**THE COUNCIL OF THE CITY OF NEW YORK**
**RESOLUTION NO. 584**

**Resolution approving the decision of the City Planning Commission on Application No. M 240240 LDM, for the cancellation of a Restrictive Declaration (L.U. No. 135).**

**By Council Members Salamanca and Riley**

WHEREAS, Memorial Sloan Kettering Cancer Center filed an application for a cancellation of the previously approved Restrictive Declaration, dated December 19, 2001, to facilitate a proposed 31-story inpatient medical facility on the south campus block zoning lot (Block 1461, Lots 13 & 21), within an existing large-scale community facility development generally bounded by East 69th Street, a line 338 feet easterly of First Avenue, a line midway between East 69th Street and East 68th Street, a line 463 feet easterly of First Avenue, East 68th Street, York Avenue, East 66th Street, a line 300 feet westerly of York Avenue, East 67th Street, First Avenue, East 68th Street, and a line 100 feet easterly of First Avenue (Block 1461, Lots 13 & 21, Block 1462, Lots 1 & 5, and Block 1463, Lots 5 and 7501 (condo lot 1001)) in the Upper East Side neighborhood of Manhattan, Community District 8 (the "Application");

WHEREAS, the Restrictive Declaration was recorded in the Office of the New York Council Register, (Reel 3413, Page 1860) on December 20, 2001, by Memorial Hospital for Cancer and Allied Diseases in connection with a rezoning (C 010547 ZMM), zoning authorization (N 010549 ZAM), and special permit to establish a large-scale community facility development (LSCFD) (C 010548 ZSM);

WHEREAS, the Restrictive Declaration required a return to the City Planning Commission and City Council for approval to modify or cancel the Restrictive Declaration to allow the utilization of floor area, beyond the 75,000 square feet currently allowed by the Restrictive Declaration, resulting from the rezoning of the main campus block (Block 1462, Lots 1 and 5) within the LSCFD; and

WHEREAS, the City Planning Commission filed with the Council on August 13, 2024 its decision dated August 7, 2024, and issued a corrected report on June 23, 2025 (the "Decision"), on the Application;

WHEREAS, the Application is related to applications C 240237 ZMM (L.U. No. 132), a zoning map amendment to change an R8 District to a R9 District; N 240238 ZRM (L.U. No. 133), a zoning text amendment to enable modifications to lot coverage and signage, within a hospital or hospital-related large-scale community facility development located within the boundaries of Community District 8; C 240235 ZSM (L.U. No. 134), a zoning special permit to enable modifications of height and setback regulations along a street on the periphery of a LSCFD, lot coverage regulations and signage regulations; and C 240236 GFM (L.U. No. 136), a revocable

consent to enable a skybridge over a public street;

WHEREAS, the Decision is subject to review and action by the Council, pursuant to the terms of the Declaration;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on September 10, 2024;

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues, including the Positive Declaration issued March 28th, 2023 (CEQR No. 23DCP118M) and a Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on July 26, 2024, in which significant adverse impacts related to traffic would be avoided through the establishment of a Transportation Monitoring Plan (TMP) as specified in FEIS Chapter 10, "Transportation"; and significant adverse impacts related to air quality and noise would be avoided through the placement of (E) designations (E-760) on project site as specified in FEIS Chapters 11 and 13 respectively. Project Components Related to the Environment (PCREs), are set forth in FEIS Chapter 16, "Construction"; to ensure the implementation of the PCREs, the applicant will enter into a Restrictive Declaration at the time of the approval of land use-related actions and prior to issuance of any permits. The proposed project as analyzed in the FEIS identified significant adverse impacts with respect to shadows and construction (transportation and noise); the identified significant adverse impacts and proposed mitigation measures under the proposed actions are summarized in FEIS Chapter 17, "Mitigation". In addition, the significant adverse impacts that would not be fully mitigated are summarized in FEIS Chapter 19, "Unavoidable Adverse Impacts". To ensure the implementation of the mitigation measures identified in the FEIS, the mitigation measures are included in the Restrictive Declaration.

RESOLVED:

Having considered the FEIS with respect to the Decision and Application, the Council finds that:

1. The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;

2. The environmental impacts disclosed in the FEIS were evaluated in relation to the social, economic, and other considerations associated with the action that is set forth in the Decision;

3. Consistent with social, economic and other essential considerations, from among the reasonable alternatives provided in the application, the actions are those which minimize or avoid adverse environmental impacts to the maximum extent practicable; and

4. The adverse environmental impacts revealed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, pursuant to the restrictive declaration dated August 7, 2024, those project components related to the environment and mitigation measures that were identified as practicable.

The Decision, together with the FEIS issued July 26th, 2024, constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d);

Pursuant to the Original Declaration, and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report of the City Planning Commission for M 240240 LDM, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

Adopted.

Office of the City Clerk, }
The City of New York, } ss.:

I hereby certify that the foregoing is a true copy of a Resolution passed by The Council of The City of New York on September 26, 2024, on file in this office.



City Clerk, Clerk of The Council