THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 583

Resolution approving the decision of the City Planning Commission on ULURP No. C 240235 ZSM, for the grant of a special permit (L.U. No. 134).

By Council Members Salamanca and Riley

WHEREAS, Memorial Sloan Kettering Cancer Center, filed an application pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 79-43 of the Zoning Resolution to modify:

1. the height and setback requirements of Section 24-522 (Front setbacks in districts where front yards are not required) on the periphery of a large-scale community facility development;

2. the lot coverage requirements of Section 24-11 (Maximum Floor Area Ratio and Percentage of Lot Coverage); and

3. the sign regulations of Section 22-321 (Nameplates or identification signs), Section 22-323 (Signs for parking areas), and Section 22-342 (Height of signs)

to facilitate a proposed 31-story inpatient medical facility on the South Block Zoning Lot (Block 1461, Lots 13 & 21), in R9 and R10 Districts, within an existing Large-Scale Community Facility Development generally bounded by East 69th Street, a line 338 feet easterly of First Avenue, a line midway between East 69th Street and East 68th Street, a line 463 feet easterly of First Avenue, East 68th Street, York Avenue, East 66th Street, a line 300 feet westerly of York Avenue, East 67th Street, First Avenue, East 68th Street, and a line 100 feet easterly of First Avenue (Block 1461, Lots 13 & 21; Block 1462, Lots 1 & 5; and Block 1463, Lots 5 and 7501 (condo lot 1001)) in R8, R9, and R10 Districts, Borough of Manhattan, Community District 8 (ULURP No. C 240235 ZSM) (the "Application");

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

WHEREAS, the Application is related to applications C 240237 ZMM (L.U. No. 132), a zoning map amendment to change an R8 District to a R9 District; N 240238 ZRM (L.U. No. 133), a zoning text amendment to enable modifications to lot coverage and signage, within a hospital or hospital-related large-scale community facility development located within the boundaries of Community District 8; M 240240 LDM (L.U. No. 135), a cancelation of a recorded restrictive declaration; and C 240236 GFM (L.U. No. 136), a revocable consent to enable a skybridge over a public street;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d of the City Charter;

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 79-43 of the Zoning Resolution of the City of New York;

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

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

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

RESOLVED:

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

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

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

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

4. The adverse environmental impacts revealed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, pursuant

to the restrictive declaration dated August 7, 2024, those project components related to the environment and mitigation measures that were identified as practicable.

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

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 240235 ZSM, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

1. The property that is the subject of this application (C 240235 ZSM) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following plans, prepared by AAI Architects, filed with this application and incorporated in this resolution:

Drawing No.	Title	Last Revised Date
Z-10	LSCFD Site Plan (Proposed)	01/12/2024
Z-11	LSCFD Zoning Analysis (Proposed)	07/30/2024
Z-22	South Block Zoning Lot – Zoning Diagrams	01/12/2024
Z-23	South Block Zoning Lot – Site Plan	01/12/2024
Z-30	Zoning Waiver Plan – Development Site	01/12/2024
Z-31	Zoning Waiver Section North-South 1	07/30/2024
Z-32	Zoning Waiver Section North-South 2	07/30/2024
Z-33	Zoning Waiver Section North-South 3	07/30/2024
Z-34	Zoning Waiver Section North-South 4	07/30/2024
Z-35	Zoning Waiver Section East-West	07/30/2024
Z-71	Signage Diagrams	01/12/2024
Z-72	Signage Diagrams	01/12/2024

2. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application. All zoning computations are subject to verification and approval by the New York City Department of Buildings.

3. Such development shall conform to all applicable laws and regulations relating to its

construction, operation and maintenance.

4. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sublessee or occupant.

5. In the event the property that is the subject of the application is developed, sold as, or converted to condominium units, a homeowners' association, or cooperative ownership, a copy of this resolution and restrictive declaration described below and any subsequent modifications to either document shall be provided to the Attorney General of the State of New York at the time of application for any such condominium, homeowners' or cooperative offering plan and, if the Attorney General so directs, shall be incorporated in full in any offering documents relating to the property.

6. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms or conditions of this resolution whose provisions shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure or breach of any of the conditions as stated above, may constitute grounds for the City Planning Commission or City Council, as applicable, to disapprove any application for modification, renewal or extension of the special permit hereby granted or of the attached restrictive declaration.

7. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city's or such employee's or agent's failure to act in accordance with the provisions of this special permit.

Adopted.

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

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

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City Clerk, Clerk of The Council