2

Land Use, Zoning, and Public Policy

This chapter considers the potential for the Proposed Project to result in significant adverse impacts to land use, zoning, and public policy. Under the guidelines of the *2021 City Environmental Quality Review (CEQR) Technical Manual*, this analysis evaluates the uses in the area that may be affected by the Proposed Project and determines whether the Proposed Project is compatible with land use, zoning, and public policy conditions, or may otherwise affect them. The analysis also considers the Proposed Project's compatibility with zoning regulations and other public policies applicable to the area.

Introduction

The New York City Economic Development Corporation (NYCEDC), the Office of the Chief Medical Examiner (OCME), and New York City Department of Citywide Administrative Services (DCAS), (collectively, the Applicants), in affiliation with the NYC Health and Hospitals Corporation (H+H), NYC Public Schools (NYCPS), the New York City School Construction Authority (SCA), and the City University of New York (CUNY), are proposing to redevelop the southern 4.75-acre portion of Manhattan Block 962, Lot 100[1] (the Development Site) located at 425 East 25th Street with three new buildings[2] comprising a total of up to approximately 2.19 million gross square feet (gsf) (the

[1] The Development Site is part of Block 962, Lot 100. While Lot 100 stretches from East 25th Street, north to East 29th Street at First Avenue, and north to East 30th Street along FDR Drive, the Proposed Project would only cover the southern 4.75-acre portion of this lot. The Rezoning Area comprises a similar area to the Development Site but is extended to the street centerlines of East 25th Street to the south, First Avenue to the west, FDR Drive to the east, and to the northern edge of former East 26th Street to the north.

[2] ~~As design progresses for the Proposed Project, it is likely that the building on the eastern portion of the Development Site (i.e., Building A) would be designed as two buildings with independent utility systems to accommodate separation between the public school and CUNY facilities.~~

Proposed Project). The Proposed Project would also include public realm improvements in the form of a new publicly accessible open space, a replacement bridge to create a safe and universally accessible connection across Franklin D. Roosevelt (FDR) Drive to Waterside Plaza, a floodwall tie-in to the ~~Kips Bay~~East Midtown Coastal Resiliency (~~KBCR~~EMCR) project's planned flood protection to the northeast along FDR Drive and protection along East 25th Street,[3] ~~including a connection to the existing floodwall at the U.S. Department of Veterans Affairs New York Harbor Healthcare System's Manhattan campus (U.S. Corbin VA Facility),~~ and a widening of the demapped portion of the former East 26th Street located between FDR Drive and First Avenue to accommodate two-way traffic flow.

To facilitate the Proposed Project, the Applicants are seeking the approval of the following discretionary land use actions (collectively, the Proposed Actions), which would apply to the Development Site:

Land Use Actions subject to ULURP:

- A zoning map amendment to rezone to the street centerlines of East 25th Street to the south, First Avenue to the west, and FDR Drive to the east, and to a point 255 feet to the north of East 25th Street from an R8 district to a C6-4 district;
- A zoning text amendment to Appendix F of the New York City Zoning Resolution (ZR) to establish a Mandatory Inclusionary Housing (MIH) area coterminous with the proposed C6-4 district that would be mapped on the Development Site[4];
- Special permits:
  - A special permit pursuant to ZR Section 74-171, Laboratories to allow for Use Group (UG) VII that does not comply with Section 427 of the New York City Building Code
  - A special permit pursuant to ZR 74-901, Bulk Modifications for Laboratories, to modify certain bulk regulations in a commercial district;
- Disposition of City-owned property for the Western Parcel, disposition for the open space premises, and disposition of a portion of the Eastern Parcel to CUNY;
- Site Selection and Acquisition of real property interest for OCME facility;
- Acquisition of real property interest for H+H facility; and
- City Map Change related to the East 25th Street replacement bridge, which includes a demapping action to remove the existing pedestrian bridge from the City Map. [5]

Separate from this application, the Applicants are seeking several discretionary approvals to facilitate the Proposed Project:

- City Funding: Construction of the new CUNY building would utilize City capital funding;
- State Financing: In addition to City capital funding, the Applicants are seeking to use New York State financing for the development of the Proposed Project; [6] and

[3] Absent the ~~KBCR~~EMCR project, the Proposed Project would incorporate standalone flood protections with independent utility into the design. For conservative analysis purposes, a hypothetical scenario in which there is no EMCR was referenced in the DEIS. However, that outcome is unlikely, and there are no plans to discontinue the EMCR project.

[4] The mapping of a MIH area is required for any rezoning that increases the permitted residential floor area ratio. However, the Proposed Project would not include any residential use.

[5] Though a City Map Amendment is not a component of the current application, this EIS assesses the pedestrian bridge as a component of the With-Action condition should a City Map Amendment be required at a later date.

[6] This State action is subject to SEQRA.

› CUNY and NYCPS: the siting of CUNY and NYCPS facilities are not subject to ULURP. Applicants will pursue a separate non-ULURP process to site and develop facilities for CUNY and NYCPS.

It should be noted that alongside NYCEDC, DCAS will serve as a co-applicant to the disposition and site selection and acquisition actions, and OCME will serve as a co-applicant to the site selection and acquisition actions related to the OCME facility described above. Additionally, the site selection and acquisition actions related to the proposed CUNY and NYCPS facilities are not subject to ULURP approval.

The Proposed Actions are subject to environmental review pursuant to the State Environmental Quality Review Act (SEQRA), in conformance with the City Environmental Quality Review (CEQR) guidelines and procedures. The Deputy Mayor for Housing, Economic Development, Housing and Workforce (DMHEDW) is acting as the lead agency for the environmental review. Completion of the Proposed Project is anticipated by 2031.

The Proposed Project would also replace the existing pedestrian bridge that crosses FDR Drive at East 25th Street. If the design of the new pedestrian bridge would require further change to the City Map, a separate mapping action would be requested in a future application.

This chapter provides an assessment of existing and future conditions with and without the Proposed Actions for the Development Site and study area, which are described in detail below.

Principal Conclusions

The analysis presented in this chapter concludes that the Proposed Actions would not result in significant adverse impacts on land use, zoning, or public policy.

Land Use and Zoning

The Proposed Actions would result in an expansion of existing land uses in the study area and greater bulk and density than what currently exists on the Development Site. New uses to the Development Site—including academic (continuation of existing CUNY uses, with an expansion of its overall square footage and programming, and a new NYCPS high school), healthcare, commercial Life Sciences, and open space—would be compatible with surrounding land uses. Academic, healthcare, and open space uses are allowed as of right under the existing zoning. The addition of the Life Sciences use is compatible with the surrounding Kips Bay Science District and the First Avenue Health and Life Sciences corridor, a long-established cluster of medical facilities, academic institutions, and healthcare and Life Sciences businesses. Additionally, the increased bulk and density on the Development Site facilitated by the Proposed Actions would be comparable to existing developments and planned developments in the neighborhood, as exhibited by the existing residential buildings at Waterside Plaza (east of the Development Site), U.S. Corbin VA Facility to the south, and Bellevue Hospital, just north of the Proposed Project. The requested discretionary actions would not conflict with the current surrounding zoning. Rather, the Proposed Actions would facilitate development that is well-integrated with current built conditions and the existing zoning framework within the study area. Therefore, the Proposed Project would not adversely affect surrounding land uses or zoning.

Public Policy

The Proposed Project, which is a City-led initiative, would be supportive of several City policies, including the Community Board 6 197-a Plan, the First Avenue Health and Life Sciences Corridor, LifeSci NYC, Rebuild, Renew, Reinvent: A Blueprint for New York City's Economic Recovery, PlaNYC:

Getting Sustainability Done, the New New York Panel, and the Waterfront Revitalization Program (WRP). The Proposed Project would expand and contribute to the First Avenue Life Sciences corridor and LifeSci NYC by creating a flood resilient development that would contribute to the growing economic footprint of New York City following the COVID-19 Pandemic by adding a significant amount of commercial Life Sciences space and space focused on healthcare.

Moreover, the Proposed Project would expand essential facilities currently serving study area residents through the construction of a new public high school, open space amenities, and an enhanced pedestrian bridge that would be larger than the existing bridge and fully ADA accessible. Portions of the Rezoning Area fall within the 1 percent annual floodplain, a high-risk flood area. As described below, the proposed buildings would be designed to withstand future flood events and mitigate potential flood-related damages pursuant to the City's Building Code requirements, consistent with Policy 6 of the WRP and the goals set forth by the Zoning for Coastal Flood Resiliency. Additionally, the Proposed Project's planned resilience infrastructure, such as the proposed floodwall connection to the broader ~~KBCR~~EMCR project along with the nearby East Side Coastal Resiliency projects are expected to significantly reduce flood risk in the future. Absent the ~~KBCR~~EMCR project, the Proposed Project would incorporate standalone flood protections into the design. Therefore, the Proposed Project would directly support relevant City policies.

Methodology

This analysis of land use, zoning, and public policy follows the guidelines set forth in the *CEQR Technical Manual* for a preliminary assessment (Section 320). According to the *CEQR Technical Manual*, a preliminary land use and zoning assessment:

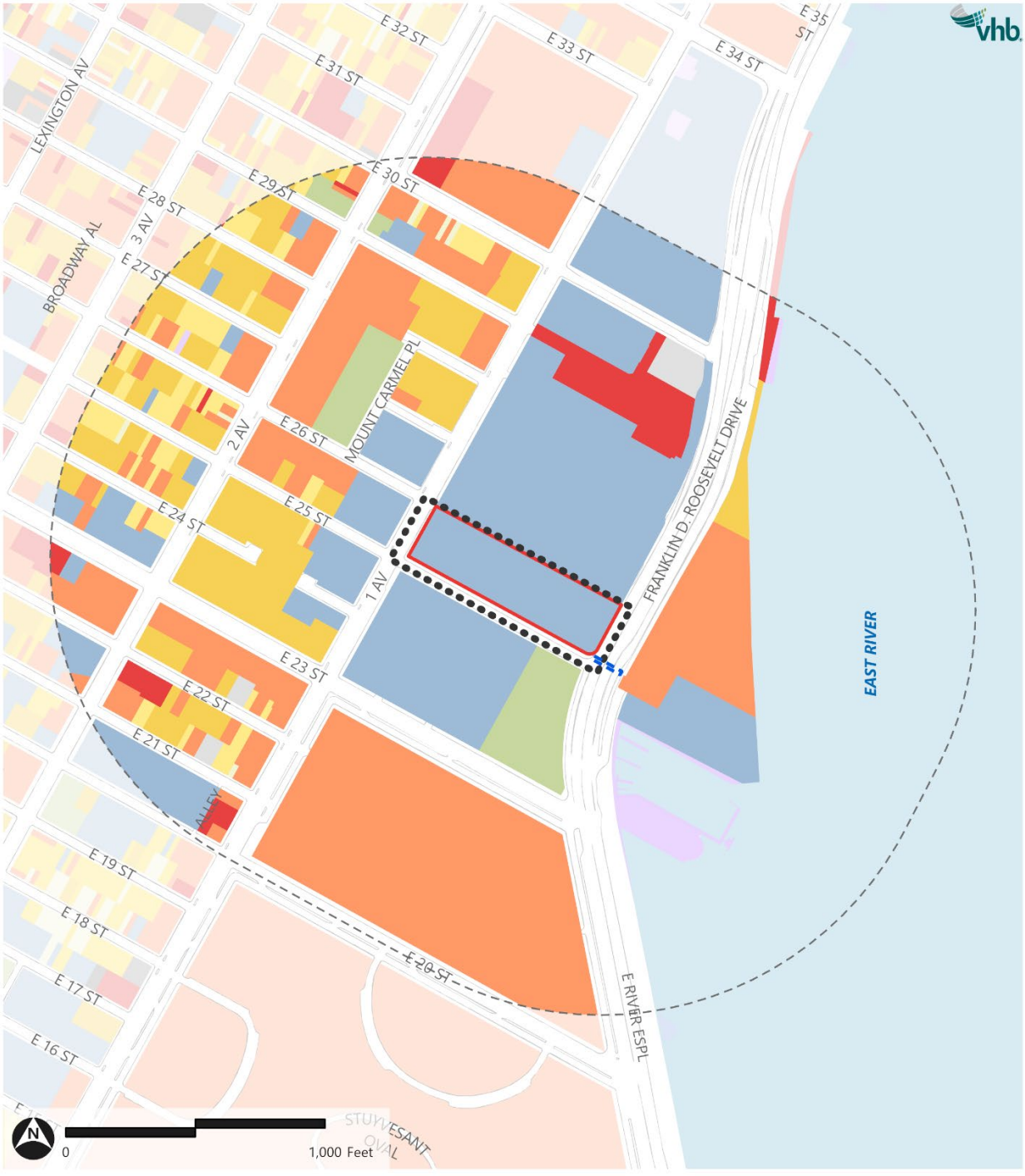
- Describes existing and future land uses and zoning information, and describes any changes in zoning that could cause changes in land use;
- Characterizes the land use development trends in the area surrounding the Development Site that might be affected by the Proposed Actions; and
- Determines whether the Proposed Project is compatible with those trends or may alter them.

The following assessment method was used to determine the potential for the Proposed Project to result in significant adverse impacts on Land Use, Zoning, and Public Policy:

1. Establish a "study area", a geographic area surrounding the project site to determine how the Proposed Project may affect the immediate surrounding area. For this assessment, a study area of approximately a quarter mile of the Rezoning Area, accounting for natural boundaries and land use patterns and trends was used.
2. Identify data sources, including any public policies (formal plans, published reports) to be used to describe the existing and No-Action conditions related to Land Use, Zoning, and/or Public Policy.
3. Assess the Proposed Project's potential effects on Land Use, Zoning and Public Policy to determine whether the Proposed Project is consistent with or conflicts with area land uses, zoning, or the identified policies.
    - If a Proposed Project could conflict with the identified policies, a detailed assessment would be conducted; or
    - If the Proposed Project is found to not conflict with the identified policies, no further assessment is needed.

The study area for this analysis is the area within a quarter mile of the Rezoning Area (see **Figure 2-1**).

Figure 2-1 Land Use Map



Source: MapPLUTO

Assessment

Land Use

This section describes land use in the Existing, No-Action, and With-Action conditions.

Existing Conditions

Development Site and Rezoning Area

The Development Site includes approximately 4.75 acres (the southern portion of Manhattan Block 962, Lot 100) of land bounded by East 25th Street to the south, First Avenue to the west, FDR Drive to the east, and the northern edge of former East 26th Street which is now de-mapped and predominantly used as a private drive for the superblock owned by NYC H+H to the north. The Development Site is currently the site of CUNY Hunter College Brookdale Campus (the "campus") comprised of a total of approximately 538,464 gsf. The campus consists of three buildings: the West Building, North Building, and East Building. The West Building, a 10-story brick tower with a two-story podium, fronts First Avenue and consists of academic uses including the School of Nursing offices. The North Building, a 14-story brick tower with a single-story podium, fronts former East 26th Street and consists of student dormitories, a lounge, and Speech Pathology classroom spaces. The East Building, a seven-story brick tower with a two-story podium, fronts FDR Drive and includes additional academic and dormitory space. The three buildings are connected and are interdependent at the basement level. The utility systems for the campus are generally independent but connected. These three buildings are arranged on the site in a C-shape which surrounds a courtyard. A portion of the courtyard is closed off and is currently used as an accessory parking lot. The main entrance to the campus is accessible via East 25th Street. The site currently includes 50 parking spaces.

The Rezoning Area comprises a similar area to the Development Site but is extended to the street centerlines of East 25th Street to the south, First Avenue to the west, and FDR Drive to the east, and to the northern edge of former East 26th Street to the north.

Study Area

As indicated in **Figure 2-1** and **Table 2-1**, land uses in the study area are predominantly public facilities and institutions and mixed residential and commercial uses. The Development Site is located in the Kips Bay Science District and on the First Avenue Health and Life Sciences corridor, which contains a mix of hospitals, academic institutions, and commercial Life Sciences uses located within quarter mile of the Development Site (the Study Area).

Directly to the north of the Development Site across the demapped East 26th Street is the Bellevue Hospital Center, occupying a superblock bounded by the demapped East 30th Street, FDR Drive, the demapped East 26th Street, and First Avenue. The entire campus includes seven buildings and includes a fenced, private landscaped courtyard at the corner of First Avenue and East 26th Street and the privately-owned Sobriety Garden at the eastern end of the former East 26th Street within that superblock, and the OCME Hirsch Center for Forensic Sciences. Directly south of the Development Site is the U.S. Corbin VA Facility. The New York University (NYU) College of Nursing, Dentistry and Engineering is located directly to the west of the Development Site along East 26th Street. Northwest of these facilities is the NYC Department of Health and Mental Hygiene (DOHMH)

Public Health Laboratory site, which will relocate to a new, purpose-built facility at a site adjacent to Harlem Hospital, and the 455 First Avenue site is expected to be redeveloped to include approximately 609,988 gsf of new, modern, commercial Life Sciences space including anchor space for NYU Grossman School of Medicine.

The Alexandria Center for Life Science, located at East 29th Street and First Avenue between Bellevue Hospital and NYU Medical Center, is a state-of-the-art research and development campus. The Alexandria Center currently includes two buildings of approximately 584,000 sf predominantly dedicated to wet lab space, or specific scientific research and development facilities focused on biological innovations. Phase I of the project included the two existing towers and includes the option for a third building that could include up to approximately 330,000 gsf of additional Life Sciences space.

In addition to the life science, health and academic uses, the surrounding area also contains residential, mixed commercial/residential buildings and open space uses, including the Waterside Plaza Residential Apartment Complex to the east of the site, across FDR Drive, East Midtown Plaza to the southwest, and Peter Cooper Village to the south of the U.S. Corbin VA Facility. Additionally, several residential developments occur to the northwest of the Development Site, including a New York City Housing Authority (NYCHA) development at 344 East 28th Street, a building containing micro residential units at 335 East 27th Street, which was developed on a city-owned site pursuant to a Request for Proposals (RFP) from the NYC Department of Housing Preservation and Development (HPD), and Kips Bay Court on Second Avenue. Public open space in the vicinity of the Development Site includes the 2.44-acre Asser Levy Playground to the southeast and the 1.59-acre Bellevue South Park to the northwest, as well as the existing East River Esplanade which is slated for planned improvements in the future as part of City-wide resilience initiatives. Privately owned public spaces in the study area include the Alexandria Center open space and minipark located at 240 East 27th Street.

Table 2-1 Study Area Generalized Land Use

Land Use		Number of Lots	% of Total Lots	Area (Sq. Ft.)	% of Total Land Area
Residential	One and Two Family	6	2.2%	10,413	0.2%
	Multi-Family Walk Up	69	25.6%	181,390	3.0%
	Multi-Family Elevator Buildings	48	17.8%	709,100	11.8%
Mixed Residential and Commercial		95	35.2%	2,049,308	34.2%
Commercial and Office		9	3.3%	296,000	4.9%
Industrial and Manufacturing		0	0%	0	0%
Transportation and Utility		3	1.1%	410,553	6.9%
Public Facilities and Institutions		30	11.1%	2,091,631	34.9%
Open Space		5	1.9%	196,153	3.3%
Parking Facilities		3	1.1%	44,906	0.7%
Vacant Land		2	0.7%	3,591	0.1%
All Others or No Data		0	0.0%	0	0.0%
Total		**270**	**100%**	**5,993,045**	**100%**

No-Action Condition

Development Site and Rezoning Area

Absent the approval of the Proposed Actions (the No-Action condition), it is anticipated that the 538,464 gsf of existing CUNY Hunter campus buildings on the Development Site would remain, and the Development Site would continue to accommodate the existing or similar uses in the future. The pedestrian bridge would remain in its current, non-ADA compliant condition, and there would be no resiliency upgrades or open space additions/enhancements.

Study Area

In the future No-Action condition, several new developments are proposed to be developed within the quarter-mile study area by the 2031 build year[1], as described below (see **Figure 2-2** and **Table 2-2**).

1. **Innovation East/455 First Avenue.** This project, which is proposed for the existing Public Health Laboratory site at East 26th Street and First Avenue, would result in the construction of an approximately 609,988 gsf commercial Life Sciences building and ground-floor retail. This project is expected to be complete in 2030.
2. **Alexandria Center (Phase II – North Tower).** This project, which is Phase II of the Alexandria Center campus, will replace the existing surface parking lot with approximately 330,000 gsf of office and laboratory space. New publicly accessible plaza would be created to the around the

future North Tower building. This project is expected to ~~begin construction at the end of 2024 and be~~ be complete in 2029.

3. **429 Second Avenue.** This project will consist of 44,571 gsf of residential space, projected to contain 59 units. This project will be complete in 2025.
4. **Stuyvesant Cove Park – Solar 2.** This project will be located on the northern end of Stuyvesant Cove Park and will include the replacement of the existing Solar One structure with a new two-story, 6,409 gsf learning center to allow for the teaching and demonstration of urban environmental stewardship. This project will be complete in 2024.
5. ~~**KBCR**~~**EMCR Floodwall.** The ~~KBCR~~EMCR flood protection project would provide a flood barrier around the Bellevue Hospital campus as well as elevated and/or hardened space for critical mechanical, electrical, and plumbing equipment. It would also provide redundant systems for important hospital infrastructure to ensure that the hospital is fully operational under backup systems. The timing of this project is unknown at this time.

Figure 2-2 No-Action Projects within the Quarter-Mile Study Area

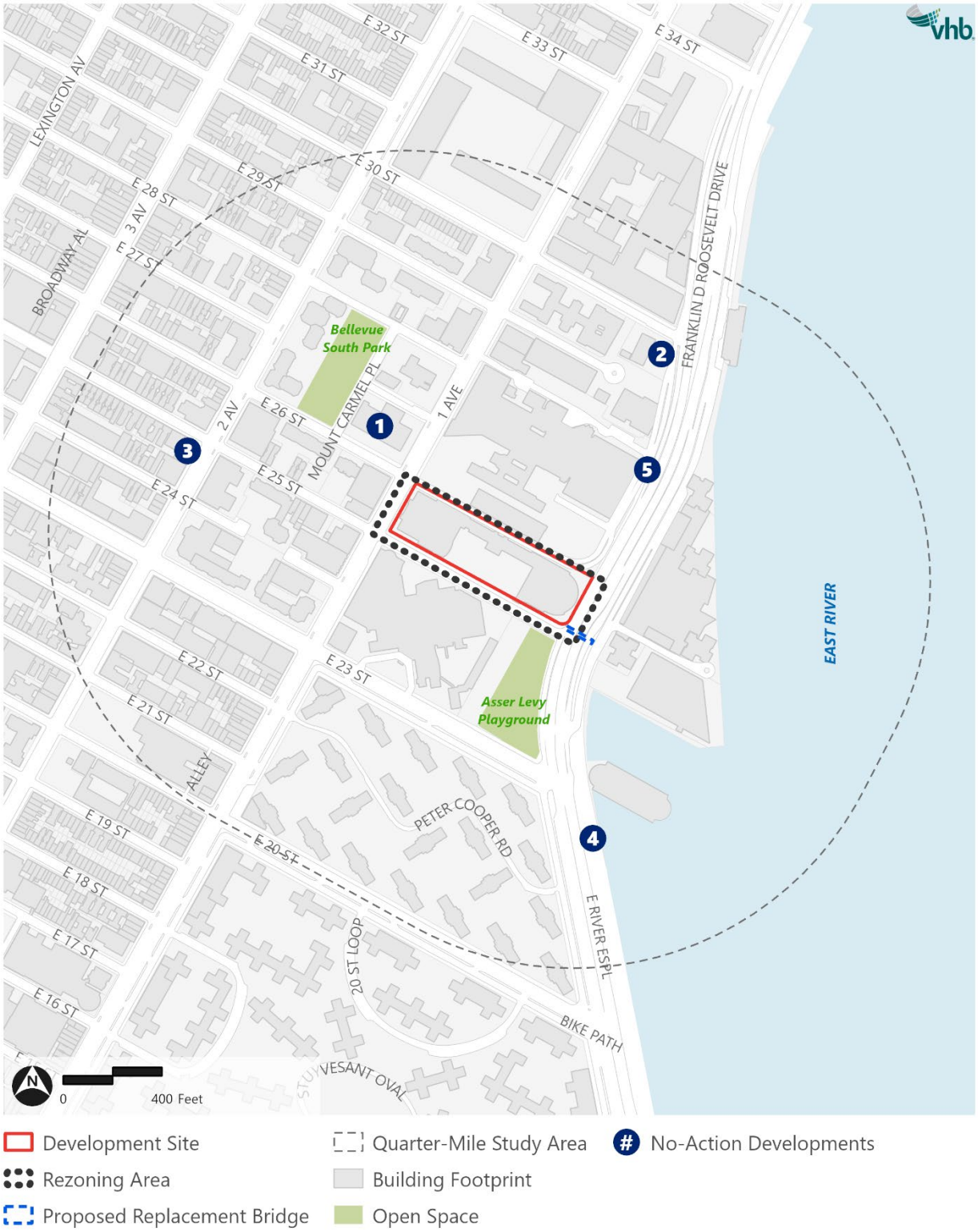


Table 2-2 No-Action Projects Within Quarter-Mile Study Area

Map No.	Location	Project Name	Commercial Gross Floor Area (SF)	Community Facility Gross Floor Area (SF)	Residential Units	Build Year
1	455 First Avenue	Innovation East/ 455 First Avenue	609,988	N/A	N/A	2030
2	East 29th Street & First Avenue	Alexandria Center (Phase II – North Tower)	330,000	N/A	N/A	2029
3	429 Second Avenue	429 Second Avenue Residential Building	N/A	N/A	59	2025
4	Northern end of Stuyvesant Cove Park	Stuyvesant Cove Park – Solar 2	N/A	6,409	N/A	2024
5	Bellevue Hospital Campus	EMCR Floodwall	N/A	N/A	N/A	TBD

With-Action Condition

The Proposed Project would involve the construction of up to approximately 2.19 million gsf of academic, health care, commercial Life Sciences space, and retail. Specifically, the Proposed Project would build approximately 605,163 gsf for the CUNY Hunter College School of Nursing and School of Health Professions, CUNY Graduate School of Public Health and Health Policy, Borough of Manhattan Community College healthcare programs, and CUNY Research Labs; approximately 193,358 gsf for a NYC Public School focused on sciences and healthcare professions; approximately 341,280 gsf of healthcare uses, comprised of 156,270 gsf for the OCME Manhattan Forensic Pathology Center and approximately 185,010 gsf for the H+H Ambulatory & Simulation Training Center; up to approximately 15,000 gsf of local retail located at the base of the proposed buildings wrapping from First Avenue around to the 25th Street open space and a small retail kiosk within the open space; and approximately 1 million gsf for Life ~~Sciencesuse~~Sciences use. The new buildings would roughly occupy the same footprints as the existing buildings and would range in height from approximately 19 stories fronting FDR Drive, approximately 22 stories in the center of the Development Site, to approximately 26 stories fronting First Avenue.

The eastern-most building (a.k.a. Building A)[7] would contain both school uses~~.~~ the CUNY Hunter Campus and the NYCPS. The eastern building's utility system would be independent from the remainder of the site, while the mid-block and western buildings may be independent or connected to each other. The base of this building would include approximately 2,500 to 4,000 gsf of neighborhood retail uses. This component of the development would be facilitated by the following actions:

- Disposition of a portion of the Eastern Parcel to CUNY;
- City capital funding;
- State financing for the development of the Proposed Project.

[7] ~~As design progresses for the Proposed Project, it is likely that the building on the eastern portion of the Development Site (i.e., Building A) would be designed as two buildings with independent utility systems to accommodate separation between the public school and CUNY facilities.~~

The western-most building (a.k.a. Building B1) would contain Life Sciences space, ground floor neighborhood retail (approximately 5,500 to 7,000 gsf), and H+H space. This component of the development would be facilitated by the following actions:

- Disposition of City-owned property for the Western Parcel;
- Acquisition of real property interest for H+H facilities;
- A zoning map amendment to rezone to the street centerlines of East 25th Street to the south, First Avenue to the west, and FDR Drive to the east, and to the northern edge of former East 26th Street to the north from an R8 district to a C6-4 district;
- A special permit pursuant to ZR Section 74-171 Laboratories and ZR 74-901, Bulk Modifications for Laboratories, to modify certain use and bulk regulations.

The northern/middle building (a.k.a. Building B2) would contain Life Sciences space, ground floor retail (approximately 3,000 gsf), and OCME space. This component of the development would be facilitated by the following actions:

- Disposition of City-owned property for the Western Parcel;
- Site Selection and Acquisition to allow for a new public facility for use by OCME;
- A zoning map amendment to rezone to the street centerlines of East 25th Street to the south, First Avenue to the west, and FDR Drive to the east, and to the northern edge of former East 26th Street to the north from an R8 district to a C6-4 district;
- A special permit pursuant to ZR Section 74-171, Laboratories and ZR 74-901, Bulk Modifications for Laboratories, to modify certain use and bulk regulations.

The Proposed Project would also include approximately 0.60 acre of publicly accessible open space with a small retail kiosk, a floodwall tie-in to the ~~KBCR~~EMCR project's planned floodwall to the northeast along FDR Drive and protection along East 25th Street, including a connection to the existing floodwall at the U.S. Corbin VA Facility, and up to 225 below-grade parking spaces, accessible via new curb cuts along the former East 26th Street frontage.

The Proposed Project would expand the existing academic and parking uses within the Development Site with the addition of a new New York City Public School, while the existing CUNY square footage would increase by 66,699 gsf as compared to existing conditions. Parking would increase from 50 spaces currently to 225 in the future with the Proposed Actions, an incremental increase of approximately 175 parking spaces. While the Development Site does not contain any healthcare uses under existing and No-Action conditions, the Development Site is located directly adjacent to several healthcare uses. The Proposed Project would increase healthcare uses on site by adding approximately 341,280 gsf through the addition of the OCME Facility and the H+H Facility. The addition of these facilities would be an expansion of the existing CUNY Hunter Nursing school on site (which would benefit from an expanded footprint overall in the With-Action condition), the existing Bellevue Hospital (currently located on the same block and lot as the Development Site but with no intended upgrades or changes are proposed as part of the Proposed Project), and the Proposed NYCPS anticipated to focus on sciences and healthcare professions.

The proposed land uses under the With-Action condition would be consistent with existing land uses in the study area, which as discussed above, are predominantly characterized by public facilities and institutions as well as mixed commercial/residential uses. The Proposed Project would also provide an extension of the existing and No-Action condition commercial Life Sciences uses within the study area, including those located along First Avenue, by providing approximately 1 million gsf of

commercial Life Sciences in support of the First Avenue Health and Life Sciences corridor. This would support the overall integration of the Proposed Project within the existing and No-Action condition land use context of the surrounding neighborhood. The proposed local retail space in the With-Action condition would be consistent with existing ground floor retail uses in the study area.

In addition, the Proposed Project would reflect a scale, height, and bulk appropriate for an area characterized by large-scale residential and health complexes, including the residential complexes to the east (Waterside Plaza) and south (Peter Cooper Village) of the Development Site that are up to 37 stories tall. The Proposed Actions, which would facilitate development up to a maximum of 19 stories along FDR Drive to 26 stories moving westward with a mix of the abovementioned uses, would provide a gradual height transition from the waterfront to the east, while blending in with the surrounding buildings' scale.

The integration of the proposed high quality, publicly accessible open space and the facilitation of future improvement of the pedestrian bridge is further aligned to the design of large-scale mixed-use developments within the study area that also provide open spaces. The proposed added open spaces support the integration of the Proposed Project with surrounding open space in the study area, such as Asser Levy Playground, to the south. The replacement pedestrian bridge would provide continued and improved pedestrian access across FDR Drive.

Although the existing dormitory space would not be replaced on site under the With-Action condition, the With-Action condition would provide new commercial and institutional space which would bring additional workers, students, and visitors to the area. The With-Action condition would result in an incremental increase of approximately 4,373 jobs and additional student enrollment of approximately 3,836 students. CUNY is in the process of identifying new student housing in other existing Manhattan buildings. Consistent with existing conditions, all students would continue to secure dormitories through CUNY, and students who have been living in the Brookdale dorms since 2022, before the project was announced, will be guaranteed student housing at the same rate that they currently pay.

Since the Proposed Project would provide land uses consistent with existing and No-Action condition land uses in the study area, as described in detail above, no significant adverse impacts to land use are anticipated and further analysis is not required.

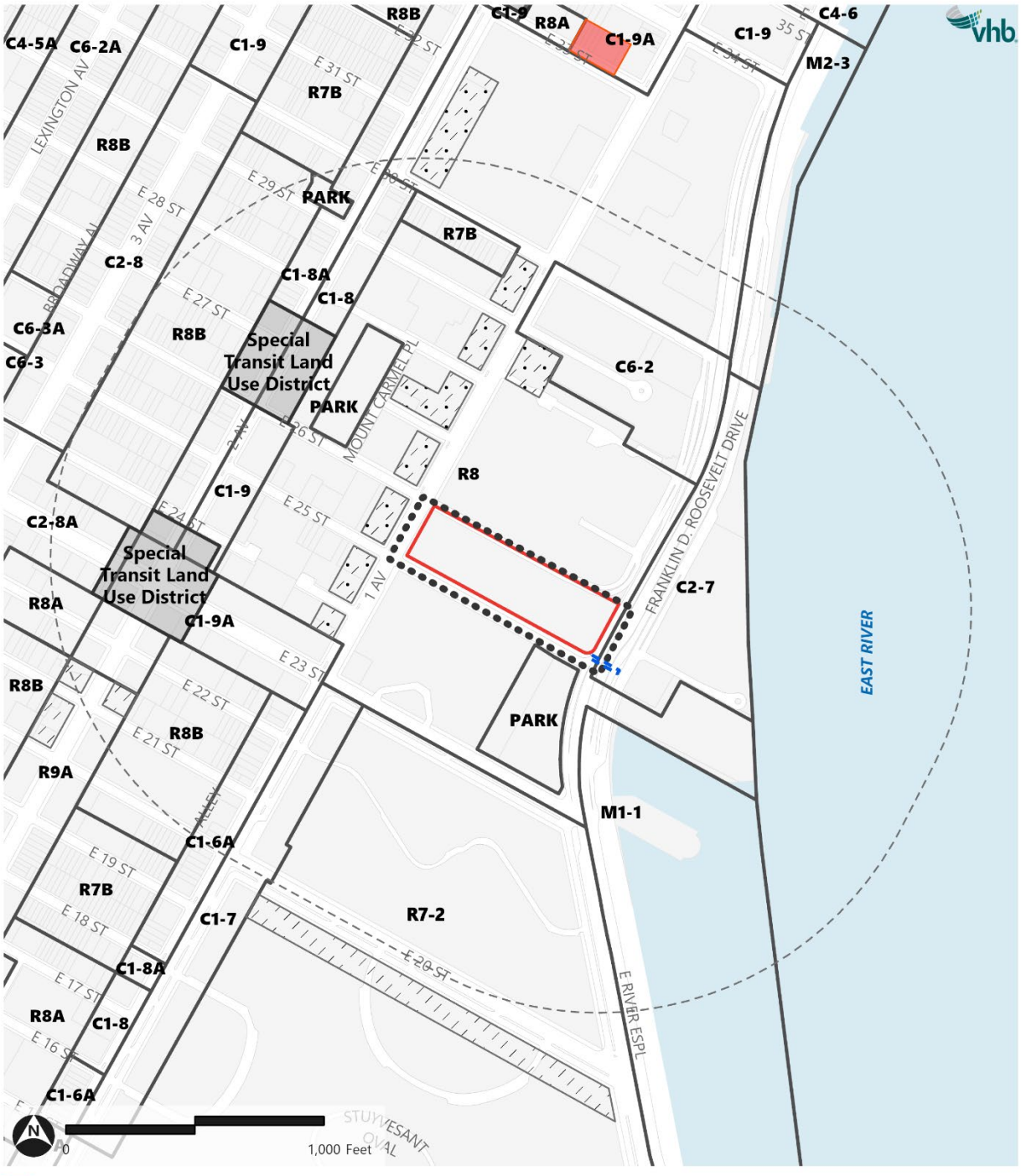
Zoning

Existing Conditions

Development Site and Rezoning Area

As shown in **Figure 2-3**, the entirety of the Development Site (portion of Manhattan Block 962, Lot 100) and Rezoning Area (the Rezoning Area comprises a similar area to the Development Site but is extended to the street centerlines of East 25th Street to the south, First Avenue to the west, and FDR Drive to the east, and to the northern edge of former East 26th Street to the north) is mapped with an R8 zoning district. R8 zoning districts are high-density apartment house districts that encourage mid-rise apartment buildings on smaller lots and, on larger lots, taller buildings with less lot coverage. R8 zoning districts allow a maximum floor area ratio (FAR) of 6.02 for residential uses and have a sky exposure plane starting at 85 feet under Height Factor regulations and an FAR of 7.2 and maximum base and building height of 105 feet and 215 feet, respectively, under Quality Housing regulations. The academic, healthcare, and open space uses included as part of the Proposed Project are allowed on an as of right basis under the existing zoning.

Figure 2-3 Existing Zoning Map



Source: MapPLUTO

Study Area

The R8 zoning district is mapped on a large portion of the study area, including the area generally to the north and west of the Rezoning Area. In addition to the R8 zoning, R7-2, C2-7, C6-2, R7B, C1-8, C1-8A, R8B, C2-8A, R8A, R9A, Park, C1-9, C1-9A, C1-6A, C1-7 and M1-1 zoning districts are also mapped within the study area. C2-5 commercial overlays are mapped along the west side of First Avenue. C2-7 is mapped directly to the east of the Rezoning Area within the study area, over Waterside Plaza.

Along with a standard R8 district, described above, the study area also contains a large R8B contextual district, which usually presents the same unified blocks of "brownstone" rowhouses as R5B and R6B districts, but the higher FAR of 4.0 creates a taller building. The mandatory Quality Housing bulk regulations in this district encourage new six-story apartment buildings, with a setback at the top story, that fit with the existing nineteenth century row houses.

The base height of a new building before a setback is 55 to 65 feet. The maximum building height is 75 feet. Many buildings are set back from the street with stoops in shallow front yards. To maintain the traditional streetscape, curb cuts are prohibited for zoning lot frontages less than 40 feet. The street wall of a new building, on any lot up to 50 feet wide, must be as deep as one adjacent street wall but no deeper than the other. On lots with at least 50 feet of frontage, the street wall must be no closer to the street line than the street wall of an adjacent building. Street walls need not be set back beyond 10 feet. Buildings must have interior amenities for residents pursuant to the Quality Housing Program.

Off-street parking is generally required for 50 percent of a building's dwelling units, but requirements are lower for income-restricted housing units (IRHU) and are further modified in certain areas, such as within the Transit Zone and the Manhattan Core, or for lots less than 15,000 square feet. Off-street parking requirements can be waived if 15 or fewer parking spaces are required or if the zoning lot is 10,000 square feet or less. Off-street parking is not allowed in front of a building and any open area between the street wall and the street line must be planted.

A large portion of the study area to the south is zoned R7-2. R7 zoning districts are medium-density apartment house districts that encourage lower apartment buildings on smaller lots and, on larger lots, taller buildings with less lot coverage. R7 districts have a maximum FAR of 3.44 (and a maximum of 4.0 on wide streets for R7-2 districts, specifically), a sky exposure plane of 60 feet, and a significant amount of required off-street parking at 50 percent of all dwelling units for R7-2 districts, specifically.

The study area also contains R8A and R9A districts. The contextual Quality Housing bulk regulations, which are mandatory in R8A districts, typically result in high lot coverage apartment buildings of roughly 12 to 14 stories, set at or near the street line. Limitations on the base height and maximum building height of new buildings ensure compatibility with existing buildings on the street. The FAR in R8A districts is 6.02. Above a base height of 60 to 85 feet, the building must set back to a depth of 10 feet on a wide street and 15 feet on a narrow street before rising to its maximum height of 120 feet. If providing a qualifying ground floor, the maximum base height is 95 feet, and the maximum height is 125 feet. On a wide street, the street wall must extend along the entire width of the zoning lot and at least 70 percent of the street wall must be within eight feet of the street line. The area between a building's street wall and the street line must be planted and the building must have interior amenities pursuant to the Quality Housing Program.

The contextual Quality Housing regulations, mandatory in R9A districts, typically result in high lot coverage, 14- to 15-story buildings set at or near the street line. Typical R9A buildings can be found

in higher density Manhattan neighborhoods such as Chelsea and Tribeca. Often mapped as C1-8A or C2-7A commercial districts, which have an R9A residential district equivalent, these districts usually have apartments above one or two floors of retail and office uses.

The maximum FAR in R9A districts is 7.52, the same as in R9 districts. On wide streets, the base height is 60 to 105 feet with a maximum building height of 145 feet. On narrow streets, the base height is 60 to 95 feet with a maximum building height of 135 feet. The street wall of a new building on a wide street must extend along the entire width of the zoning lot and at least 70 percent of the street wall must be within eight feet of the street line on a narrow street.

C2 commercial districts and overlays mapped within the study area include C2-5 and C2-7 districts. Specifically, a C2-5 overlay is mapped along the west side of First Avenue. A C2-7 district is mapped to the east of the Rezoning Area, across FDR Drive and along the East River. C2 overlays are typically mapped within residence districts along streets that serve local retail needs. They are found extensively throughout the City's lower- and medium-density areas and occasionally in higher-density districts. Typical retail uses include neighborhood grocery stores, restaurants, and beauty parlors. C2 districts permit a slightly wider range of uses, such as funeral homes and repair services, compared with C1 districts. On First Avenue, many of these spaces contain healthcare or commercial laboratory facilities. Similar to the C2 overlays described above, the existing C2-7 district is typically found in residential areas serving local retail needs. C2-7 districts have a residential district equivalent of R9 districts, meaning that anywhere C2-7 districts are mapped, R9 district residential development can also be built. C2-8A districts have a residential equivalent of an R10 and no required parking. These districts are similarly mapped in residential areas.

C1 commercial districts in the study area include C1-6A, C1-7, C1-8, C1-8A, C1-9, and C1-9A. These districts are commercial districts that are predominantly residential in character. They are mapped along major thoroughfares in medium- and higher-density areas of the city, such as Second and Lexington Avenues on the Upper East Side or Columbus and Amsterdam Avenues on the Upper West Side. There are only minor differences between C1 and C2 districts (described above). In mixed buildings, commercial uses are limited to one or two floors and must always be located below the residential use. Similar to the C2-7 district described above, C1-6A, C1-7, C1-8, C1-8A, C1-9 and C1-9A districts have residential district equivalents which allow residential uses to be built in these districts following specific zoning regulations. C1-8 districts have a residential district equivalence of an R9 district, C1-8A of an R9A, C1-9 of an R10, and C1-9A of an R10A. Finally, no off-street parking is required in any of the above-mentioned C1 or C2 districts.

A C6-2 district is also mapped in the study area, directly north of the Development Site. This district allows for a variety of high bulk commercial uses. C6-2 districts have a commercial floor area of 6.0 and are typically mapped outside of central business cores. C6-2 districts have a residential district equivalent of an R8 and do not require off street parking.

M1-1 zoning is mapped to the southeast of the Development Site along the East River. M1 districts typically permit light industrial uses, such as woodworking shops, repair shops, and wholesale service and storage facilities. Nearly all industrial uses are permitted in M1 districts, along with offices and most retail uses. Certain community facilities, such as hospitals, are permitted in M1 districts only by special permit, but houses of worship are allowed as-of-right. M1-1 districts have a maximum FAR of 1.0 for manufacturing uses and a maximum of 2.40 FAR for community facility uses.

No-Action Condition

Development Site and Rezoning Area

There are no anticipated zoning changes to the Development Site and Rezoning Area under the No-Action condition. The Development Site and Rezoning Area would continue to be governed by the various zoning regulations in the area, as described in the existing conditions section above.

Study Area

As described above, there are several No-Action condition projects planned within the study area. However, only one of these projects would result in a zoning change. The 455 First Avenue project would result in a zoning map amendment which would rezone the site from a R8 district (with a C2-5 commercial overlay over a portion of the site) to a C6-4 district, a zoning text amendment to map a MIH area on the Development Site, and a special permit to modify bulk regulations.

The existing R8 zoning has been in effect since December 15, 1961 and, although Life ~~Sciencesuses~~Sciences uses predominate in the area and in the existing building on the site, current zoning does not permit commercial Life Sciences uses. The proposed zoning changes, including the rezoning to a C6-4 district, would allow for development that is consistent with the existing uses in the study area and the future Life Sciences developments. Therefore, while the No-Action condition projects listed above may require discretionary actions from City and/or State agencies, the character and land use in the area is not expected to change. As such, the No-Action condition projects listed above will align with the existing commercial Life Sciences and residential uses that exist in the Study Area currently.

With-Action Condition

As described above, the Applicants are seeking the approval of the following land use actions that are subject to ULURP, as well as several discretionary approvals related to City and State funding, which are described in greater detail below. The Proposed Project, detailed above, is anticipated to be the same as what is analyzed in the With-Action condition, below.

Land Use Actions subject to ULURP:

- A zoning map amendment to rezone to the street centerlines of East 25th Street to the south, First Avenue to the west, and FDR Drive to the east, and to a point 255 feet to the north of East 25th Street from an R8 district to a C6-4 district;
- A zoning text amendment to Appendix F of the New York City Zoning Resolution (ZR) to establish a Mandatory Inclusionary Housing (MIH) area coterminous with the proposed C6-4 district that would be mapped on the Development Site;
- Special permits:
  - A special permit pursuant to ZR Section 74-171, Laboratories to allow for Use Group (UG) VII that does not comply with Section 427 of the New York City Building Code
  - A special permit pursuant to ZR 74-901, Bulk Modifications for Laboratories, to modify certain bulk regulations in a commercial district;
- Disposition of City-owned property for the Western Parcel, disposition for the open space premises, and disposition of a portion of the Eastern Parcel to CUNY;

- Site Selection and Acquisition of real property interest for OCME facility; and
- Acquisition of real property interest for H+H facility; and
- City Map Change related to the East 25th Street replacement bridge, which includes a demapping action to remove the existing pedestrian bridge from the City Map.

Separate from this application, the Applicants are seeking several discretionary approvals to facilitate the Proposed Project:

- City Funding: Construction of the new CUNY building would utilize City capital funding;
- State Financing: In addition to City capital funding, the Applicants are seeking to use New York State financing for the development of the Proposed Project; and
- CUNY and NYCPS: the siting of CUNY and NYCPS facilities are not subject to ULURP. Applicants will pursue a separate non-ULURP process to site and develop facilities for CUNY and NYCPS.

It should be noted that alongside NYCEDC, DCAS will serve as a co-applicant to the disposition and site selection and acquisition actions, and OCME will serve as a co-applicant to the site selection and acquisition actions related to the OCME facility described above. Additionally, the site selection and acquisition actions related to the proposed CUNY and NYCPS facilities are not subject to ULURP approval.

The Proposed Actions are subject to environmental review pursuant to the SEQRA, in conformance to and the CEQR guidelines and procedures. The DMHEDW is acting as the lead agency for the environmental review. Completion of the Proposed Project is anticipated by 2031. A brief description outlining the need and use of the above-listed actions has been provided below.

The Proposed Project would also replace the existing pedestrian bridge that crosses FDR Drive at East 25th Street. If the design of the new pedestrian bridge would require further change to the City Map, a separate mapping action would be requested in a future application.

Zoning Map Amendment

The proposed zoning map amendment would rezone the Rezoning Area from R8 to C6-4. The proposed zoning map amendment would rezone to the street centerlines of East 25th Street to the south, First Avenue to the west, FDR Drive to the east, and to the northern edge of former East 26th Street to the north from an R8 district to a C6-4 district comprising of approximately 206,981 sf (4.75 acres) of lot area.

C6-4 districts (R10 equivalent) are non-contextual commercial districts typically mapped within the city's major business districts, which allow a maximum FAR of 10.0 for commercial, residential, and/or community facility uses (though the maximum permitted residential FAR may be increased to 12 in an Inclusionary Housing designated area). Like the existing R8 district, the proposed C6-4 district would be governed by the sky-exposure plane, starting at a height of 85 feet and with an initial setback distance of 15 feet fronting a wide street or 20 feet fronting a narrow street. In addition, C6-4 districts also allow Quality Housing Program buildings with maximum height limits. Off-street parking is required in C6-4 districts and varies by use; however, no parking is required within the Manhattan Core, pursuant to ZR Section 13-10.

Zoning Text Amendment - MIH

While the Proposed Project does not include any residential floor area, a zoning text amendment would map an MIH Area coterminous with the proposed C6-4 district that would be mapped on the Development Site. This zoning text amendment is proposed in accordance with City policy wherein the MIH program is triggered by a substantial increase in residential zoning floor area. Because the proposed C6-4 zoning district substantially increases allowable residential zoning floor area, this text amendment is included even though the project does not utilize any residential floor area.

With both the designation of the Rezoning Area as an MIH Area and its rezoning to a C6-4 (R10 equivalent) zoning district, the maximum permitted FAR within the Rezoning Area in the C6-4 district would be 12.0. The maximum height would be 210 feet on wide streets and 185 feet fronting narrow streets.

Special Permit

The Applicants are seeking a special permit pursuant to ZR Section 74-171 (Laboratories) and ZR 74-901 (Bulk Modifications for Laboratories), to modify certain bulk regulations and allow UG VII in a commercial district. As UG VII production lab space is not permitted in C6-4 districts on an as-of-right basis, the proposed special permit would allow for the Applicant to include up to 32,000 gsf of the ~~proposed medical laboratory facilities (~~UG VII~~)~~ production lab space that ~~are~~is seen as crucial ~~to~~flexibility for the Proposed Project's Life Sciences uses. The 32,000 gsf of proposed commercial lab and production space introduced by the Proposed Actions would be consistent with the land use development trends given that the Development Site is located along the First Avenue Health and Life Sciences Corridor. Therefore, this proposed use would allow the Proposed Project to meet the stated economic development and urban design goals.

Additionally, the proposed special permit would allow for modifications of the underlying height and setback regulations of ZR Section 33-442, which would allow for 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 at the Development Site.

The Proposed Project would include the following FAR per use:

UG VI Retail and Services: 0.05 FAR; UG III B Community Facility (Education Uses): 3.14 FAR; (Healthcare Uses): 1.37 FAR; UG VII Life Sciences Space (Office and Laboratories, including Production Lab space): 4.04 FAR

Disposition of City-Owned Site

The Applicants are seeking disposition of a City-owned site to a private developer for the Western Parcel, disposition for the open space premises, and disposition of a portion of the Eastern Parcel to CUNY.

Site Selection and Acquisition of Real Property Interest

The Applicants are seeking a site selection and acquisition action to facilitate the construction of a new Manhattan Forensic Pathology Center for OCME.

City Map Amendment

The Applicants are seeking a City Map change that would include a demapping action to remove the publicly owned portion of the existing East 25th Street pedestrian bridge from the City Map. The proposed City Map change is intended to accommodate the new pedestrian bridge. The size, footprint, and alignment of the upgraded pedestrian bridge is still being determined alongside building design specifics. The City Map change would allow the Applicants to de-map and ultimately remove the existing pedestrian bridge to allow for a new ADA-compliant, bridge to be constructed in its place, allowing for greater connectivity than exists currently or would be allowed under existing zoning between the Development Site and the East River waterfront. If the design of the new pedestrian bridge would require further change to the City Map, a separate mapping action could be requested in a future application.

Uniform Land Use Review Procedure

The Proposed City Actions are subject to public review under the Uniform Land Use Review Procedure (ULURP), Section 200 of the City Charter, as well as CEQR and SEQRA procedures.[4] The New York City Charter (the Charter) requires certain actions that are reviewed by the City Planning Commission (CPC) to undergo a ULURP. ULURP is a standardized procedure whereby applications affecting the land use of the city would be publicly reviewed. The Charter also established mandated time frames within which application review must take place. Key participants in the ULURP process are the Department of City Planning (DCP) and the CPC, the local community board, the Manhattan Borough President, the City Council and the Mayor.

City Capital Funding

The Applicants are seeking to use City Capital funding for the development of the public portions of the Proposed Project.

State Financing

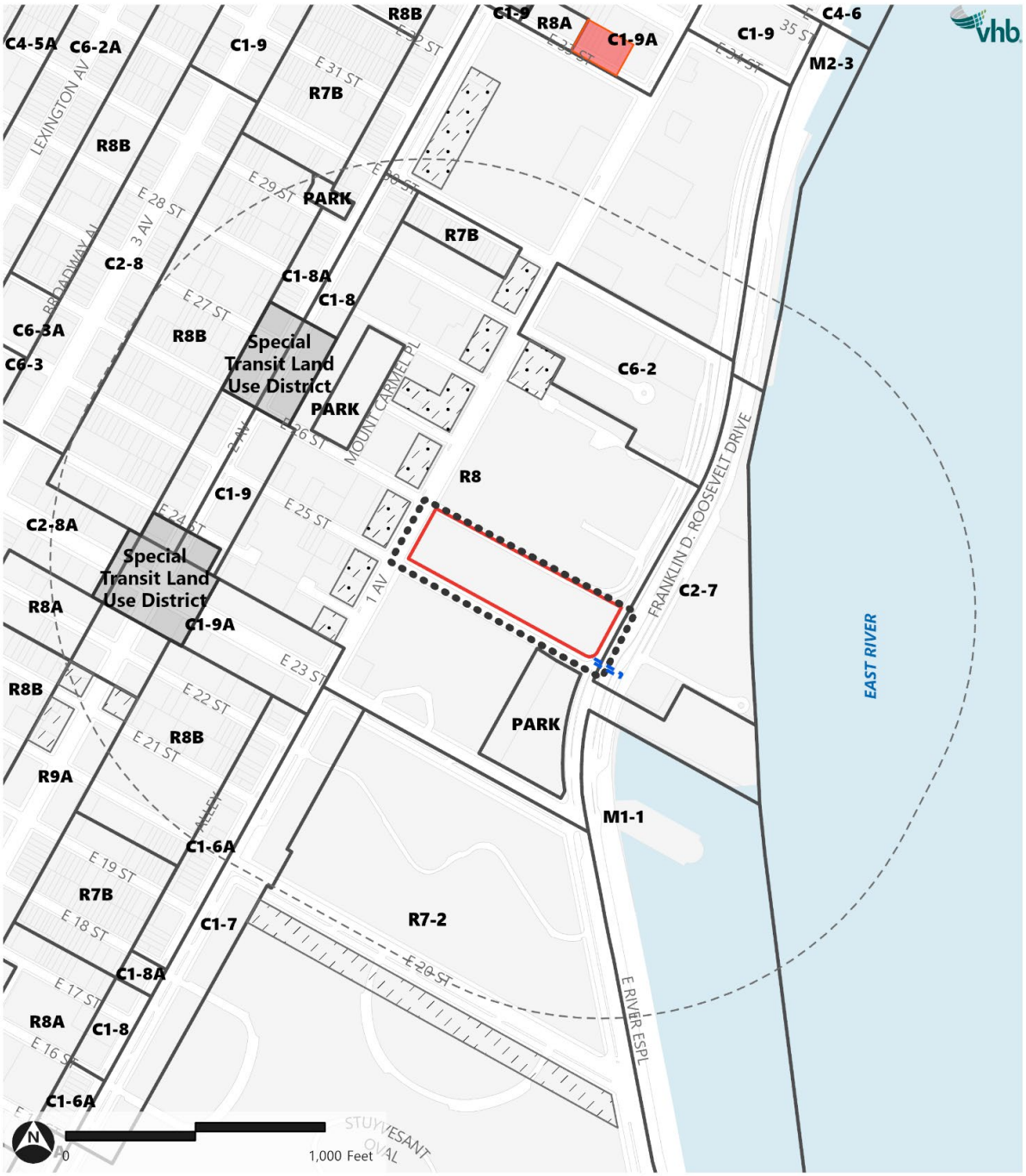
In addition to City capital funding, the Applicants are seeking to use New York State financing for the development of the Proposed Project.

The proposed academic, healthcare, and open space uses are allowed on an as-of-right basis under the existing zoning; however, two actions (1. Acquisition of real property interest for the H+H facility; and 2. Site Selection and Acquisition to allow for a new public facility for use by OCME;) are necessary to facilitate the development of the H+H and OCME healthcare uses. Further, as described above, the 32,000 gsf of production laboratory ~~use~~space requires a special permit pursuant to ZR 74-171. The Proposed Actions would be mostly limited to the Rezoning Area and would not alter any existing zoning districts within the surrounding area (see **Figure 2-4**), with the exception of the pedestrian bridge enhancements (a component of the demapping action) extending from the Rezoning Area across FDR Drive to Waterside Plaza (Manhattan Block 991, Lot 60). The addition of the Life Sciences use is compatible with the surrounding Kips Bay Science District and the First Avenue Health and Life Sciences corridor, a long-established cluster of medical facilities, academic institutions, and healthcare and Life Sciences businesses.

The increased bulk and density on the Development Site facilitated by the Proposed Actions would be comparable to existing developments and planned developments in the neighborhood. While the existing buildings on site range in height, maxing out at 18 stories, the Proposed Project would

consist of new buildings roughly occupying the same footprints as the existing buildings with a total FAR of 8.60. The new buildings would range in height from approximately 19 stories fronting FDR Drive, approximately 22 stories in the center of the Development Site, to approximately 26 stories fronting First Avenue. Despite being taller than the existing structures on site, the proposal is compatible with surrounding bulk and density, as exhibited by the existing residential buildings at Waterside Plaza (east of the Development Site, ranging in height from 300 to 350 feet) and Bellevue Hospital (363 feet, or 25 stories), just north of the Proposed Project. The requested discretionary actions would not conflict with the current surrounding zoning. Rather, the Proposed Actions would facilitate development that is well-integrated with current built conditions and the existing zoning framework within the study area. The proposed C6-4 district is consistent with existing zoning districts in the study area, which includes a range of C1, C2, and C6 districts. The Proposed Actions would facilitate buildings similar in form and aesthetic to existing and recently constructed institutional buildings in the study area, including the Bellevue Hospital and the NYU Langone Medical Center. Therefore, the Proposed Project would not adversely affect surrounding land use or zoning.

Figure 2-4 Proposed Zoning Map



Source: MapPLUTO

Public Policy

Existing Conditions

Manhattan Community Board 6 197-a Plan

Manhattan CB 6 197-a Plan was modified and approved by the CPC and further modified by the City Council on March 26, 2008. The plan's primary goals for the eastern portion of Manhattan CB 6 are: (i) increase the amount of useful open space, (ii) improve access to the waterfront and complete the East River Esplanade, (iii) enhance and reclaim the street network to restore the street grid and improve transportation systems and access to the waterfront, (iv) implement land use policies consistent with historical trends in the area, and (v) preserve significant residential developments and individual buildings. The Plan also recommends remapping or re-opening East 26th Street east of First Avenue in order to restore the street grid, reduce superblocks, and improve access to the waterfront.

Manhattan Waterfront 197-a Plan

The Comprehensive Manhattan Waterfront Plan, adopted by the City Council in 1997, aims to enhance public access to and use of the 32-mile Manhattan shoreline. This plan is pursuant to Section 197-a of the City Charter, which provides a process whereby boroughs and Community Boards can propose planning guidelines for a particular area for consideration by the CPC and City Council.

The plan's recommendations aim to enhance public access to and use of the borough's waterfront. The plan includes both overall planning principles and a series of site-specific recommendations intended to help guide future use and improvement of the waterfront, including opportunities for development of a continuous waterfront esplanade, new public open spaces, improved access to existing public waterfront areas, and for water-related commercial, educational, and transportation uses. The plan includes a section with recommendations that include the Study Area. These recommendations include:

- Encouraging an esplanade easement around the UNIS's perimeter; and
- Clear signage indicating the presence of a public waterfront esplanade to improve public access to the Waterside esplanade.

LifeSci NYC

In August 2022, Mayor Eric Adams and NYCEDC President and CEO Andrew Kimball awarded $26.6 million to further spur the growth of New York City's Life Sciences industry and create jobs. Through NYCEDC's $1 billion LifeSci NYC initiative, these awards will support the construction of new facilities that will allow the creation of new Life Sciences startups in the city and promote the next generation of talent and world-class innovation—creating jobs, connecting research to industry, and advancing healthcare and technology.[8] Given the presence of the academic and medical institutions in the Kips Bay area, NYCEDC identified the Kips Bay Science District and First Avenue Health and Sciences Corridor as an opportune location to fulfill the goals of the City's LifeSci NYC initiative. LifeSci NYC would establish New York City as the global leader in Life Sciences. The City's investment will create,

[8] Mayor Adams Invests $27 Million To Accelerate Growth Of Life Sciences In NY. August 24, 2022.

produce, and deliver dozens of new cures and treatments, generating thousands of new jobs for New Yorkers—making our city healthier and more equitable. The initiative includes the following three key areas: Talent, Research, and Space. This initiative is also working to develop the First Avenue Health & Life Sciences Corridor. The LifeSci program is geared toward the following goals:

- Connecting existing researchers and institutions to the resources needed to advance programs to commercialization;
- Unlocking space for Life Sciences companies to grow within the city; and
- Building a pipeline for the talent and workforce needed to support these companies across the five boroughs.

Rebuild, Renew, Reinvent: A Blueprint for New York City's Economic Recovery

Rebuild, Renew, Reinvent: A Blueprint for New York City's Economic Recovery is an economic development plan issued by the Adam's Administration in response to the COVID-19 Pandemic and its impact on New York City's economy. The Plan has the following goals:

1. Restart our city's economic engines and reactivate the public realm
2. Support small businesses, entrepreneurship, and a more equitable economy
3. Drive inclusive sector growth and build a future-focused economy
4. Connect New Yorkers to quality jobs and in-demand skills
5. Plan and build for inclusive growth now and in the future

PlaNYC: Getting Sustainability Done

In April 2023, New York City Mayor Eric Adams released PlaNYC: Getting Sustainability Done, New York City's long-term strategic climate plan that highlights efforts the city is taking to protect New Yorkers from climate threats, improve quality of life, and build the green economy. This is the fifth in a series of climate plans released every four years by the city, as required by local law, and was developed with input from the New York City Climate Cabinet, which consists of representatives from more than 35 city agencies and offices, the Sustainability Advisory Board, and stakeholders. Actions in the plan specifically focus on execution and implementation, delivering on promises made to New Yorkers, and creating an equitable, healthy, and resilient future. PlaNYC: Getting Sustainability Done also highlights opportunities to leverage available state and federal funding sources and comes in tandem with calls from Mayor Adams to ensure New York City receives its fair share of federal and state funding.

The goals of the plan are:

- Protection from Climate Threats: with focuses specifically on extreme heat, flooding, buildings, and clean and reliable energy;
- Improving Our Quality of Life: with focuses specifically on green space, waterways, transportation, and food; and
- Building the Green Economic Engine: with focuses specifically on the green economy and the waste and circular economy.

New New York Panel

The "New" New York Panel was launched by Governor Kathy Hochul and Mayor Eric Adams in 2022 to examine the future of New York City and the region's economy. A direct result of the panel's work, the *Making New York Work for Everyone Action Plan* lays out a set of 40 proposals—and a shared City-State agenda—focused on the future of jobs centers, neighborhoods, the way people work, key industries, infrastructure, talent development and more.

Created to develop actionable strategies for the recovery and resilience of the city's commercial districts, the work of the "New" New York Panel informed New York City's path to equitable economic recovery and resurgence—reimagining how and where people work, optimizing the mix and use of space in key employment centers to minimize vacancy, catalyze vibrancy, bolster the tax base, and create new opportunities for New Yorkers to thrive in family-sustaining jobs.

The panel went on to address a wide range of challenges affecting all New Yorkers, from transportation to housing and from public space to childcare. The action plan reflects this broad purview by proposing three overarching goals:

- Reimagine New York's Commercial Districts as Vibrant 24/7 Destinations;
- Make It Easier for New Yorkers to Get to Work; and
- Generate Inclusive, Future-Focused Growth.

Waterfront Revitalization Program

The Rezoning Area is located within the Coastal Zone Boundary. The WRP is the City's principal Coastal Zone management tool and establishes a broad range of public policies for the City's coastal areas. The guiding principle of the WRP is to maximize the benefits derived from economic development, environmental conservation, and public use of the waterfront, while minimizing the conflicts among these objectives. The WRP was originally adopted in 1982. Subsequent revisions include incorporation of climate change and sea level rise considerations to increase the resiliency of the waterfront area, promotion of waterfront industrial development as well as commercial and recreational waterborne activities, increased restoration of ecologically significant areas, and best practices for the design of waterfront open spaces.

No-Action Condition

In the future No-Action condition, there are no known public policy changes that are anticipated to affect the Development Site, Rezoning Area, or Study Area.

With-Action Condition

In the future With-Action condition, the Proposed Project would align with the above listed policies through the following means:

Manhattan Community Board 6 197-a Plan: The Proposed Project meets the goals of the Manhattan Community Board 6 197-a Plan by increasing usable open space and improving access to the waterfront via the proposed pedestrian bridge enhancements.

Manhattan Waterfront 197-a Plan: The Proposed Project meets the goals of the Manhattan Waterfront 197-a Plan by improving access to the waterfront through the proposed pedestrian bridge enhancements and linked on-site open space.

LifeSci NYC: The Proposed Project meets the goals of LifeSci NYC through the development of a Life Sciences campus on the East Side of New York, including commercial Life Sciences space and educational space on the topic area.

Rebuild, Renew, Reinvent: A Blueprint for New York City's Economic Recovery: The Proposed Project meets the goals of Rebuild, Renew, Reinvent: A Blueprint for New York City's Economic Recovery by investing in New York City's Life Sciences economy through the development of training program and job space.

PlaNYC: Getting Sustainability Done: The Proposed Project aligns with the goals of PlaNYC: Getting Sustainability Done by contributing to New York City's economic initiatives related to healthcare and Life Sciences, through the Proposed Project, which will support local Life Sciences initiatives through the creation of laboratory space and learning space. Additionally, the Proposed Project has been designed with climate change risk mitigation and quality of life enhancements as priorities. The Proposed Project would add publicly accessible open space and provide an ADA accessible replacement pedestrian bridge (as noted above, if the design of the new pedestrian bridge would require further change to the City Map, a separate mapping action would be requested in a future application if needed), allowing for greater connectivity between the newly added green space and New York's waterways and mitigate against climate change through flood resilient design. These climate change mitigation enhancements include the tying into the ~~KBCR~~EMCR project through the Proposed Project's flood protection measures, and by designing a campus that fully complies with Appendix G of the New York City Building Code. Absent the ~~KBCR~~EMCR project, the Proposed Project would incorporate standalone flood protections with independent utility into the design.

New New York Panel: The Proposed Project aligns with the goals of the New New York Panel and its resulting "Making New York Work for Everyone" by creating a future focused development, inclusive of public education while supporting economic growth. The SPARC Kips Bay Campus would allow New York City school students first-hand experience and interactions with private sector research and development labs, as well as direct access to newly created jobs that align with their academic interests – all in one place.

Waterfront Revitalization Program: A WRP Consistency Assessment Form (CAF) was prepared for the Proposed Project (**WRP #23-178**). As described in **Appendix A, Waterfront Revitalization Program Consistency Assessment Form**, the Proposed Project is consistent with the City's WRP policies. The Base Flood Elevation (BFE) of the Project Area is 12 feet (NAVD88) based on the Preliminary Flood Insurance Rate Map (pFIRM) published by the Federal Emergency Management Agency (FEMA). The majority of the Project Site is within the 100-year flood zone. The estimated sea level rise per New York City Climate Resiliency Design Guidelines through 2039 is approximately six inches, and approximately 16 inches for the period between 2040 and 2069. All new construction in the flood zone would be developed pursuant to the provisions set forth in Building Code Appendix G - Flood Resistant Construction. Additionally, the design measures described in response to WRP Policy 6.2 demonstrate how the Proposed Actions would be consistent with this policy. Finally, flood protection measures, with independent utility from adjacent resiliency projects, are planned as part of the Proposed Project, in addition to more green space. These added resilience measures, along with those required by law, demonstrate that the Proposed Project aligns with Policy 1.5. A full description of the project's consistency with the WRP is outlined in **Appendix A, Waterfront Revitalization Program Consistency Assessment Form.** In summary, the Proposed Project is consistent with the public policies described above. Thus, the With-Action condition is not anticipated to have significant adverse public policy impacts.