Chapter 2: Land Use, Zoning, and Public Policy

A. INTRODUCTION

This chapter assesses the potential impacts of the proposed Center East (Proposed Project) on land use, zoning, and public policy in the future with the proposed project (the "With Action" condition) as compared to conditions in the future without the proposed project (the "No Action" condition). According to the 2020 *City Environmental Quality Review (CEQR) Technical Manual*, a land use analysis evaluates the uses and development trends in the area that may be affected by a proposed action and determines whether a proposed action is compatible with those conditions or may affect them. The analysis also considers a proposed action's compliance with, and effect on, the area's zoning and other applicable public policies.

As described in Chapter 1, "Project Description," the Applicant is requesting a rezoning and other discretionary actions (the Proposed Actions) to facilitate the construction of the Proposed Project, an approximately 596,200 gross-square-foot (gsf) building on the site of its existing NYBC building at 310 East 67th Street, Block 1441, Lot 40 (the "Development Site"). The Development Site is located on the Upper East Side in Manhattan Community District 8. Block 1441 is bounded by East 66th and East 67th Streets and First and Second Avenues. The Development Site is part of a larger Rezoning Area that also includes Block 1441, Lots 1001–1202, and Block 1421, p/o Lot 21.

PRINCIPAL CONCLUSIONS

The analysis concludes that the Proposed Project would be compatible with existing land use in the surrounding area, and would not result in any significant adverse impacts to land use, zoning, or public policy. The Proposed Project would not result in a substantial change in the land use on the Development Site because it would replace an existing community facility building containing laboratories with a new community facility and commercial laboratory building. The Proposed Project is not expected to result in significant adverse land use impacts on adjoining uses or be incompatible with existing uses in the study area, which already include several similar community facility uses (i.e., the two Memorial Sloan-Kettering Centers). The Proposed Actions, including the proposed discretionary special permits, would modify only the zoning regulations on the Development Site and Rezoning Area and would not affect zoning regulations applicable to other sites in the study area. It would be consistent with the predominantly residential and commercial zoning districts in the study area. In addition, the Proposed Project would be consistent with, and supportive of, the public policies applicable to the Development Site and the study area. The Proposed Project would contribute to OneNYC's goal for growth in emerging fields; would further the New York Works' goal of expanding new job opportunities in the life sciences and healthcare industry; and would represent a new important step in the City's efforts to support the life sciences industry (LifeSci NYC).

B. METHODOLOGY

In accordance with the *CEQR Technical Manual*, the analysis of land use, zoning, and public policy assesses the area within 400 feet of the Rezoning Area, which is where the Proposed Project could reasonably be expected to cause potential effects. The land use study area is generally bounded by the midblock between East 68th and East 69th Streets to the north, the midblock between East 64th and East 65th Streets to the south, Third Avenue to the west, and Fifth Avenue to the east. The analysis characterizes existing conditions in the study area in terms of land use, zoning, and public policy and evaluates land use, zoning, and public policy in the No Action condition and in the With Action condition.

Various sources were used to comprehensively analyze the land use, zoning, and public policy characteristics of the study area, including land use and zoning maps, and online sources from the New York City Department of City Planning (DCP) and the New York City Department of Buildings (DOB).

C. EXISTING CONDITIONS

LAND USE

DEVELOPMENT SITE AND REZONING AREA

The Development Site (Block 1441, Lot 40) is currently occupied by the three-story, approximately 159,347 gross square feet (gsf) NYBC building with a floor area ratio (FAR) of approximately 2.89. Originally constructed in 1930 as a trade school, the building covers the entire 45,000 square foot lot. Among the existing biomedical research laboratories at NYBC there is a Biosafety Level-3 (BSL-3) laboratory and certified clean room facilities (which are used for the small-scale production of trial vaccines and other materials in connection with clinical trials). There are two curb cuts on East 66th Street for the service entrance and limited automobile and van parking. The pedestrian entrance is on East 67th Street.

In addition to the existing NYBC facility, the Rezoning Area contains two residential buildings. Immediately adjacent to NYBC is 310 East 66th Street (Block 1441, Lots 1001–1202) a 16-story, approximately 208,000-gsf white brick-clad building on Second Avenue between East 66th and East 67th Streets. It has retail uses in its Second Avenue frontage. Across Second Avenue is a 45-story tower (Block 1421, p/o Lot 21) at 265 East 66th Street. It is sheathed in dark glass and set back from the surrounding streets. It has a sunken retail space as well as a cinema in its base along Second Avenue.

STUDY AREA

The 400-foot study area is a primarily residential neighborhood, characterized by pre-war and post-war apartment buildings. Buildings vary from four to five-story multi-family apartment buildings and townhomes along the side streets to mid-rise (11 to 20-story) apartment buildings with ground floor retail shops and restaurants along the avenues (see **Figure 2-1**). High-rise (21 stories and above) buildings are interspersed throughout corners of the study area, such as the 30-story residential tower on the northwest corner of East 67th Street and Second Avenue and the 39-story residential tower on the southeast corner of East 65th Street and Second Avenue. A white brick clad residential building occupies the block south of East 66th Street and west of Second Avenue. It is set back from both street frontages behind landscaped areas and driveways.



- Development Site
- Rezoning Area
- Study Area (400-foot Boundary)
- Commercial and Office Buildings
- Hotels
- Industrial and Manufacturing
- Open Space and Outdoor Recreation
- Parking Facilities
- Public Facilities and Institutions
- Residential
- Residential with Commercial Below
- Transportation and Utility
- Vacant Land
- Vacant Building
- Under Construction

Existing Land Use

NEW YORK BLOOD CENTER—CENTER EAST

Figure 2-1

The study area contains notable institutional uses, such as the six-story Julia Richman Educational Complex (JREC) that occupies half of the block north of the Rezoning Area and now contains one elementary School, one middle school and four high schools. The Memorial Sloan-Kettering Breast and Imaging Center is located south of the Rezoning Area on Second Avenue and East 66th Streets, the main campus of the Memorial Sloan-Kettering Cancer Center occupying the much of the area east of First Avenue between East 66th and East 68th Streets and the Memorial Sloan-Kettering Center for Prostate and Urologic Cancer.

St. Catherine's Park occupies the eastern half of the block north of the Development Site. It contains a running track, tennis wall, handball courts, basketball court and seating areas. It is well landscaped, well maintained and well used. The layout of the park was designed to recall the Santa Maria Sopra Minerva Church in Rome, which houses the remains of St. Catherine. A flagpole represents the altar, play areas are the pews, and even the elephant sprinklers are an adaptation of a sculpture that resides in front of the church in Rome.

The Development Site is near public transportation. Local bus lines include the M15 and M15 SBS that along Second and First Avenues and the M66 bus that runs cross town on East 67th and East 68th Streets. Just outside of the study area, commuters and visitors to the area can utilize the Lexington Avenue IRT 6 Train via the nearby station at 68th Street/Hunter College.

ZONING

DEVELOPMENT SITE AND REZONING AREA

As shown in **Figure 2-2**, the Development Site is located in a mid-block R8B zoning district while the remainder of the Rezoning Area is located along Second Avenue in a C1-9 zoning district.

R8B districts are contextual residential districts. Apartment buildings in R8B contextual districts are commonly found on the narrow side streets of the Upper West Side and the Upper East Side in Manhattan. The mandatory Quality Housing bulk regulations encourage new six-story apartment buildings, with a setback at the top story. The base height of a new building before a setback is 55 to 65 feet. The maximum building height is 75 feet. Residential and community facility uses are permitted at an FAR of 4.0. There is no off-street parking requirement in the Manhattan Core.

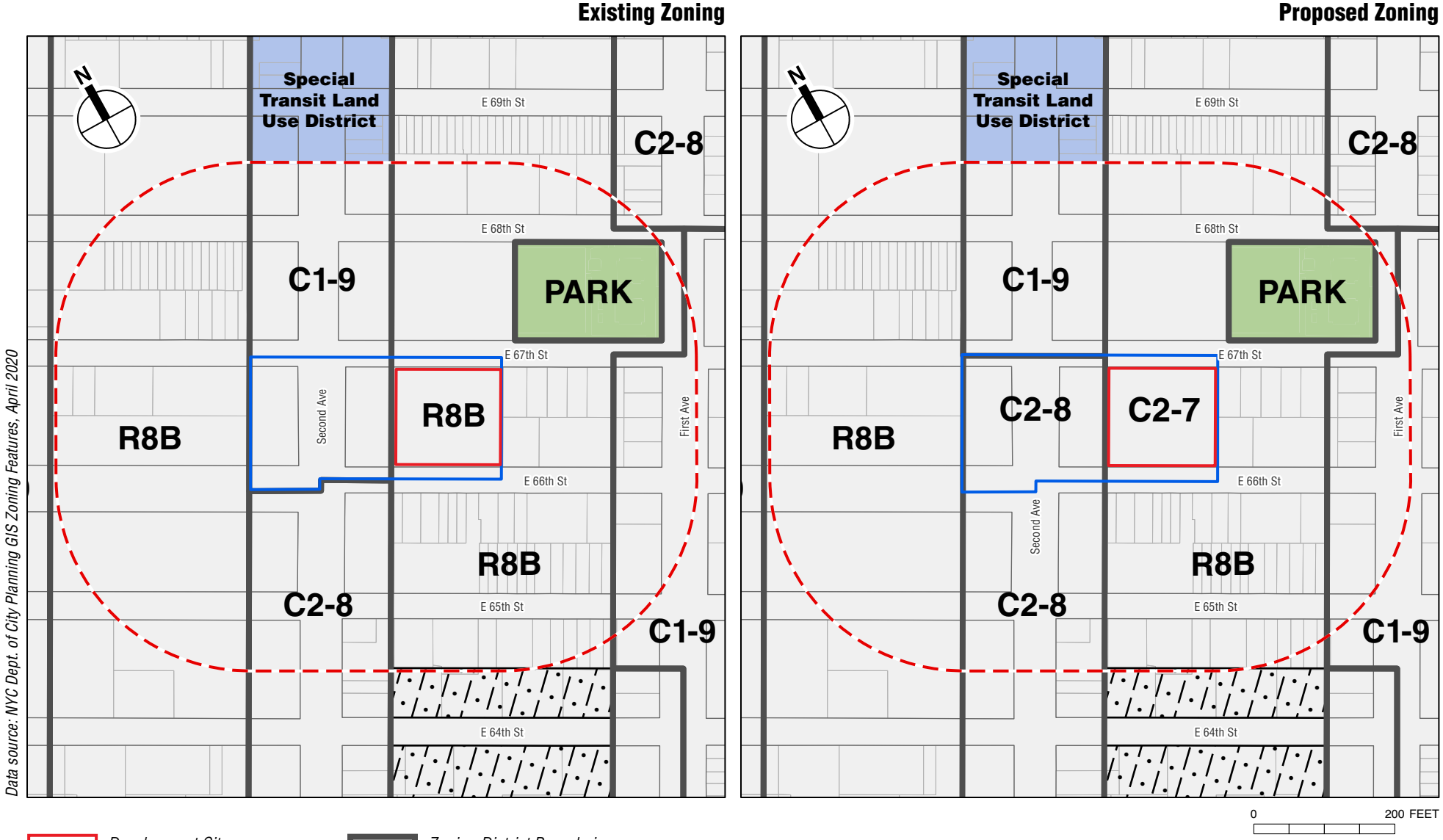
C1-9 districts are local retail districts with an R10 equivalent. They are typically mapped along major thoroughfares in high-density areas of the city, such as Second Avenue and Lexington Avenue on the Upper East Side. Typical retail uses include grocery stores, dry cleaners, drug stores, restaurants and local clothing stores that serve a neighborhood. In mixed buildings, commercial uses are limited to one or two floors and must always be located below the residential use. A commercial FAR of 2.0 is permitted while the residential FAR is 10.0, which can be increased to 12.0 pursuant to the Inclusionary Housing Program.

STUDY AREA

In addition to the R8B and C1-9 zoning districts described above, the study area contains a C2-8 zoning district south of the Rezoning Area along Second Avenue. C2-8 districts, which are similar in character to C1-9 districts, also permit cinemas, funeral homes and local repair services. A commercial FAR of 2.0 is permitted while the residential FAR ranges from 10.0 to 12.0 for residential uses (R10 equivalent).

Table 2-1 summarizes the zoning districts in the study area.

7.15.20



Data source: NYC Dept. of City Planning GIS Zoning Features, April 2020

Existing and Proposed Zoning

NEW YORK BLOOD CENTER—CENTER EAST

Figure 2-2

Table 2-1
Existing Zoning Districts in the Study Area

Zoning District	Maximum FAR	Uses/Zone Type
R8B	4.0 (residential and community facility)	Contextual residential district
C1-9	2.0 (commercial) 10.0-12.0 (residential	Commercial districts that are residential in character – (R10 equivalent)
C2-8	2.0 (commercial) 10.0-12.0 (residential)	

Source: *New York City Zoning Resolution*

PUBLIC POLICY

ONENYC

In April 2007, the Mayor's Office of Long Term Planning and Sustainability released *PlaNYC: A Greener, Greater New York (PlaNYC)*. Since that time, updates to *PlaNYC* have been issued that build upon the goals set forth in 2007 and provide new objectives and strategies. In 2015, *One New York: The Plan for a Strong and Just City (OneNYC)* was released by the Mayor's Office of Sustainability and the Mayor's Office of Recovery and Resiliency. *OneNYC* builds upon the sustainability goals established by *PlaNYC* and focuses on growth, equity, sustainability, and resiliency. Goals outlined in the report include those related to housing (ensuring access to affordable, high-quality housing) and thriving neighborhoods (ensuring that neighborhoods will be well-served by transit, affordable housing, retail, and City services).

NEW YORK WORKS

In June 2017, the New York City Office of the Deputy Mayor for Housing and Economic Development released *New York Works*, an economic development plan focused on supporting growing industries and employment opportunities through City investments and direct actions, with the goal of creating 100,000 new quality jobs. The plan focuses on key sectors that have the potential to support well-paid jobs, such as technology, life sciences and healthcare, industrial and manufacturing, and the creative and cultural sectors, along with revitalization of the traditional commercial office sector. The plan also outlines several strategies for public support, including modernizing and repurposing City-owned properties for commercial or manufacturing uses, providing financing and tax incentives, and investing in infrastructure.

LIFESCI NYC INITIATIVE

The City's efforts to support the life sciences industry date from 1990, when the NYC ZR Section 74-48 special permit text was first adopted, to facilitate development of Columbia University's Audubon Research Park, a biotechnological research and development center in Washington Heights. The CPC report for the text amendment noted that the special permit would help 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 those in medical education and hospitals.

A second Section 74-48 special permit was approved in 2001 for the East River Science Park on a portion of the Bellevue Hospital campus now known as the Alexandria Center. The Alexandria Center is also adjacent to the New York University (NYU) Langone Medical Center and the NYU Grossman School of Medicine across West 30th Street. The first two phases of that development

are open and fully leased. The third phase has been approved and upon completion Alexandria Center for Life Science will provide 1.3 million-square-feet of first-class office and laboratory space in a campus setting designed to foster cross-institutional collaboration.

D. FUTURE WITHOUT THE PROPOSED PROJECT

LAND USE

DEVELOPMENT SITE AND REZONING AREA

In the No Action condition, the existing building on the Development Site (Lot 40) would be demolished and replaced with a new building for the Applicant, containing lab space as well as other UG-4 community facility uses. The new building would be approximately 229,092-gsf. At the cellar level it would occupy the entire site. There would be six-story wings on each street front. Floor area would be split between 40,161 gsf of medical offices and 188,931 gsf of space for NYBC operations. The building would rise to a maximum base height of approximately 60 feet, a maximum roof height of approximately 75 feet, and include six interior parking spaces for the NYBC fleet. No development is anticipated in the remainder of the Rezoning Area.

STUDY AREA

Within the study area, there are no new developments anticipated to be complete by the analysis year.

ZONING

DEVELOPMENT SITE AND REZONING AREA

No changes to zoning are expected on the Development Site or in the Rezoning Area in the No Action condition.

STUDY AREA

No changes to zoning are expected in the study area in the No Action condition.

PUBLIC POLICY

No new public policies or modifications to current public policies applicable to the Development Site and the study area are expected in the No Action condition. However, the City's policy to support life science development and laboratory uses is expected to continue in other locations in the city.

E. FUTURE WITH THE PROPOSED PROJECT

LAND USE

DEVELOPMENT SITE AND REZONING AREA

With the Proposed Actions, the existing building on the Development Site (Lot 40) would be demolished and in its place the Proposed Project would be constructed for the Applicant and its

partners. The Proposed Project would have an FAR of 10.0 and contain approximately 596,200 gsf, split between 206,400 gsf of UG-4 community facility uses for the Applicant and 389,800 gsf of UG-9 laboratories and related uses for the Applicant's partners. This would represent a total increment of 367,042 gsf, including an increment of -22,692 gsf of UG-4 community facility uses and 389,800 gsf of UG-9 laboratories and related uses on the Development Site.

The four-story (approximately 85 foot tall) base of the Proposed Project would cover the entire lot and have floor plates of approximately 45,000 gsf. Above that would be a laboratory tower providing floor plates of a minimum of 29,000 gsf with 16-foot floor-to-floor heights required to accommodate the robust mechanical systems needed in laboratory buildings. Overall, the building would rise to approximately 334 feet to the top of the screen wall.

The building would also provide a multipurpose room (which can be used for evening meetings such as Community Board 8 meetings). It would be smaller in size but more flexible in design than the existing auditorium. Among the biomedical research laboratories in the proposed building, there would be a BSL-3 laboratory space for NYBC that would replace and modernize NYBC's existing BSL-3 laboratory, as well as certified clean room facilities that would be approved under Current Good Manufacturing Practice (cGMP) guidelines that would replace similar clean room facilities in the Blood Center's existing building. Three curb cuts are proposed on East 66th Street to accommodate service access, including loading, waste removal, and the Applicant's fleet parking for which six accessory parking spaces would also be included within the building.

Neither of the other two sites in the Rezoning Area is anticipated to be redeveloped in the With Action scenario. The Proposed Project would not result in a substantial change in the land use of the Development Site by replacing an existing community facility building containing laboratories with new community facility and commercial building containing laboratories. The Proposed Project is not expected to result in significant adverse land use impacts on adjoining uses or be incompatible with existing uses in the study area, which already include several similar community facility uses (i.e., the two Memorial Sloan-Kettering Centers). Overall, the Proposed Project would not result in significant adverse land use impacts on the Development Site or Rezoning Area.

STUDY AREA

The Proposed Project with primarily medical laboratory and office uses would be consistent with other similar uses found in the vicinity. Overall, the Proposed Project would not adversely affect the land use character of the study area and would not result in significant adverse land use impacts in the study area. The combination of location, design, and program would create a vital life sciences hub that would encourage collaboration and would be especially well-situated and organized to advance the City's economic development agenda and allow collaboration amongst research partners.

ZONING

DEVELOPMENT SITE AND REZONING AREA

In order to accomplish the Proposed Project described above, the Applicant is requesting the following zoning actions:

1. A zoning map amendment to rezone the Development Site and the block-front parcels on Second Avenue (affecting Lots 1001-1004 of Block 1441 and part of Lot 21 of Block 1421, which, together with the Development Site, constitute the "Rezoning 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 Second Avenue to a C2-8 district on both sides of Second Avenue, between East 66th Street and East 67th Street, to a depth of 100 feet (see Figure 1-2);
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 (see **Appendix A**); 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; and
    - 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.

See **Appendix A** for the proposed text amendment.

In addition, the Applicant may seek a revocable consent from the New York City Department of Transportation to allow an awning over the building's entrance that exceeds the size of projection permitted by the NYC Building Code.

The Proposed Actions would allow for the existing NYBC building to be demolished and replaced with a new building containing state-of-the-art, flexible, and efficient research and development facilities conveniently located near one of New York's largest complexes of medical care, education, and research institutions. The new building would offer space for the NYBC and its research partners, large floor plates, and 16-foot floor-to-floor heights to accommodate the mechanical systems needed for both wet and dry laboratories. The combination of location, design, and program will create a vital life sciences hub that encourages collaboration and would be especially well-situated and organized to advance the City's economic development agenda and allow collaboration amongst research partners.

STUDY AREA

The Proposed Actions, including the proposed discretionary special permits, would only modify the zoning regulations on the Development Site and Rezoning Area and would not affect zoning regulations applicable to other sites in the study area. The Proposed Project would not adversely affect zoning in the study area. It would be consistent with the predominantly residential and commercial zoning districts in the study area. Overall, the Proposed Project would not result in significant adverse zoning impacts in the study area.

PUBLIC POLICY

The Proposed Development would be consistent with, and supportive of, the public policies applicable to the Development Site and the study area. Overall, the Proposed Project would not result in any significant adverse impacts to land use, zoning, or public policy.

ONENYC

The mission of *OneNYC* is a plan for growth, sustainability, resiliency, and equity. The Proposed Project would redevelop an existing site with commercial office and laboratory uses. Therefore, the Proposed Project would contribute to *OneNYC*'s goal for growth in emerging fields.

NEW YORK WORKS

The Proposed Actions would further the New York Works' goal of expanding the life sciences and healthcare industry, providing new job opportunities with proposed medical office and laboratory floor area.

LIFESCI NYC INITIATIVE

The Proposed Project would be a new important step in the City's efforts to support the life sciences industry. Along with Audubon Research Park and Alexandria Center it would be a major visible contribution to LifeSci NYC. ✷