204,340 square feet).

The special permit would allow for the proposed New Hospital Building on the eastern portion of the Development Site to be constructed with large, efficient floor plates from the ground floor up to a podium height of 195 feet, except for an approximately 84-foot wide portion of the midblock frontage on East 76th Street, which would provide a 10-foot setback at a height of 85 feet. Above the podium, under Envelope 1, the portion of the New Hospital Building within 180 feet of Lexington Avenue rises to a maximum height of 436 feet (inclusive of mechanical bulkheads) after 10-foot setbacks from each street frontage, and under Envelope 2, this portion would rise to a lower maximum height of 395 feet (inclusive of mechanical bulkheads) after 10-foot setbacks from each frontage, with the addition of an approximately 84-foot wide midblock wing up to a height of 360 feet. The envelope of the New Hospital Building requires modification of the maximum front wall height, minimum required setback, and sky exposure plane regulations for community facility buildings in C1-9 and C1-8 districts.

Modification of maximum front wall height, minimum required setback, and sky exposure plane regulations for community facility buildings in the C1-8 district and eastern 50 feet of the Special Park Improvement District is also necessary to allow for portions of existing buildings to

be retained, including portions of Lachman and Wollman on East 77th Street and, on East 76th Street, West and portions of Uris, none of which fully comply with these controls.

Within 50 feet of Park Avenue, modification of height and setback requirements of the Special Park Improvement District is also necessary to permit the proposed envelope encompassing the existing buildings to remain on the western portion of the Development Site. In particular, modification of the maximum front wall height of 150 feet is necessary to permit certain portions of the existing buildings previously approved by BSA variance to rise to a height of up to 175 feet of Park Avenue. In addition, modification of the minimum required front wall height and front wall location is required to permit the street walls at the midblock on Park Avenue, at the location of a new entrance to the mother-baby portion of the hospital, and at the intersections of Park Avenue and East 76th Street and East 77th Street to continue to be less than 125 feet and offset from the street line. These modifications will allow the newer buildings comprising the existing Lenox Hill Hospital complex to be reutilized, avoiding the need for full redevelopment along the Park Avenue frontage. The modifications will also allow for a minor enlargement to add an approximately 16-foot wide addition incorporating a new stair tower to rise to a height of 165 feet along Park Avenue in connection with the proposed interior renovations. No modifications to the maximum building height allowed in the Special Park Improvement District (215 feet for non-residential uses) are being requested.

In addition to the height and setback waivers described above, modification of a maximum permitted community facility lot coverage above a height of 23 feet pursuant to ZR Sections 24-11 and 24-12 is necessary to permit the envelopes encompassing the existing buildings within the R10 district within the Special Park Improvement District.

d. <u>Station Improvements Authorization</u>. An authorization pursuant to ZR Section 66-511 to permit a floor area increase of up to 0.5 FAR in connection with improvements to the southbound platform of the 77th Street station of the Lexington Avenue subway line.

The proposed improvements to the 77th Street Station would increase the capacity of the stairway entrance on the southwest corner of Lexington Avenue and East 77th Street by roughly 50%; provide full ADA access from street level to the platform of the station, which does not currently provide ADA access; and improve pedestrian circulation by providing covered open area adjacent to the new stairway and street elevator beneath portions of the Proposed Development. The Applicant is seeking a floor area bonus of up to 0.5 FAR (41,379 square feet) in connection with the proposed improvements to the southbound platform of the 77th Street station, which, pursuant to the proposed special permit, would be additive to a proposed 2.0 FAR floor area increase to facilitate the significant upgrade to the existing Lenox Hill Hospital complex.

e. Transit Volume Certification. A certification pursuant to ZR Section 66-21(c) with respect to a transit volume encompassing the mass transit station improvements to be constructed in connection with the Proposed Development.

The Development Site is a "primary transit-adjacent site" as defined in ZR Section 66-11 on which, in connection with the Proposed Development, NYCT has confirmed that a transit volume is needed in accordance with ZR Section 66-21. The transit volume is coincident with the location of the proposed improvements to the 77th Street subway station and at-grade circulation area on the Development Site. Accordingly, pursuant to ZR Section 66-21(c), the Applicant is seeking a certification by the Chairperson of the Commission that the requirements with respect to the transit volume would be met in connection with the Proposed Development.

7. Conclusion

As described herein, the Applicant is seeking the Proposed Actions to facilitate the Proposed Development in a manner that will ensure uninterrupted hospital operations on the block Lenox Hill Hospital has occupied for over a century, while allowing for the construction of a right-sized emergency department, single-bedded patient rooms, and industry-standard operating suites, while alleviating existing streetscape impacts caused by on-street ambulance parking and inadequate loading berths serving the current hospital. The Proposed Actions will allow for demolition of significant portions of the existing complex of outdated buildings on the eastern portion of the Development Site, which would be replaced with the New Hospital Building as a new, modern hospital fronting on Lexington Avenue, as well as the renovation and reconfiguration of existing buildings on the western portion of the block to support ongoing hospital operations. The Proposed Development would include improvements to accessibility at the 77th Street Station, at-grade sidewalk expansion and additional covered open area at the intersection of Lexington Avenue and East 77th Street, and significant improvements to pedestrian flow and vehicular traffic conditions on East 76th Street and East 77th Street through the provision of on-site, appropriately sized loading berths and a new ambulance bay. The Proposed Development will ensure that Lenox Hill Hospital remains at the forefront of clinical care in its current location and will continue to meet the community's needs for the next generation of healthcare.