MSK Pavilion

Review Session | April 29, 2024



Memorial Sloan Kettering Cancer Center | MSK Pavilion conceptual rendering (illustrative)

CannonDesign | Foster + Partners

Project Overview

APPLICANT

Memorial Sloan Kettering Cancer Center

REQUESTED ACTIONS

1. **Zoning Map Amendment** to rezone midblock of project area from R8 to R9
2. **Zoning Text Amendment** to ZR 79-43 to enable lot coverage and signage modifications by special permit
3. **ZR 79-43 Special Permit** to modify height, setback, lot coverage and signage
4. **ZR 79-21 Authorizations** to enable the development without regard for height and setback regulations, rear yard regulations and distribute floor area within a LSCFD without regard for zoning lot lines and streets
5. **Modification to the 2001 LSCFD site plan**
6. **Cancellation of the 2001 LSCFD Restrictive Declaration**
7. **ZR 26-15 Curb Cut Certification**
8. **Revocable Consent** for a pedestrian bridge over East 67th Street



Project Context

Location

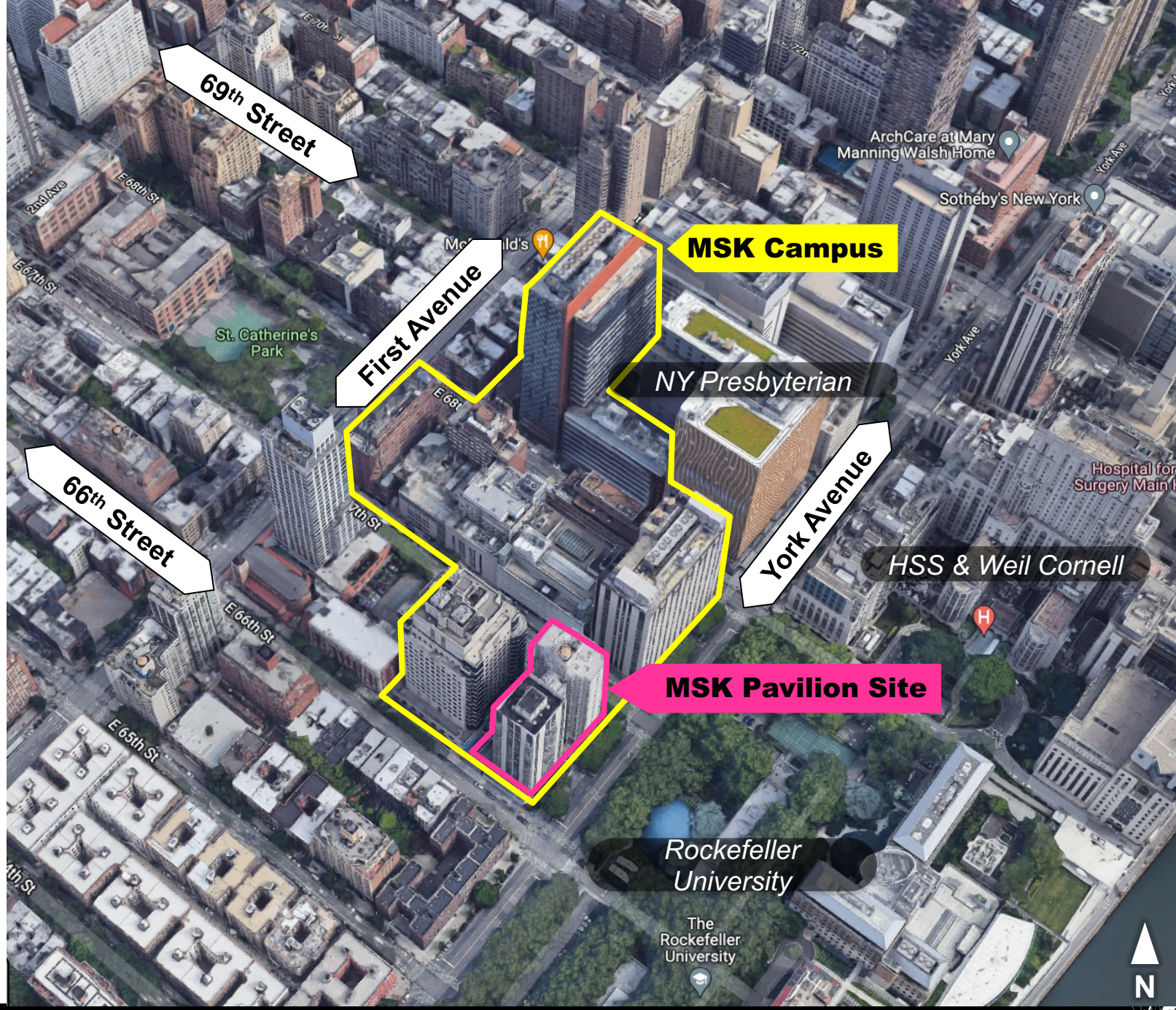
1233 York Avenue (Block 1461, Lots 13, 21)
Lenox Hill, Manhattan
Community District 8

MSKCC LSCFD contains:

North Campus | midblock portion of the block between East 68th and East 69th streets (Block 1463, Lots 5, 7501).

Main Campus | full block between East 67th and East 68th streets and between First and York avenues (Block 1462, Lots 1, 5).

South Campus | eastern half of the block between East 66th and East 67th streets and York Avenue (Block 1461, Lots 13, 21).



MSK Campus

North campus

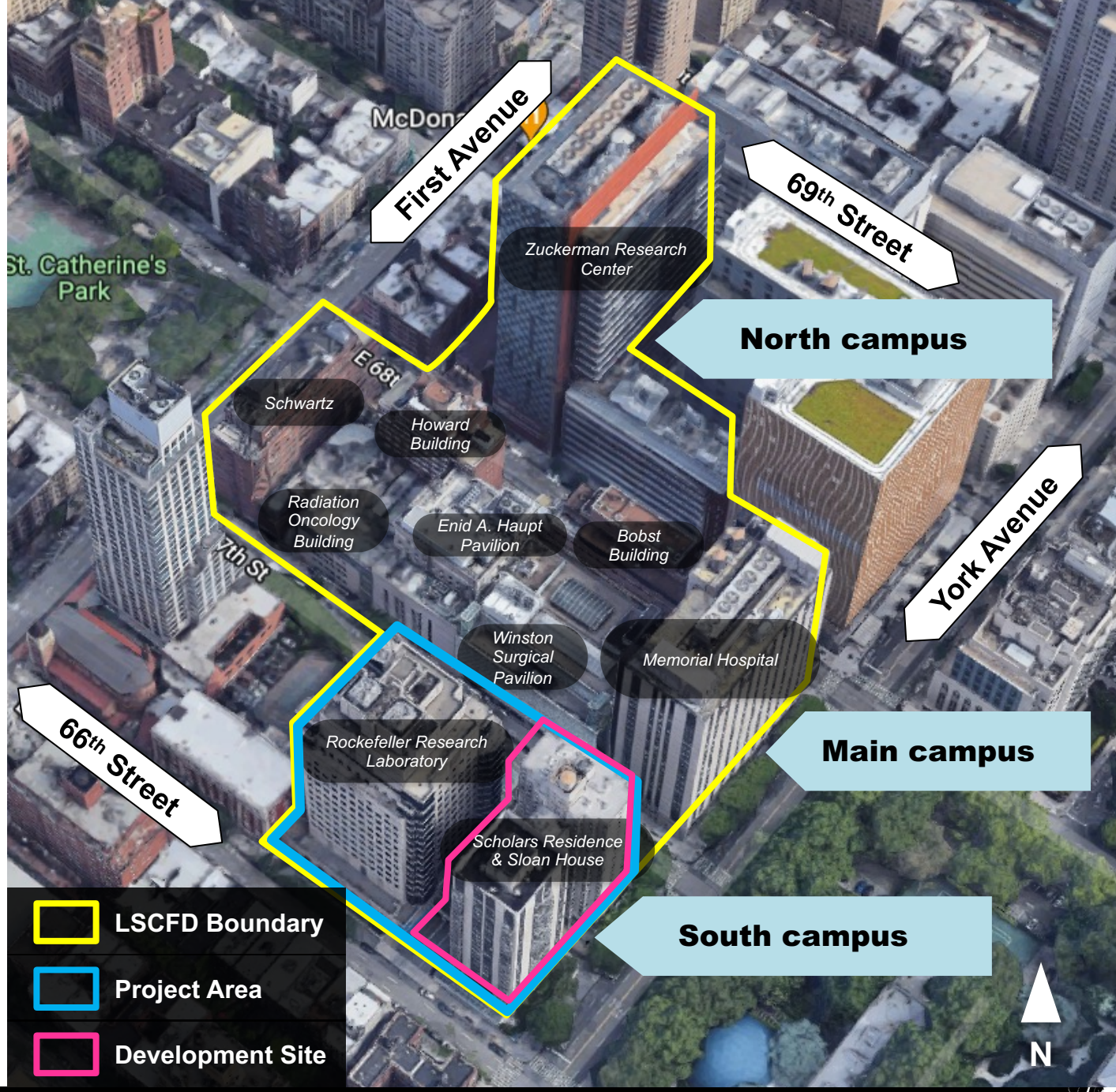
- **Zuckerman Research Center |** Research facilities
- St. Catherine's Church and rectory

Main campus

- **Memorial Hospital |** 431-bed inpatient care
- **Schwartz, Howard, Bobst Buildings, the Enid A. Haupt Pavilion and the Radiation Oncology Building |** Research, diagnostic and treatment facility functions
- **Winston Surgical Pavilion |** Ambulatory care facilities

South campus

- **Rockefeller Research Laboratory**
- **Scholars Residence and Sloan House |** Staff housing and offices



Surrounding Area

MSK Pavilion Area Map

Memorial Sloan Kettering Cancer Center

Project

- Project Area
- Rezoning Area
- Development Site
- 600 Foot Radius
- LSCFD

Zoning

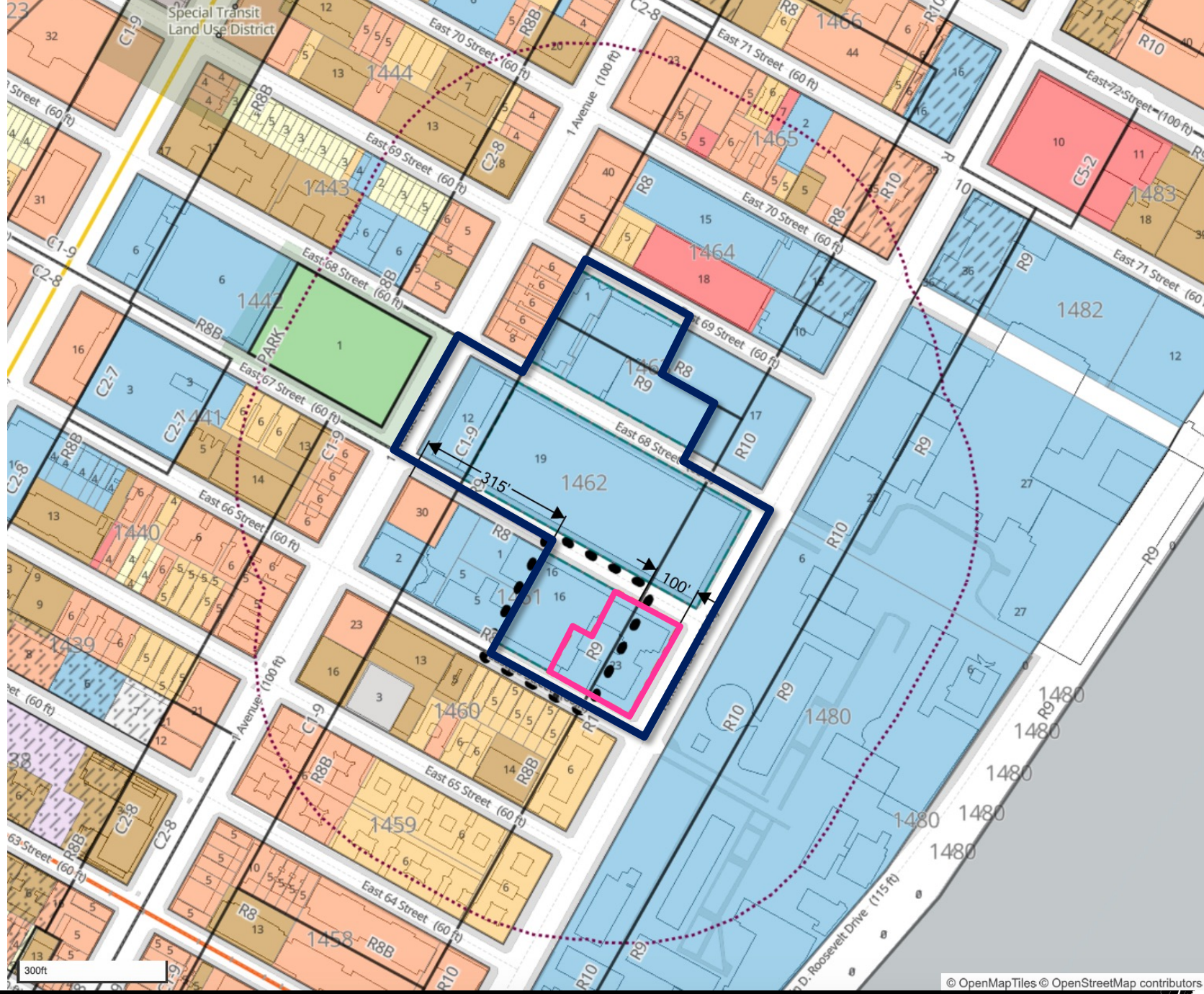
- Zoning District
- C1-1
- C1-2
- C1-3
- C1-4
- C1-5
- C2-1
- C2-2
- C2-3
- C2-4
- C2-5
- Special Purpose District

Land Use

- 1-2 Family Residential
- Multifamily Walkup
- Multifamily Elevator
- Mixed Commercial/Residential
- Commercial & Office
- Industrial & Mfg
- Transportation & Utility
- Public Facilities & Institiutions
- Open Space & Outdoor Recreation
- Parking
- Vacant/No Data
- Other

Transportation

- Subway Stop
- Subway Entrance



Background

2001 Land Use Application

- Established the 2001 LSCFD for the MSKCC Campus, which includes multiple zoning lots comprising over 5.5 acres that would be contiguous but for their separation by East 67th and 68th Streets.
- **A zoning map amendment (C 010547 ZMM)** to rezone the midblock portion of its North and Main campuses from an R8 district to an R9 district.
  - Modified to remove south campus midblock from rezoning
- **Special Permit (C 010548 ZSM)** to modify the required height and setbacks regulations along East 69th Street, a peripheral street of the 2001 LSCFD, to facilitate locating ZRC's East 69th Street street wall without setback for its full 420-ft height;
- **Zoning Authorization (N 010549 ZAM)** to permit the modification to height and setback regulations along East 68th Street, an internal street within the 2001 LSCFD.
  - Denied without prejudice authorization to distribute up to 100,000 square feet of floor area, without regard to zoning lot
  - **Restrictive Declaration** – restricted the use of the newly created 290,310 sf floor area, except 75,000 sf for small enlargements as necessary, until MSK came back with concrete plans for the new hospital

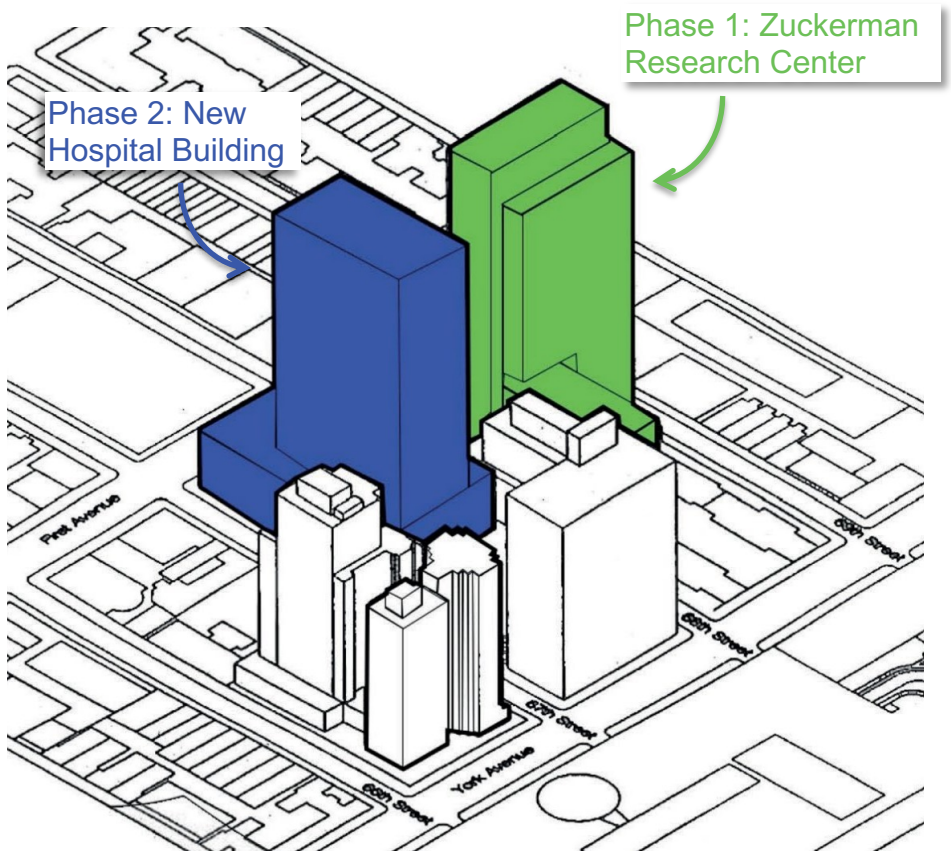


Image from 2001 FEIS

Development Site

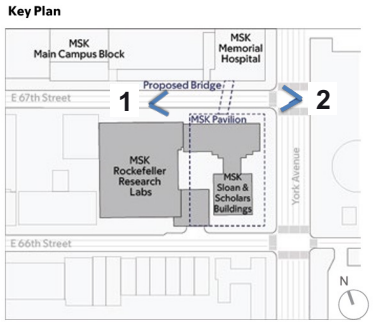
Block 1461, Lots 13 and 21 on the South Campus

Area: 29,702.50 square feet

Existing Condition: Scholars Residence & Sloan House used for staff housing and offices



Area Photographs



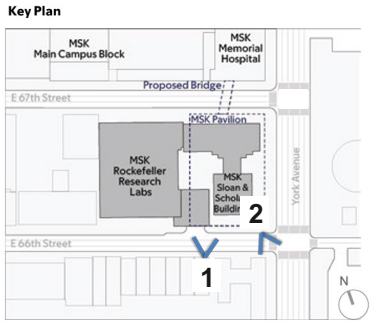


1. View looking East down E 67th street.



2. View looking West from York Ave & E 67th Street.

Area Photographs



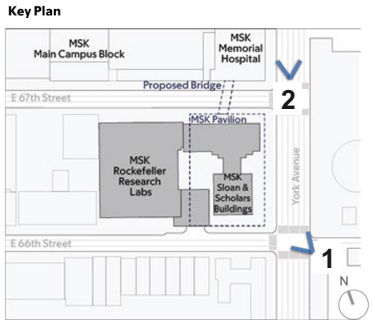


1. View looking at development site from E 66th street.



2. View looking Southeast from York Ave & E 66th Street.

Area Photographs





1. View looking at MSK campus from York Ave. and E 66th St.



2. View looking North on York Ave.

Proposed Development

31-story MSK Pavilion

- 594 feet
- 641,580 square feet
- Patient bridge over 67th Street to connect to Memorial Hospital on the the Main Campus

Illustrative Drawing Only



LSCFD Site Plan

North campus

- No change proposed. All developable floor area has been utilized.

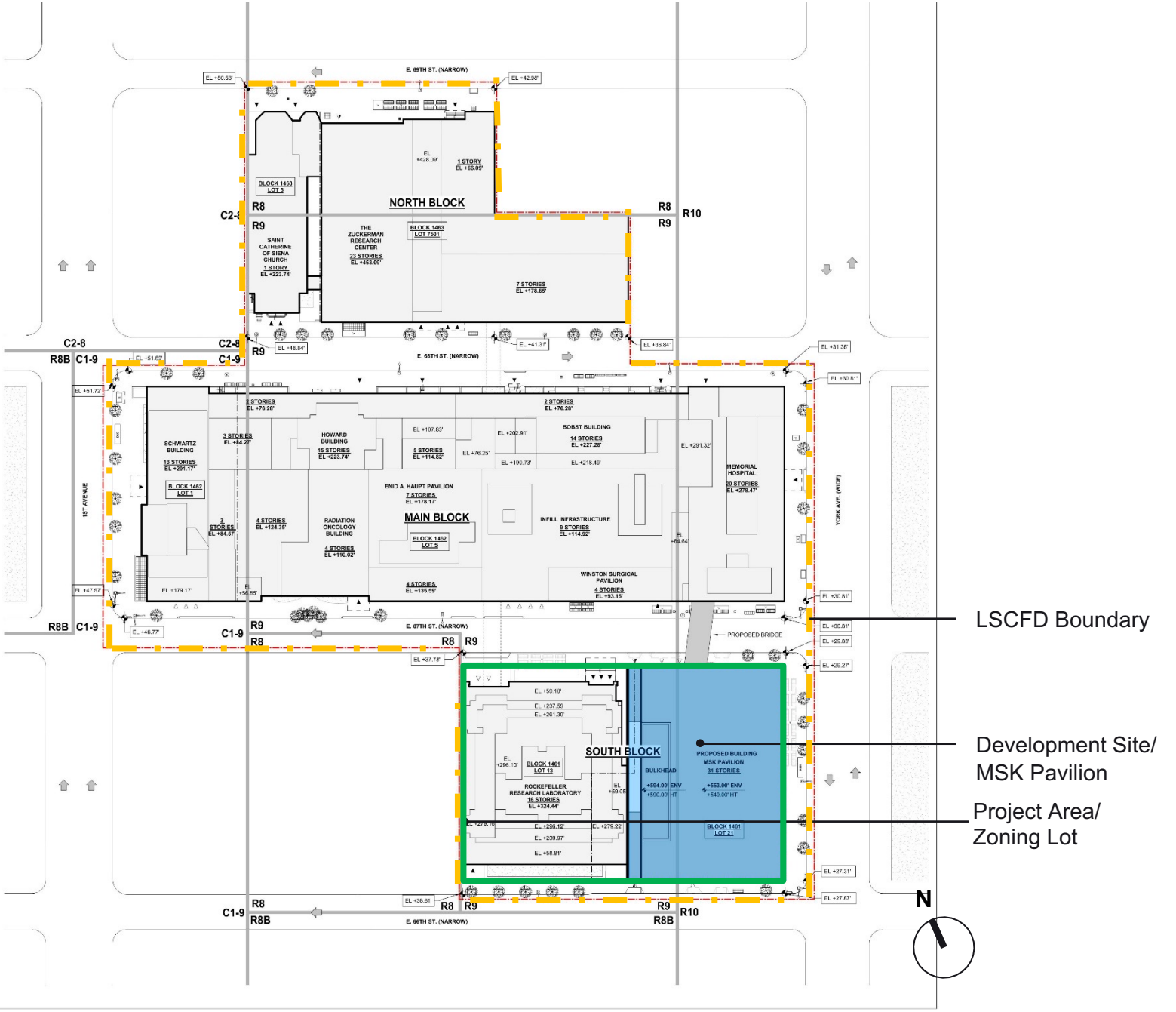
Main campus

- No development proposed.
- All available floor area is being moved to the south campus to facilitate the proposed development.

South campus

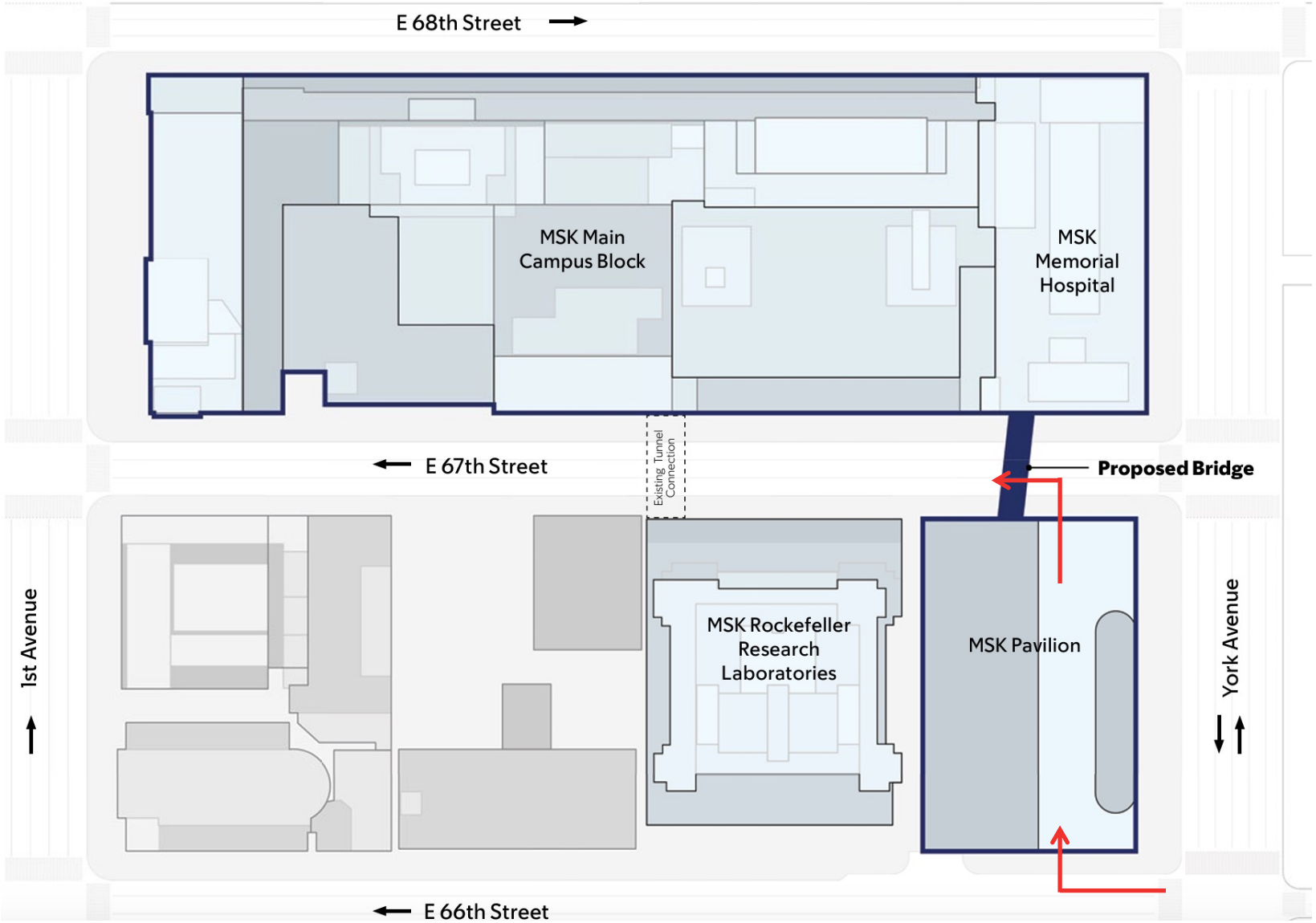
- Rockefeller Research Laboratory and shared below-grade parking garage to remain.
- Scholars Residence and Sloan House demolished to facilitate the MSK Pavilion.

If the MSK Pavilion is developed as proposed, there will be no additional floor area available within the LSCFD.



Site Plan

- Main campus and proposed MSK Pavilion will work together for patient care and treatment.
- Proposed patient bridge over East 67th Street will provide direct connection with Memorial Hospital.

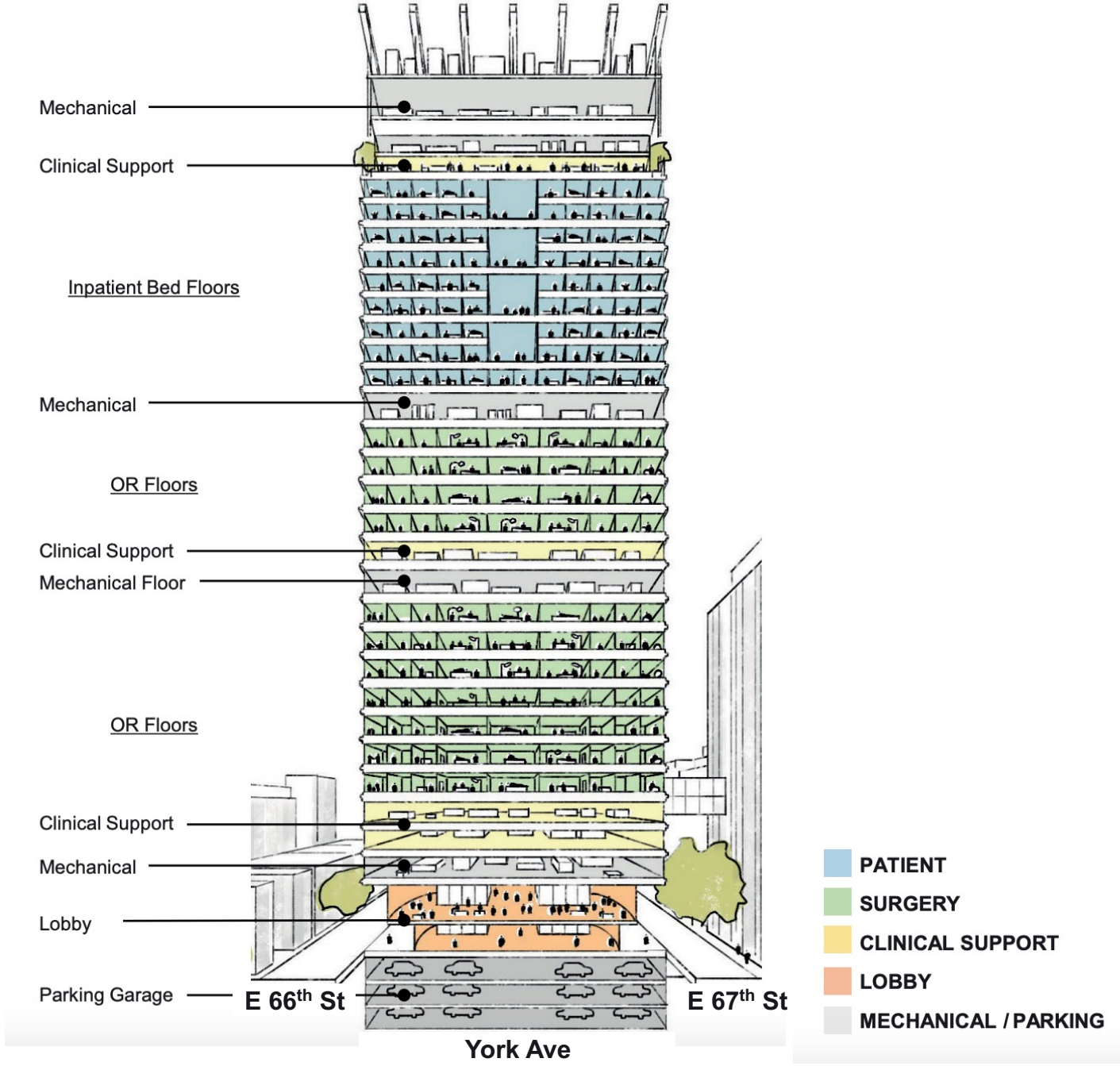


PROPOSED PAVILION DRIVEWAY PATH

Proposed Program

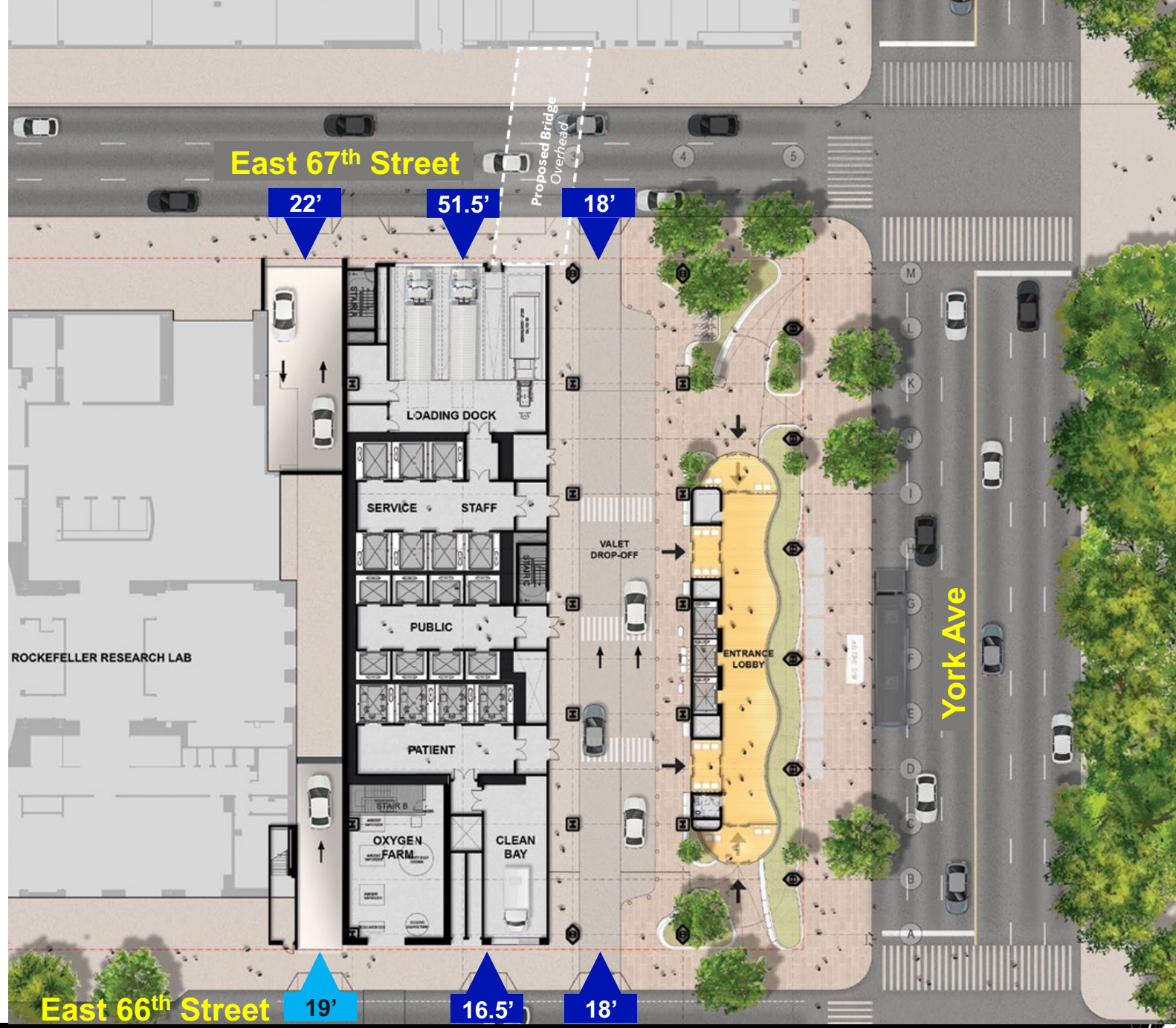
24 Hospital Floors and 5 Mechanical Floors

- Two-floor lobby along York Avenue
- 28 operating and procedural suites
- 206 inpatient beds on 9 floors
- 4 clinical support floors
- Existing below-grade parking to remain



Ground Floor

- Entrance lobby on York Avenue
- One-way vehicular drop-off from 66th Street
- 3 curb cuts on East 67th Street
- 3 curb cuts on East 66th Street



Proposed Curb Cut

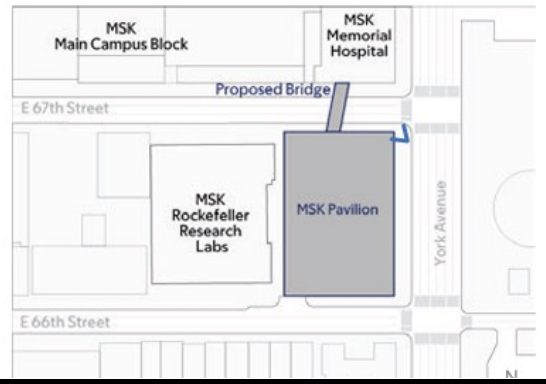
Existing Curb Cut

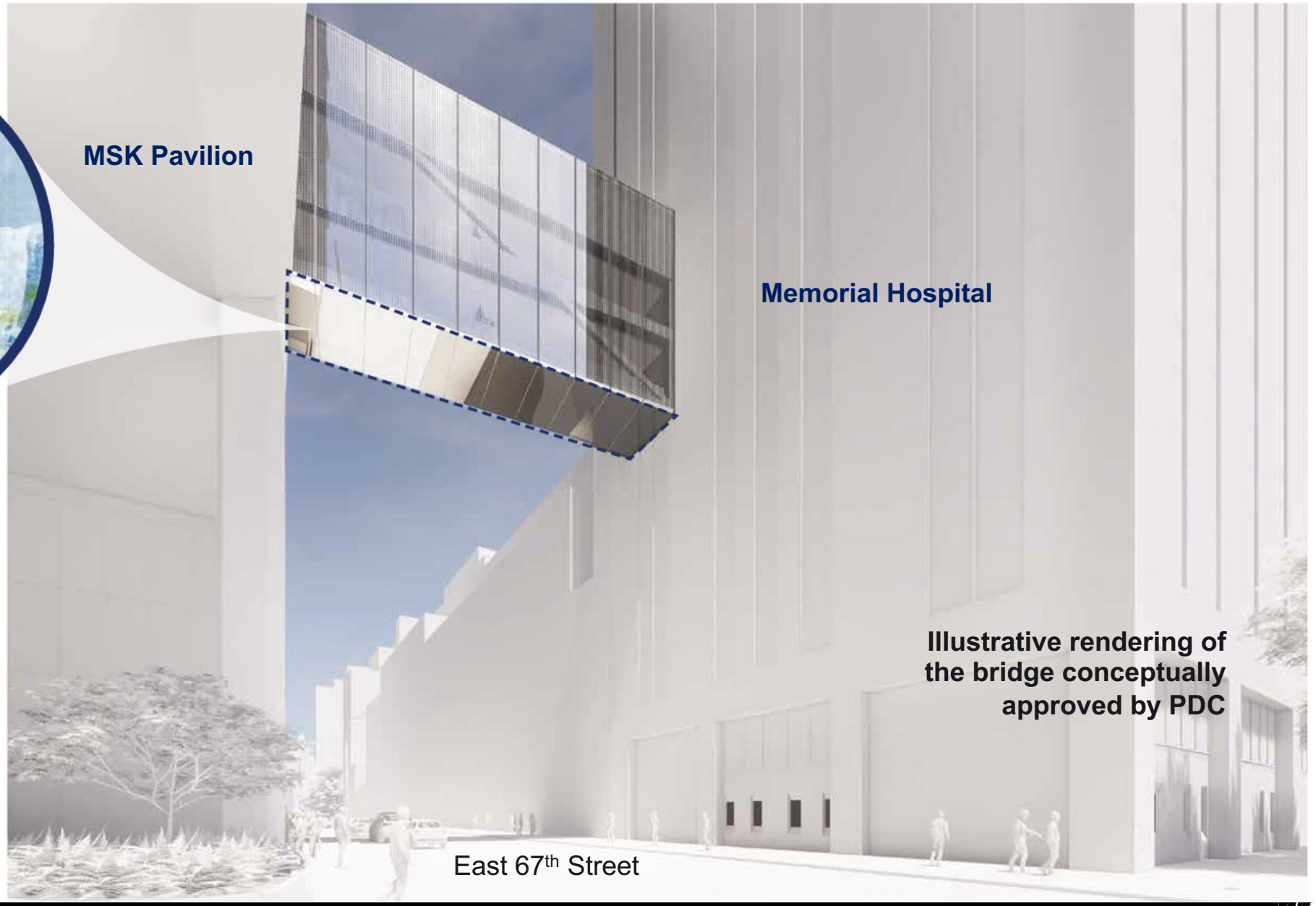
Patient Bridge



* Bridge Cladding & Lower Levels of MSK Pavilion Project will comply with Local Law 15 "Bird Friendly Materials" Requirements as part of project design.

Key Plan





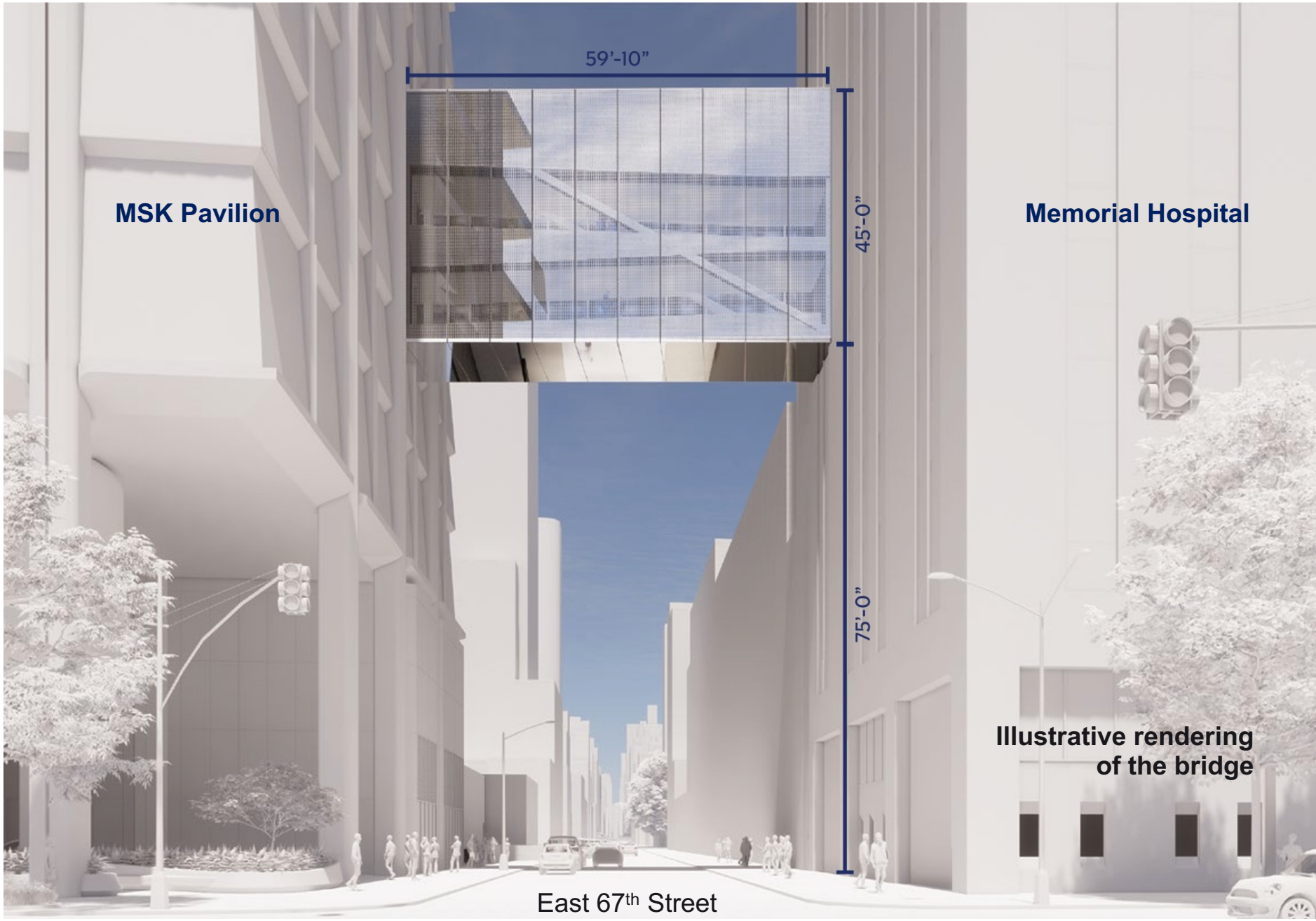
Illustrative rendering of the bridge conceptually approved by PDC

Patient Bridge

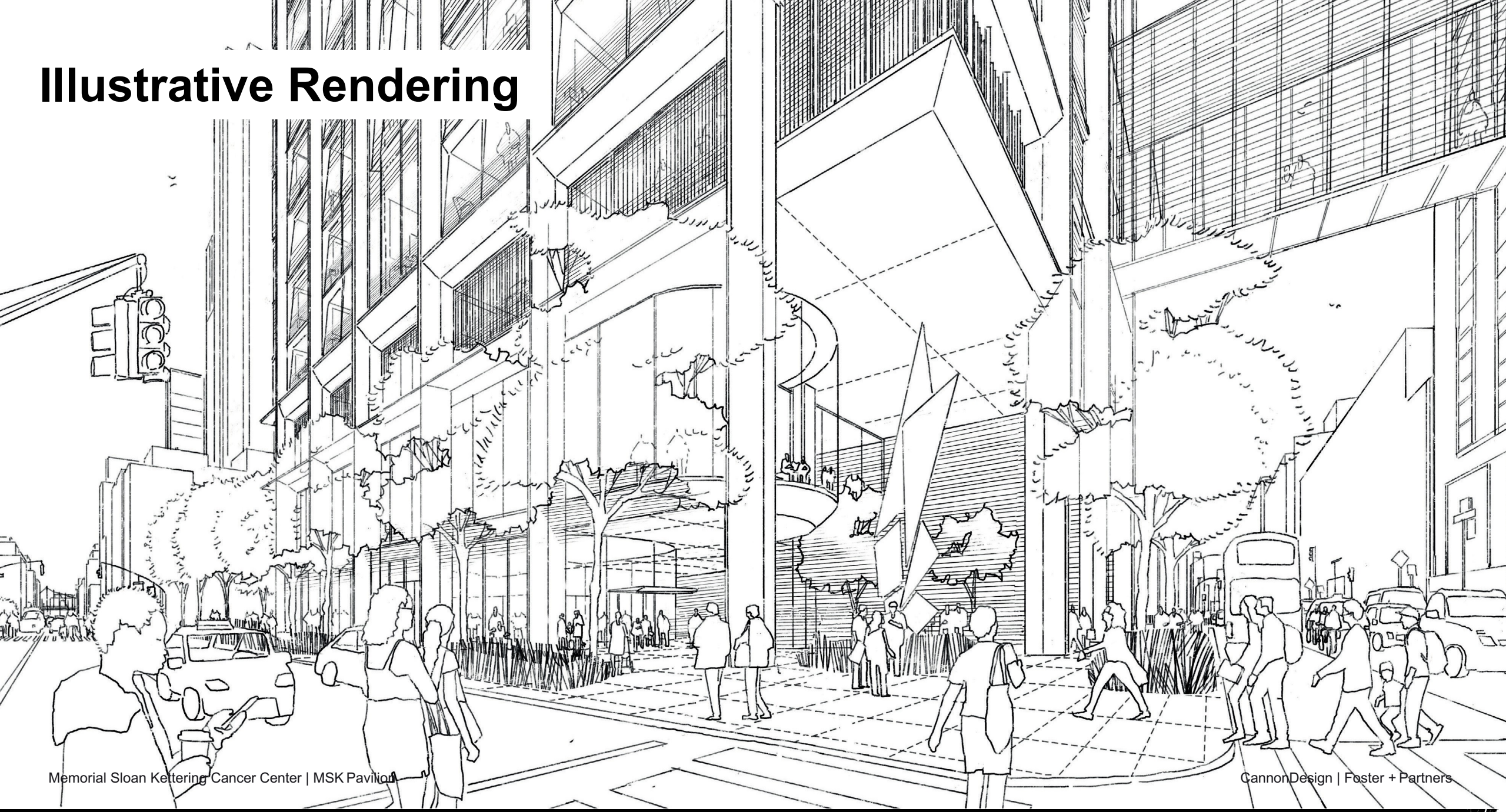
24’ by 48-foot bridge envelope about 75 feet above East 67th Street

Connects:

- Pavilion’s 5th floor to Memorial’s 7th floor
- Pavilion’s 6th floor to Memorial’s 8th floor



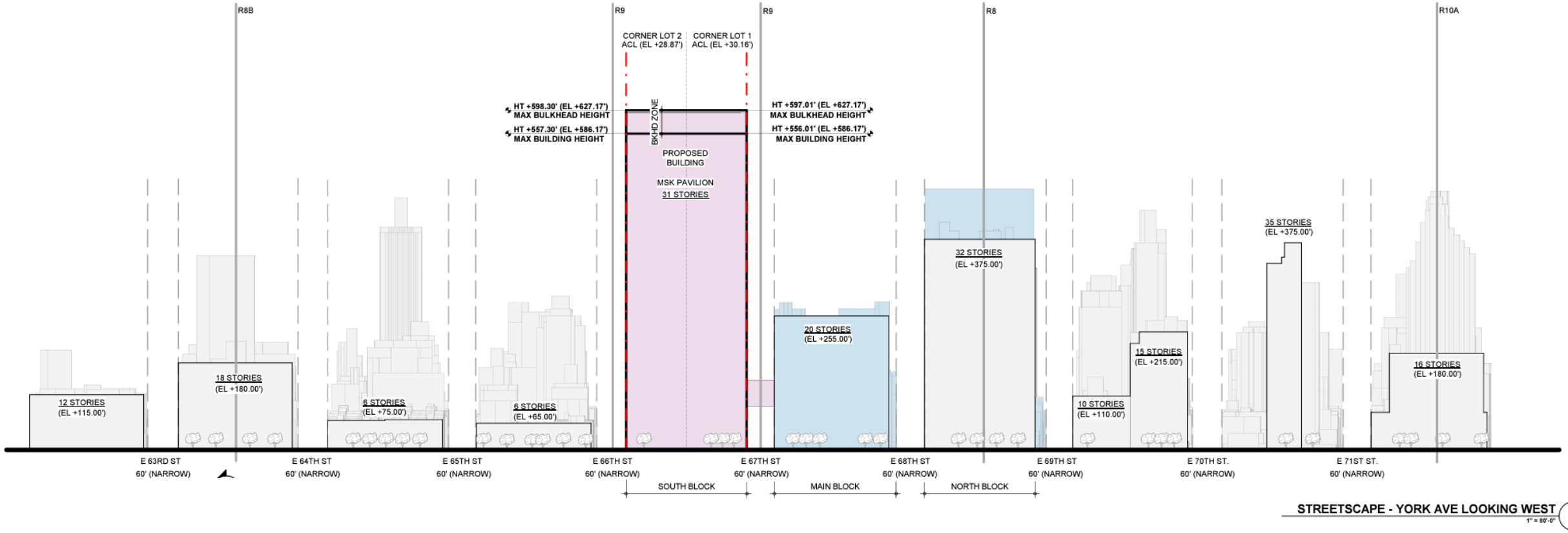
Illustrative Rendering



Memorial Sloan Kettering Cancer Center | MSK Pavilion

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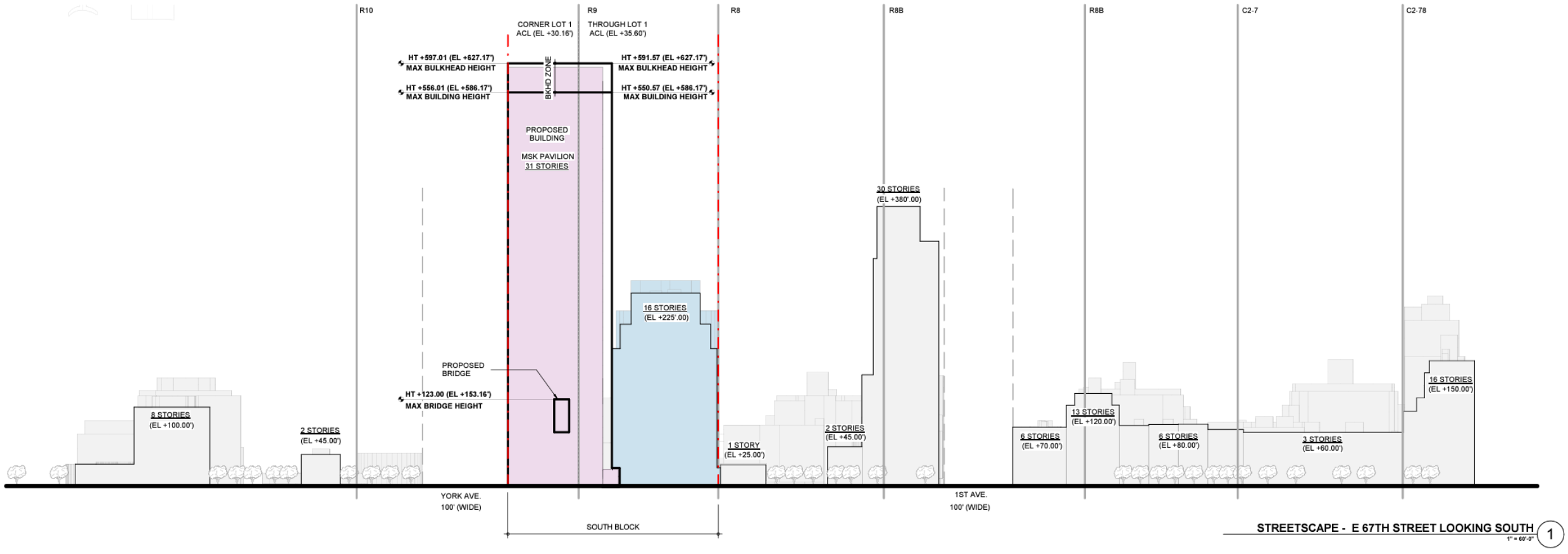
Neighborhood Character Diagram – York Avenue



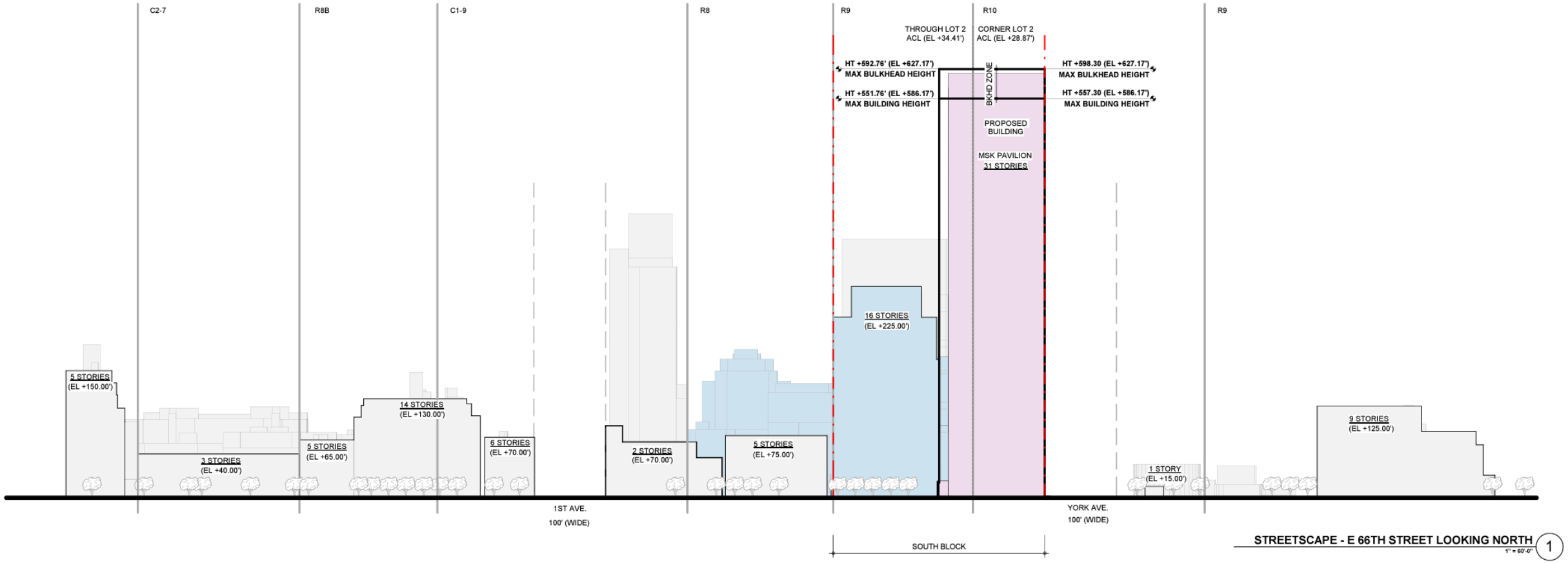
STREETSCAPE - YORK AVE LOOKING WEST 1

1" = 80'-0"

Neighborhood Character Diagram – East 67th Street

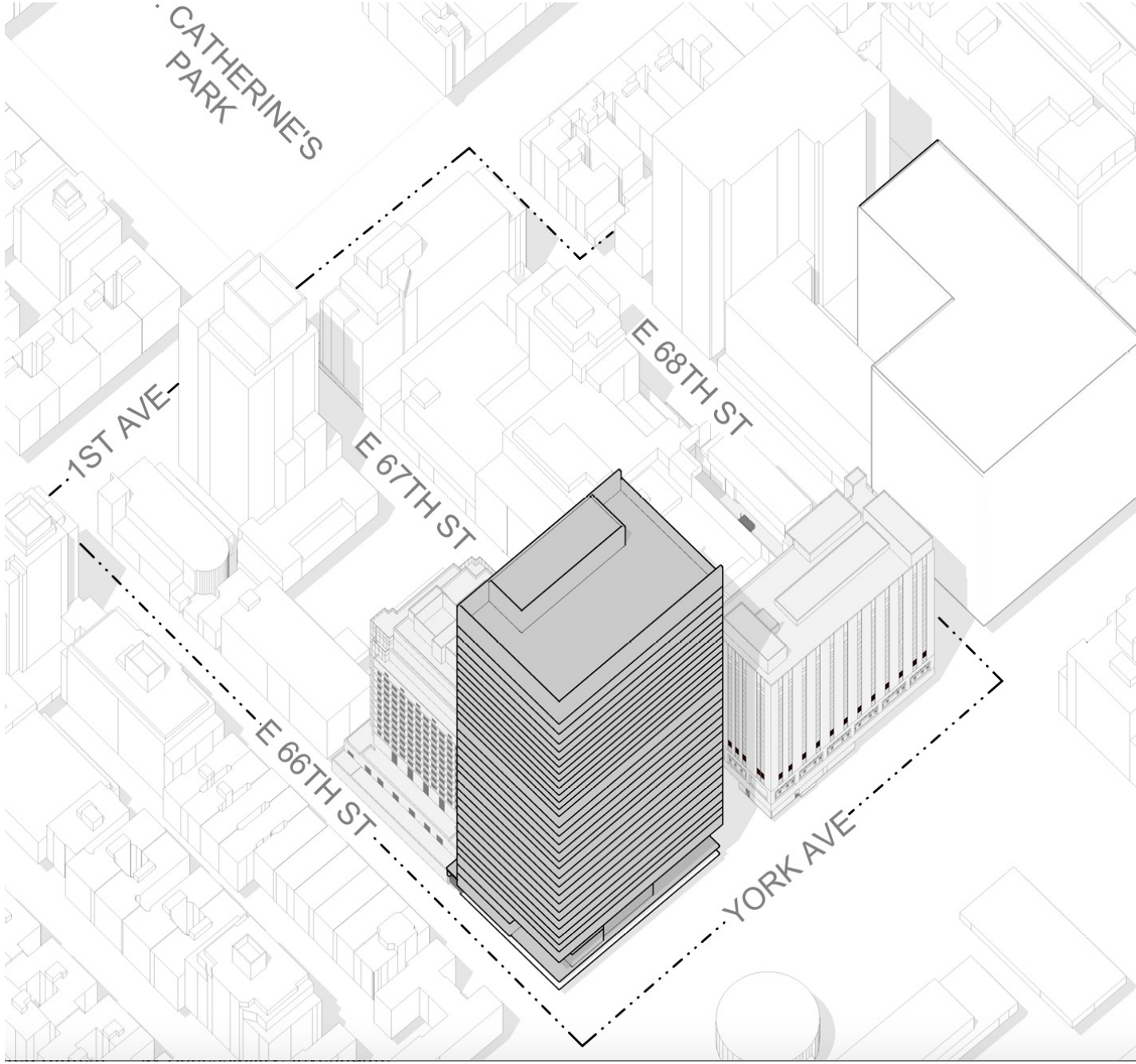


Neighborhood Character Diagram – East 66th Street



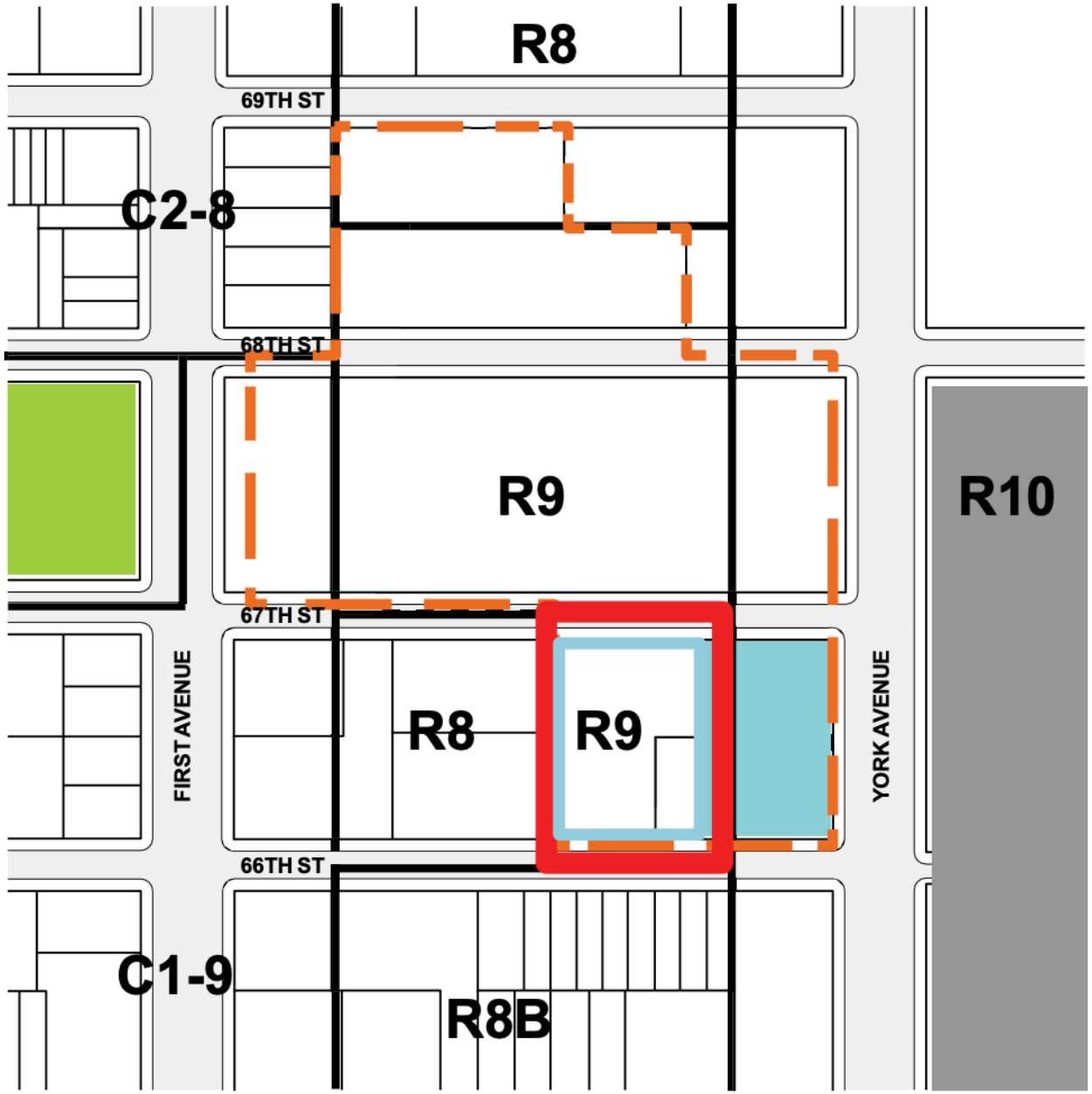
Requested Actions

1. **Zoning Map Amendment** to rezone project area midblock from R8 to R9
2. **Zoning Text Amendment** to ZR 79-43 to enable lot coverage and signage modifications by special permit
3. **ZR 79-43 Special Permit** to modify height, setback, lot coverage and signage
4. **ZR 79-21 Authorizations** to enable the development without regard for height and setback regulations, rear yard regulations and distribute floor area within a LSCFD without regard for zoning lot lines and streets
5. **Modification to the 2001 LSCFD site plan** previously authorized by CPC (C 010548ZSM, N 010549ZAM) to authorize the maximum permitted floor area for all zoning lots within the LSCFD to be distributed without regard for zoning lot lines
6. **Cancellation of the 2001 LSCFD Restrictive Declaration**
7. **ZR 26-15 Curb Cut Certification**
8. **Revocable Consent** for a pedestrian bridge over East 67th Street to connect to the Main campus



Zoning Map Amendment

- A Zoning Map Amendment to rezone the South Campus midblock from R8 to R9.
  - R8 – 6.5 Community Facility FAR
  - R9 – 10 Community Facility FAR
- Will generate an additional 140,585 sf for the zoning lot going from 461,919 sf to 602,550 sf
  - Existing Research Lab uses: 225,856 sf
  - MSK Pavilion will utilize: 376,644 sf



Zoning Text Amendment

ZR 79-43 to **enable lot coverage and signage modifications by special permit** for LSCFD within R9 and R10 districts in Community District 9

79-43
Special Permit for Limited Bulk Modifications for Certain Large-scale Community Facility Developments

For #large-scale community facility developments# located within the boundaries of Community Districts 8 and 12 in the Borough of Manhattan, that contain #community facility uses# specified in Section 73-64 (Modification for Community Facility Uses), the City Planning Commission may, by special permit, ~~permit modification of regulations relating to height and setback on the periphery of the #large-scale community facility development#, #courts# and distance between windows and walls or #lot lines# not otherwise allowed in Section 79-21 (General Provisions). As a condition for such action,~~ allow modifications to the following provisions set forth in paragraph (a) of this Section, provided that the findings in paragraph (b) are met.

(a) The Commission may allow modifications:

(1) to regulations relating to height and setback on the periphery of the #large-scale community facility development#, #courts# and distance between windows and walls or #lot lines# not otherwise allowed in Section 79-21 (General Provisions); and

(2) additionally, in R9 and R10 Districts, located within Community District 8:

(i) to #lot coverage#; and

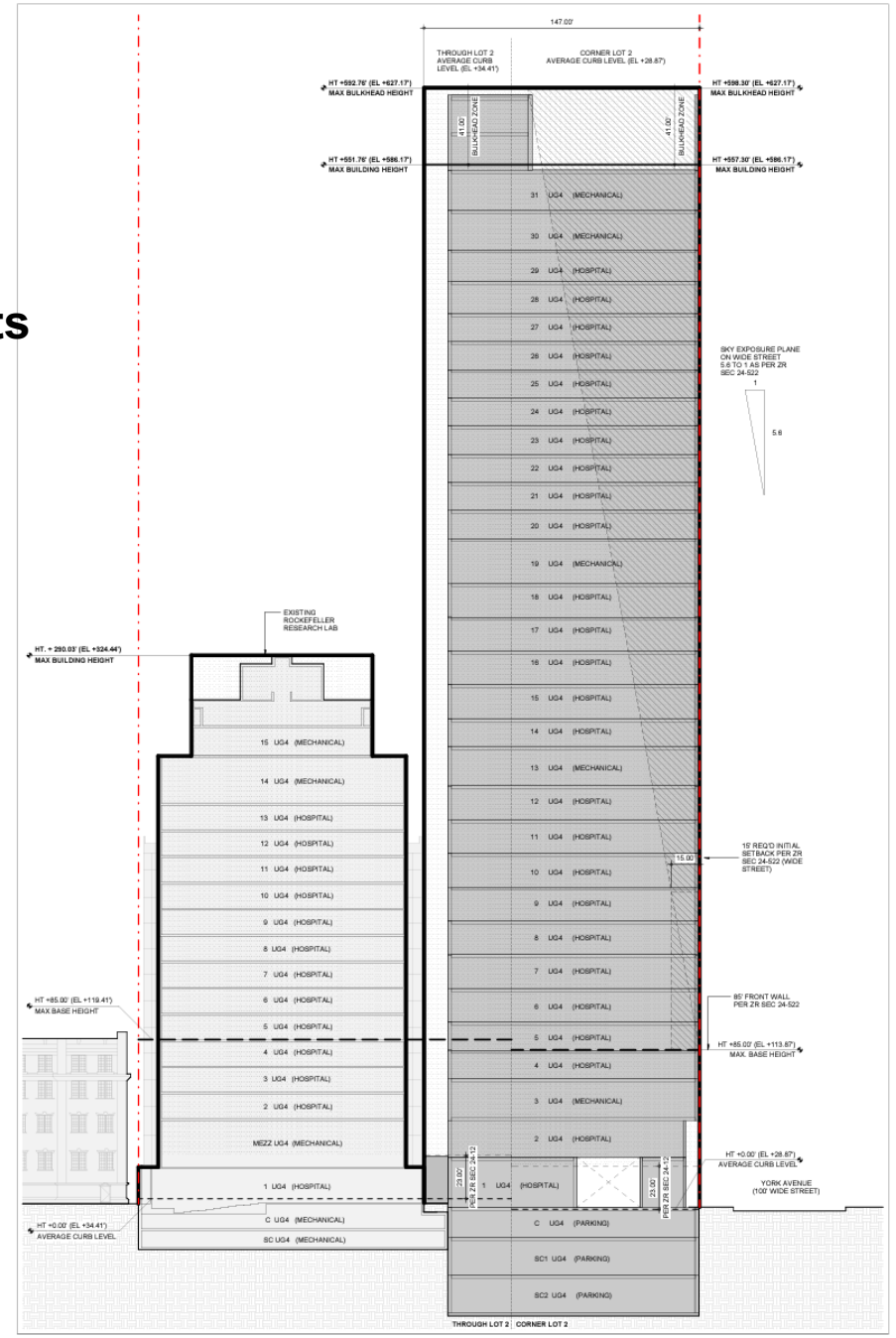
(ii) to #sign# regulations.

ZR 79-43 Special Permit

Special Permit for Limited Bulk Modifications for Certain Large-scale Community Facility Developments

Requesting waivers for:

- **Height and Setback**
  - **ZR 24-522 -** to allow the East 66th Street and York Ave street walls on the periphery of the LSCFD to rise without the required setbacks and penetrate the required sky exposure planes
- **Lot Coverage**
- **Signage**

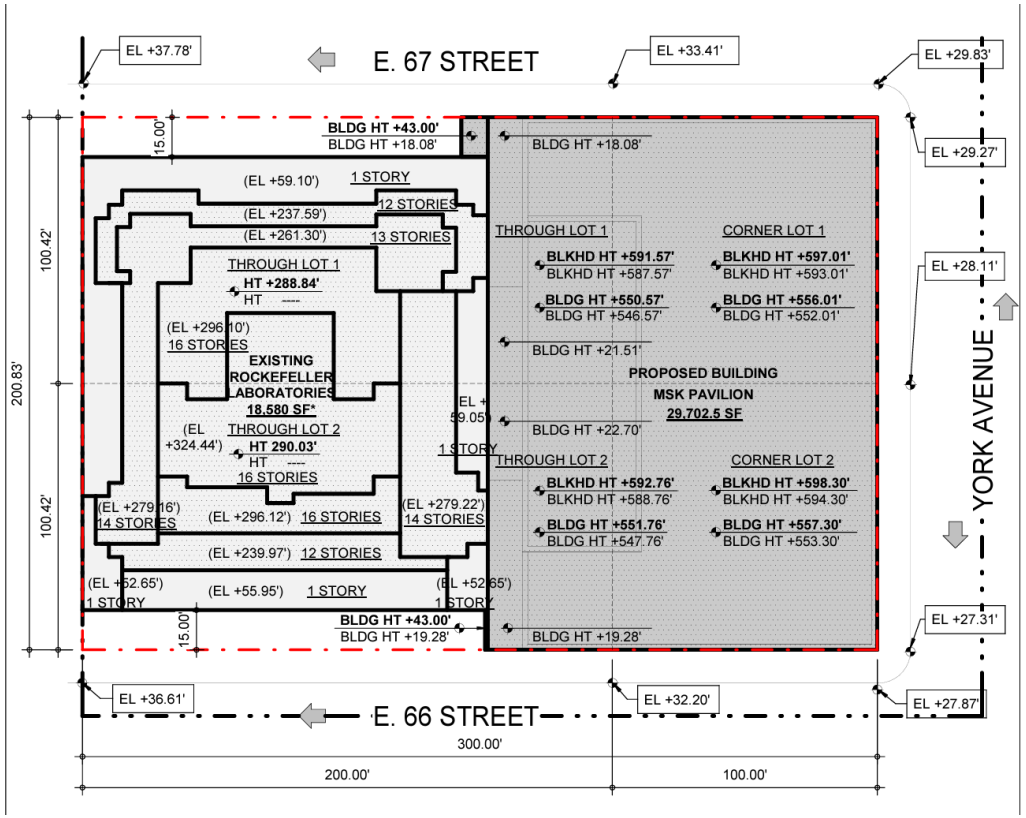


ZR 79-43 Special Permit

Special Permit for Limited Bulk Modifications for Certain Large-scale Community Facility Developments

Requesting waivers for:

- Height and Setback
- **Lot Coverage**
  - **ZR 24-11 -** to exceed the maximum permitted lot coverage on the South Block zoning lot
- Signage



EXISTING ROCKEFELLER LABORATORIES: 18,580.0 SF*
PROPOSED MSK PAVILION: 29,702.5 SF

* LOT COVERAGE OF ROCKEFELLER LABORATORIES IS BASED ON BUILDING DEPARTMENT NB# 52/85 DATED 08/11/1988

EXISTING ROCKEFELLER RESEARCH LABORATORY

PROPOSED NEW PAVILION BUILDING

AREA ABOVE 23 FT. FROM CURB LEVEL AND REQUIRING LOT COVERAGE WAIVER, SEE REQ'D ACTION #4 ON DRAWING Z-11

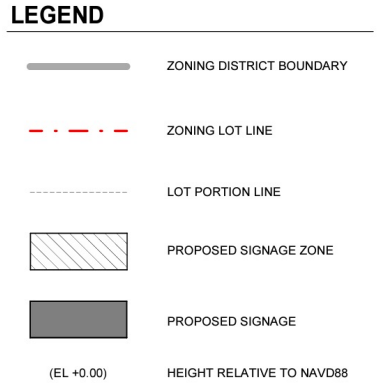
	LOT AREA	PERMITTED	EXISTING TO REMAIN	PROPOSED NEW	PROPOSED TOTAL
CORNER LOT 1	10,041.67 SF	75%	0%	100% (10,041.67 SF)	100%
CORNER LOT 2	10,041.67 SF	75%	0%	100% (10,041.67 SF)	100%
THROUGH LOT 1	20,083.33 SF	65%	46% (9,252 SF)	24% (4,884.58 SF)	70%
THROUGH LOT 2	20,083.33 SF	65%	46% (9,328 SF)	24% (4,734.58 SF)	70%

ZR 79-43 Special Permit

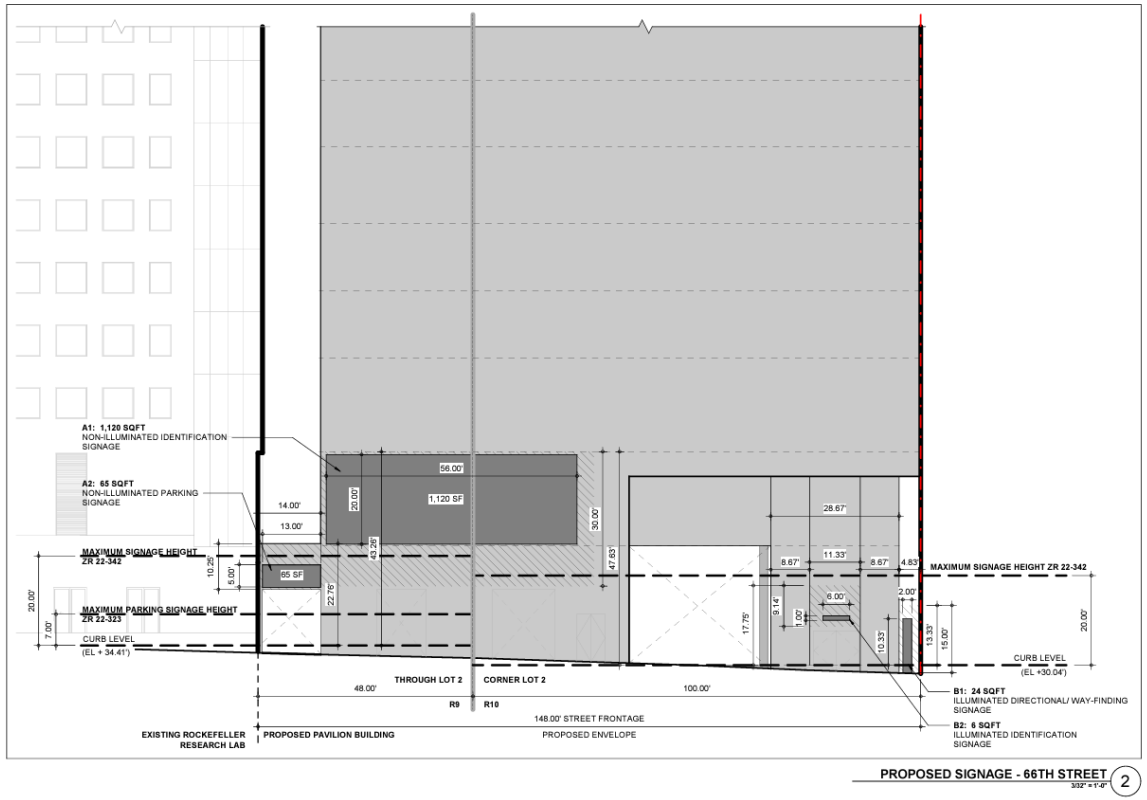
Special Permit for Limited Bulk Modifications for Certain Large-scale Community Facility Developments

Requesting waivers for:

- Height and Setback
- Lot Coverage
- **Signage**
  - **ZR 22-321 (**Nameplates or identification signs); **ZR 22-323 (**Signs for parking areas); **ZR 22-343 (**Height of signs) pertaining to the size/surface area, location and height of building information and navigational signs for multiple doors into the MSK Pavilion



Signage plan for East 66th Street. Similar relief requested along East 67th Street, York Ave, and the drive-through

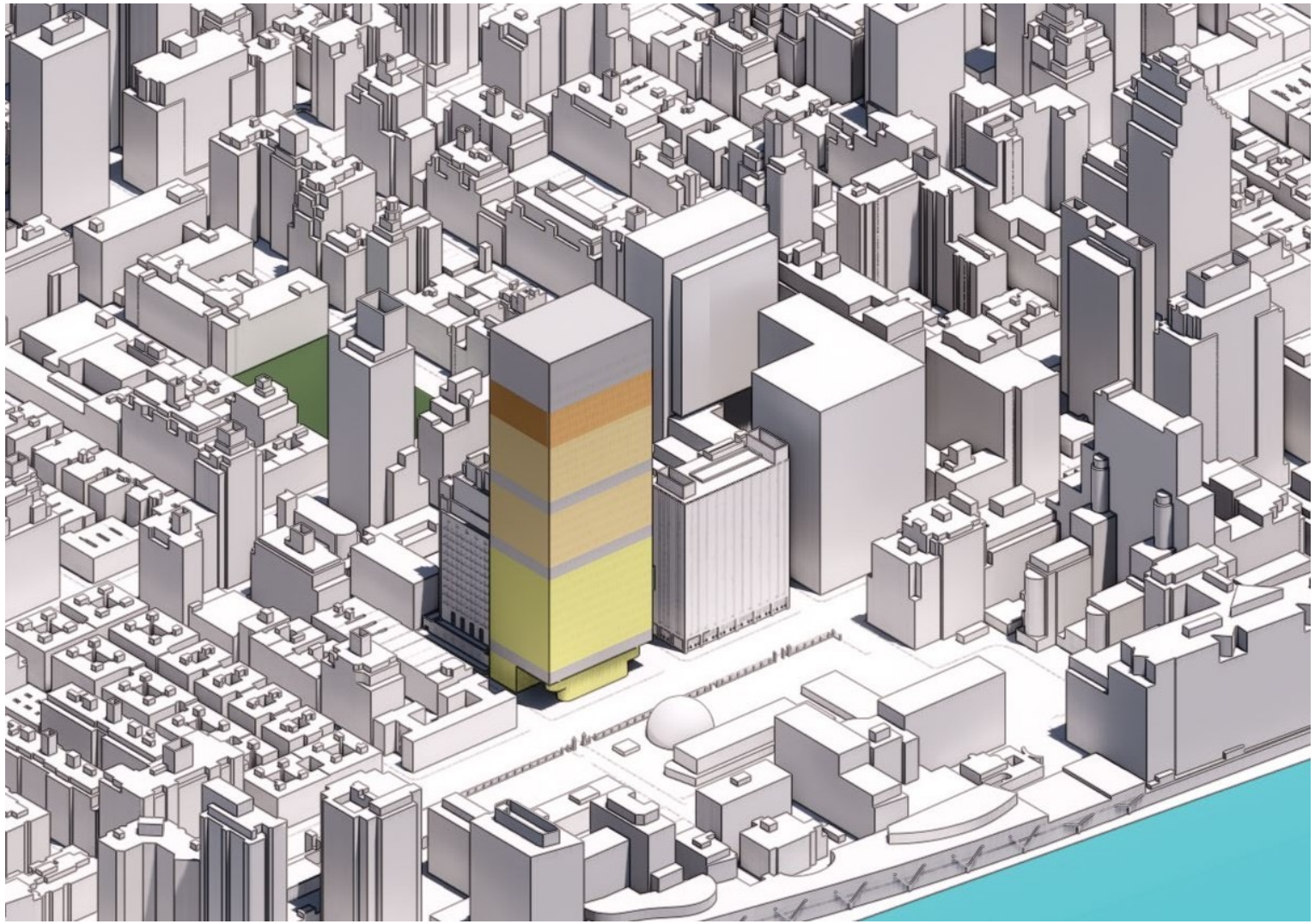


ZR 79-21 Authorization

Within a LSCFD, modifications of:

- **ZR 24-11 Floor Area** to allow the distribution of 264,938 sf of unused floor area on the Main Block to the South Block without regard for zoning lot lines within the LSCFD
- ZR 24-522 Height and Setback
- ZR 24-382 Rear Yard

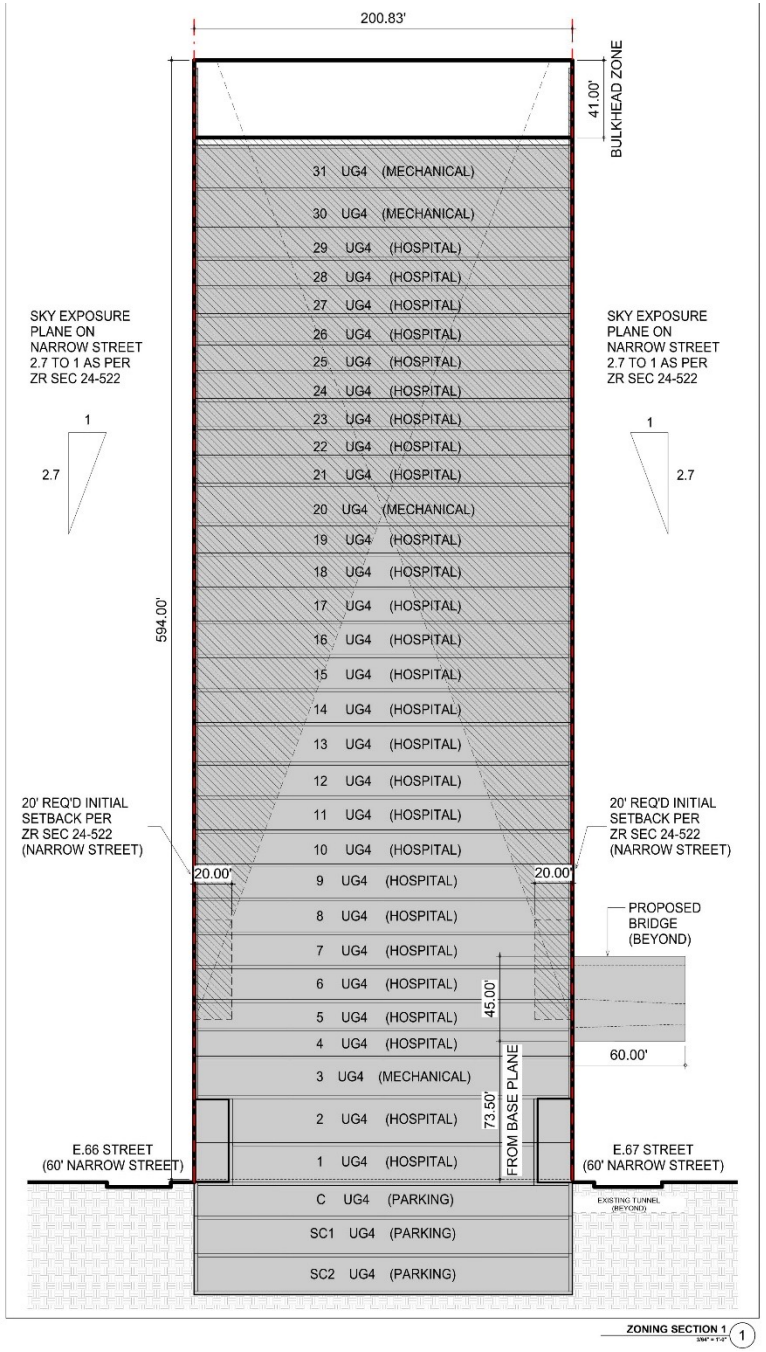
ZFA TO BE GENERATED BY PROPOSED REZONING	140,581 ZFA
ZFA AVAILABLE FROM LSCFD	264,938 ZFA
PERMITTED ZFA FOR SLOAN & SCHOLARS,	236,069 ZFA
TOTAL AVAILABLE ZFA	641,588 ZFA



ZR 79-21 Authorization

Within a LSCFD, modifications of:

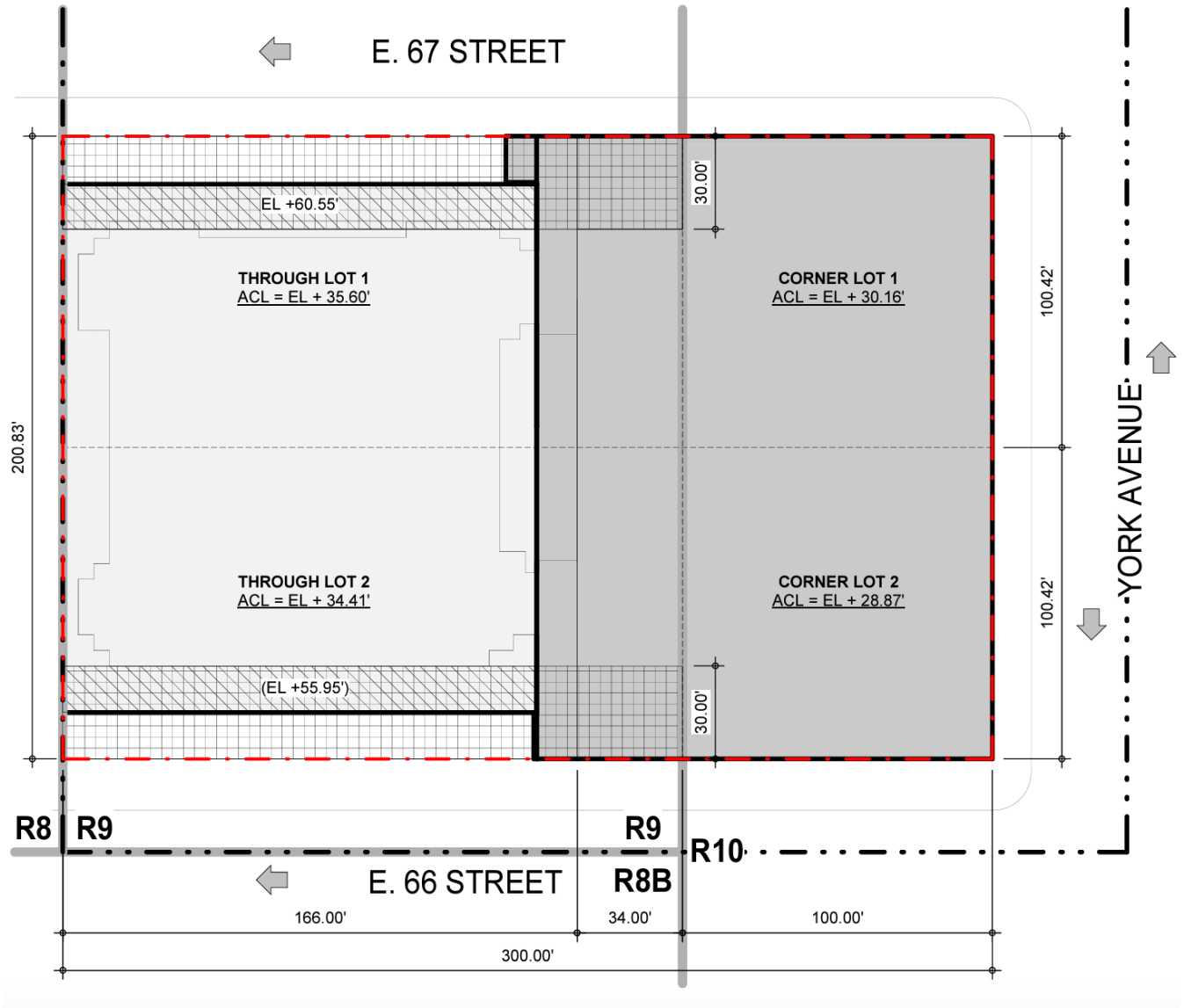
- ZR 24-11 Floor Area
- **ZR 24-522 Height and Setback** to allow the East 67th Street street wall within the LSCFD to rise without the required setbacks and penetrate the required sky exposure planes
- ZR 24-382 Rear Yard



ZR 79-21 Authorization

Within a LSCFD, modifications of:

- ZR 24-11 Floor Area
- ZR 24-522 Height and Setback
- **ZR 24-382 Rear Yard** to allow a western portion of the MSK Pavilion to be built within a required rear yard equivalent



EXISTING ROCKEFELLER RESEARCH LABORATORY

PROPOSED NEW PAVILION BUILDING

REQUIRED REAR YARD EQUIVALENT

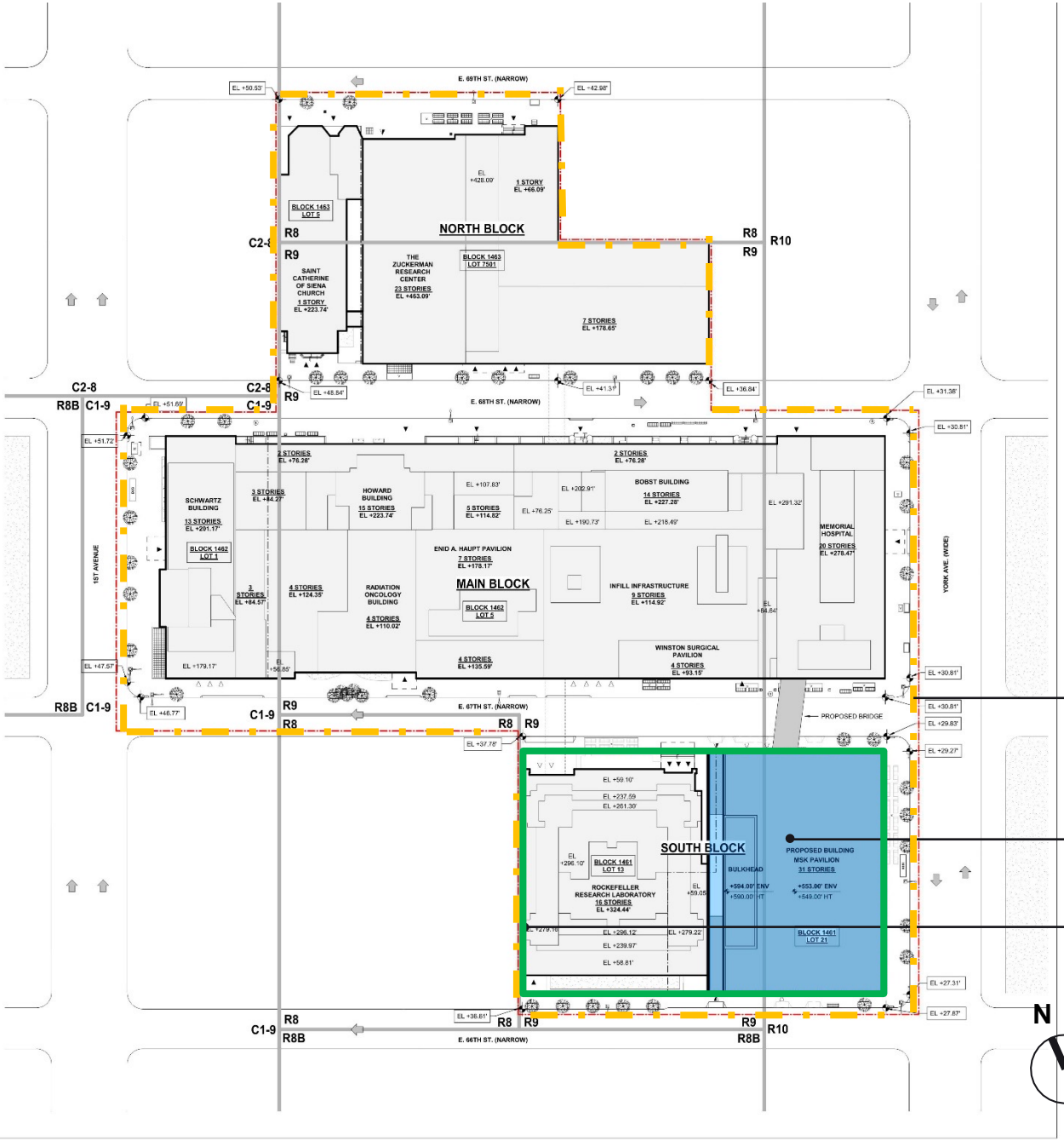
EXISTING PERMITTED OBSTRUCTION PER ZR SEC 24-33(b)(3)

ZONING DISTRICT BOUNDARY

Modification to LSCFD

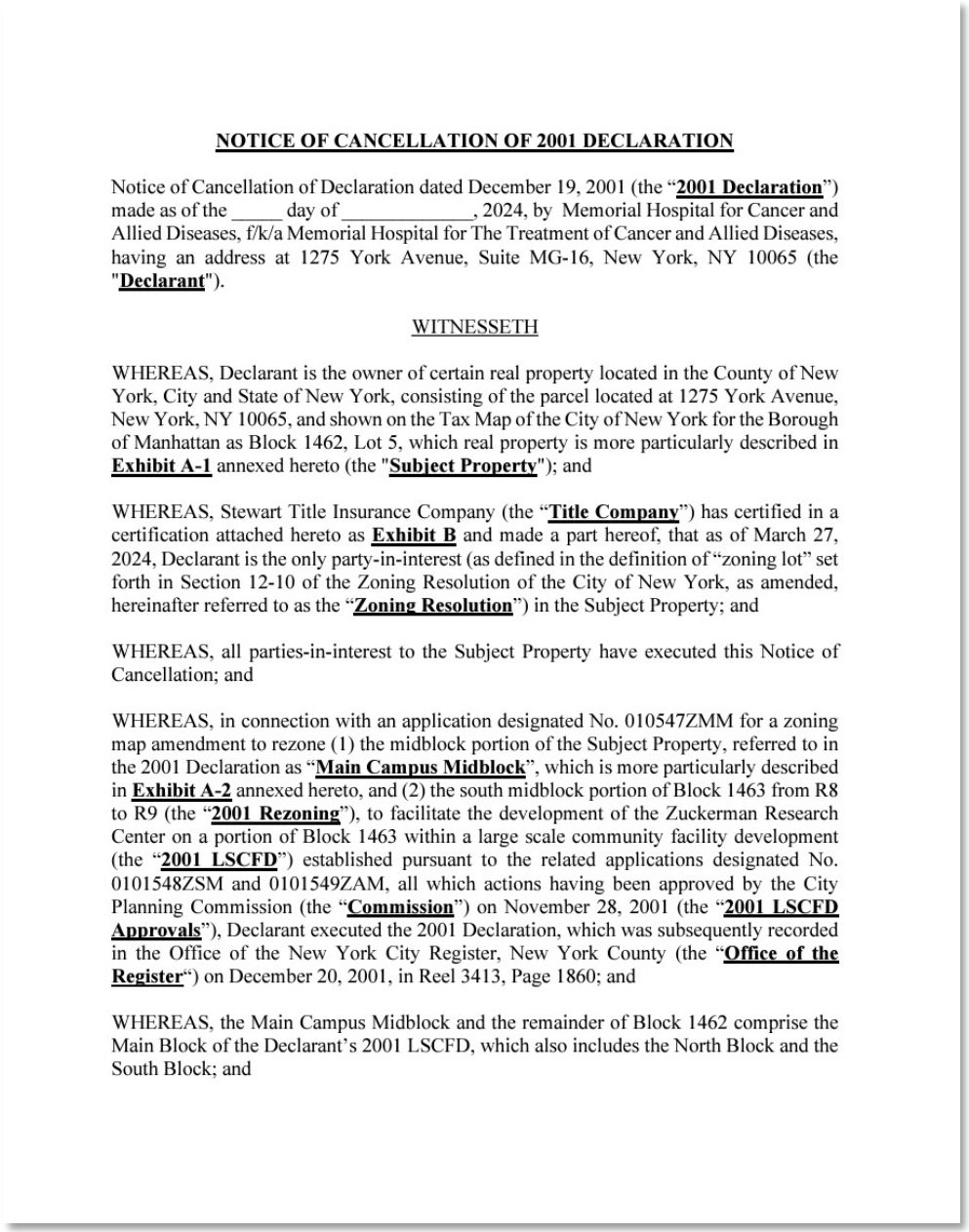
LSCFD was previously authorized by CPC (C 010548ZSM, N 010549ZAM) in 2001

Modification to the site plan to include proposed development and to the zoning calculations table.



Cancellation of LSCFD Restrictive Declaration

Remove the existing restriction on the remaining floor area on the Main campus generated from the 2001 rezoning.



NOTICE OF CANCELLATION OF 2001 DECLARATION

Notice of Cancellation of Declaration dated December 19, 2001 (the "**2001 Declaration**") made as of the _____ day of _____, 2024, by Memorial Hospital for Cancer and Allied Diseases, f/k/a Memorial Hospital for The Treatment of Cancer and Allied Diseases, having an address at 1275 York Avenue, Suite MG-16, New York, NY 10065 (the "**Declarant**").

WITNESSETH

WHEREAS, Declarant is the owner of certain real property located in the County of New York, City and State of New York, consisting of the parcel located at 1275 York Avenue, New York, NY 10065, and shown on the Tax Map of the City of New York for the Borough of Manhattan as Block 1462, Lot 5, which real property is more particularly described in **Exhibit A-1** annexed hereto (the "**Subject Property**"); and

WHEREAS, Stewart Title Insurance Company (the "**Title Company**") has certified in a certification attached hereto as **Exhibit B** and made a part hereof, that as of March 27, 2024, Declarant is the only party-in-interest (as defined in the definition of "zoning lot" set forth in Section 12-10 of the Zoning Resolution of the City of New York, as amended, hereinafter referred to as the "**Zoning Resolution**") in the Subject Property; and

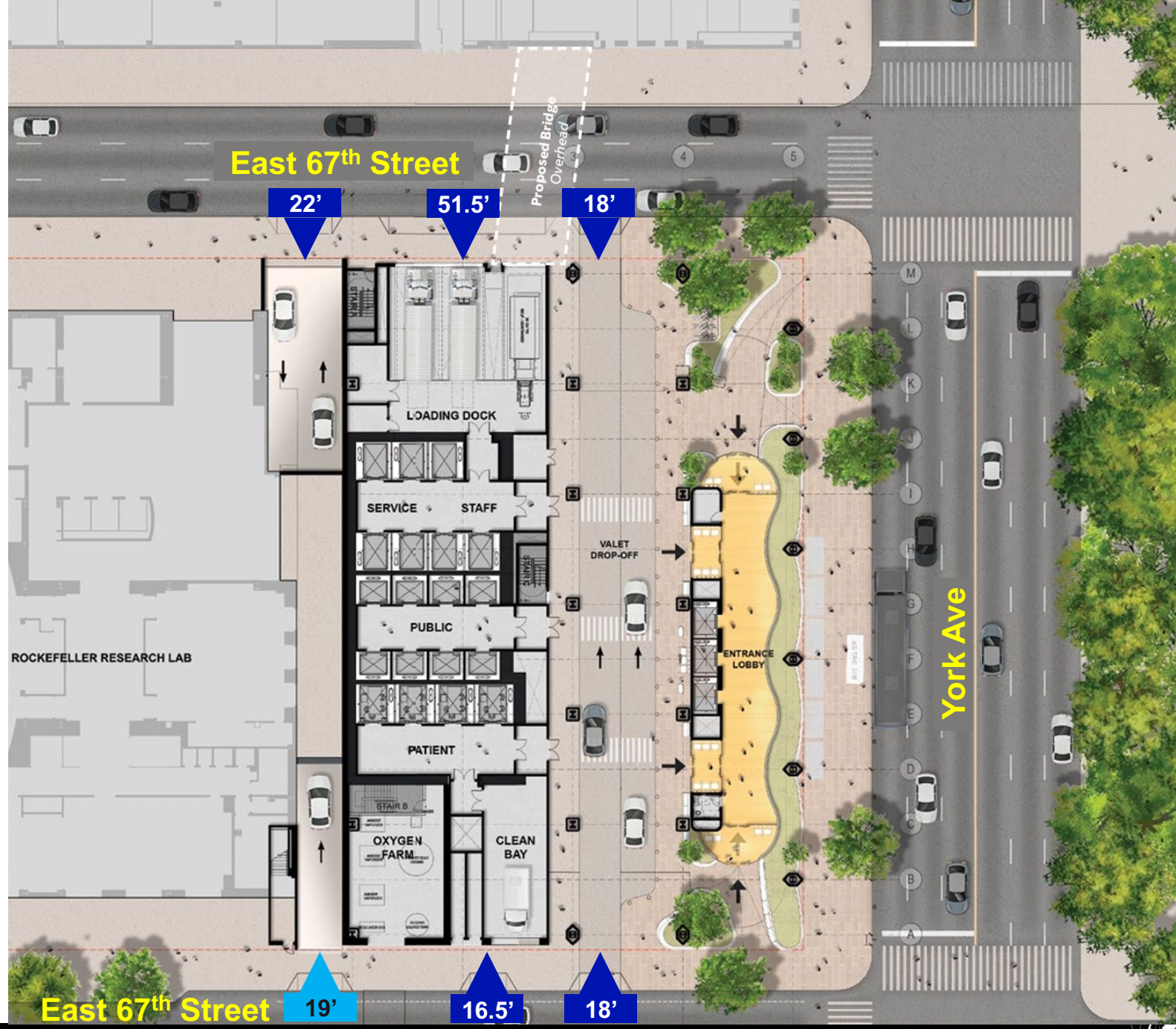
WHEREAS, all parties-in-interest to the Subject Property have executed this Notice of Cancellation; and

WHEREAS, in connection with an application designated No. 010547ZMM for a zoning map amendment to rezone (1) the midblock portion of the Subject Property, referred to in the 2001 Declaration as "**Main Campus Midblock**", which is more particularly described in **Exhibit A-2** annexed hereto, and (2) the south midblock portion of Block 1463 from R8 to R9 (the "**2001 Rezoning**"), to facilitate the development of the Zuckerman Research Center on a portion of Block 1463 within a large scale community facility development (the "**2001 LSCFD**") established pursuant to the related applications designated No. 0101548ZSM and 0101549ZAM, all which actions having been approved by the City Planning Commission (the "**Commission**") on November 28, 2001 (the "**2001 LSCFD Approvals**"), Declarant executed the 2001 Declaration, which was subsequently recorded in the Office of the New York City Register, New York County (the "**Office of the Register**") on December 20, 2001, in Reel 3413, Page 1860; and

WHEREAS, the Main Campus Midblock and the remainder of Block 1462 comprise the Main Block of the Declarant's 2001 LSCFD, which also includes the North Block and the South Block; and

ZR 26-15 Curb Cut Certification

No more than one curb cut per a zoning lot's narrow street frontage is permitted along any one street. Additional curb cuts for zoning lots larger than 30,000 sf may be allowed through CPC Certification.



Proposed Curb Cut

Existing Curb Cut

Revocable Consent

Patient bridge over East 67th Street to connect the new building to Memorial Hospital



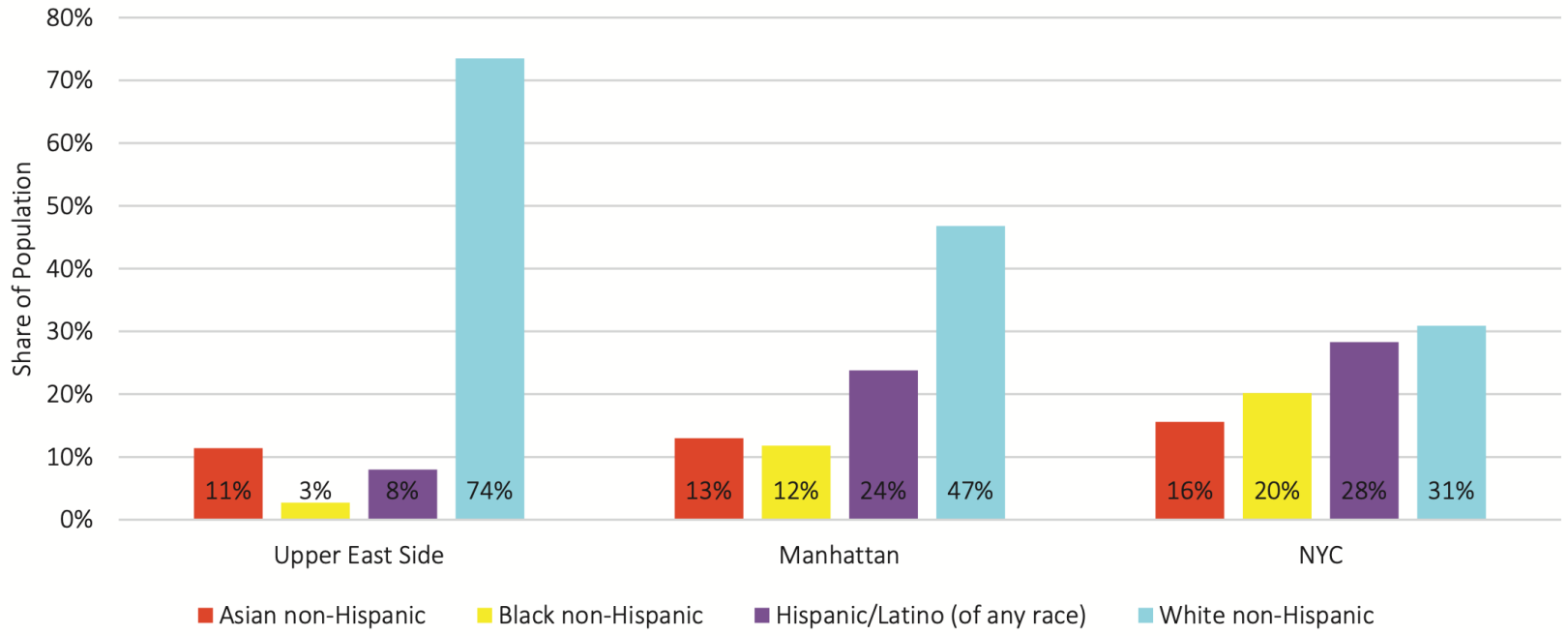
Racial Equity Report on Housing and Opportunity

Demographic Conditions

Figure 1: Race & Ethnicity, 2020

Shows the share of area population by mutually exclusive race and Hispanic ethnicity. Compares the local area to the borough and city.

"In 2020, [percent] of the population in [area] identified as [race/ethnicity]."



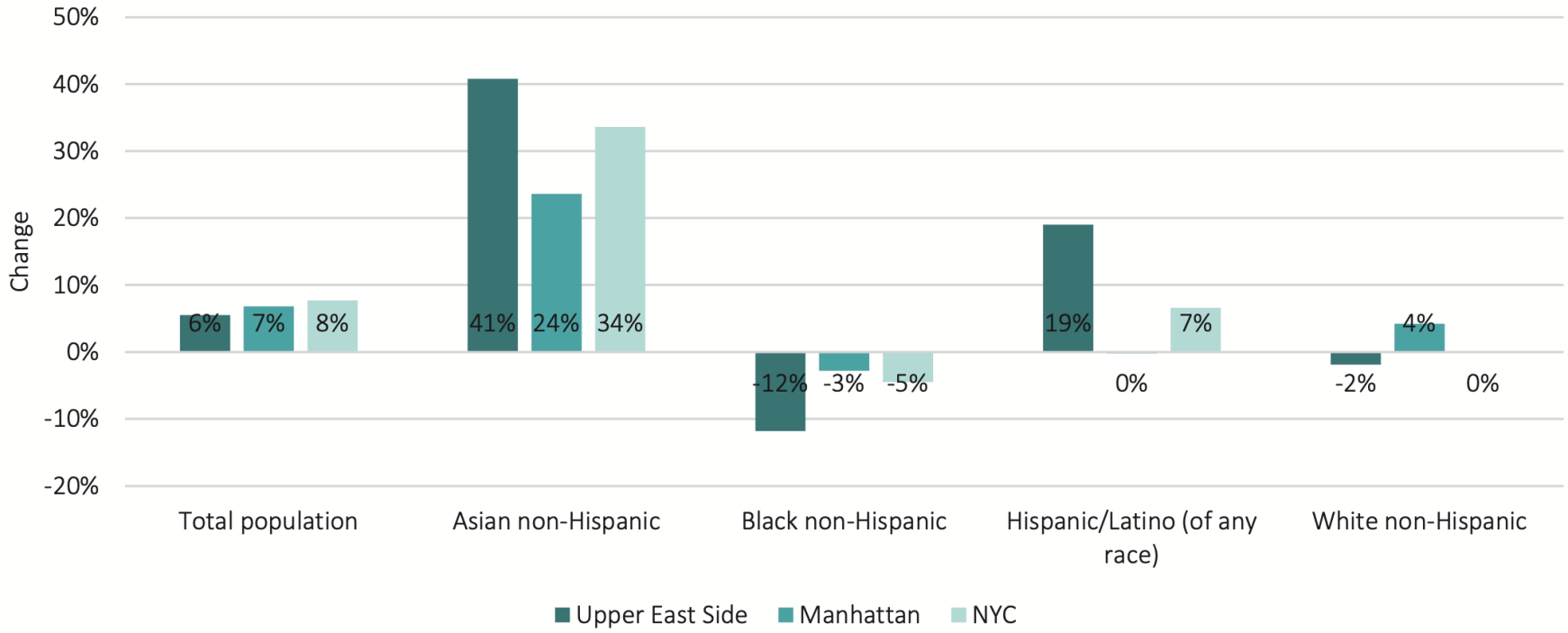
Source: Census 2020; Community Profile Table 1.01

Racial Equity Report on Housing and Opportunity

Figure 2: Percent Change in Race & Ethnicity, 2010 to 2020

Shows the percent change of the area population by mutually exclusive race and Hispanic ethnicity. Compares the local area to the borough and city.

"From 2010 to 2020, the [race/ethnicity] population in [area] increased/decreased by [percent]."



Source: Census 2010, 2020; Community Profile Table 1.01

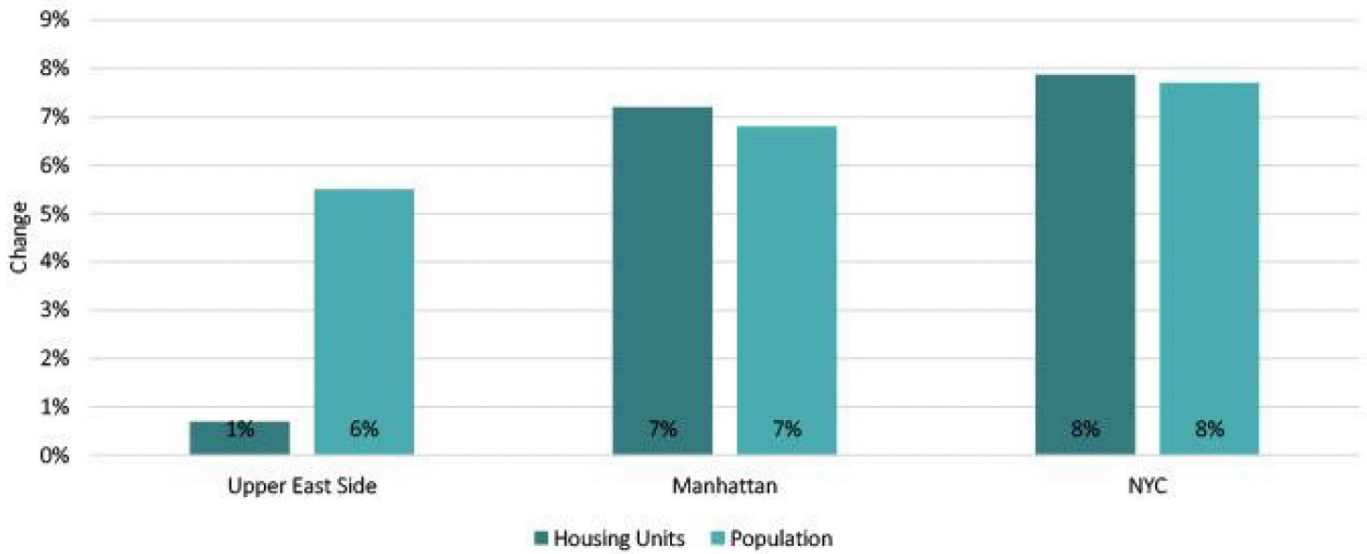
Racial Equity Report on Housing and Opportunity

Housing Production

Figure 14: Percent Change in Housing Supply and Population, 2010 to 2022

Shows the percent change in the number of housings units and population. Compares the local area to the borough and city.

"From 2010 to 2022, housing units in [area] increased/decreased by [percent] and population increased/decreased by [percent]."



Source: NYC Department of City Planning Housing Database 2022 Q2 and Census 2010, 2020; Community Profile Tables 4.01 and 1.01

Environmental Review

- A Notice of Completion of a Draft Environmental Impact Statement (DEIS) was issued on April 26, 2024.

- DEIS identified significant adverse impacts with respect to:
  - *Shadows*
  - *Construction (Transportation - Traffic)*
  - *Construction (Noise)*

- No other significant adverse impacts were identified.

- Mitigation measures are identified in the DEIS and will be explored further in the FEIS.

Summary

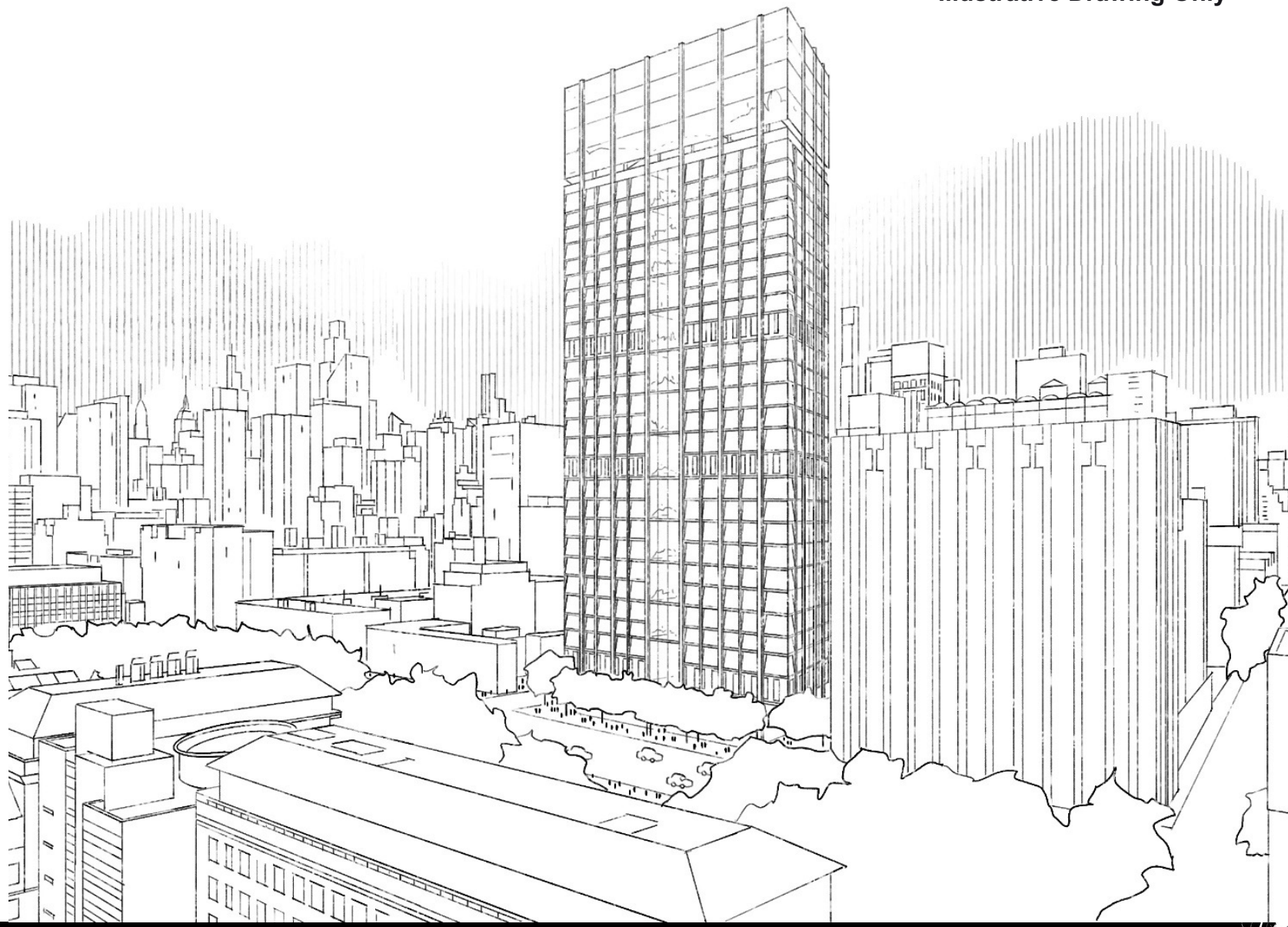
31-story MSK Pavilion

- 594 feet
- 641,580 square feet
- Patient bridge over 67th Street to connect to Memorial Hospital

Requested Actions

- Zoning Map Amendment
- Zoning Text Amendment
- Special Permit
- Authorizations
- Modification to LSCFD
- Cancellation of RD
- Curb Cut Certification
- Revocable Consent

Illustrative Drawing Only



Appendix

ZR 79-21 General Provisions

As a condition of granting such authorizations, in each case the Commission shall make the following special findings:

(a) that such distribution or location will permit better site planning and will thus benefit both the residents, occupants or users of the *large-scale community facility development* and the City as a whole;

(b) that such distribution or location will not unduly increase the *bulk* of *buildings* in any *block*, to the detriment of the occupants or users of *buildings* in the *block* or nearby *blocks*; and

(c) that such distribution or location will not affect adversely any other *zoning lots* outside the *large-scale community facility development* by restricting access to light and air or by creating traffic congestion.

ZR 79-43 Special Permit for Limited Bulk Modifications for Certain Large-scale Community Facility Developments

As a condition for such action, the Commission shall find that such modification:

(a) is required in order to enable the *large-scale community facility development* to provide an essential service to the community;

(b) will provide a more satisfactory physical relationship to the existing *buildings* which form the *large-scale community facility development*, and provide a more efficient and integrated site plan;

(c) will better complement the existing character of the neighborhood;

(d) will not unduly increase the *bulk* of *buildings* in any *block* to the detriment of the occupants or users of *buildings* in the *block* or nearby *blocks*; and

(e) will not adversely affect any other *zoning lots* or *streets* outside the *large-scale community facility development* by unduly restricting access to light and air.

ZR 26-15 Curb Cut

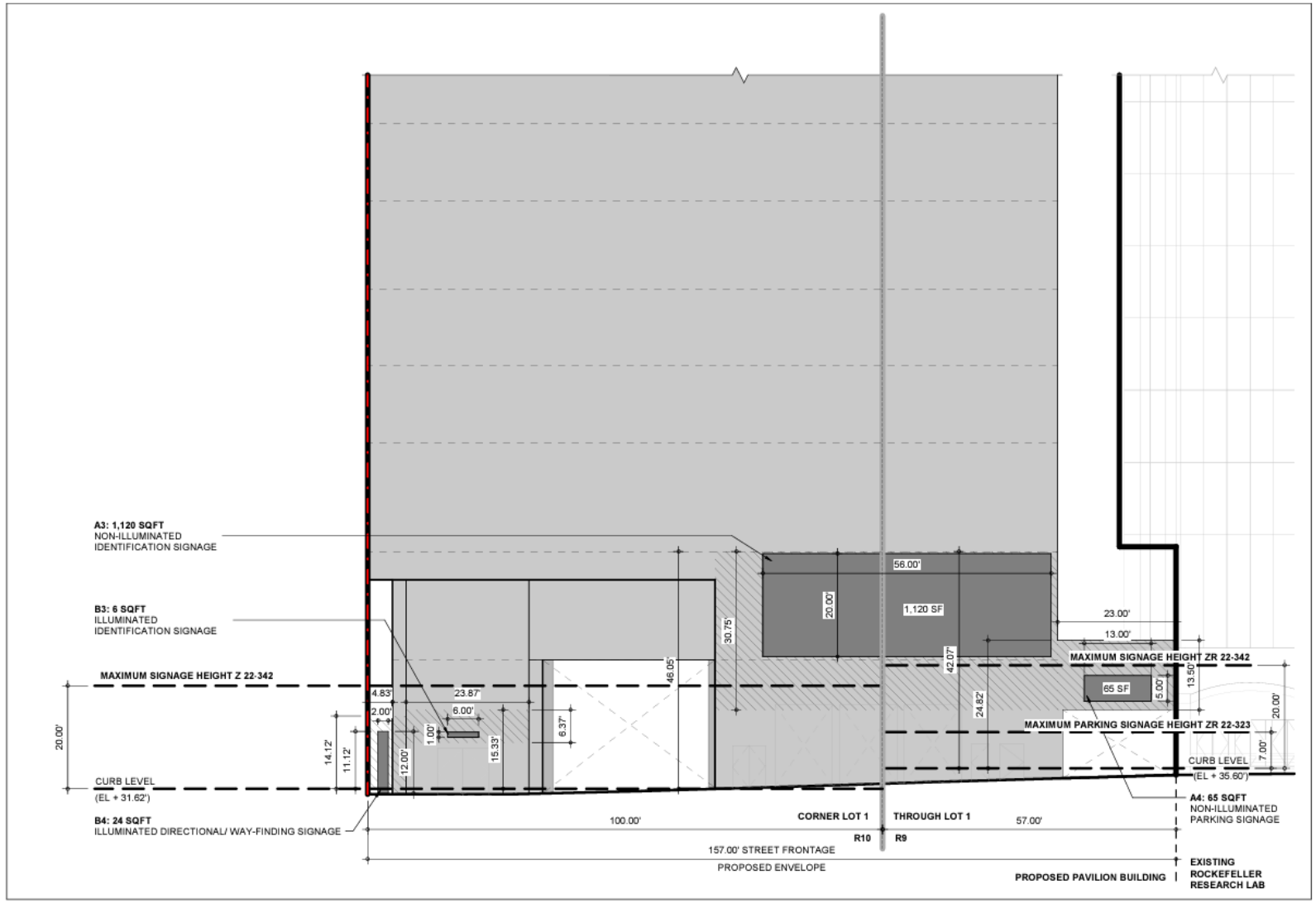
Additional curb cuts, in excess of one for each *narrow street* frontage, for *zoning lots* in excess of 30,000 square feet of *lot area*, or curb cuts on *wide streets* for *zoning lots* that have no *narrow street* frontage may be allowed, provided that the City Planning Commission and the Department of Transportation certify to the Commissioner of Buildings that such additional curb cuts will not result in conflict between pedestrian and vehicular circulation and will result in a good overall site plan.

Signage Waivers

67th Street

LEGEND

- ZONING DISTRICT BOUNDARY
- ZONING LOT LINE
- LOT PORTION LINE
- PROPOSED SIGNAGE ZONE
- PROPOSED SIGNAGE
- (EL +0.00) HEIGHT RELATIVE TO NAVD88



PROPOSED SIGNAGE - 67TH STREET 3

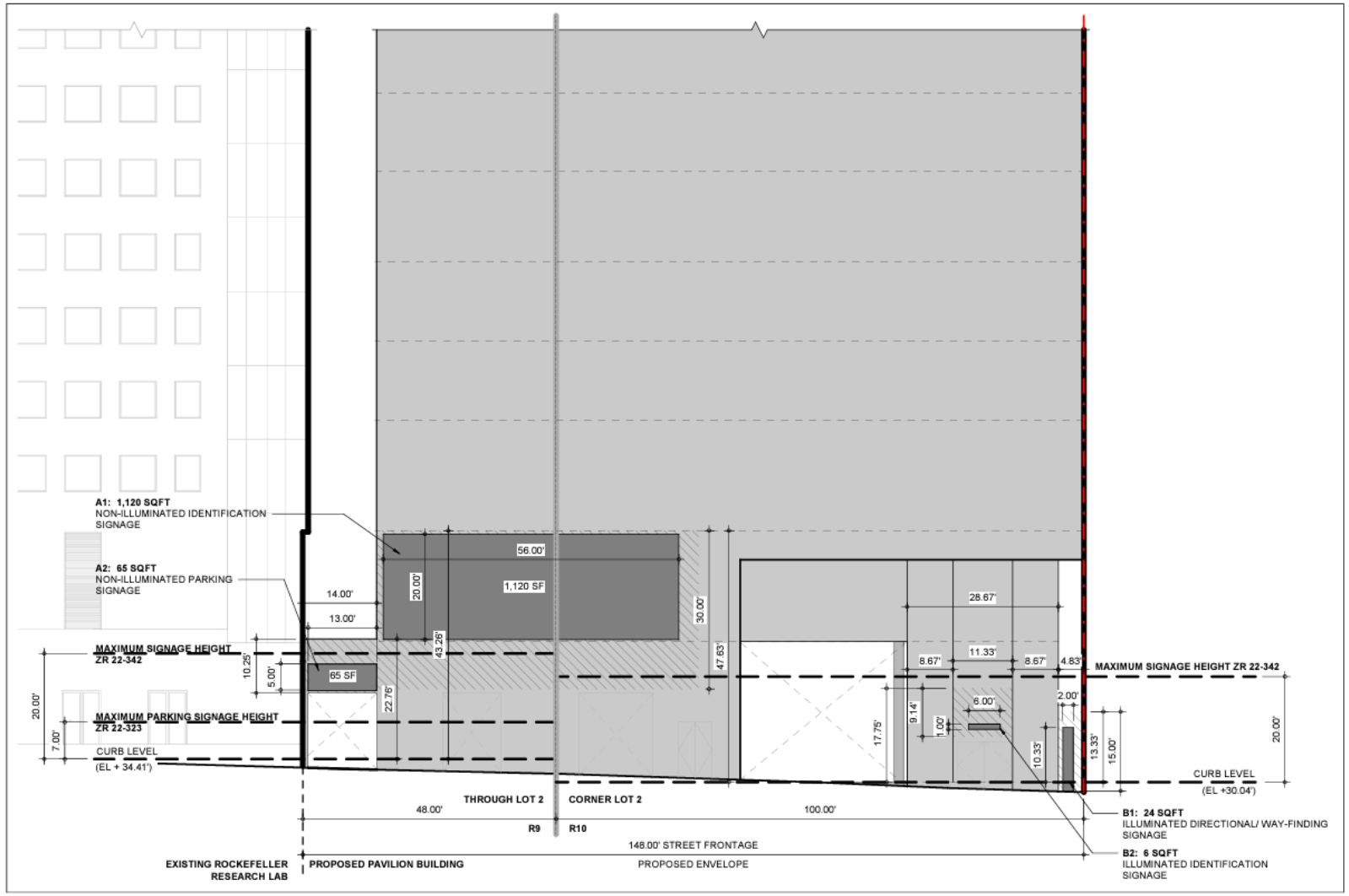
3/32" = 1'-0"

Signage Waivers

66th Street

LEGEND

- ZONING DISTRICT BOUNDARY
- ZONING LOT LINE
- LOT PORTION LINE
- PROPOSED SIGNAGE ZONE
- PROPOSED SIGNAGE
- (EL +0.00) HEIGHT RELATIVE TO NAVD88

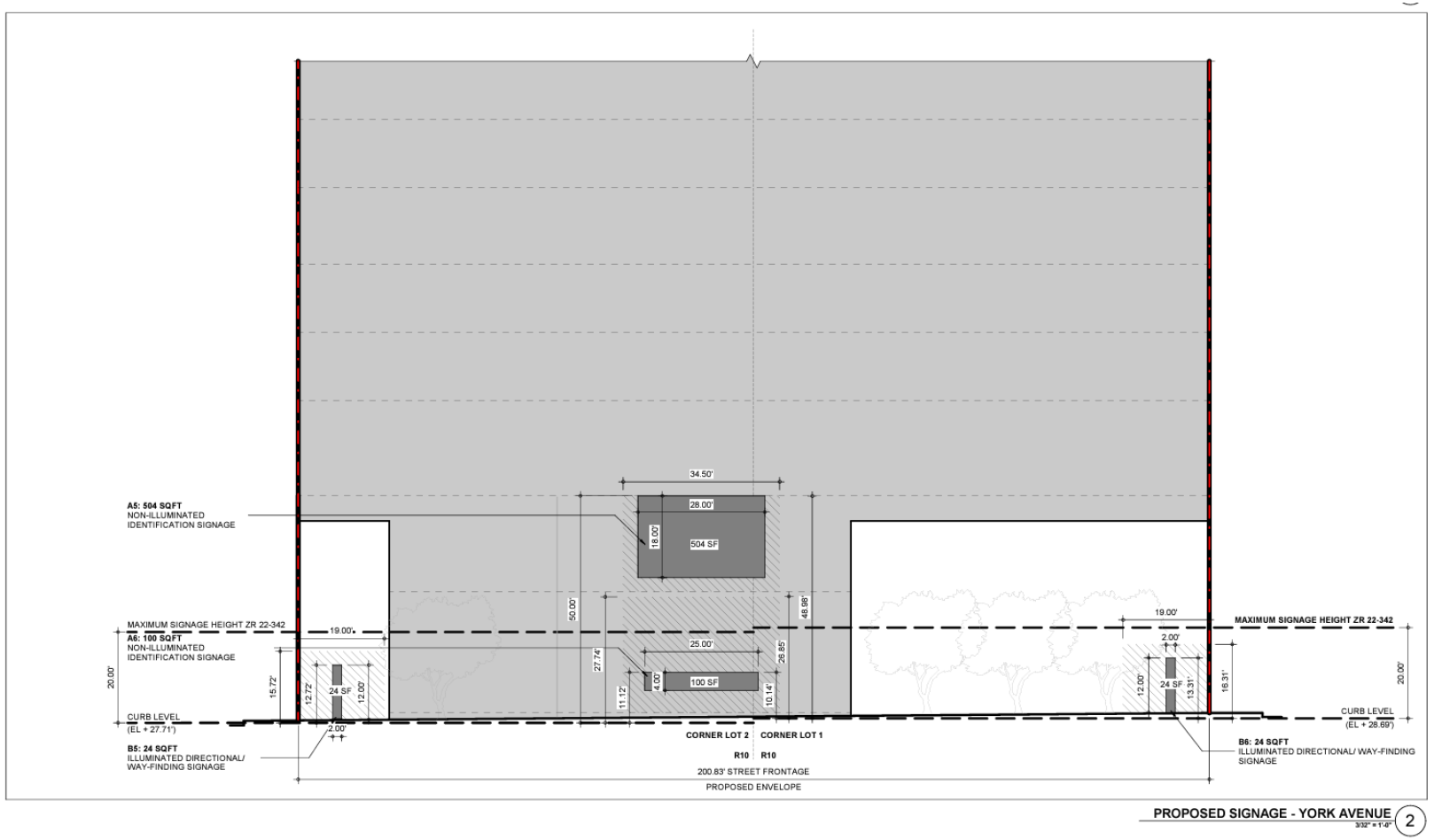


PROPOSED SIGNAGE - 66TH STREET (2)
3/32" = 1'-0"

Signage Waivers
York Avenue

LEGEND

- ZONING DISTRICT BOUNDARY
- ZONING LOT LINE
- LOT PORTION LINE
- PROPOSED SIGNAGE ZONE
- PROPOSED SIGNAGE
- (EL +0.00) HEIGHT RELATIVE TO NAVD88

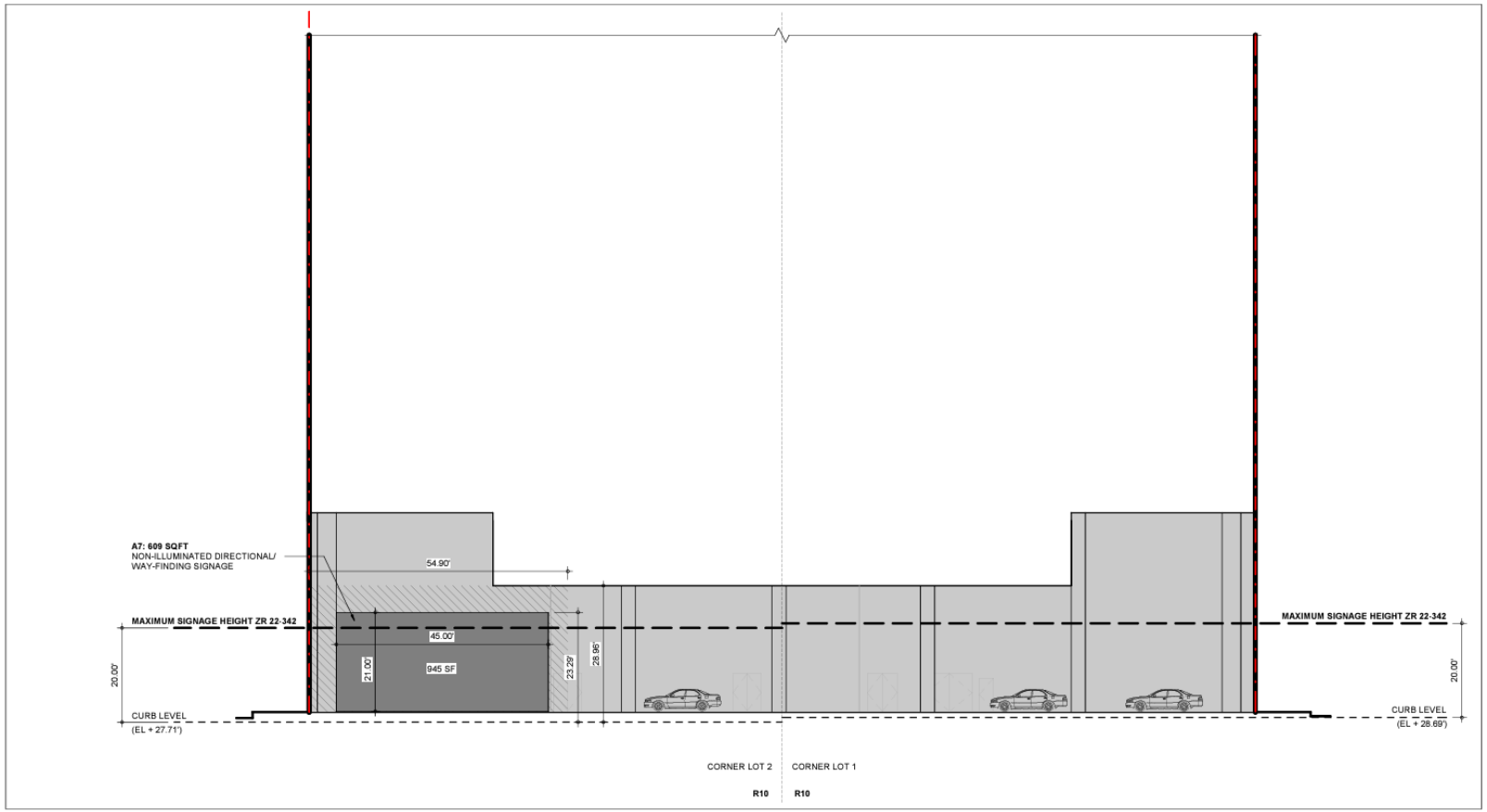


PROPOSED SIGNAGE - YORK AVENUE 2
3/32" = 1'-0"

Signage Waivers
Drive-Through

LEGEND

- ZONING DISTRICT BOUNDARY
- ZONING LOT LINE
- LOT PORTION LINE
- PROPOSED SIGNAGE ZONE
- PROPOSED SIGNAGE
- (EL +0.00) HEIGHT RELATIVE TO NAVD88



PROPOSED SIGNAGE - DRIVE THROUGH 3
3/32" = 1'-0"