New York Blood Center Applied Life Sciences Hub – "Center East"
310 East 67th Street, Manhattan
March 30, 2020

1. Introduction

The New York Blood Center ("NYBC" or "Applicant") proposes a series of land use actions to facilitate the redevelopment of its property located at 310 East 67th Street (Block 1441, Lot 40) (the "Development Site"), in Community District 8 of Manhattan, as a modern life sciences hub, containing laboratory space for both NYBC and its commercial and institutional partners. The proposed project will help to fulfill the goals of the City's "LifeSci NYC" life sciences initiative, which is the latest effort by the City to grow and develop its life sciences industry.

The proposed new building (the "Proposed Development"), to be known as "Center East," would replace NYBC's existing antiquated and inefficient building with a modern facility that meets state-of-the-art laboratory requirements. The Proposed Development would continue to serve as NYBC's headquarters and its principal blood donation center, which has been a fixture of its Upper East Side neighborhood for 50 years. The building will contain laboratory and office space for NYBC on its lower floors, with the blood donation center on the ground floor, together with a multi-purpose community room accessible by local community groups and a café. The Proposed Development would also provide much-needed laboratory space for commercial life sciences companies and research institutions on its upper floors, as well as a collaboration center and office space for building users. The Proposed Development would strengthen NYBC's ability to conduct its clinical and research efforts, and would facilitate collaboration among its different users – collaboration that is critical to generating high-growth startups and to commercializing groundbreaking research.

NYBC has already demonstrated the real-world value of its proposed expansion. Today, its clinical and research capacities, which have long been an important part of the City's life sciences ecosystem, are playing a vital role in the City's response to the COVID-19 crisis. At the peak of the pandemic, NYBC created the nation's first and largest bank of convalescent blood plasma from recovered patients for use by hospitals as a therapeutic. NYBC continues to conduct leading-edge research on the development of a potential COVID-19 vaccine, develop a pipeline of novel COVID-19 therapeutics, and analyze the efficacy of existing vaccines against

COVID-19 variants. The Proposed Development will enhance NYBC's ability to conduct this research and to collaborate with other institutions and commercial life sciences companies, which will enable it to continue to contribute to the City's pandemic response effort

Specifically, NYBC proposes the following actions:

1. A zoning map amendment to rezone the Development Site and the block-front parcels on 2nd Avenue (affecting Lots 1001-1004 of Block 1441 and part of Lot 21 of Block 1421, which, together with the Development Site, constitute the "Project Area"), including (a) changing the current R8B district on the Development Site to a C2-7 district, and (b) changing the current C1-9 district on the 2nd Avenue to a C2-8 district on both sides of 2nd Avenue, between East 66th Street and East 67th Street, to a depth of 100 feet;

2. Zoning text amendments (a) to Section 74-48 of the Zoning Resolution to allow, by special permit, scientific research and development facilities in C2-7 districts, and in conjunction therewith, to allow modifications of the floor area, height and setback, yard, and sign regulations, and (b) to Appendix F of the Zoning Resolution, to designate the Development Site as a Mandatory Inclusionary Housing (MIH) area; and

3. A zoning special permit pursuant to Section 74-48, as amended, to permit:

    - A scientific research and development facility in a C2-7 district within Community District 8 in the Borough of Manhattan;

    - The floor area of the scientific research and development facility to exceed the 2 FAR permitted in C2-7 districts for commercial uses pursuant to Zoning Resolution Section 33-122, not to exceed the 10 FAR permitted for community facility uses;

    - Modifications of the height and setback regulations of Section 33-432 and the rear yard equivalent regulations of Section 33-283, which will allow the Proposed Development to be built with the large floorplates required for modern, efficient laboratory uses;

- Modifications of the sign regulations to allow signs on the zoning lot to exceed the surface area limitation of Section 32-641, 32-642, and 32-643 and the height limitations of Section 32-655, and modification of the regulations of Section 32-67, which require signs in commercial zoning districts facing a residential district or a public park to follow the C1 district sign regulations.

2. Background

New York Blood Center

New York Blood Center is a not-for-profit institution focused on the dual mission of supplying transfusion products to the New York metropolitan region and conducting scientific research. It has occupied the existing building on the Development Site as its headquarters and principal blood donation center for over 50 years. Today, NYBC plays a critical role in the City's and the region's health, as the leading supplier of the blood and blood products used by over 500 hospitals and research organizations throughout the New York metro area. NYBC is a leader in life sciences research in its own right, as evidenced by its role in the effort to treat COVID-19 patients, to improve access to reliable diagnostic antibody tests, and to develop a COVID-19 vaccine. NYBC also shares space in its building with commercial and institutional research entities through its East Side Bio-technology Accelerator Program.

NYBC's current location reflects the fact that scientific collaboration was one of its founding principles and a key vehicle for achieving its mission. The Rockefeller family, which through the Rockefeller Foundation provided the seed money to establish NYBC in 1964, wanted NYBC to be close to Rockefeller University so that each could benefit from the work of the other. Locating NYBC's home where it is today was a way to facilitate that collaboration.

NYBC's ongoing work with Rockefeller University and its long-term collaborations, built over many years, with the other clinical and research institutions in the East 60's – Weill Cornell and Memorial Sloan Kettering Cancer Center – have proven essential to its research and public health mission. Scientists from NYBC and neighboring institutions depend on the synergies that only physical proximity can provide, to accelerate research through the day-to-day back and forth of iterative complimentary experiments, to facilitate the transport of time-sensitive research specimens between labs, and to enable impromptu interactions that are the life blood of

collaborative research. These research collaborations have benefitted the public by, among other things, substantially advancing the understanding and treatment of sickle cell disease, increasing our understanding of stem cells, and improving cellular therapies. Indeed, the success of NYBC to date has been due in large part to its pivotal location in proximity to these specific institutions. NYBC's proximity has significantly enhanced its collaborations and has sped research discoveries into new patient treatments, drugs, and vaccines.

Proximity also yields practical benefits to NYBC and its neighboring institutions. NYBC is able to access information from other institutions' libraries to which it could not otherwise afford to subscribe; to use specialized equipment that NYBC could not otherwise afford at other institutions; and, to continue with ongoing research by using equipment at another institution when its equipment is either broken or unavailable. NYBC also makes its own specialized equipment available to its neighbor institutions, on a reciprocal basis.

The enclosed letter from Dr. Sujit Sheth, Chief of Pediatric Hematology and Oncology at New York Presbyterian / Weill Cornell Medical College, testifies to the importance of physical proximity to research collaborations. Speaking of ongoing research projects with scientists at the Blood Center, Dr. Sheth writes that "[t]he investigators' laboratories being as close as they are allows this research to flourish, and this would come to a standstill if the Center moves, since we would not be able to get critical patient samples to them in a timely manner – many of these must be processed immediately." Several other research scientists who collaborate regularly with the Blood Center have said that the ability to hold impromptu meetings and to work iteratively has enabled them to achieve faster research results. They have also noted that the proximity of NYBC allows them to attend lectures during the day that they would not be able to attend if NYBC were farther away.

NYBC is uniquely dependent on its location and its existing research relationships for its continued success. Most research in the City is conducted either by an academic or a clinical institution or an organization that is affiliated in some way with an academic or clinical institution. NYBC does not have an established affiliation with any of its neighboring institutions, so it does not have the benefits of co-location on a single campus with shared research and clinical facilities that are used by professionals engaged in both. Its proximity to

these institutions gives it access to resources that it does not otherwise have and has been key to establishing and maintaining the collaborations that fuel their joint research efforts. The relationships built with the neighboring institutions and scientists, and the relationships that can be expected by be built among NYBC, its neighboring institutions and the commercial life sciences companies that share space in NYBC's building, are invaluable to the success of past, future, and continuing long-term projects.

Background of the Current R8B Zoning District

The Development Site is located within an area of Community District 8 in Manhattan that was rezoned in 1985 from R8 to R8B (C 850539 ZMM, July 22, 1985/Cal. No. 19). This R8B zoning district imposed a height limit of 75 feet and a FAR limit of 4.0, or 5.1 for zoning lots containing exclusively community facility uses. This zoning map amendment resulted in the rezoning of nearly all the midblock areas between East 59th and East 96th Streets then zoned as R7-2 or R8. One exception to the R8B mapping was the midblock area between East 62nd and 71st Streets and between First and York Avenues, which were left in an R8 district "because of the low percentage of buildings in this zoning strip that comply with R8B, and the lack of R8B character in the surrounding area." (CPC Report p. 5).

There were tensions evident from the inception of the R8B district between the strictures of the zoning and the future expansion needs of the community facility institutions in the area. During public review, several commenters discussed the problem "faced by community facilities whose future expansion plans could be jeopardized by the reduced FAR of the R8B rezoning." Several options were presented to alleviate this issue, including a new special permit provision to provide relief for institutional uses, or some form of text amendment modifying the as-of-right bulk regulations for community facilities and institutions within certain areas. The CPC concluded, "Given the complexity of the issue, Community Board 8 and the Municipal Art Society, among others, urged the City Planning Commission to study the problem in an expeditious follow-up to the rezoning," with a target date of early 1986 for certification. *See* CPC Report, at pp. 6-7.

This desire to provide relief for institutional uses resulted in a zoning text amendment in 1986 that increased the permitted FAR in R8B districts within Community District 8 from 4.0 to 5.1, which was determined to be the highest amount of floor area that could reasonably be

accommodated by a community facility building within the R8B bulk envelope (see N 860470 ZRM, March 26, 1986/Cal. No. 45). Nevertheless, individual institutions have requested, and have been granted, additional zoning relief over the intervening years on a case-by-case basis, both through increases in floor area and modifications of the bulk envelope.

Background of the Current C1-9 Zoning District

The 2nd Avenue block-front parcels within the Project Area have been mapped in a C1-9 zoning district since the adoption of the Zoning Resolution in 1961, when the line between this C1-9 district and the C2-8 district to the south was established at East 66th Street. The bulk regulations of C1-9 and C2-8 districts are identical; they differ only in the range of commercial uses permitted, with C2-8 districts permitting entertainment uses, large retail, and medical and dental laboratories, which are not permitted in C1-9 districts. In this area, the boundary line at East 66th Street appears somewhat arbitrary, as the uses and built character of this stretch of 2nd Avenue are fairly consistent; both above and below East 66th Street, the avenue is characterized by high-rise apartment buildings with ground-floor retail. A break in the street's character comes one block north, between East 67th and East 68th Street, where the Julia Richman Educational Complex occupies the entire block front on the eastern side of the Avenue. It is a bulky, six-story building, with no retail or other building entrances on the Avenue, which leaves a gap in the otherwise active streetscape. The building on the west side of the Avenue, between East 66th and 67th Streets (1261 2nd Avenue), also breaks the pattern, because it contains a movie theater on its ground floor. The movie theater, a Use Group 8 use, is not as-of-right in a C1-9 district, but would be allowed in a C2-8 district. This movie theater occupies the building pursuant to a 1971 special permit from the Board of Standards and Appeals (the "BSA") (Cal. No. 63-71-BZ).

Support for Medical Institutions in Community District 8

In addition to NYBC, Manhattan Community District 8 is home to some of the most important medical institutions in the United States, including Memorial Sloan Kettering Cancer Center, Rockefeller University, New York Presbyterian Hospital, Weill Cornell Medical Center, and the Hospital for Special Surgery. The City has for many years supported the growth and development of these medical institutions in Community District 8, permitting rezonings and special permits where appropriate to allow these institutions to develop modern facilities.

The City has facilitated the renewal and expansion of the institutions located on the easternmost edge of Community District 8 by allowing them to build over the FDR Drive and other adjacent streets. State legislation in 1971[1] authorized the City to eliminate certain air space volumes above the FDR Drive and portions of East 63rd Street, East 70th Street, and East 71st Street, and to convey these former street areas to abutting institutional owners – to Rockefeller University, Hospital for Special Surgery, and New York Hospital (now New York Presbyterian Hospital). The City Planning Commission ("CPC") approved a City Map change to carry out these demappings in 1972 (CP-22062, January 31, 1972/Cal. No. 11). The CPC Report states "The question is not whether the institutions should expand, but where," and notes that permitting these institutions to build over the FDR Drive and the other demapped streets would alleviate their need to acquire other development sites in the area, and potentially to displace residential uses. Pursuant to an agreement in 1973 between the City and the three institutions, the City agreed to the terms and conditions on which the institutions could build above the demapped streets, and the City agreed to consider appropriate amendments to the Zoning Resolution to facilitate this development.[2] Several new buildings or enlargements were constructed over the demapped streets pursuant to this 1973 agreement, many of which also utilized a Section 74-682 (Development over Streets) special permit, which was modified to accommodate these developments:

- New York Hospital (C 800100 MMM, September 24, 1980/Cal. No. 45) – Discontinuing and closing East 70th Street, between York Avenue and the FDR Drive,

[1] Chapter 255 of the Laws of 1971.

[22] A description of the 1973 agreement is contained in CPC Report C 840092 MMM, November 21, 1983/Cal. No. 2.

to allow the hospital to build a 150,000-square-foot addition over the demapped street.

- Rockefeller University (C 840092 MMM, November 21, 1983) – Discontinuing certain volumes of the FDR Drive to facilitate the construction of a faculty housing structure.

- Rockefeller University (C 880671 ZSM, October 18, 1989/Cal. No. 57) – A special permit pursuant to Section 74-682 to allow an academic laboratory building of 212,000 square feet in demapped air space over the FDR Drive.

- Hospital for Special Surgery (C 910485 ZSM, February 24, 1992/Cal. No. 10) – A Section 74-682 special permit to allow an extension of an existing hospital building over the FDR Drive, containing 143,290 square feet.

- Hospital for Special Surgery (C 060333 ZSM, August 11, 2008/Cal. No. 21) – A Section 74-682 special permit to facilitate construction of a new 12-story hospital on a platform above the FDR Drive, and the enlargement of existing building.

- Rockefeller University (C 140157 ZSM, April 2, 2014/Cal. No. 5) – A Section 74-682 special permit to facilitate an enlargement over the FDR Drive, containing 159,760 square feet.

- Hospital for Special Surgery (C 150248 ZSM, June 17, 2015/Cal. No. 6) – A Section 74-682 special permit to allow an enlargement in the demapped air space above East 70th Street.

The City has also facilitated expansions by these medical institutions through other zoning measures, including the following:

- New York Hospital (C 840900 ZSM, June 20, 1984/Cal. No. 73) – A large-scale community facility special permit to facilitate a 36-story building with offices and staff housing on the east side of York Avenue at East 71st Street.

- Mary Manning Walsh (C 920584 ZSM, July 13, 1994/Cal. No. 30) – A zoning text amendment and Section 74-90 special permit to facilitate 1,414 square foot enlargement of a nursing home facility located on York Ave between 71st and 72nd Street.

- Memorial Sloan Kettering ("MSK") Cancer Center (C 010548 ZSM, November 28, 2001/Cal. No. 2) – A rezoning of the mid-blocks between East 67th Street and East 69th Street, between First and York Avenues, from an R8 to an R9 district (which permits 10.0 FAR for community facility use), to facilitate the expansion of MSK's campus, including a new research facility and new hospital buildings. The Commission noted that MSK "has reached a stage where it is unable to provide

adequate research space and is limited in its ability to upgrade, modernize, and expand its existing facilities to meet existing and future needs. The Commission recognizes MSKCC's need to expand and upgrade its facilities, and the importance of expansion both to MSKCC and the City as a whole." (p. 43).

- Memorial Sloan Kettering-CUNY (C 130216 ZSM, August 21, 2013/Cal. No. 14) – A zoning map amendment from M2-3 to C1-9 (which allows 10.0 FAR for community facility use) to facilitate development of an outpatient cancer care center and a science and health professions facility for CUNY. The zoning actions also permitted up to a 20% increase in floor area in exchange for provision of public park improvement. The CPC Report states that the goal of the project was to "allow for the creation of best-in-class health care, research, and education facilities that will keep New York City in the forefront of the industry…" (p. 25).

Like these other important medical institutions in Community District 8, NYBC has a need to modernize and expand its facilities and cannot do so within existing zoning constraints. As noted above, NYBC's existing building was built in the 1930s as a trade school, with narrow floorplates (constrained by four inner courts) and low floor-to-floor heights that do not have the dimensions necessary for modern life sciences laboratories. Under the 75-foot height limit and lot coverage and floor area restrictions of the R8B district, it would not be possible to develop a building on the site with the size and critical dimensions necessary for a modern life sciences hub.

Unlike the medical institutions located along York Avenue, it is not possible for NYBC to expand over the FDR Drive. Instead, what the Blood Center is requesting is similar to what the City approved for MSK in 2001, one block to the east – a rezoning of its midblock site to an R9-equivalent zone to facilitate the critical expansion of its facilities. The Commission in its approval of the MSK rezoning, in determining that the area was appropriate for a rezoning, noted that,

> MSKCC is located in an area of the Upper East Side that has a significant community facility presence, including NYPH, RU, and HSS. These institutions have a synergistic relationship and similar mission to MSKCC. The Commission accepts that proximity of these institutions encourages greater collaborative work among scientists, allows for recruitment of the best talent, and attracts more funding for scientific research work. The growth of such institutions will enable New York City to maintain a competitive edge with other cities and bolster its position in the medical field. CPC Report p. 55.

Like MSK in 2001, NYBC has the opportunity for synergies with the other nearby medical institutions, with whom it has and will continue to collaborate. Further, NYBC's site, with its proximity to public transit – which is superior to that of the institutions further to its east – and its unique one-acre, square configuration, is ideally located to fulfill the City's vision for a life sciences hub.

Support for the Life Sciences Industry

The City has supported the growth of the life sciences industry over many years, as an important source of high-skilled jobs that is uniquely well-suited to expansion in New York City due to its many academic and medical institutions, its strong financial industry, and its large and diverse population. As noted in the accompanying report by HR&A Advisors dated July 2020, included with this application, New York City has a relative lack and undersupply of appropriate space for life sciences companies. Adequate spaces are those that provide large floorplates, feature high ceilings, and offer the kind of robust building infrastructure, including enhanced mechanical, plumbing, and power systems, needed to serve life sciences uses. As a consequence, New York City has a lower concentration of life sciences jobs than other cities such as Boston and San Francisco, despite New York City's many strengths.

The City's efforts to support the life sciences industry date from 1990, when the Section 74-48 special permit text was first adopted, to facilitate the Columbia University Audubon Research Park, a biotechnological research and development center in Washington Heights. The zoning text amendment, which permitted the CPC to allow, by special permit, Use Group 17 laboratories in C6 zoning districts, was proposed by Columbia and the New York City Public Development Corporation (now the New York City Economic Development Corporation "NYCEDC"). The CPC Report for the text amendment (N 900523 ZRY, June 27, 1990/Cal. No. 49) noted that the special permit would help to promote the biomedical industry in the City, and explained that locating these research and development laboratories near existing medical institutions would be appropriate because of the similarity between these laboratory uses and the uses already being conducted in medical institutions and hospitals. The CPC Report stated as follows:

> Certain scientific research and product development facilities may benefit from a location near existing medical or academic institutions which, in conformance with zoning regulations, are generally not located in manufacturing districts. In addition, available manufacturing property is frequently at a distance from mass transit and other services or facilities which are needed to accommodate personnel. As a result, the City of New York is not encouraging the development of biotechnological research as other cities are and is unable to accommodate the scientific research and product development facilities that are being developed in other parts of the country, such as Massachusetts, New Jersey and California.
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> The Commission recognizes the importance of promoting the biomedical industry in the City of New York. This growing field has the potential to accommodate a wide range of job opportunities for New Yorkers and to contribute to the city's economic development. Further, these biotechnological research activities are currently performed in certain medical institutions and hospitals as accessory uses, although without a production or distribution component. By promoting scientific research and development uses, the City is also strengthening the medical institutions where many of these activities have their beginnings.

The requirements and findings of the Section 74-48 special permit are focused on the character of the laboratory facility, to ensure that it will operate in a manner similar to an academic or medical laboratory facility and will not have an impact on the surrounding neighborhood.

The only other Section 74-48 special permit that has been approved since its adoption was the special permit for the East River Science Park on the former Bellevue Hospital campus, between East 28th and East 30th, east of First Avenue, now known as the Alexandria Center. The special permit (C 010712 ZSM, November 21, 2001/Cal. No. 25) facilitated a scientific research and development facility with 1.1 million square feet on surplus Bellevue property, which, like the Audubon project, is proximate to a major academic medical center, NYU Langone. The application also involved a rezoning of the property from R8/C2-5 to C6-2, which permitted an increase in commercial FAR, and made the property eligible for the Section 74-48 special permit. In approving the special permit, the CPC noted that "[t]he proposed [East River Science Park] would provide state-of-the-art commercial bio-tech research laboratory space for the rapidly growing bio-technology industry. Currently, there is a significant shortage of such space in the city." The Alexandria Center project has proven extremely successful in attracting biotech tenants from all stages of the corporate growth cycle. Today, the buildings in the Center are all

essentially fully leased and do not have the space to accommodate New York City's current and future demand for additional high-quality lab space.

The City also marshalled considerable resources in support of the applied sciences industry, more broadly, when NYCEDC offered land on Roosevelt Island for the Cornell-Technion campus. That project involved a property disposition, a rezoning, a zoning text amendment, and a City Map amendment (See N 130077 ZRM, March 2013/Cal. No. 10), and was described in the CPC Report as "the result of the City's efforts to facilitate the development of a new, world-class applied sciences and engineering campus in New York City." The CPC Report also noted that "[t]he new campus for Cornell and Technion will help diversify the industrial base of the City, drive economic growth, create jobs and help develop the types of employees that New York City's growing tech industry demands." (CPC Report, p. 42) The Commission also recognized zoning regulations could be an impediment to the organic growth of the applied sciences industry. The Report states that "[t]he Commission believes that constructing a campus for the fast changing fields of applied sciences and engineering . . . requires that the zoning regulations be relatively flexible to allow the campus to evolve over time." (CPC Report p. 42). The requested rezoning, and the Proposed Development that it will make possible, are comparable to the situation described in the Report, and their approval would be consistent with the policy articulated therein.

The City has also provided important regulatory guidance for life sciences laboratories to encourage their development in commercial zoning districts. In a memorandum to former Deputy Mayor Alicia Glen dated December 13, 2016 written jointly by NYCEDC, the Department of City Planning, and the Department of Buildings (the "Life Sciences Memo"), these agencies clarified the characteristics that distinguish Use Group 9 medical laboratories, which are permitted on an as-of-right basis in commercial zoning districts, from Use Group 17 scientific laboratories, which are not. The Life Sciences Memo confirmed that Use Group 9 laboratories may include facilities for research, testing, and development, and may conduct activities including "the synthesis and manipulation of chemical substances, biological matter, and animal models . . . ." The memo also provided that "[a]ctivities in these laboratories may also include the assembly of medical technologies, diagnostic devices, and research instrumentation for use in prototype experimentation, pre-clinical studies or clinical testing . . . ."

The laboratories in the proposed Center East building will be similar to the Use Group 9 laboratories that were the focus of the Life Sciences Memo.

NYCEDC's LifeSci NYC Request for Expressions of Interest (the "RFEI"), released in January 2018, was a further effort by the City to encourage the development of this important industry. As part of the City's $500 million incentives program, the RFEI offered three different City-owned sites for potential disposition and up to $100 million in financial support for "a world-class facility for life sciences research and development" as part of the City's "LifeSci NYC" initiative to "connect research to industry, unlock space for companies to grow, and build a pipeline for diverse life sciences talent." The RFEI states that "[c]ommercial life sciences is an industry that will drive new discoveries and good jobs, and its growth will reinforce New York City's leadership in the innovation economy." The Blood Center responded to the RFEI in May 2018 and offered to contribute its own property in support of the City's effort.

Finally, in January of this year, the City announced $38 million in capital grants to four institutions as part of LifeSci NYC to support the development of life sciences research laboratories. Each of the four facilities will be focused on supporting partnerships between the academic institutions and commercial biotech companies. Deputy Mayor for Housing and Economic Development Vicki Been, in the announcement of the grants, stated "[t]his investment will strengthen New York City's life sciences ecosystem as an economic development engine and as an incubator of cutting-edge public health technologies and treatments." City of New York Press Release January 21, 2021. One of these grants will help to fund a new incubator for commercial life sciences companies at Rockefeller University, which will work in partnership with Memorial Sloan Kettering and Weill Cornell to create the "Tri-Institutional Translational Center for Therapeutics." This project confirms the importance of collaboration among institutions to advancing research, and also of co-locating commercial life sciences companies with academic research and clinical space. The proposed laboratory is only 26,000 square feet, so is only a small start in creating a thriving commercial life sciences industry on the Upper East Side.

The Importance of Clusters to the Life Sciences Industry

The importance of clustering to the life sciences industry is discussed in the accompanying report by HR&A Advisors, dated March 25, 2021, which is included with this application. The report explains that life science companies have particularly strong incentives to locate near industry peers, academic and research institutions, and medical facilities, thriving off the concentration of talent and ideas. Proximity facilitates collaboration and the sharing of knowledge and resources, which in turn advances scientific discoveries. The HR&A reports analyzes successful life science clusters in Cambridge, San Francisco, and in New York City (at Alexandria Center) that demonstrate the power of proximity, particularly walking distance proximity, for life sciences companies and research centers. Often, the research scientists who are the key personnel in commercial life sciences ventures simultaneously hold an academic post or maintain an active clinical practice; locating commercial labs close to an academic center or a hospital enables these scientists to travel easily between the labs, to maintain their dual roles.

The concentration of academic and medical institutions on the Upper East Side provides the City with its best opportunity to create a life sciences cluster. Most life sciences clusters are anchored by a single academic institution: MIT in Cambridge's Kendall Square, UCSF in San Francisco's Mission Bay, NYU at the Alexandria Center. On the Upper East Side there are several such institutions, and NYBC has established research partnerships with many of them. What is lacking is the availability of commercial space. New York City is particularly well-suited to become a national leader in the life sciences; its medical and academic institutions are among the best in the world. But New York City lags far behind the nation's leading life science centers in the availability of space, particularly clustered space, for life science uses.

3. Description of the Surrounding Area

The Project Area is located in Community District 8 on the Upper East Side of Manhattan, straddling both sides of 2nd Avenue between East 66th Street and East 67th Street.

The surrounding area was initially developed at the turn of the 20th century with three- and four-story townhouses, some of which can still be found along the south side of East 69th Street, between First and Second Avenues, and the south side of east 68th Street, between Second and

Third Avenues. The 1910s and 1920s brought a wave of construction of larger walk-up apartment buildings of five and six stories, such as those found across East 66th Street, to the south of the Project Area, and immediately to the east of the Project Area along First Avenue. The removal of the elevated train on Third Avenue in the 1950s renewed interest in the neighborhood and spurred redevelopment in the area, making it one of the City's most densely populated neighborhoods today. Many smaller buildings were replaced with bulky apartment buildings rising 10-14 stories in the midblocks and 15-21 stories on the avenues under the Zoning Resolution's pre-1961 controls and by even taller buildings (up to 45 stories on First and Second Avenues) under the post-1961 zoning controls. Ground-floor retail, providing neighborhood services, is generally included in those residential buildings fronting on the avenues.

While the area surrounding the Project Area to the west is predominantly residential, there is a concentration of institutional uses to the east, including medical and research campuses associated with Rockefeller University, Memorial Sloan Kettering, Weill Cornell, New York Presbyterian Hospital, and the Hospital for Special Surgery. These hospital and biomedical research facilities dominate the blocks between First and York Avenues, from East 66th to East 69th Streets, as well as the east side of York Avenue from East 63rd to East 71st Street. The majority of these institutional buildings were constructed in the mid-twentieth century and are 15 – 36 stories in height.

In addition to medical institutions, there are also several churches in the vicinity, including St John Nepomucene Church located on the northeast corner of East 66th Street and First Avenue, as well as two public schools (the Julia Richman Education Complex, a large high school complex located just to the north of the Project Area, across East 67th Street, and an elementary school, PS183, on the block immediately to the east).

St. Catherine's Park, located directly to the north of the Project Area across East 67th Street, covers approximately half of the block to the north. It includes a playground, basketball court, and other recreational facilities, as well as a play yard used by students from the Julia Richman schools.

There are two individual landmarks located within the surrounding area. Manhattan House is a twenty-story apartment and retail complex that occupies the entire block bounded by Second Avenue, East 66th Street, Third Avenue, and East 65th Street. It is a prime example of mid-twentieth-century modern residential architecture. Also occupying an entire block, bounded by First Avenue, East 64th Street, York Avenue, and East 65th Street, is the City and Suburban Homes Company's First Avenue Estates.

First and Second Avenues are major thoroughfares, serving north- and southbound traffic, respectively. Both East 66th Street and East 67th Street carry westbound traffic only. The M66 bus runs westbound on East 67th Street and eastbound on East 68th Street. The M15 and M15 Select Bus Service run on First and Second Avenues. The nearest subway station is the 72nd Street station on the Q line. The Project Area is also served by the 63rd Street/Lexington Avenue stop on the F and Q lines, and the 68th Street/Hunter College stop on the 6 line.

The Project Area and many of the midblocks in the surrounding area are located within an R8B zoning district, which is a contextual district with a FAR allowance of 4.0 for residential uses and 5.1 for community facility uses, and a height limit of 75 feet. It typically results in six- to seven-story buildings with a setback above the base height of 55 – 60 feet. The nearby avenues are mapped with C1-9 and C2-8 districts, which are generally mapped along major thoroughfares to provide for neighborhood service uses in high-density residential areas. Both are governed by the bulk regulations of the R10 district, and both have a maximum commercial FAR of 2.0 and permit a limited range of neighborhood retail services. The difference between the two is that the C2-8 allows a slightly wider range of commercial uses than does the C1-9. Second Avenue is mapped with a C2-8 district below East 66th Street and a C1-9 district to the north. First Avenue is mapped in a C2-8 district north of East 68th Street and a C1-9 district to the south. R8 and R9 districts are mapped on the midblocks to the east of the Project Area, between First and York Avenues. These districts allow for development using height-factor regulations, often resulting in taller buildings. The R9 district also favors institutional uses, such as hospitals, with additional floor area. The area between East 67th and East 69th Street and between First and York Avenues was mapped as an R9 district in 2001 (C 010548 ZSM) to facilitate the development of a new hospital building for Memorial Sloan Kettering.

4. Description of the Project Area

The area proposed to be rezoned (the "Project Area") is the area on both sides of 2nd Avenue, between East 66th Street and East 67th Street, including the easternmost 100 feet of Block 1421, comprising a portion of Lot 21, and the westernmost 325 feet of Block 1441, comprising Lots 1001-1004 and 40. The two avenue parcels within the Project Area are located in a C1-9 district, and the remainder of the Project Area (Lot 40) is located in an R8B zoning district.

Lot 21 of Block 1421 (1261 2nd Avenue) – on the western side of 2nd Avenue – is improved with a 45-story residential tower, built in 1973, which also contains a movie theater and retail uses on its ground floor. Lots 1001-1004 of Block 1441 (301 East 66th Street) – on the eastern side of 2nd Avenue – constitute a 16-story residential building built in 1956, with restaurants, retail, and a religious preschool (the SAM School) on its ground floor. Lot 40 of Block 1441 is the Development Site, which is occupied by NYBC's existing three-story building. Both of the Second Avenue block-front sites are developed to their full potential under current law and are not expected to undergo redevelopment as a result of the proposed actions.

Block 1441 is not typical of the midblocks in the R8B district. The Blood Center building itself – an institutional use of over an acre in size – occupies half of the R8B midblock area. To the east are two midrise apartment buildings, on Lots 17 and 31, constructed in the 1950s and 1960s and rising 14 and 13 stories, respectively. These two buildings, which occupy approximately half of the remaining midblock area, are taller and denser than the R8B zoning permits, and they are not characteristic of the typical low-rise R8B midblock built character. Only approximately one quarter of the Block 1441 midblock is improved with typical R8B buildings: three buildings on East 67th Street (Lots 33, 35, and 37) and one building on East 66th Street (Lot 14) that are early twentieth century walkup apartment buildings, and the three-story New York Public Library building on Lot 38 (directly east of the Development Site).

Block 1441 is also atypical in having a substantial open area to the north, in St. Catherine's Park, which occupies approximately half of the block to the north. The remainder of that block is occupied by the six-story Julia Richman Education Complex.

The portion of the Project Area fronting on 2nd Avenue is also not typical of C1-9 districts, in that one of the buildings (1261 2nd Avenue) contains a movie theater, which is a Use Group 8 use allowed on an as-of-right basis in C2-8 districts but not in C1-9 districts. As noted above, the movie theater was allowed by a BSA special permit in 1971.

5. Description of the Development Site

The Development Site consists of Lot 40 on Block 1441, which is a 45,186-square-foot through lot site with 225 feet of frontage on both East 66th and East 67th Streets, located 100 feet east of Second Avenue. It has the street addresses 303-319 East 66th Street and 304-326 East 67th Street.

The Development Site is uniquely well-suited to advance the City's LifeSci NYC initiative. Because it is fully assembled, regularly shaped, and over an acre in size, it can accommodate a modern laboratory building with large, approximately 30,000-square-foot floorplates in a building that will serve a variety of life sciences companies of all sizes, while continuing to house NYBC's headquarters. It is proximate to all of the major medical institutions in Community District 8, and is close to several bus and subway lines. The site is also non-residential, ensuring that the Proposed Development will not cause direct displacement of neighborhood residents.

The Development Site is currently developed with a three-story building that contains approximately 130,678 zoning square feet of floor area (the "Existing Building"). Built to a FAR of 2.89, the Existing Building covers the entire lot. The primary pedestrian entrance is on East 67th Street, while the service entrance, two curb cuts that serve the building's loading berths, and 30 spaces of accessory parking are located on the East 66th Street frontage. The Existing Building was constructed in 1930 as a trade school, but for over the past 50 years has housed New York Blood Center's principal donation center, as well as NYBC administrative offices and accessory laboratory space. It has also housed NYBC's internal startup companies, which help to commercialize groundbreaking research.

Nevertheless, the existing building is an antiquated structure that was not built to house scientific facilities. Its narrow floorplates (constrained by four inner courts) and its low floor-to-floor heights do not have the dimensions necessary for modern life sciences laboratories. The mechanical and structural systems cannot provide the vibration control and HVAC services to support high-tech research equipment. The existing R8B zoning would not permit development of a modern life sciences building, given its 75-foot height limit and lot coverage and floor area restrictions. Simply stated, the existing R8B zoning does not allow development of a building that will fulfill the mandate of the City's initiative to create a "world-class facility."

6. Description of the Proposed Development

The Proposed Development – the Applied Life Sciences Hub or "Center East" – will be a 10 FAR (451,860 zoning square foot) building, with a height of 16 stories (approximately 334 feet). It will contain approximately 139,094 square feet of community facility floor area (206,375 gross square feet) and 312,766 square feet of commercial floor area (389,760 gross square feet).

The proposed new building will contain NYBC's laboratories, offices, and other facilities on its lower floors. This portion of the building will be home to NYBC's administrative and research and development facilities, including a BSL-3 laboratory that would replace and modernize NYBC's current BSL-3 laboratory, along with mechanical floor that will serve the entire building. The ground floor of the building will contain a multi-purpose community room accessible to local community groups, as well as an accessory café for building users, which will also be available to the public.

On its upper floors, the building will house a scientific research and development facility, which will contain laboratory and related office space for companies engaged in life sciences research and development, including both wet and dry laboratory space that has been designed to accommodate a wide range of occupancy configurations. Between the NYBC space and this partner space on the upper floors, there will be a floor with shared core facilities and amenities, provided as a resource for Center East. Floorplates within the upper portion of the building will be approximately square in shape and have a minimum of 30,000 square feet. The floors will be

designed for interaction among companies and for adaptability of the wet and dry labs. The building's 16-foot floor-to-floor heights will be designed to accommodate the robust mechanical and ventilation systems required for modern laboratories.

Center East would overcome the constraints of the Existing Building and the current R8B zoning, and take full advantage of the Development Site. The building would house state-of-the-art flexible and efficient research and development facilities, which would both serve NYBC's research program and attract investigators, life sciences companies, and adjacent research institutions. It would provide space and resources for a diverse group of growth-stage life sciences companies, commercially oriented research and development companies, and other not-for-profit institutional partners, which would establish a cluster of life sciences research and development activities anchored by NYBC. The new building would foster a sense of community and create opportunities for collaboration in a campus-like environment. It would help life science firms attract the incremental capital investment they depend upon in order to deliver life-changing and life-saving innovations. This collaboration already happens to a limited extent in NYBC's Existing Building, with the commercial laboratories that rent space from NYBC. The Proposed Development will attract more of these commercial entities and create more opportunities for these partnerships.

The development of Center East will contribute to realizing the City's vision and policy of promoting the life sciences industry, an industry that the City has identified as an important source of innovation jobs in the local economy. The City's "LifeSci NYC" initiative, announced in 2016, aimed to "connect research to industry, unlock space for companies to grow, and build a pipeline for diverse life sciences talent."[3] While there has been a growth in commercial life sciences space around the City in recent years, there has not yet been a true "Hub," in which the research mission of an institution is combined with the dynamism of a market-focused commercial life sciences laboratory. In issuing its Request for Expressions of Interest in 2018, NYCEDC explicitly recognized the importance of collaborations between commercial developers and institutions to life sciences research, inviting proposals that would "incorporate a large-scale research and development ("R&D") organization; expansion space and resources for

[3] Letter from Mayor Bill deBlasio dated January 23, 2018, announcing the Request for Expressions of Interest for the development of an "Applied Life Sciences Hub" as part of the LifeSci NYC initiative.

growth-stage companies; and design and programming that fosters collaboration and supports the growth of the City's life sciences ecosystem."

As discussed in the March 25, 2021 HR&A report, the life sciences industry has developed in notable "clusters" around the country, with life sciences companies located in proximity to one another, and in the most successful cases, anchored by an academic institution. The Upper East Side, with its unrivaled concentration of hospitals and academic medical institutions, is the ideal location for the City to develop such a cluster. Most clusters are anchored by a single institution, but on the Upper East Side there are several. What is lacking is the commercial space to make it happen.

NYBC is uniquely positioned to advance the City's initiative for the following reasons:

- NYBC's location allows the City to capitalize on the concentration of hospitals and academic medical institutions in this area – a cluster that will support the development of the City's life sciences industry. NYBC is located within the largest concentration of medical research institutions in the City, within a ten-minute walk of Memorial Sloan Kettering, Weill Cornell Medical Center, New York Presbyterian Hospital, Rockefeller University, and the Hospital for Special Surgery.

- NYBC itself is a leader in the life sciences. It conducts pioneering research in hematology, transfusion medicine, infectious diseases, stem cells, and epidemiology, actively developing new treatments to improve global health. NYBC announced on March 25, 2020 that it would be the first blood center to collect convalescent blood plasma donations from individuals who have recovered from a COVID-19 infection in order to treat other patients with serious or immediately life-threatening coronavirus infections. NYBC will continue to serve as a critical resource for other medical institutions as they struggle to treat patients suffering from this infection. Other current research is exploring cures for macro- and neuro-degenerative disorders including blindness, Parkinson's, and Alzheimer's disease, as well as prototypic SARS, MERS, and HIV vaccines. NYBC is an innovator in cell therapy, precision medicine for blood transfusion, and genomics testing for precise-matched blood products.

- Ongoing collaborations with academic institutions and commercial life sciences organizations are essential to advancing both its own research mission and the research missions of its neighbors. NYBC uses its existing collaborations with commercial life sciences organizations to bring its discoveries to market as new products and treatments, to advance new innovations in clinical care, and to license new technologies to companies. Its location and position have facilitated collaboration with each of its neighbor institutions in the past, and the new facility will provide a platform from which it can use its experience to create a more vital scientific community.

- Co-location of basic science research with commercial research entities expedites the commercialization of discoveries, while enabling the new products and treatments to spur further scientific investigation. Co-locating NYBC investigators with institutional and commercial partners facilitates collaboration and synergies that translate basic science discoveries into application, catalyze development of new companies, and promote technology transfer. NYBC currently already shares space in its building with multiple commercial and institutional entities through its East Side Bio-technology Accelerator Program.

- NYBC's 45,186-square-foot site is uniquely large and regular; it is virtually square, giving it the size and configuration necessary to accommodate an efficient floorplate (at least 30,000 square feet) for life science research and office facilities, and the area needed for the critical mass of organizations and people needed for a viable hub. Laboratory functions typically require floorplate sizes of 30,000 square feet or greater to maximize efficiency of operations, flexibility of utilization, and functional adjacencies between lab components. Research facilities in New York City with smaller footprints, which are a direct result of constrained urban site conditions, result in compromised function and reduced efficiency.

- The site is within a five-minute walk to north-south and crosstown buses, the Hunter College 68th Street station of the 6 train, and the 72nd Street station of the Second Avenue subway, allowing for easy and convenient connections to all parts of Manhattan and the City's other Boroughs.

- NYBC's site is also fully assembled and unencumbered by residences. As a result, the development will not directly displace any residents, its construction will not be delayed by a resident relocation process, and its presence will not change the balance between residential and institutional uses in the area.

The massing and floorplate of the Proposed Development are driven by stringent functional requirements:

- Approximately 30,000 gross-square-foot floorplates to enable flexibility in utilization for multiple small start-up entities or large research groups;

- Open, efficient, "loft-like" laboratory floors that can accommodate both wet bench research and dry computational research;

- A rigorous 11-foot building module, providing a 22-foot laboratory-support zone for enclosed specialized equipment and a 33-foot open-bench zone for lab-work space, write-up desks, and sinks, resulting in a 55-foot minimum dimension from building core to building exterior structure;

- 16-foot floor-to-floor heights to provide adequate mechanical, electrical, and plumbing services to all floors, including the extensive air change requirements unique to laboratories;

- Capability for sophisticated information technology systems and low vibration equipment; and

- Shared resources accessible to NYBC and its partners, including support services such as glass wash, specialized microscopes, shared instrumentation, and freezer/refrigerator rooms, core labs such as clean rooms, cold rooms, cell therapy labs, and collaboration spaces, such as education facilities, conference rooms, interaction commons, and a ground-level café.

The critical drivers for large floorplate sizes in life sciences buildings include the need to co-locate research groups to promote interdisciplinary collaboration, the need to provide access to

shared resources and equipment that are costly to duplicate, and the need to have a minimum number of principal investigators per floor to optimize synergies between research activities. The New York Blood Center's site is unique relative to other New York City sites because it is able to provide, in close proximity to a singular complex of world-class clinical and research institutions, the space to develop the large floorplates (ranging from 30,000 to 45,000 square feet) needed to optimize both efficiency and flexibility for wet bench and dry computational laboratories. The proposed base floors of 45,000 square feet and upper floors of 30,000 square feet both allow for a critical mass of principal investigators to share lab support functions and promote interaction among researchers, with a balance of laboratory, laboratory support, and computational space on each floor. The 30,000-square-foot upper floors will enable flexible utilization for life science companies of varying sizes from small start-ups to established research entities: a 30,000-square-foot floorplate can accommodate four smaller groups, two medium groups, or one large group, all with corridor access and required depths from core to exterior wall. Most importantly, in any of these configurations the 30,000-square-foot floorplate size provides the minimum 55-foot dimension from building core to exterior structure required to allow for an enclosed lab support zone, an internal lab circulation zone, and an open lab bench zone.

Although NYBC's space in the Proposed Development will be only incrementally larger than its current space, its new space will be more modern, efficient, and useful. Center East would provide the robust infrastructure, flexible configuration, and efficient laboratory floorplates needed to enhance NYBC's ability to conduct cutting-edge research and also to attract life sciences partners.

With these infrastructural advantages and its strategic location, the new building will be positioned to make an important and vital collaborative contribution to the City's life sciences economy.

7. Actions Necessary to Facilitate the Project

In order to accomplish the project, the Applicant is requesting the following zoning actions:

(1) Rezoning of both block frontages of 2nd Avenue, between East 66th and East 67th Street, from a C1-9 district to C2-8 district, to a depth of 100 feet, and rezoning the portion of Block 1441 between 100 feet and 325 feet east of 2nd Avenue (the Development Site) from an R8B district to a C2-7 district.

(2) Zoning text amendments (a) to Section 74-48 of the Zoning Resolution to allow, by special permit, scientific research and development facilities in C2-7 districts, and in conjunction therewith, to allow modifications of the floor area, height and setback, yard, and sign regulations, and (b) to Appendix F of the Zoning Resolution, to designate the Development Site as a Mandatory Inclusionary Housing (MIH) area.

(3) Special permit pursuant to Section 74-48, as amended, to permit:

(a) a scientific research and development facility in a C2-7 district within Community District 8 in the Borough of Manhattan;

(b) the floor area of the scientific research and development facility to exceed the 2 FAR permitted in C2-7 districts for commercial uses pursuant to Zoning Resolution Section 33-122, not to exceed the 10 FAR permitted for community facility uses;

(c) modifications of the height and setback regulations of Section 33-432, which will allow the building to encroach on the initial setback distance and the sky exposure plane, which is necessary to accommodate the large floorplates required for modern, efficient laboratory uses;

(d) modifications of the rear yard equivalent regulations of Section 33-283, which will allow the Proposed Development to occupy the same footprint as the existing building on its lower floors, and will allow the upper portion of the building to be shifted away from the park and away from the neighboring building; and

(e) modifications of the sign regulations to allow signs on the zoning lot to exceed the surface area limitation of Section 32-641, 32-642, and 32-643 and the height limitations of Section 32-655, and modification of the regulations of Section 32-67, which require signs in commercial zoning districts facing a residential district or a public park to follow the C1 district sign regulations.

The requested actions would continue the City's long-standing efforts to encourage the growth and development of the life sciences industry, which the City has pursued over the years through a variety of measures, including rezonings, financial incentives, and targeted property dispositions, as a way to diversify the City's economy. The requested actions are also consistent with prior City rezoning efforts in Community District 8 that have accommodated the growth of important medical institutions, while protecting the character of the surrounding neighborhoods.

Proposed Rezoning

The Applicant proposes to rezone the Project Area to a C2 district, including a C2-8 district on both sides of 2nd Avenue to a depth of 100 feet (affecting a portion of Lot 21 of Block 1421 and Lots 1001-1004 of Block 1441), and a C2-7 district on the Development Site, between 100 feet and 325 feet east of 2nd Avenue (affecting Lot 40 of Block 1441). Both the C2-8 and C2-7 districts would permit commercial laboratories classified as Use Group 9 medical laboratories, which are similar in their operational characteristics to the scientific research and development facilities that will be included in the Proposed Development. The C2-8 district has the same bulk regulations as the current C1-9 district (both are R10-equivalent districts, which permit 2.0 FAR of commercial uses), and differs only in permitting a wider range of commercial use. The C2-7 district has comparable bulk regulations to an R9 district, which is mapped one block to the east, on the MSK hospital site between 1st and York Avenues, and between East 67th and East 69th Streets. A comparison of the current and the proposed zoning districts is presented in the Zoning Comparison Table, included with this application.

i. Rezoning C1-9 to C2-8

The current C1-9 zoning district mapped on the 2nd Avenue block-front parcels is a high-density residential district (10 FAR, bonusable to 12 FAR with Inclusionary Housing), which permits up to 2 FAR of local retail, restaurant, and office uses. These parcels have been mapped in a C1-9

zoning district since the adoption of the Zoning Resolution in 1961, when the line between the C1-9 district and the C2-8 district to the south was established at East 66th Street. This boundary line appears somewhat arbitrary, as the uses and built character of this stretch of 2nd Avenue are fairly consistent; both above and below East 66th Street, the avenue is characterized by high-rise apartment buildings with ground-floor retail. A break in the street's character comes one block north, between East 67th and East 68th Street, where the Julia Richman Educational Complex occupies the entire block front on the eastern side of the Avenue. It is a bulky, six-story building, with no retail or other building entrances on the Avenue, which creates a gap in the otherwise active streetscape. The building on the west side of the avenue, between East 66th and 67th Streets (1261 2nd Avenue), also breaks the pattern, because it contains a movie theater on its ground floor. The movie theater, a Use Group 8 use, is not as-of-right in a C1-9 district but would be allowed in a C2-8 district. This movie theater occupies the building pursuant to a 1971 BSA special permit. Accordingly, a C2-8 district would be more compatible with the current uses in the Project Area, and moving the district boundary line to East 67th Street, where the Julia Richman Educational Complex creates a natural divide between the neighborhood to the north and the neighborhood to the south, would also be appropriate.

The proposed C2-8 district is a high-density residential district mapped on avenue block fronts, mostly in Manhattan. Its bulk regulations are the same as the regulations of the current C1-9 district. It allows 10 FAR for residential uses, which may be increased to 12 FAR through the City's Inclusionary Housing program. It allows 10 FAR for community facility uses, and 2 FAR for commercial uses. Commercial uses are limited to the first two floors of a building (or, for a mixed-use building built before September 17, 1970, to the first floor). C2-8 districts differ from C1-9 districts in the range of commercial uses permitted: Both districts permit hotels (Use Group 5) and local retail, eating and drinking establishments, and offices (Use Group 6); C2-8 districts permit, in addition, home maintenance and repair services (Use Group 7), theaters and other amusement uses (Use Group 8), medical and dental laboratories for research and testing (Use Group 9), and facilities related to boating (Use Group 14).

ii. Rezoning R8B to C2-7

The current R8B district is a contextual district, which permits residential uses at 4.0 FAR and community facility uses at 5.1 FAR. It requires a building base of between 55 and 65 feet and imposes a maximum total building height of 75 feet.

The R8B district was mapped on the Project Area in 1985 (C 850539 ZMM, July 22, 1985/Cal. No. 19). However, from the enactment of the R8B zoning, concerns were expressed about how to provide opportunities for community facility uses in the neighborhood to grow. The CPC Report regarding the rezoning notes that during public review, several commenters raised the issue "faced by community facilities whose future expansion plans could be jeopardized by the reduced FAR of the R8B rezoning." Several options were presented to alleviate this issue, including a new special permit provision to provide relief for institutional uses, or some form of text amendment modifying the as-of-right bulk regulations for community facilities and institutional uses in certain areas. The following year, the CPC approved a zoning text amendment to increase the FAR permitted for community facility uses in R8B districts in Community District 8 – from 4.0 to 5.1 – which was judged to be the amount of floor area that could reasonably fit within the R8B bulk envelope (See N 860470 ZRM, March 26, 1976/Cal. No. 45). Nevertheless, several institutions in Community District 8 have sought, and have received, additional zoning relief since that time, through both increases in floor area and bulk waivers.

The Project Area is an appropriate location for a rezoning because it is not a typical R8B midblock. Low-rise, row house, and walkup apartment buildings that are characteristic of the R8B district make up a relatively small proportion of the block. The Blood Center building itself – an institutional use of over an acre in size – occupies half of the midblock area. Lots 17 and 31 contain midrise apartment buildings of 13 and 14 stories and occupy approximately half of the remaining midblock area. Only approximately a quarter of the midblock is improved with typical R8B buildings: three buildings on East 67th Street (Lots 33, 35, and 37) and one building on East 66th Street (Lot 14) that are early twentieth century walkup apartment buildings, and the three-story New York Public Library building on Lot 38.

The lack of a predominant R8B character is one factor that motivated the CPC, in 1985, to exclude the area between First and York Avenues from the original R8B rezoning. The CPC Report indicates that the midblock area between East 62nd and 71st Streets and York and First Avenues remained within an R8 district "because of the low percentage of buildings in this zoning strip that comply with R8B, and the lack of R8B character in the surrounding area" (CPC Report p. 5). A similar condition exists within the Project Area.

The block to the north of the Project Site is also atypical. The Julia Richman Education Complex, a bulky, 6-story building, occupies more than half of the block. St. Catherine's Park occupies the remainder of the block and breaks the R8B street wall character with a large open space.

Institutional uses define the immediate context of the Project Area. Memorial Sloan Kettering's large hospital and research buildings are located one block to the east, between First and York Avenues, from East 66th to East 69th Street. As noted above, the Julia Richman Education Complex occupies approximately half of the block to the north and is the only building on that block. To the south, on Second Avenue, is Memorial Sloan Kettering's Lauder Breast Center, a 16-story building built in 2006. There are also five of the rowhouses on the south side of East 66th Street, facing the Development Site, occupied by MSK staff housing. The sixth is occupied by the St John Nepocene Church.

Tall buildings in the midblock are not unusual for this area. One block to the east, Memorial Sloan Kettering's main hospital building, between East 67th and East 68th Streets, is 19 stories in height. MSK's Zuckerman Research Building, located between East 68th and East 69th Streets, is 22 stories in height. MSK also has a 16-story building in the block to the south, between East 66th and East 67th Street. The area to the west of the Project Area also includes tall buildings located in the middle of a block: Manhattan House, located between East 65th and East 66th Streets, and between 2nd and 3rd Avenues is a 20-story building that occupies its entire block; the building at 215 East 68th Street, between East 68th and East 69th Streets, and between 2nd and 3rd Avenues, is a 32-story apartment building that occupies the majority of its block, and a substantial portion of the midblock. Thus, a building within the Project Area of greater height

and bulk than currently permitted by the R8B district will not be out of character for this block or for the surrounding area.

The proposed C2-7 district has equivalent bulk regulations to an R9 district, and so is more appropriate for a midblock site than the C2-8 district. The district is present in limited locations in Manhattan: on the avenue frontage of Amsterdam Avenue, between West 54th Street and West 56th Street to a depth of 150 feet, and between West 56th Street and West 59th Street to a depth of 100 feet; at St. Vincent's Triangle park in Greenwich Village, between West 12th Street, Seventh Avenue, and Greenwich Street; and at Waterside Plaza, east of the FDR Drive, between East 25th Street and East 30th Street.

The C2-7 district would permit the same uses as the C2-8 district on the avenue: In addition to residential and community facility uses, C2-7 districts permit commercial uses in Use Groups 5 through 9 and 14, including hotels (Use Group 5); local retail, eating and drinking establishments, and offices (Use Group 6); home maintenance and repair services (Use Group 7); theaters and other amusement uses (Use Group 8), medical and dental laboratories for research and testing (Use Group 9), and facilities related to boating (Use Group 14).

C2-7 districts also permit the same FAR as C2-8 districts for commercial and community facility uses: commercial uses are permitted at 2.0 FAR on the first two stories of a building (or on the first story only for a mixed-use building built before September 17, 1970); community facility uses are permitted at 10 FAR. However, C2-7 districts permit a lower residential FAR: up to 7.52 FAR, using the height factor zoning regulations, or, since this C2-7 district would be designated as a Mandatory Inclusionary Housing area, up to 8.0 FAR would be permitted if using the Quality Housing regulations.

Buildings in C2-7 districts can be built using either the standard sky exposure plane regulations or the tower regulation. Under the standard sky exposure plane regulations, there is a maximum base height of 85 feet for portions of a building within 20 feet of a narrow street. Above the base, buildings must be built beneath a sky exposure plane of 2.7 to 1 on a narrow street (both East 66th and East 67th Streets are narrow streets). Buildings may also be built in accordance with the alternate sky exposure plane regulations, which allow a sky exposure plane of 3.7 to 1 on a narrow street if buildings are set back from the street line by 15 feet. C2-7 districts also

allow towers – not covering more than 40% of the site and set back at least 15 feet from the street line – for both residential and community facility buildings.

The Proposed Development would include Use Group 4 community facility offices and laboratories and a scientific research and development facility, which is a commercial use. The commercial floor area in the Proposed Development would be approximately 312,766 square feet, or approximately 6.92 FAR, and therefore exceeds the amount permitted in a C2-7 district. This additional commercial floor area is proposed to be permitted through a Section 74-48 special permit, as amended, as described below.

Zoning Text Amendment

A zoning text amendment to Section 74-48 is proposed to allow scientific research and development facilities in C2-7 districts at higher than the 2 FAR allowed for commercial uses, up to the 10 FAR that would be permitted for accessory community facility laboratories, and to allow modifications to the applicable supplementary use, height and setback, yard, and sign regulations. It is also proposed that the Development Site would be designated as a Mandatory Inclusionary Housing area in Appendix F of the Zoning Resolution, because the proposed C2-7 zoning district has a higher permitted residential FAR than the current R8B zoning district.

Section 74-48 currently provides that, "In C6 Districts, the City Planning Commission may permit a scientific research and development facility containing laboratories for medical, biotechnological, chemical or genetic research, including space for production, storage and distribution of scientific products generated through research and may modify height and setback regulations for the facility." The requirements and findings of the Section 74-48 special permit are focused on the character of the laboratory facility and its impacts on the surrounding neighborhood. The special permit requires that the CPC refer the special permit application "to the Commissioner of Health of the City of New York or its successor for a report and recommendations on matters relating to health, safety and general welfare of the public with regard to the proposed facility," although the CPC may grant the special permit without such a recommendation. The special permit also requires that the laboratory facility conform to the performance standards applicable to M1 districts, where production laboratories are permitted as-of-right. The special permit is applicable only to zoning lots with a minimum lot area of 40,000

square feet or that comprise an entire block, and no residential use is permitted anywhere on a zoning lot containing such a facility. The other findings required by the special permit are that the facility:

(1) will not unduly affect the essential character or impair the future use and development of the surrounding area;

(2) will be located so as to draw a minimum of vehicular traffic to and through local streets;

(3) provides fully enclosed storage space for all raw materials, finished products, by-products and waste materials including debris, refuse and garbage; and

(4) that the modification to any applicable bulk regulations will not unduly obstruct the access of light and air to adjoining properties or public streets.

The proposed amendments to Section 74-48 would allow the CPC to permit scientific research and development facilities in C2-7 zoning districts and to permit modifications to the floor area, height and setback, yard, and sign regulations for such facilities. Commercial floor area above 2 FAR would be permitted for these facilities, which may include laboratories and associated offices, up to the maximum 10 FAR permitted for community facility uses. The existing conditions in Section 74-48 – that the special permit applies only to zoning lots of over 40,000 square feet and that no residential use is permitted on the zoning lot – would be retained. The text amendment would add the following findings to allow the available sign modifications:

(i) that a signage plan has been submitted showing the location, size, height, and illumination of all signs on the zoning lot;

(ii) that the modifications are consistent with the amount and location of commercial life sciences laboratories that the Commission finds appropriate on the zoning lot, and;

(iii) that illuminated signs, if provided, utilize an illumination type, and are located and oriented in a manner so as to minimize any negative effects on nearby residences, and do not to alter the essential character of the adjacent area.

The proposed text changes reflect the same principles that motivated the adoption of Section 74-48 in 1990: to facilitate the growth of the life sciences industry by permitting commercial research laboratories to locate in a wider range of zoning districts, where those laboratories meet certain design and operational standards. Here, the proposed zoning text amendment would

similarly facilitate the growth of the life sciences industry in a wider range of zoning districts in the City by permitting commercial laboratories that meet certain standards, similar to the community facility laboratories already permitted as-of-right.

Such commercial research laboratories are substantially similar in their operations, activities, and types of chemicals used to the community facility laboratories permitted as-of-right in C2-7 districts at 10 FAR, which are routinely included in hospitals and universities, and also to the Use Group 9 medical laboratories also permitted as-of-right. The City's Life Sciences Memo, issued December 13, 2016, by NYCEDC, the Department of City Planning, and Department of Buildings, clarified that life sciences laboratories can be located in commercial zoning district, and can be classified as Use Group 9 medical laboratories. According to the Memo, these medical laboratories may include facilities for research, testing, and development, and may include limited production activities.

The modified Section 74-48 special permit would have no applicability outside of the Development Site, because it would apply only to C2-7 sites in Community District 8 in Manhattan, of which there are none other than the Development Site (under the proposed rezoning). Even outside of Community District 8, C2-7 districts are zoned only in three other areas: the avenue frontage of Amsterdam Avenue between West 54th Street and West 59th Street; the Waterside Plaza development on the East River; and St. Vincent's Triangle Park in the West Village. Along the area of Amsterdam Avenue zoned C2-7, this zoning only applies to a depth of either 100 feet or 150 feet, and so there are no zoning lots in this area with an area of at least 40,000 square feet. The second area – Waterside Plaza – is a site larger than 40,000 square feet, but it is fully built with a residential and commercial development, originally built under State Mitchell-Lama program, which continues to be subject to a long-term lease from the City of New York and an Urban Renewal Plan that regulates the amount of commercial development on the zoning lot.[4] The final area is a public park, in which no development would be permitted.

[4] The City lease and Urban Renewal Plan for Waterside Plaza were both extended for an additional 99 years in 2018. See C 190064 HDM, December 5, 2018/Cal. No. 11 and C 190065 HUM, December 5, 2018/Cal. No. 12.

Special Permit

The proposed special permit pursuant to Section 74-48, as amended, will permit the following:

i. scientific research and development facilities, including commercial labs and associated office space, to be included in the project at more than the 2 FAR permitted in C2-7 districts, pursuant to Section 33-122, not to exceed the 10 FAR permitted for community facility uses;

The amount of commercial floor area proposed for the Proposed Development is 312,766 square feet, or 6.92 FAR. Including more than 2 FAR of commercial uses in the Proposed Development is important to developing the building as a life sciences hub that will serve as a center not only of institutional uses but also of commercial, growth-stage companies, which are engaged in the commercialization of research.

The Proposed Development will include shared resources accessible to NYBC and its partners, including support services such as glass wash, specialized microscopes, shared instrumentation, and freezer/refrigerator rooms, core labs such as clean rooms, cold rooms, cell therapy labs, and collaboration spaces, such as education facilities, conference rooms, interaction commons, and a ground-level café.

Co-location of basic science research with commercial research entities expedites the commercialization of discoveries, while enabling the new products and treatments to spur further scientific investigation. Co-locating NYBC investigators with institutional and commercial partners furthers collaborations and synergies that translate basic science discoveries into application, catalyze development of new companies, and promote technology transfer.

The commercial laboratories and related office space that would be permitted by the special permit are nearly identical, in character, activities, and impacts, to the community facility laboratories that could be conducted in this location on an as-of-right basis, and which are routinely provided in hospitals and universities. As commercial, not manufacturing, laboratories, the types of labs in the building will not be the type of labs with objectionable or noxious effects.

ii. modifications of the height and setback limitations of Section 33-432;

Zoning Resolution Section 33-432 requires that commercial and community facility buildings in C2-7 districts have a maximum base height of 85 feet or six stories, whichever is less. Above this base the building must be set back 20 feet on a narrow street (both East 66th Street and East 67th Street are narrow streets) and must be built beneath a sky exposure plane of 2.7 to 1 on a narrow street. Alternatively, the building may be built in accordance with the alternate sky exposure plane regulations of Section 33-442, according to which, if the building is set back from the street line by 15 feet on a narrow street, the applicable sky exposure plane is 3.7 to 1.

The Proposed Development will be built with a four-story base covering the entire zoning lot, as does the existing building. The height of the base, at 85 feet, will comply with the C2-7 maximum street wall height, and will relate to the height of the lower-scale neighboring buildings on the block and in the area. Above this base, the building will include 12 stories to be used by the NYBC's development partner for its lab and office space, with floorplates of approximately 30,000 square feet, and an upper mechanical floor. This upper portion of the building will encroach on the required 20-foot setback from both East 67th and East 66th Streets. It will be massed toward the south end of the site, with a setback of 15 feet from East 67th Street and only four feet from East 66th Street, to create greater distance from St. Catherine's Park. It will also encroach on the sky exposure plane (of 2.7 to 1) from East 67th Street starting at a height of approximately 125 feet, and from East 66th Street, beginning at a height of approximately 96 feet.

These waivers for the upper floors are necessary in order to create the large and flexible floorplates necessary for modern and efficient laboratory space, which will attract life sciences partners to the building. As described above, the massing and floorplate are driven by the specific functional requirements of modern laboratories, including, specifically:

- Minimum 30,000 gross-square-foot floorplates to enable flexibility in utilization for multiple small start-up entities or large research groups;

- Open, efficient, "loft-like" laboratory floors that can accommodate both wet bench research and dry computational research;

- An 11-foot building module that will allow for a 22-foot laboratory support zone for enclosed specialized equipment and a 33-foot open bench zone for lab workspace, write-up desks, and sinks, resulting in a 55-foot minimum dimension from building core to building exterior structure.

The large size of this site provides a unique opportunity for the development of a building that will further the City's goals of developing a hub for the life sciences industry in the City. The 30,000-square-foot floorplate is very efficient and flexible for modern life sciences laboratories, and this site is one of the few places in the City where a floorplate of this size can be provided in a new, purpose-built building.

iii. modifications to the rear yard equivalent regulations of Section 33-283;

On a through lot such as the Development Site, Zoning Resolution Section 33-283 requires a rear yard equivalent of 20 feet to be provided along each of the side lot lines of the zoning lot, 20 feet on each front lot line, or 40 feet in the middle of the lot. The base portion of the building will encroach on the required 20-foot rear yard equivalent, wherever it is located, as the building's lower floors will be built to the lot line, as is the existing NYBC building. The size of the ground floor floorplates is necessary to accommodate all of NYBC's facilities, which will include administrative offices, the principal blood donation center, a ground-floor café, and accessory research laboratories, in addition to the lobby for the commercial portion of the building.

The upper portion of the building will be built within 15 feet of the eastern lot line, and so will also encroach on the required 20-foot rear yard equivalent along the eastern edge of the zoning lot by five feet. It will also be massed toward the east of the site, so that there is a 30-foot setback from the western lot line and at least 50 feet in total (in most places more than 60 feet) from the 16-story residential building to the west, at 301 East 66th Street – the same distance between buildings that would be

required if the buildings were on the same zoning lot. To the east, all adjacent buildings are below the level of the base of the proposed new building.

iv. modifications of the sign regulations to allow signs in the Proposed Development to exceed the surface area limitation of Section 32-641, 32-642, and 32-643 and the height limitations of Section 32-655, and modification of the regulations of Section 32-67, which require signs in commercial zoning districts facing a residential district or a public park to follow the C1 district sign regulations.

In C2-7 districts Section 32-641 limits the total surface area of accessory signs to the lesser of three times the zoning lot frontage, but not more than 150 square feet, which is also the limitation applicable to non-illuminated signs, pursuant to Section 32-642. Section 62-643 limits the surface area of illuminated signs to three times the zoning lot frontage, or 50 square feet. Section 62-655 limits the height of signs to 25 feet from curb level. For through lots, the maximum permitted amount of signage is calculated for the entire zoning lot, including both street frontages together.

The Proposed Development will have a total of 1,000 square feet of signage, including 530 square feet on the East 67th Street frontage and 470 square feet on the East 66th Street frontage. On each street frontage, the Proposed Development will have a 300-square-foot illuminated sign at a height of 40 feet, which will serve to identify the building. These signs will identify the major life sciences tenant in the building and/or its development partner, and will be an opportunity to brand the building, similar to the building sign at the Alexandria Center. The sign will also allow the building to have greater visibility from 2nd Avenue, which is important because the building will not have avenue frontage. Total illuminated signage will be 730 square feet and total non-illuminated signage will be 270 square feet.

As noted above, for through lots, the maximum permitted amount of signage is calculated for the entire zoning lot, including both street frontages together. For corner lots, in contrast, the permitted amount of signage is calculated separately for each street frontage. If there are separate establishments on the ground floor of a building, however, each establishment is permitted its own allotment of signage, up to a maximum of 150 square feet per establishment in C2 districts, or 50 square feet for

illuminated signage. For the Proposed Development, there will be separate establishments within the building – NYBC and each of the commercial or institutional building tenants – but these establishments will not have separate entrances on the ground floor, as is contemplated by the sign regulations, and so will not be able to take advantage of this per-establishment method of calculating allowable signage. Nevertheless, the building will have an entrance on each street that will not be visible from the other entrance, and the building will require identifying signage on each frontage. If each street frontage were considered as a separate establishment, which it could be if the internal configuration of the building were configured to provide separate entrance lobbies, the required signage waiver would be reduced to the amount in excess of 150 square feet per frontage. This greater amount of signage would also be permitted if the Development Site were two separate interior lots rather than one through lot.

Section 32-67 requires that, in C2 through C8 districts, for signs located within 100 feet of a street line and facing at an angle of less than 165 degrees away from such street line, where the street forms the boundary of an adjoining residential district or where the street adjoins a public park of one-half acre or more, such signs are subject to the sign regulation of C1 zoning districts. Because the Development Site would be located in a C2 district and both streets bounding the zoning lot would form a boundary with an adjoining residential district, Section 32-67 would require signs in the Proposed Development to comply with the C1 sign regulations, which have the same surface area and height limitations as the C2 regulations. Accordingly, a modification of Section 32-67 is necessary to permit the proposed signage on the building.

8. Conclusion

The Proposed Development will significantly advance the City's goal of providing opportunities for the growth of the life sciences industry in New York City. This project is especially important today, as the COVID-19 crisis highlights the need for the City to have a robust life sciences community to respond to future pandemics. The Proposed Development will help to position the City at the forefront of life sciences research and will strengthen the City's ability to marshal the resources of local institutions and businesses to respond to health crises.

The New York Blood Center site is ideally located for this purpose, in the middle of the City's most important cluster of medical and research institutions, within only a 10-minute walk of Memorial Sloan Kettering, Weill Cornell Medical Center, New York Presbyterian Hospital, Rockefeller University, and the Hospital for Special Surgery, and with easy access to mass transit. The site, over an acre in size, is uniquely suited to provide the 30,000-square-foot, flexible floorplates that can accommodate a modern laboratory facility. The existing building has served as the headquarters of a critical medical and research institution for both the City and the region for over 50 years, but due to the constraints of the existing zoning, is unable to accommodate the modernization and growth of NYBC that will allow it to remain in this location. It also significantly under-utilizes the site's potential to create jobs and to advance lifesaving research.

NYBC is literally vital to the region's health, as the leading supplier of the blood and blood products used in the New York region. The requested actions will enable NYBC to continue meeting its critical role in the region's health care delivery, and will leverage this central role and location to create a life sciences hub that will help to position the City to respond to future pandemics and will benefit the City's greater economy.

74-48
Scientific Research and Development Facility

In C2-7 Districts within Community District 8 in the Borough of Manhattan, and in C6 Districts, the City Planning Commission may permit a scientific research and development facility as a commercial use, where such facility contains laboratories for medical, biotechnological, chemical or genetic research, including space for production, storage and distribution of scientific products generated through research and, in conjunction with such facility, may allow the modifications set forth in paragraph (a) of this Section. For a special permit to be granted, applications must comply with conditions in paragraph (b) and the findings of paragraph (c) of this Section. Additional requirements are set forth in paragraph (d).

(a) Additional modifications

For such scientific research and development facility, the Commission may modify the following, whether singly or in any combination:

(1) height and setback regulations;

Zoning Resolution Section 33-432 requires that commercial and community facility buildings in C2-7 districts have a maximum base height of 85 feet or six stories, whichever is less. Above this base the building must be set back 20 feet on a narrow street (both East 66th Street and East 67th Street are narrow streets) and must be built beneath a sky exposure plane of 2.7 to 1 on a narrow street. Alternatively, the building may be built in accordance with the alternate sky exposure plane regulations of Section 33-442, according to which, if the building is set back from the street line by 15 feet on a narrow street, the applicable sky exposure plane is 3.7 to 1.

The Proposed Development will be built with a four-story base covering the entire zoning lot, as does the existing building. The height of the base, at 85 feet, will comply with the C2-7 maximum street wall height, and will relate to the height of the lower-scale neighboring buildings on the block and in the area. Above this base, the building will include 12 stories to be used by the NYBC's development partner for its lab and office space, with floorplates of approximately 30,000 square feet, and an upper mechanical floor. This upper portion of the building

will encroach on the required 20-foot setback from both East 67th and East 66th Streets. It will also encroach on the sky exposure plane from East 67th Street starting at a height of approximately 125 feet, and from East 66th Street, beginning at a height of approximately 96 feet. These waivers for the upper floors are necessary in order to create the large and flexible floorplates that can accommodate modern and efficient laboratory space.

(2) where such facility is located within C2-7 Districts:

(i) #sign# regulations;

In C2-7 districts Section 32-641 limits the total surface area of accessory signs to the lesser of three times the zoning lot frontage, but not more than 150 square feet, which is also the limitation applicable to non-illuminated signs, pursuant to Section 32-642. Section 62-643 limits the surface area of illuminated signs to three times the zoning lot frontage, or 50 square feet. Section 62-655 limits the height of signs to 25 feet from curb level. For through lots, the maximum permitted amount of signage is calculated for the entire zoning lot, including both street frontages together.

The Proposed Development will have a total of 1,000 square feet of signage, including 530 square feet on the East 67th Street frontage and 470 square feet on the East 66th Street frontage. On each street frontage, the Proposed Development will have a 300-square-foot illuminated sign at a height of 40 feet, which will serve to identify the building. Total illuminated signage will be 730 square feet and total non-illuminated signage will be 270 square feet.

(ii) #floor area ratio# regulations, up to the maximum #floor area ratio# permitted for #community facility uses# for the District;

The permitted commercial FAR in C2-7 districts is 2.0. The amount of commercial, Use Group 9 floor area in the Proposed Development would be 312,766 square feet, or 6.92 FAR. Including more than 2 FAR of commercial uses in the Proposed Development is important to developing the building as a life sciences hub that will serve as a center not only of institutional uses but also of commercial, growth-stage companies, which are engaged in the commercialization of research.

The proposed commercial laboratories and related office space would be nearly identical, in character, activities, and impacts, to the community facility laboratories that could be conducted in this location on an as-of-right basis, and which are routinely provided in hospitals and universities. Similar to the Use Group 9 medical laboratories that are also permitted as-of-right in commercial zoning districts, the types of labs in the building will not be the type of labs with objectionable or noxious effects.

(iii) #yard# regulations.

On a through lot such as the Development Site, Zoning Resolution Section 33-283 requires a rear yard equivalent of 20 feet to be provided along each of the side lot lines of the zoning lot, 20 feet on each front lot line, or 40 feet in the middle of the lot. A modification of Section 33-283 is requested to permit the base portion of the building to encroach on the required 20-foot rear yard equivalent, wherever it is located, as the building's lower floors will be built to the lot line, as is the existing NYBC building. The size of the ground floor floorplates is necessary to accommodate all of NYBC's facilities, which will include administrative offices, the principal blood donation center, a ground-floor café, and accessory research laboratories, in addition to the lobby for the commercial portion of the building.

A modification of Section 33-283 is also requested to permit the upper portion of the building to be built within 15 feet of the eastern lot line, which will encroach on the required 20-foot rear yard equivalent along the eastern edge of the zoning lot by five feet. This upper portion of the building will be massed toward the south end of the site, with a setback of 15 feet from East 67th Street and only four feet from East 66th Street, to create greater distance from St. Catherine's Park. It will also be massed toward the east of the site, so that there is a 30-foot setback from the western lot line and at least 50 feet in total (in most places more than 60 feet) from the 16-story residential building to the west, at 301 East 66th Street – the same distance between buildings that would be required if the buildings were on the same zoning lot. To the east, all adjacent buildings are below the level of the base of the proposed new building.

(b) Conditions

As a condition for granting a special permit, such facility shall:

(1) conform to the performance standards applicable to M1 Districts;

The Proposed Development will conform to all applicable performance standards for M1 Districts set forth in Section 42-20 of the Zoning Resolution. The Proposed Development will be operated in compliance with all local, State, and federal regulations applicable to community facility and commercial laboratories in the building, including as to waste disposal.

(2) occupy a #zoning lot# that either contains a minimum #lot area# of 40,000 square feet or comprises an entire #block#; and

The Development Site has a lot area of 45,186 square feet.

(3) occupy a #zoning lot# containing no #residential use#.

The Proposed Development will contain no residential use on the zoning lot.

(c) Findings

As a condition for granting a special permit, the Commission shall find that the scientific research and development facility:

(1) will not unduly affect the essential character or impair the future use and development of the surrounding area;

The City has accommodated the growth of medical institutions on the Upper East Side, where appropriate, in several rezonings over many years. Like these other institutions, the Blood Center has a tremendous need to modernize and expand its facilities, to be able to continue providing its critical services into the future at this location. Unlike the institutions located along the FDR Drive, NYBC cannot grow by building over the highway. Instead, the Blood Center must grow in place.

Its proposed project is similar to, but considerably more limited than, the rezoning approved for Memorial Sloan-Kettering in 2001, which upzoned two entire midblocks between East 67th and East 69th Streets, between First and York Avenues, to an R9 zone. The proposed NYBC expansion will be limited to the Blood Center's current property alone; no acquisition or displacement will be necessary to accomplish the Proposed Development.

Tall buildings are not unusual for this area, not only on the avenues, but also on midblock sites. One block to the east, MSK's main hospital building, between East 67th and East 68th Streets, is 19 stories in height. MSK's Zuckerman Research Building, located between East 68th and East 69th Streets, is 22 stories in height. MSK also has a 16-story building in the block to the south, between East 66th and East 67th Street. The area to the west of the Project Area also includes tall buildings located in the middle of a block: Manhattan House, located between East 65th and East 66th Streets, and between 2nd and 3rd Avenues is a 20-story building that occupies its entire block, and 215 East 68th Street is a 32-story

apartment building located between East 68th and East 69th Streets, and between 2nd and 3rd Avenues, which occupies the majority of its block, and a substantial portion of the midblock.

The block can handle the greater height and density proposed because the block is already atypical in character. Two existing, pre-1961 apartment buildings on the block are 13 and 14 stories, respectively, and so already exceed the permitted R8B envelope. These buildings occupy one-half of the midblock area not occupied by the Blood Center site. In addition, the block to the north of the Project Area includes St. Catherine's park over half of its area, which breaks the R8B street wall context, and creates substantial open area that will offset greater height in the Project Area.

In addition, the Proposed Development has been designed to respect its surroundings. It will have a base with an 85-foot street wall, similar to the street wall character of the lower-scaled buildings in the surrounding midblock area, and in compliance with the C2-7 street wall requirements. Its upper 12-story portion will be built 30 feet from the western lot line of the Development Site, which will allow an overall 60-foot distance between the Proposed Development and the building to the west, at 301 East 66th Street. The upper portion will also be set back 15 feet from East 67th Street but only four feet from East 66th Street, to push the building as far as possible away from the park, while still maintaining the desired 30,000-square-foot floorplate.

(2) will be located so as to draw a minimum of vehicular traffic to and through local #streets#;

The Proposed Development will have five loading berths and six accessory parking spaces, both of which will be accessed from curb cuts on East 66th Street, away from the school and park to the north. The accessory parking provided in the building will be used for NYBC delivery trucks and fleet vehicles, and will not be available to workers or visitors to the building. According to the

transportation analysis of the Draft Environmental Impact Statement ("DEIS"), there are only seven deliveries per hour anticipated in the "peak hour" – the hour of the day with the highest number of expected deliveries – so the truck activity on East 66th Street is not expected to be heavy.

Both streets adjoining the site are through-streets, used by traffic travelling to the West Side. The site is also well-served by public transit. The M66 bus runs westbound on East 67th Street and eastbound on East 68th Street. The M15 and M15 Select Bus Service run on First and Second Avenues. The nearest subway station is the 72nd Street station on the Q line. The site is also served by the 63rd Street/Lexington Avenue stop on the F and Q lines, and the 68th Street/Hunter College stop on the 6 line.

The DEIS estimates that over 80 percent of workers and visitors travelling to the site will use public transportation or walk. Few people arriving to the site are expected to use private vehicles, and since the proposed project would include only six parking spaces, all intended for NYBC fleet vehicles, anyone traveling to the site by private vehicle will need to park in one of the public garages that are dispersed throughout the area.

(3) provides fully enclosed storage space for all raw materials, finished products, by-products and waste materials including debris, refuse and garbage; and

The Proposed Development will include a fully enclosed, interior waste storage area. The waste generated will be typical of an institutional medical facility, and the Proposed Development will comply with all state and local regulations applicable to such facilities.

(4) that the modification to any applicable #bulk# regulations will not unduly obstruct the access of light and air to adjoining properties or public #streets#.

The upper portion of the building, which requires the modification of the height and setback and rear yard equivalent regulations, will be massed toward the south

and east ends of the site, in order to lessen its impact on St. Catherine's Park and nearby residential buildings. It will have a setback of 15 feet from East 67th Street and only four feet from East 66th Street, to create greater distance from St. Catherine's Park. It will also be massed toward the east of the site, so that there is a 30-foot setback from the western lot line and at least 50 feet in total (in most places more than 60 feet) from the 16-story residential building to the west, at 301 East 66th Street – the same distance between buildings that would be required if the buildings were on the same zoning lot. To the east, all existing buildings are below the level of the base of the proposed new building.

A tall building at this location, south of St. Catherine's Park, will inevitably cast shadows on the park. Nevertheless, these shadows are not significantly different than those that would be cast by an as-of-right building, built pursuant to the C2-7 zoning regulations. These regulations permit residential towers of up to 7.52 FAR and community facility towers of up to 10 FAR, either of which could be as tall as the Proposed Development and would cast similar shadows to the north.

The base portion of the building, which also requires a modification of the rear yard equivalent regulations, will not have any impact on light and air to adjoining properties. The footprint of the new building will be the same as the footprint of the existing building, and the 85-foot base height will be similar to the height of other buildings on the block.

(5) with regard to #sign# modifications:

(i) a signage plan has been submitted showing the location, size, height, and illumination of all #signs# on the zoning lot;

The signage plan is included as Drawing Z-07 in the set of zoning drawings filed with this application.

(ii) the modifications are consistent with the amount and location of commercial life sciences laboratories that the Commission finds appropriate on the #zoning lot#; and

The Proposed Development will contain approximately 312,766 square feet of commercial floor area in scientific research and development facility, including laboratories and related offices and accessory uses. As described above, this amount of commercial floor area is appropriate for the Development Site because the commercial laboratory activity is substantially similar to the community facility laboratories that would be permitted for hospital or universities, at the same FAR, and the additional density is appropriate for this block, with its proximity to mass transit and its location across the street from a significant open space.

The Proposed Development will have a total of 1,000 square feet of signage, including 530 square feet on the East 67th Street frontage and 470 square feet on the East 66th Street frontage. On each street frontage, the Proposed Development will have a 300-square-foot illuminated sign at a height of 40 feet, which will serve to identify the building. These signs will identify the major life sciences tenant in the building and/or its development partner, and will be an opportunity to brand the building, similar to the building sign at the Alexandria Center. The sign will also allow the building to have greater visibility from 2nd Avenue, which is important because the building will not have avenue frontage. The other illuminated signs will be located over the building entrances on each street, and at the entrances to the loading docks and garage on East 66th Street, where they are important for public safety. Total illuminated signage will be 730 square feet and total non-illuminated signage will be 270 square feet.

Section 32-643 allows a building occupied by separate establishments at ground level to calculate the permitted signage as though each establishment were a separate zoning lot. If separate establishments were located on each street frontage, therefore, the building could have up to 150 square feet of signage on each frontage, which would reduce the

signage noncompliance of the Proposed Development. Similarly, 150 square feet on each frontage would be allowed if the Development Site were two interior lots rather than one through lot. The Proposed Development will have separate establishments within the building – NYBC and each of the commercial or institutional building tenants – but these establishments will not have separate entrances on the ground floor, as is contemplated by the sign regulations. Nevertheless, the signage on each street frontage will not be visible from the other street, so the signage will be experienced by pedestrians as though the Development Site is two separate interior lots, rather than a through lot.

(iii) #illuminated signs#, if provided:

(a) utilize an illumination type, and are located and oriented in a manner so as to minimize any negative effects on nearby residences; and

(c) do not alter the essential character of the adjacent area.

The signs on East 67th Street will not be located opposite any residential uses; they will be located opposite a school and a park, neither of which will be occupied at night. On East 66th Street, the largest illuminated sign will be located at the far western end of the building, closest to the MSK Breast Center and 2nd Avenue, to minimize the impact on residences. There will also be illuminated signs on this frontage located next to the loading dock and garage entrances, to improve pedestrian and traffic safety, and over the entrance to the building. All of the signs on the Proposed Development, other than the principal, building-identifying signs, will be relatively small in size. The illuminated signs will employ one of the following methods of illumination, to reduce their impact on nearby residential windows:

- indirect illumination, including backlit illumination; or
- facelit illumination that consists of individually lit letters or logo elements with a translucent lens.

With indirect or backlit illumination, light emissions will be muted by directing the light at the building wall. For the facelit signage, lighting only the individual letters, rather than an entire sign face, will reduce the lit surface of the sign, and the translucent lens of the sign will mute the light emissions. The signs, therefore, will have minimal impact on the adjacent area.

(d) Additional requirements

(1) To minimize traffic congestion in the area, the Commission shall require the provision of off-street loading berths conforming to the requirements set forth in Section 36-62 (Required Accessory Off-street Loading Berths) for #commercial uses#.

The Proposed Development will include five loading berths, accessed from East 66th Street. Scientific research and development facilities have no loading requirements, but pursuant to Section 36-62, a development with 312,766 square feet of commercial floor area would require four loading berths. No loading berths are required for the community facility uses in the building. Accordingly, the Proposed Development will have more loading berths that would be required under Section 36-62. These loading berths will comply with all minimum size and access requirements.

(2) The Commission may also require the provision of #accessory# off-street parking facilities to prevent the creation of traffic congestion caused by the curb parking of vehicles generated by such #use#. The size and location of such parking and loading facilities shall comply with the applicable provisions of Section 36-00.

The Proposed Development will include six off-street accessory parking spaces, which will be used for NYBC delivery trucks and fleet vehicles. These parking spaces and the building's loading berths will comply with the applicable size and location provisions of Section 36-00.

(3) All applications for the grant of a special permit pursuant to this Section shall be referred to the Commissioner of Health of the City of New York or its successor for a report and recommendations on matters relating to health, safety and general welfare of the public with regard to the proposed facility. If the report is

received within 45 days from the date of referral, the Commission shall, in its determination, give due consideration to the report and its recommendations. If such agency does not report within 45 days, the Commission may make a final determination without reference thereto.

In order to promote and protect the public health, safety and general welfare, the City Planning Commission may impose additional conditions and safeguards and more restrictive performance standards where necessary.