Chapter 2: Land Use, Zoning, and Public Policy

A. INTRODUCTION

The proposed project would result in a the development of a new, two-story approximately 157,251-gross-square-foot (gsf) laboratory building with two one-story pavilions on its roof; a new one-story approximately 3,353-gsf Interactive Conference Center (ICC) located on the North Terrace; and a new, one-story approximately 20,498-gsf fitness center, as described in Chapter 1, "Project Description." The proposed laboratory building and ICC would be constructed on a platform occupying air space spanning the portion of the Franklin Delano Roosevelt (FDR) Drive between demapped East 68th Street and the Rockefeller Research Building north of East 64th Street. The new laboratory building and North Terrace, which would contain the ICC, would be built using air rights owned by Rockefeller University. To support the platform of the laboratory building and North Terrace, twenty columns would be located west of the FDR Drive immediately adjacent to and within the existing schist retaining wall, and ten columns would be located flush with the FDR Drive's eastern edge within the western portion of the East River Esplanade. The new fitness center would be located on the northwest portion of the campus. In addition, a five-foot-tall barrier would be constructed along the eastern edge of the FDR Drive between the FDR Drive and the East River Esplanade that would extend the entire length of the proposed platform structure. The proposed project would modestly increase the University's floor area and lot coverage but would be substantially below the maximums allowed for this Large Scale Community Facility Development (LSCFD).

This chapter assesses the potential impacts of the proposed project on land use, zoning, and public policy for the project site—the overall LSCFD, including the three development sites—and for the 400-foot study area surrounding the LSCFD (see **Figure 2-1**). The analysis compares the probable impacts of the proposed project (the Future With Action scenario) to the impacts of the Future No Action scenario, which assumes there will be no new development within the LSCFD.

PRINCIPAL CONCLUSIONS

The proposed project would not introduce any new incompatible land uses to the project site, but would allow Rockefeller University to provide research facilities, university amenities, and new open space on the campus. The proposed development would be compatible with existing development in the surrounding area, including nearby institutional, residential, and commercial uses, and the other existing buildings that have previously been developed in air space above the FDR Drive to the north and south of the Laboratory Building Site and the North Terrace Site. The columns to be located in the western edge of the East River Esplanade are structurally necessary for the proposed laboratory building and North Terrace and would have a minimal impact on users of the esplanade.

The proposed project would not change the underlying zoning of the project site, but the proposed project would require modifications to the previously-approved LSCFD, a demapping of column volumes in the FDR Drive, a special permit for construction in airspace over a street,

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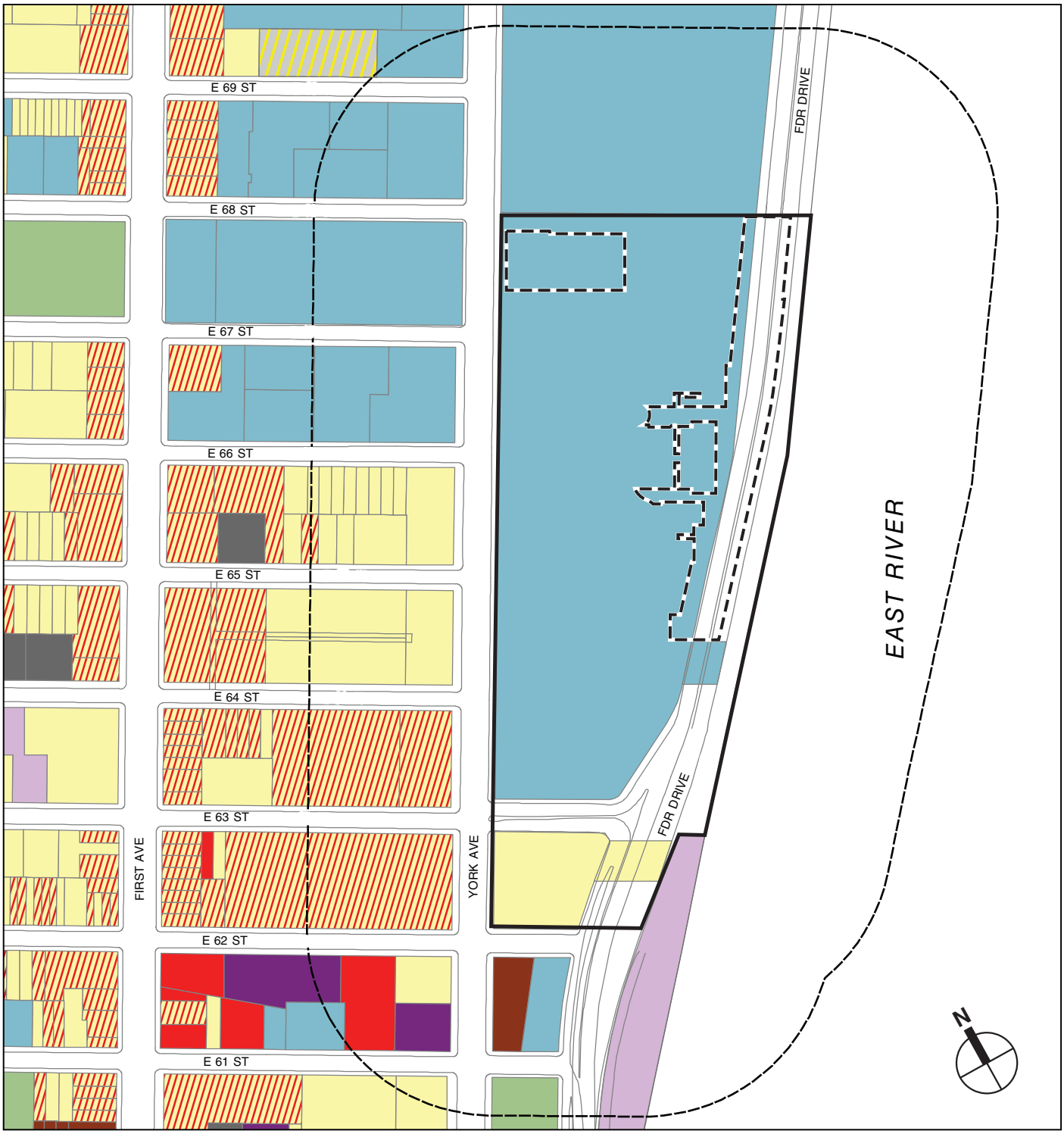

Large Scale Community Facility Development (LSCFD) (Rockefeller University Campus)

Development Sites

Study Area Boundary (400-Foot Perimeter)

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

0 200 400 FEET

SCALE

ROCKEFELLER
UNIVERSITY

Land Use Study Area
Figure 2-1

and other City Planning Commission (CPC) approvals. These actions would facilitate the development of new, modern facilities that would improve Rockefeller University's ability to perform word-class research, and would not result in land use conflicts. The proposed project would be compatible with the City's Waterfront Revitalization Program (WRP), and would not adversely affect any applicable public policies. Overall, the proposed project would not result in any significant adverse impacts related to land use, zoning, or public policy and the proposed project would be compatible with existing and planned institutional uses in the surrounding community.

B. METHODOLOGY

The project site is located in an area of Manhattan's Upper East Side known for its institutional uses. This analysis of land use, zoning, and public policy examines the area within 400 feet of the project site—the area in which, according to the *City Environmental Quality Review (CEQR) Technical Manual*, the proposed project could reasonably be expected to cause potential effects. The land use study area is generally bounded by East 70th Street to the north, East 61st Street to the south, the East River to the east, and First Avenue to the west (see **Figure 2-1**).

The analysis begins by considering existing conditions in the study area in terms of land use, zoning, and public policy. The analysis then projects land use, zoning, and public policy in the future without the proposed actions, the Future No Action scenario, for the 2019 analysis year by identifying developments and potential policy changes expected to occur within that time frame. Probable impacts of the proposed project, the Future With Action scenario, are then identified by comparing conditions with the proposed project to those projected conditions without the proposed project.

C. EXISTING CONDITIONS

LAND USE

PROJECT SITE

The project site is located within the LSCFD that includes the area east of York Avenue between demapped East 68th Street and East 62nd Street and extends to the bulkhead line east of the FDR Drive (see **Figure 2-2**). The project site is occupied by Rockefeller University, a biomedical research institution and graduate school. The project site also includes small areas of the eastern portion of the Rockefeller campus (west of the FDR Drive) and locations where columns for the laboratory building platform and North Terrace platform would be located along the western edge of the East River Esplanade and within and adjacent to the campus's existing schist retaining wall along the southbound FDR Drive.

Rockefeller University is adjacent to the FDR Drive, a six-lane limited access roadway that extends along the length of the east side of Manhattan. The Rockefeller Research Building was partially built over the FDR Drive. The campus includes approximately 1,853,053 gross square feet (gsf) of space for academic, research, administrative, and residential uses, including housing for approximately 720 faculty and students. The project site includes private open space that is available to Rockefeller University students, faculty, and staff, but is not publicly accessible. The campus is separated from York Avenue by a fence with the primary entrance gate at East 66th Street.

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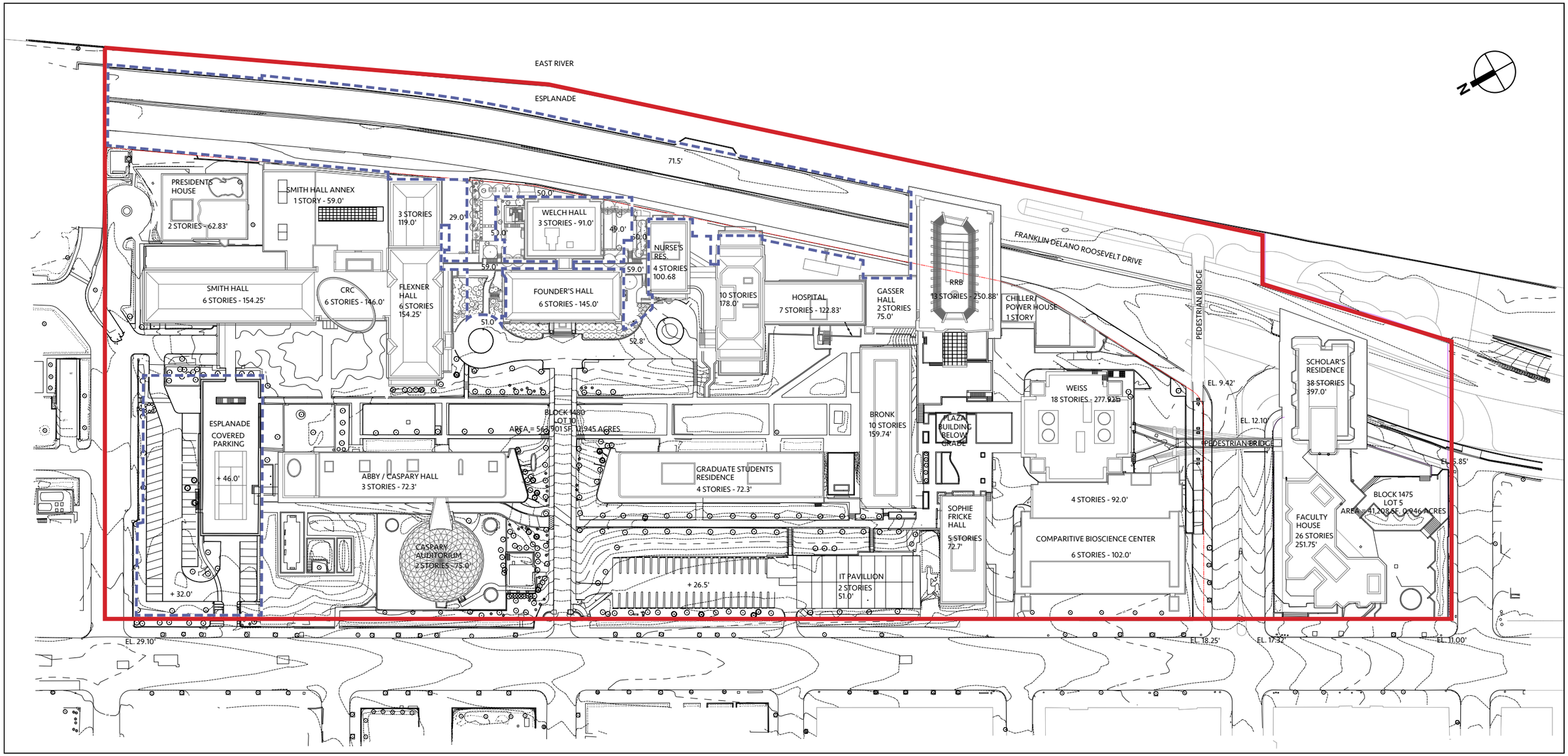

Source: Rafael Vinoly Architects

NOTES: FOR ILLUSTRATIVE PURPOSES ONLY
ELEVATIONS SHOWN ARE REFERENCED TO THE MANHATTAN BOROUGH DATUM

Large Scale Community Facility Development (LSCFD) (Rockefeller University Campus)

Development Sites

ROCKEFELLER UNIVERSITY

Site Plan—Existing Conditions
Figure 2-2

Background and History

Rockefeller University was founded in 1901 by John D. Rockefeller as the Rockefeller Institute for Medical Research. The first campus building, the Laboratory Building (now Founder's Hall) was completed in 1906. Over the next 30 years, the institute continued to expand its physical campus and its research endeavors, with the construction of the Hospital, the Nurses' Residence, and additional laboratory buildings. By 1950, the institute was recognized as one of the leading research facilities in the nation. It first awarded a graduate degree in 1954 and four years later a Ph.D. Also in 1954, the institute received its new charter, and officially changed its name to Rockefeller University in 1965, reflecting the institution's commitment to the academic study of science. The architecture firm Harrison & Abramovitz was selected to design the institution's 1958-1959 expansion structures, including the graduate students' residence hall, executive offices, and rooms for visiting professors, a lecture hall, a residence for the president, and a new laboratory building. Subsequent additions to the campus were built in the 1960s, including Sophie Fricke Hall and Gasser Hall. In the 1970s new research began into metabolic and immunological disorders leading to another building campaign that included the Weiss Research Building and the Comparative Bioscience Center in the southern portion of the campus. The Rockefeller Research Building was built in 1992 and extends over the FDR Drive at approximately East 64th Street. The most recent addition to the campus is the Collaborative Research Center (CRC) that was completed in 2012.

STUDY AREA

The 400-foot study area contains a mix of uses, including medical-related institutional, residential buildings, and transportation facilities, as well as a few supporting commercial uses (see **Figure 2-1**).

Rockefeller University is located within a cluster of medical and research institutions including the New York-Presbyterian Hospital (NYPH) and Weill Cornell Medical Center (WCMC) directly north of the Rockefeller campus. The Memorial Sloan Kettering (MSK) Cancer Center is located across York Avenue at East 67th Street and continues north to East 69th Street. Just outside of the study area, the Hospital for Special Surgery is located north of NYPH between East 70th and East 71st Streets.

The main campus of NYPH occupies several buildings in the study area, with the hospital's primary entrance located on demapped East 68th Street, directly north of the Rockefeller campus. The block includes the hospital, emergency room, and a portion of WCMC. At 1320 York Avenue, the Helmsley Medical Tower includes guest facilities for patients and their families, apartments for staff, and offices. West of the Helmsley Medical Tower across York Avenue is the Stich Radiation Oncology Center, at 1315 York Avenue. Olin Hall, at 445 East 69th Street is north of the project site and contains offices for WCMC as well as student housing. North of Olin Hall is the WCMC Weill Greenberg Building. West of Olin Hall, WCMC is constructing the Belfer Research Building which is expected to be completed in 2012.

Memorial Hospital and other buildings that are part of MSK occupy the entire block bounded by East 67th and East 68th Streets and York and First Avenues. MSK's Zuckerman Research Center is located at 415-417 East 68th Street. South of Memorial Hospital are MSK's Scholars' Residence on York Avenue at East 67th Street and Rockefeller University's Rockefeller Research Laboratory at 430 East 67th Street, west of York Avenue.

Other community facility uses in the study area include the Animal Medical Center, located in the southern portion of the study area at 510 East 62nd Street.

Residential uses in the study area are generally located south of East 66th Street. These blocks contain apartment buildings ranging from six to 18 stories in height. Retail uses in the study area are primarily local, and restaurants generally catering to local residents, as well as staff, faculty, and students at the many nearby institutions. There is one hotel in the study area, the Bentley Hotel, located at 500 East 62nd Street.

The portion of the East River Esplanade that extends through the study area along the East River is the only publicly-accessible open space in the study area (see Chapter 6, "Urban Design and Visual Resources," Figures 6-4, 6-5, 6-7, and 6-8). The esplanade is separated from the project site by the FDR Drive, which limits access to this open space resource. There is a pedestrian bridge over the FDR Drive at East 63rd Street that provides the only connection to the East River Esplanade in the study area. Just north of the study area at East 70th Street is another pedestrian bridge. The esplanade contains seating and some landscaping elements, and is used for running, bicycling, and walking.

ZONING

PROJECT SITE

The project site is located within R9 and R10 zoning districts (see **Figure 2-3**). R9 zoning districts are high density residential districts that are mapped along major thoroughfares in Manhattan. New buildings in R9 districts can be developed under height factor regulations or optional Quality Housing regulations. In R9 residential districts and R9 equivalent commercial districts, most buildings developed under height factor regulations are for institutional uses, primarily hospitals. Community facility uses can be built to a maximum Floor Area Ratio (FAR) of 10.0 in R9 zoning districts.

R10 districts allow the highest FAR for residential areas, and development may follow Quality Housing regulations or tower regulations. Floor area bonuses according to the Inclusionary Housing Program are allowed. R10 districts allow a maximum FAR of 10.0 for community facility uses. The LSCFD governs the land uses and permitted development on the project site, as described below.

LSCFD

The project site consists of two zoning lots: Block 1480, Lot 10, which consists of the campus north of East 63rd Street; and Block 1475, Lot 5, which includes the portion the campus south of East 63rd Street. These two zoning lots are part of the LSCFD (see **Figure 2-4**). In 1983, the entire Rockefeller University campus was designated an LSCFD in accordance with provisions incorporated in the Zoning Resolution. The LSCFD designation, in effect, makes the campus a "superblock," allowing the University greater flexibility in utilizing its development rights, provided that the aggregate of all development does not exceed a maximum FAR of 10. The maximum permitted floor area in the LSCFD is 6,051,090 square feet. The LSCFD allows modification to various zoning regulations such as the distribution of floor area without regard to zoning lot lines, by CPC discretionary action. The development rights for the combined lots amount to 6,051,090 square feet. Area below the established street level and mechanical spaces do not count against the development rights. The University buildings currently total 1,853,053 zsf. Therefore, there are currently 4,200,237 zsf of unused development rights.

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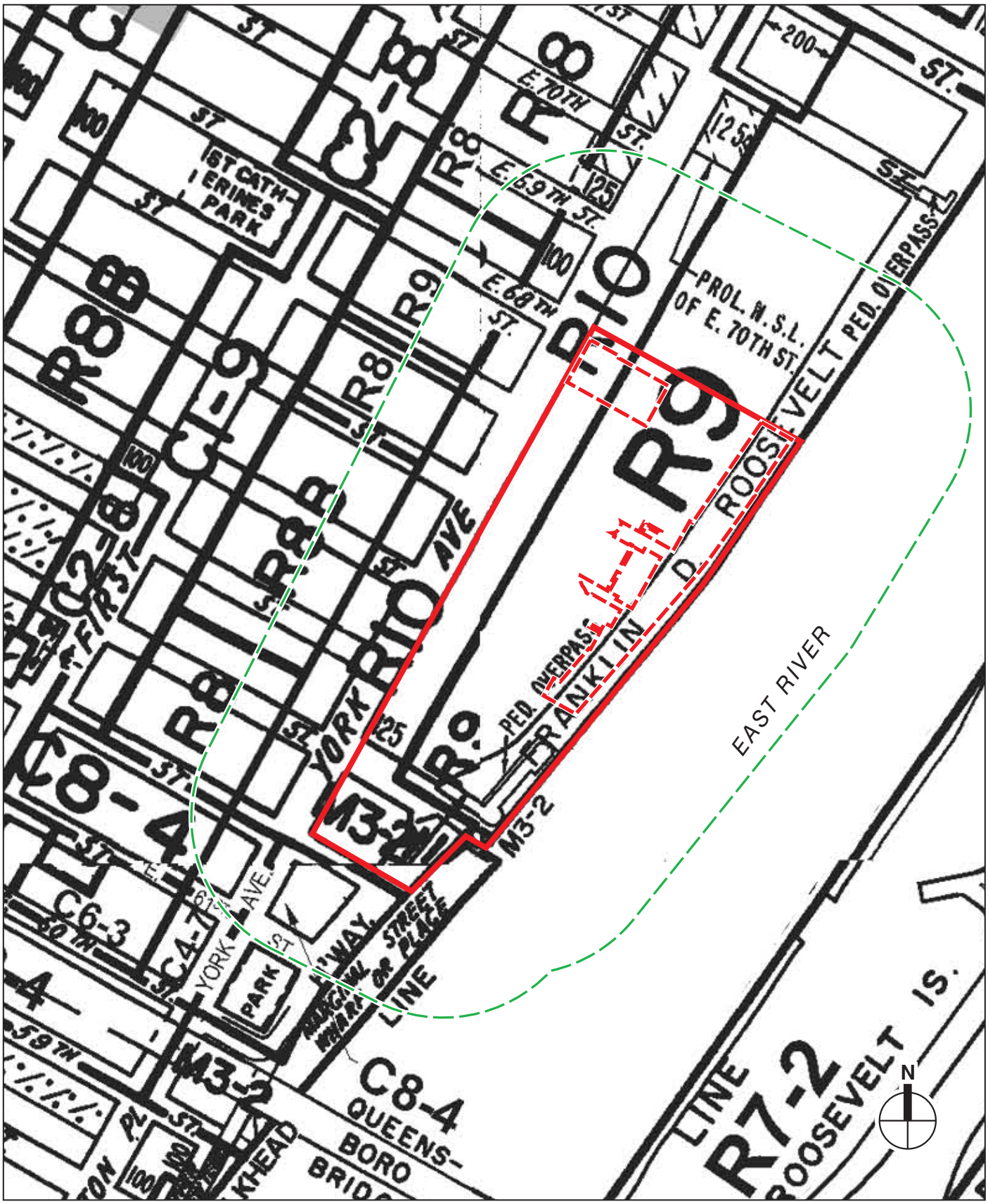

Large Scale Community Facility Development (LSCFD) (Rockefeller University Campus)

Development Sites

Study Area Boundary (400-Foot Perimeter)

ROCKEFELLER UNIVERSITY

Zoning
Figure 2-3

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Large Scale Community Facility Development (LSCFD)
(Rockefeller University Campus)

Development Sites

Study Area Boundary
(400-Foot Perimeter)

1475 *Block Number*

1973 Agreement and Section 74-682 Special Permit (Air Rights)

In 1973 the Rockefeller University, New York Hospital (now the New York Presbyterian Hospital-Weill Cornell Medical Center [NYPH-Weill Cornell Medical College][1]), and the Hospital for Special Surgery were planning for expansion. The three institutions entered into an agreement with the City. Pursuant to that agreement, the City conveyed certain air rights over the FDR Drive. The rights are defined in the agreement and a change to the City map. The map change is titled: "Map showing a change in the City Map by eliminating, discontinuing and closing volumes of streets above designated lower limiting planes, and by laying out the lines and dimensions of a permanent easement for an elevated public pedestrian walkway in the area generally bounded by East 62nd street, York Avenue, East 72nd Street and the East River, Borough of Manhattan." The map illustrates the limits of the air rights as they are defined in different areas. Rockefeller is adjacent to parcels A, B, and C, with the majority of the East River frontage in Parcel C.

Parcel C is defined as a "Volume of FDR Drive Eliminated Discontinued and Closed above elevation 25.0." The volume is defined by the schist wall that establishes Rockefeller's eastern property line (immediately adjacent to the FDR Drive's western boundary), and by the U.S. Pier head and Bulkhead line to the east. To the east of the FDR Drive roadway is a pedestrian esplanade that follows the U.S. Pier head and Bulkhead line.

At the time of the agreement, the City's intention was to extend the public walkway south from Gracie Park and terminating at East 63rd Street. The City abandoned the idea of an elevated pedestrian walkway prior to any construction in the rights over the FDR Drive. The pedestrian walkway was developed at the elevation of the FDR Drive, the current East River Esplanade.

The agreement was last amended on March 17, 1993 and now states that the pedestrian walkway cannot be built over and is defined as "between the vertical plane defined by the eastern most edge of the FDR Drive and the pier head-bulkhead line or within 25 feet of the vertical plane defined by the pier head-bulkhead line, whichever is wider". It then states that "the City Planning Commission, at its sole discretion, may eliminate, discontinue or close portions of the University Easement Space which fall within the aforementioned planes, for the limited purpose of allowing the placement therein of support columns, connecting girders and structural bracing that are found to be necessary and appropriate for permitted construction and one-story building."

The sale of the air rights over the FDR Drive did not include any Development Rights but does increase the Lot Area for purposes of Lot Coverage.

STUDY AREA

In addition to the R9 and R10 zoning districts described above, the study area includes R8, R8B, C1-9, and C8-4 zones (see **Figure 2-3**). **Table 2-1** lists and describes the zoning districts in the study area.

[1] The main campus of NYPH occupies several buildings in the study area. The main entrance to NYPH is located on demapped East 68th Street north of Rockefeller University. The block includes the hospital, emergency room, and a portion of WCMC.

Table 2-1
Zoning Districts in the Study Area

Zoning District	Maximum FAR	Uses/Zone Type
R8	0.94-6.02 residential; 6.5 community facility	High density residential district that allow mid-rise buildings or high-rise buildings with large set backs.
R8B	0.94-6.02 residential; 6.5 community facility	High density residential contextual district
R9	0.99-7.52[1] residential; 10.0 community facility	High density residential district mapped along major thoroughfares that allows community facilities in Use Groups 3 and 4. Most new height factor buildings are for institutional use.
R10	10.0 residential; 10.0 community facility	High density residential district that allows community facilities in Use Groups 3 and 4.
C1-9	2.0 commercial; 10.0 residential[1]	Local retail commercial district, predominantly residential in character
C8-4	5.0 commercial	Automotive and other heavy commercial services district

Notes: [1] Increased FAR with Inclusionary Housing Program bonus.
Sources: *New York City Zoning Resolution*

The residential neighborhoods in the western portion of the study area are zoned R8 and R8B. R8 districts are high density residential districts that allow mid-rise buildings or high-rise buildings with deeper setbacks. Development in R8 zoning districts under height factor regulations can be built to a residential FAR ranging from 0.94 to 6.02, and can result in taller buildings with less lot coverage and more open space. Buildings developed under Quality Housing regulations in R8 zoning districts can be built with 6.02 FAR or 7.2 FAR on a wide street (outside of the Manhattan Core), and are typically lower and set close to or at the street line. R8 zoning districts allow a maximum 6.5 FAR for community facility uses.

R8B districts are contextual districts in which new development must conform to the existing neighborhood fabric. Quality housing bulk regulations are mandatory in these districts, which encourages new six-story apartment buildings with a setback at the top story that fit in well with rows of 19th century houses.

There is also a C1-9 zoning district in the southern portion of the study area. C1-9 districts contain local-serving retail but are predominantly residential in character. Commercial uses typically include grocery stores, dry cleaners, restaurants, and clothing stores that cater to the needs of the local residents. C1-9 districts allow a maximum commercial FAR of 2.0, a community facility FAR of 10.0, and a residential FAR of 10.0, which can be increased with an Inclusionary Housing Program bonus.

Adjacent to the C1-9 district is a C8-4 zone. C8-4 districts allow for automotive and other heavy commercial services, such as repair shops, warehouses, gas stations and car washes—although most commercial uses, as well as certain community facilities, are permitted in C8-4 districts. The maximum FAR in C8-4 zones is 4.0.

PUBLIC POLICY

197-A PLAN FOR THE QUEENSBORO BRIDGE AREA

Under the New York City Charter, community boards may create plans for future development and land use in their districts called 197-a plans. Once approved, 197-a plans guide policy in their districts for city agencies.

Manhattan Community Board 8's 197-a Plan for the Queensboro Bridge Area focuses on recommendations for open space and waterfront access in the area bounded by the East River,

East 59th Street, Second Avenue, and the mid-block line between East 60th and 61st Streets, as well as the area bounded by York Avenue between East 60th and 63rd Streets, and the portion of East 63rd Street that extends to the river.

The plan seeks to improve public access to the waterfront, enhance the design and landscaping of existing open spaces, create a linked open space network with uniform streetscape improvements, and develop a new waterfront park on a former heliport site along the river just north of the bridge, and across the FDR Drive from a portion of the Rockefeller University campus. While the plan's recommendations, if implemented, would affect portions of the study area, they would not directly affect the project site.

WATERFRONT REVITALIZATION PROGRAM

As shown on **Figure 2-5**, the project site is within the City's designated Coastal Zone. Therefore, an assessment of the consistency of the proposed project with the City's WRP is warranted. This assessment is provided below under Section F, "Waterfront Revitalization Program" (see **Appendix A** for the WRP Coastal Assessment Form [CAF]).

D. FUTURE NO ACTION SCENARIO

LAND USE

PROJECT SITE

Absent the proposed actions, in the Future No Action scenario no new development will occur within the LSCFD. In this scenario, the air rights spanning the FDR Drive will not be developed and the surface parking lot and canopy structure will remain. Certain areas of the Bronk Building, the Smith Hall Annex, and other campus buildings will be used for storage of University equipment and furniture, as needed, as part of the typical University operations.

Also in the Future No Action scenario, the temporary IT Pavilion, located south of the University's East 66th Street entrance near York Avenue, will be removed and the site will be become a landscaped area. The IT population and equipment will be relocated to other existing buildings and spaces on campus (see **Figure 2-6**).

In the Future No Action scenario, the existing 108 parking spaces, including the 52 parking spaces at the East 68th Street surface parking lot, will be maintained. A 2006 survey of the Rockefeller LSCFD's East 68th Street surface parking lot identified 70 parking spaces. However, the East 68th Street parking lot has been functioning at a reduced capacity with 52 parking spaces since 2007 when trailers were installed for the construction of the CRC. At that time, parking spaces were relocated elsewhere on campus. However, since then, Rockefeller University has gradually reduced the number of campus parking permits issued, with 39 permits eliminated through attrition and not reassigned. Therefore, since 2007, the number of parking spaces on campus has been permanently reduced from 147 spaces to 108 spaces.

STUDY AREA

Current land use and development trends are expected to continue in the future without the proposed project. Three new major institutional development projects are expected to be built or under construction within or adjacent to the 400-foot study area by 2019, as summarized in **Table 2-2** and shown on **Figure 2-7**.

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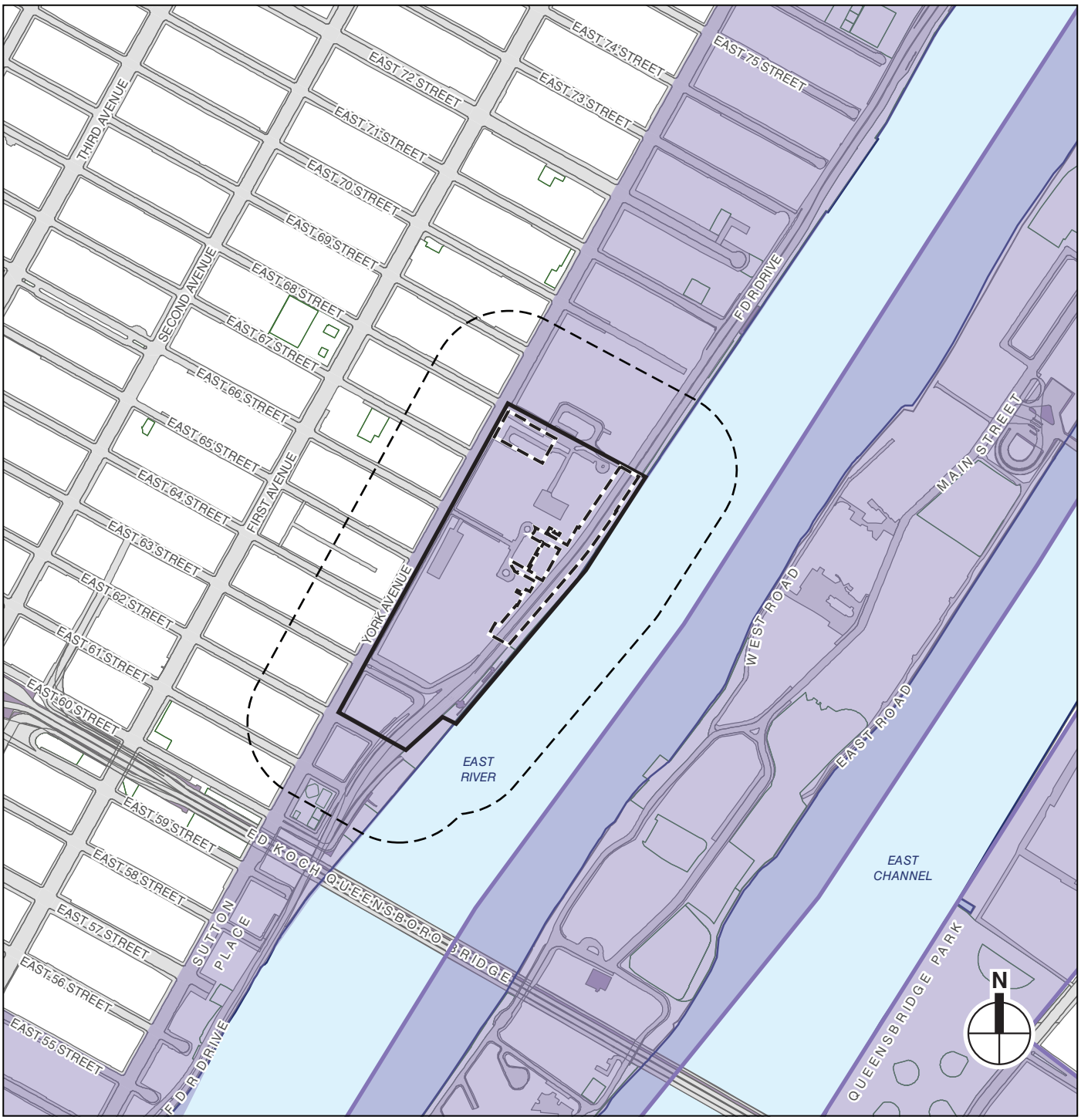

Large Scale Community Facility Development (LSCFD) (Rockefeller University Campus)

Development Sites

Study Area Boundary (400-Foot Perimeter)

Coastal Zone

ROCKEFELLER UNIVERSITY

Coastal Zone
Figure 2-5

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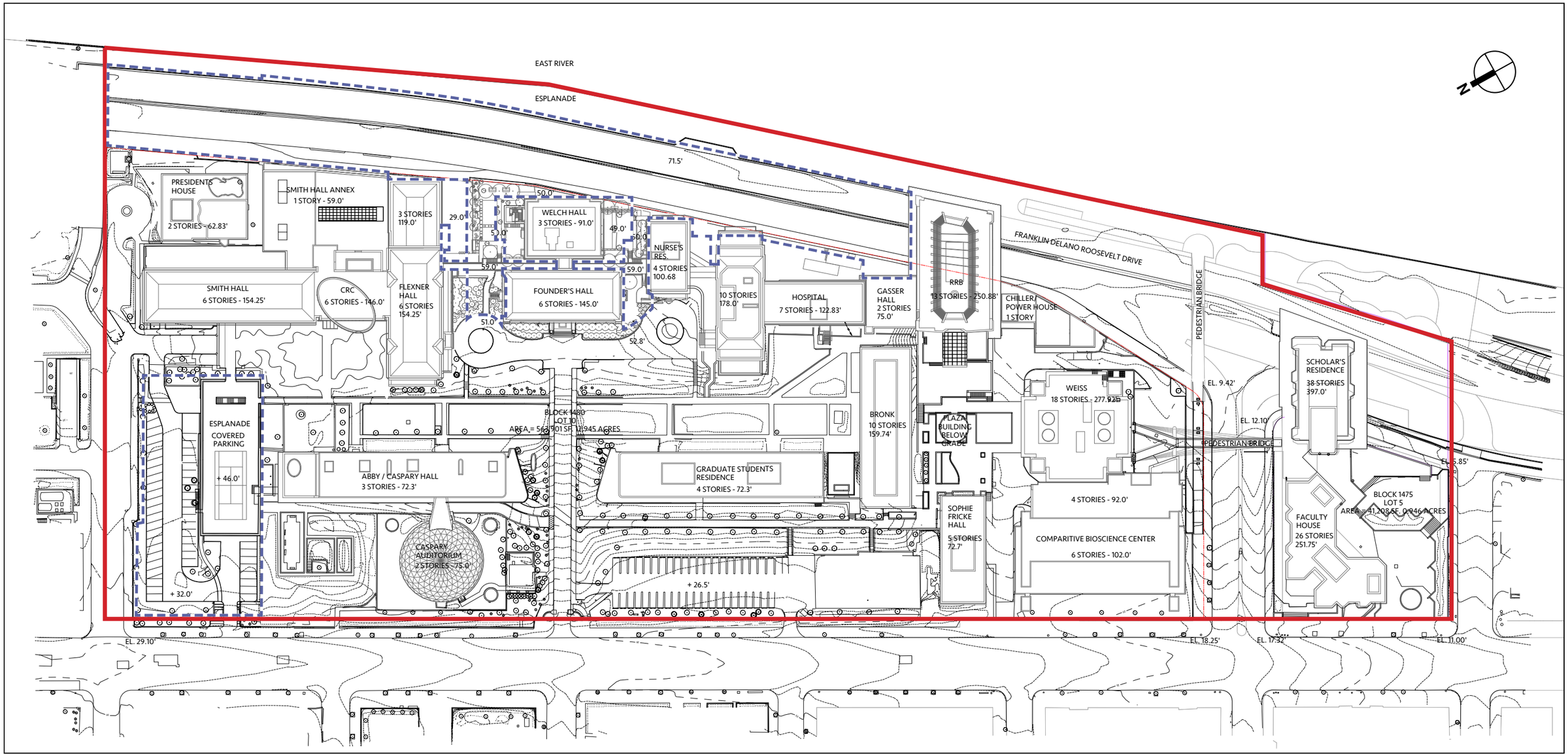

Source: Rafael Vinoly Architects

NOTES: FOR ILLUSTRATIVE PURPOSES ONLY
ELEVATIONS SHOWN ARE REFERENCED TO THE MANHATTAN BOROUGH DATUM

Large Scale Community Facility Development (LSCFD) (Rockefeller University Campus)

Development Sites

ROCKEFELLER UNIVERSITY

Site Plan—Future No Action Scenario
Figure 2-6

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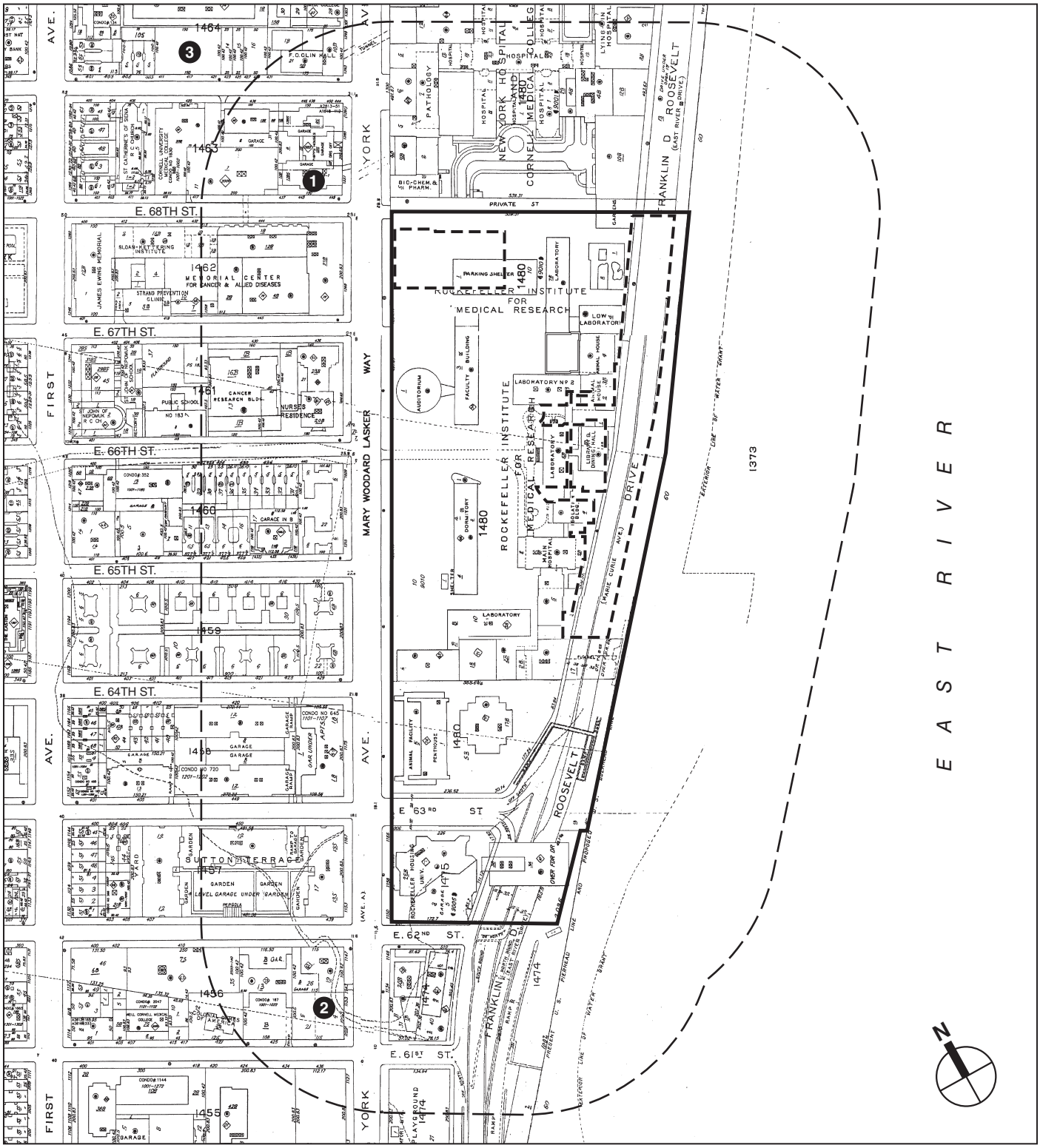


Large Scale Community Facility Development (LSCFD) (Rockefeller University Campus)

Development Sites

Study Area Boundary (400-Foot Perimeter)

1 *No-Action Project (See Table 2-2 for reference)*

ROCKEFELLER UNIVERSITY

Future Development Projects in the No-Action Condition

Figure 2-7

Table 2-2
Planned Projects Within or Near the 400-foot Study Area by 2019

Ref. No.[1]	Project Location	Program/Uses	Build Year
1	1285 York Avenue	NYPH—new 15 story, 733,000-gsf ambulatory care center	2020
2	1133 York Avenue	MSK—new 15 story, 175,000-gsf ambulatory surgical center	2014
3	413 East 69th Street	Belfer Research Building—new 18 story, 480,000-gsf building for WCMC and Hunter College research laboratory uses	2014

Notes: [1]See **Figure 2-4** for project locations.
Sources: AKRF field surveys; New York City Department of Buildings (DOB).

North of the Rockefeller University campus at 1285 York Avenue, NYPH will build a new 733,000-gsf, 15-story building that will house an ambulatory care center. This project is anticipated to be built by 2020. Nearby, at 413 East 69th Street, the Belfer Research Building is expected to be completed in 2014. The 480,000-gsf, 18-story building will house WCMC research activities as well as a floor for related Hunter College research laboratories. Adjacent to the southern boundary of the study area, at 1133 York Avenue, MSK will build a new 175,000-gsf, 15-story building that will house an ambulatory surgical center. This project is anticipated to be built by 2014. These background development projects are consistent with the existing concentration of medical-related institutional uses in the study area.

ZONING

There are no changes to zoning in the study area that are expected to be implemented by 2019. Existing zoning, as described above, is expected to remain unchanged.

PUBLIC POLICY

197-A PLAN FOR THE QUEENSBORO BRIDGE AREA

No changes to the 197-a plan for the Queensboro Bridge Area are currently anticipated by 2019.

WATERFRONT REVITALIZATION PROGRAM

The New York City Department of City Planning (DCP) has proposed revisions to the WRP in order to advance the long-term goals laid out in *Vision 2020: The New York City Comprehensive Waterfront Plan*, released in 2011. The proposed changes are intended to enhance sustainability and climate resilience planning through the incorporation of climate change considerations. The proposed revisions to the WRP are also intended to promote various ecological objectives, facilitate interagency review of permitting to preserve and enhance maritime infrastructure, and support a thriving, sustainable working waterfront. Following referral by the City Planning Commission in March 2012, the revisions to the WRP are undergoing public review following the 197-a process for community input and adoption. Following all local approvals, the New York State Department of State (NYSDOS) and the United States Department of Commerce must also approve the proposed revisions. Completion of the approvals process is anticipated by the end of 2013.

E. FUTURE WITH ACTION SCENARIO

The discretionary approvals required to facilitate the proposed project, which are subject to CEQR and the Uniform Land Use Review Procedure (ULURP) are as follows:

NEW YORK CITY PLANNING COMMISSION APPROVALS (SUBJECT TO THE UNIFORM LAND USE REVIEW PROCEDURE [ULURP]):

- A special permit for construction in airspace over the FDR Drive (as part of the special permit, the actions would also include a rear yard waiver) pursuant to Section 74-682 of the New York City Zoning Resolution ("ZR") (subject to ULURP).
- An amendment to the City Map pursuant to the New York City Charter to eliminate, discontinue, and close portions of the FDR Drive right-of-way and the disposition of real property related thereto, to allow for the placement of columns and footings in the East River Esplanade and on the west side of the FDR Drive associated with the construction of the proposed laboratory (subject to ULURP).
- Modification of Rockefeller University's previously-approved LSCFD (C821257 ZAM) (subject to ULURP).

APPROVALS PURSUANT TO 1973 AGREEMENT, AS AMENDED:

- CPC approval of building and column locations in and over the FDR Drive and East River Esplanade pursuant to Article 12A of the 1973 Agreement, as amended in 1993 by Article 13 of the Third Amendment to the 1973 Agreement.
- Approval by the Director of City Planning pursuant to Article 12B of the 1973 Agreement of landscaping, security, and lighting plans in accordance with Article 11, a ventilation plan and a noise quality plan, plans for closing the FDR Drive and East River Esplanade in accordance with Article 7; and an environmental impact plan.
- CPC, acting as City Coastal Commission, determination of consistency with WRP.

OTHER APPROVALS:

- Public Design Commission approval of a building over the FDR Drive and changes to the esplanade landscaping.
- New York City Department of Transportation (NYCDOT) approval of construction plans as they relate to closures of streets, highways, or individual lands, and diversion or rerouting of traffic.
- Permits from:
    - U.S. Army Corps of Engineers (ACOE):
        - Approval under Nationwide Permit 33;
    - U.S. Coast Guard (USCG):
        - Authorization under the Ports and Waterways Safety Act (33 USC 1225(a)(2)(C)) and Notice to Mariners;
    - New York State Department of Environmental Conservation (NYSDEC) related to in-water construction-period activities:
        - Section 401 Water Quality Certification;
        - Storm Water Pollution Prevention Plan (SWPPP) (anticipated);
        - NY-2C Discharge Permit (anticipated);

- New York State Department of Transportation (NYSDOT), in coordination with NYCDOT, related to construction-period activities associated with lane closures on the FDR Drive; and
- Other anticipated approvals and/or permits from the following City agencies: Department of Environmental Protection (DEP), Department of Parks and Recreation (DPR), Department of Buildings (DOB), Department of Small Business Services (DSBS), and the Fire Department of New York (FDNY).

All necessary permits would be obtained prior to the start of construction-related activities.

LAND USE

PROJECT SITE

Laboratory Building Site and North Terrace Site

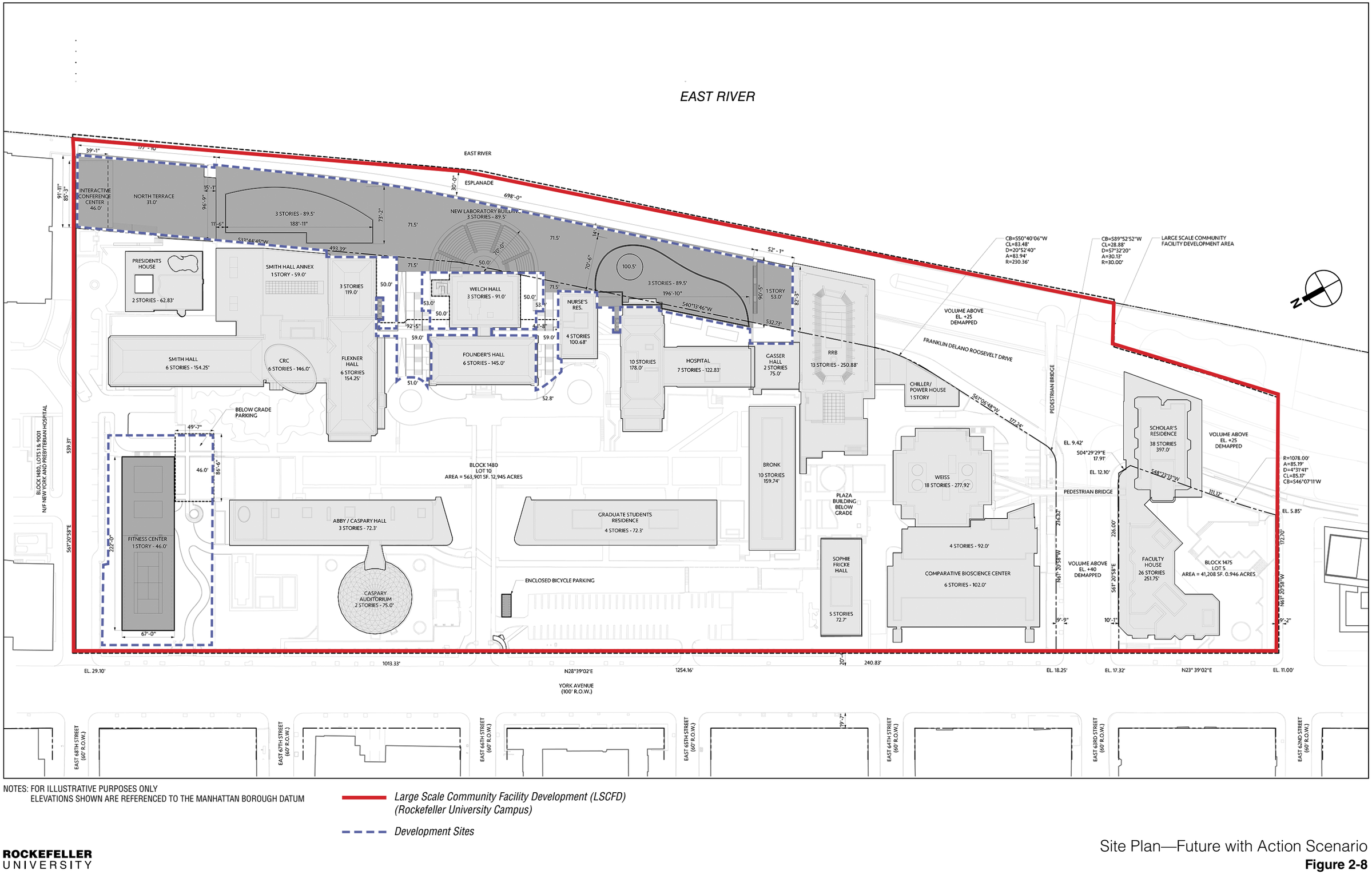
The proposed project would result in the development of a new approximately 157,251-gsf research building and the ICC, a new one-story approximately 3,353-gsf meeting and conference pavilion located on the North Terrace (see **Figure 2-8)**. The proposed laboratory building and support space, as well as the ICC, would be constructed on a platform occupying air space spanning the portion of the FDR Drive between demapped East 68th Street and the Rockefeller Research Building north of East 64th Street. The laboratory building would provide two stories of laboratory/office space for researchers and a small amount of additional support space in two structures that would be built on the roof of the laboratory building. The laboratory building's linear low structure is intended to preserve the eastward views from the existing Rockefeller University campus buildings to the East River and provide connections to the existing buildings in the easternmost part of the campus. The roof of the laboratory building would include a garden terrace that would serve as an extension to the campus's landscaped private open space. The two rooftop one-story pavilion structures would house a dining hall and associated support spaces, providing a total of approximately 22,136-gsf of space included within the 157,251-gsf laboratory building. In addition, the ICC would be located in a one-story pavilion located on the North Terrace. An amphitheater would be located adjacent to Welch Hall. There would also be two exhaust stacks located on the roof of the laboratory building that would be integrated into the overall design of the new laboratory building and landscaping.

By permitting Rockefeller University to build over the FDR Drive, the proposed project would allow the University to provide needed research and conference facilities and new open space on the campus. The new laboratory building would contain two large, linear floor plates, providing maximum connectivity and flexibility for the researchers. Certain program uses in adjacent campus buildings would be rearranged to allow for points of interior connection between the new and existing buildings. The proposed laboratory building would allow Rockefeller University to decompress its existing user population and provide a new state-of-the art research facility. The proposed North Terrace would allow for the ICC to be located adjacent to the President's House. Together, they would provide the University with adequately-sized facilities for many key University activities, including conferences, retreats, colloquiums, and fund-raising events.

Fitness Center Site

A new approximately 20,498-gsf fitness center would be located in the northwest corner of the campus near demapped East 68th Street and York Avenue. The fitness center would contain a swimming pool and would have rooftop landscaping and a tennis court. The fitness center would

10.18.13



Source: Rafael Vinoly Architects

NOTES: FOR ILLUSTRATIVE PURPOSES ONLY
ELEVATIONS SHOWN ARE REFERENCED TO THE MANHATTAN BOROUGH DATUM

Large Scale Community Facility Development (LSCFD) (Rockefeller University Campus)

Development Sites

ROCKEFELLER UNIVERSITY

Site Plan—Future with Action Scenario

Figure 2-8

provide the existing Rockefeller user population with an improved campus amenity that would replace some limited facilities that are currently located in other campus buildings.

East River Esplanade

The proposed laboratory building and North Terrace would include ten columns that would affect a total of approximately 236 square feet (sf) at the western edge of the East River Esplanade immediately adjacent to the FDR Drive. These column volumes would be demapped. (Twenty structural columns would be located adjacent to and within the existing schist retaining wall west of the FDR Drive). The columns, including the ten columns located within the western portion of the esplanade, are structurally necessary for the proposed laboratory building and North Terrace. As described in Chapter 3, "Open Space," they would have a limited impact on users of the esplanade, who are predominantly runners, bikers, or joggers (active users rather than passive users of this open space resource). As described in Chapter 12, "Construction," the proposed project would result in temporary, construction-period noise and open space impacts.

Upon completion of the proposed project, any portions of the East River Esplanade adjacent to the project site that would be affected or damaged by construction-related activities, including existing pavers, benches, lighting, and plantings, would be replaced in-kind.[1] In addition, the proposed mitigation measures, as described in Chapter 13, "Mitigation," which would include substantial improvements to the esplanade and the repair and rebuilding of the bulkhead, would result in certain improvements to the East River Esplanade open space that would offset the effects of the proposed project. Between the Draft and Final EIS, the applicant will consider, in consultation with DPR and DCP, whether there are additional mitigation measures that are feasible and practicable that could be implemented to further alleviate the significant adverse shadows impact.

The proposed laboratory building, ICC, and fitness center would be consistent with the existing uses on the project site, and would not result in any significant adverse land use impacts. Instead, the proposed project would provide for new, modern facilities that would further Rockefeller University's academic mission.

STUDY AREA

The proposed project would complement and reinforce the institutional uses in the study area. It would also be compatible with the existing residential and commercial uses in the study area, many of which cater to the faculty, staff, and student populations of Rockefeller University and the surrounding hospitals and medical institutions. Other buildings have been developed in nearby air space above the FDR Drive, including Rockefeller University's Rockefeller Research Building and NYPH's Greenberg Pavilion. Therefore, the proposed development of the laboratory building and North Terrace would be compatible with existing development in the surrounding area.

The portion of the esplanade adjacent to the project site and the overall East River Esplanade would continue to contain seating and landscaping elements and be available for running,

[1] Through consultation with DPR and DCP, Rockefeller University would undertake the repair and rebuilding of the portion of the bulkhead adjacent to the project site and substantial upgrades to the portion of the East River Esplanade, also adjacent to the project site, as partial mitigation for the significant shadow impact to the esplanade that would result from the construction of the proposed laboratory building and North Terrace spanning the FDR Drive. See Chapter 13, "Mitigation."

bicycling, and walking. Overall, the proposed project would not result in any significant adverse impacts to land use in the study area.

ZONING

The proposed project would not change the underlying zoning of the project site, which would remain within R8 and R9 zoning districts.

To facilitate the proposed project, modifications to the previously-approved LSCFD plan must be reviewed and approved by CPC, as noted above. Approvals required in connection with construction of a new building in airspace over the FDR Drive include a demapping of column volumes in the FDR Drive, a special permit for construction in airspace over a street, and CPC approvals pursuant to the 1973 Agreement. These actions would facilitate the development of new, modern facilities that would improve Rockefeller University's ability to perform world-class research, and would not result in land use conflicts, as analyzed above. Therefore, the proposed project would not result in any significant adverse zoning impacts.

PUBLIC POLICY

197-A PLAN FOR THE QUEENSBORO BRIDGE AREA

The proposed project would not prevent, or in any way adversely affect, the opportunity to improve public access to the waterfront and create a waterfront park in the former heliport site. As the proposed project would not conflict with any of the goals of Community Board 8's 197-a plan for the Queensboro Bridge area, the proposed project would, therefore, be compatible with the plan.

F. WATERFRONT REVITALIZATION PROGRAM

The WRP is the City's principal coastal zone management tool. As originally adopted in 1982 and revised in 1999, it establishes the City's policies for development and use of the waterfront. All proposed actions subject to CEQR, ULURP, or other local, state, or federal agency discretionary actions that are situated within New York City's designated Coastal Zone Boundary must be reviewed and assessed for their consistency with the WRP.

DCP proposed revisions to the WRP that were referred for public review by CPC in March 2012. The proposed revisions aim to advance the long-term goals laid out in *Vision 2020: The New York City Comprehensive Waterfront Plan*, released in 2011. The revisions are undergoing the approval process, which requires public review following the 197-a procedure for community input and adoption, and approval from NYSDOS and the United States Department of Commerce.

The laboratory building and North Terrace portions of the project site are located within the City's designated Coastal Zone Boundary. Therefore, in accordance with the guidelines of the *CEQR Technical Manual*, a preliminary evaluation of the proposed project's consistency with WRP policies was undertaken (see **Appendix A** for the WRP CAF). This chapter reviews the revised 10 New York City Coastal Zone policies, as proposed by DCP, and assesses the consistency of the proposed project with the proposed policies. As determined by the CAF, the proposed project requires detailed assessment for several WRP policies, as described below.

CONSISTENCY OF PROPOSED PROJECT WITH THE WATERFRONT REVITALIZATION PROGRAM POLICIES

New York City's WRP includes 10 principal policies designed to maximize the benefits derived from economic development, environmental preservation, and public use of the waterfront, while minimizing the conflicts among those objectives. For each policy and sub-policy question that was answered "yes" in the CAF, this analysis includes a discussion of the policy's applicability to the proposed project and the proposed projects' consistency with the respective policy.

Policy 1: Support and facilitate commercial and residential development in areas well-suited to such development.

Policy 1.1: Encourage commercial and residential redevelopment in appropriate coastal zone areas.

The proposed project would result in new development within the existing Rockefeller University campus LSCFD, including development in air space over a portion of the FDR Drive. The proposed project would provide for a new laboratory building, a small conference facility, the ICC, located on the North Terrace, and a fitness center. The proposed project would not affect any Special Natural Waterfront Area or Significant Maritime and Industrial Area or unique or significant natural features. Instead, the proposed project would provide economic development and enhance the City's tax base. Therefore, the proposed project is consistent with this policy.

Policy 6: Minimize loss of life, structures, infrastructure, and natural resources caused by flooding and erosion, and increase resilience to future conditions created by climate change.

Policy 6.1: Minimize losses from flooding and erosion by employing non-structural and structural management measures appropriate to the site, the use of the property to be protected, and the surrounding area.

The proposed project would not affect the existing bulkhead structure of the East River Esplanade adjacent to the project site. However, portions of the bulkhead adjacent to the project site that have been identified by DPR as being in need of repair would be repaired and rebuilt as partial mitigation for the significant adverse shadows impact to the esplanade that would occur with the proposed project, as described in Chapter 13, "Mitigation." Also as partial mitigation for the significant adverse shadows impact, as described in Chapter 13, "Mitigation," a substantial upgrade to the portion of the esplanade adjacent to the project site would be undertaken, including the planting of 14 four-inch caliper (major) trees that will be resistant to flood waters (currently there are 15) and 64 two-inch caliper (minor) trees that will be resistant to flood waters (currently there are nine).

Although the project site is within the City's designated coastal zone, it is not a waterfront site, and is not normally subject to flooding and erosion. The only project elements that would be located within the 100-year floodplain boundary, based on either the currently effective Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map or FEMA's preliminary Best Available Flood Hazard Data, are the platform structure's support columns and the stormwater outfall connections. Structures constructed as part of the proposed project would incorporate the most recent building code requirements available at the time of construction pertaining to sea level rise projections and construction within areas at risk from coastal flooding in the future special flood hazard areas, and consider any

prudent guidance and information available, minimizing the potential for losses from flooding. Therefore, the proposed project would be consistent with this policy.

Policy 7: Minimize environmental degradation and negative impacts on public health from solid waste, toxic pollutants, hazardous materials, and industrial materials that may pose risks to the environment and public health and safety.

Policy 7.1: Manage solid waste material, hazardous wastes, toxic pollutants, substances hazardous to the environment, and the unenclosed storage of industrial materials to protect public health, control pollution, and prevent degradation of coastal ecosystems.

The need for testing and remediation or other special measures required during construction associated with the proposed project is analyzed in Chapter 7, "Hazardous Materials." As described in the hazardous materials analysis per a Restrictive Declaration to be recorded by the applicant against the affected property, a Subsurface (Phase II) Investigation would be conducted in accordance with a New York City Department of Environmental Protection (DEP)-approved Work Plan to determine whether past or present, on-site or off-site activities have affected subsurface conditions. Following implementation of this Phase II investigation and based on its findings, a Remedial Action Plan (RAP) and associated Construction Health and Safety Plan (CHASP) would be prepared (and submitted to DEP for review and approval) for implementation during proposed construction. With the implementation of these recommended measures, the proposed project would be consistent with this policy.

Policy 8: Provide public access to, from, and along New York City's coastal waters.

Policy 8.1: Preserve, protect, and enhance physical, visual, and recreational access to the waterfront.

The proposed laboratory building and ICC would be constructed on a platform occupying air space spanning the portion of the FDR Drive between demapped East 68th Street and the Rockefeller Research Building north of East 64th Street. The platform would be supported on the east side by ten columns which would be constructed along the FDR Drive's eastern edge within the East River Esplanade. The eight Y-shaped columns and two oval columns would occupy a small area within the western edge of the East River Esplanade to a depth of approximately 3'-6"; overall, the columns and footings would require the demapping of approximately 236 sf of space within the East River Esplanade. As described in Chapter 3, "Open Space," the demapped area would represent a minimal loss of recreational space within the esplanade, as the 236 sf of space that would be occupied by the column footings is less than one-half of one percent of the total space within the portion of the esplanade adjacent to the Rockefeller University LSCFD. The esplanade would remain available as a waterfront open space resource that is primarily used for active recreation, such as running, walking, and biking (with minimal passive recreation use).

The proposed project would result in a significant adverse shadows impact to the portion of the East River Esplanade adjacent to the project site. The proposed project would not affect the existing bulkhead adjacent to the project site, however, bulkhead repair and rebuilding would be undertaken as partial mitigation for the significant adverse shadows impact, as described in Chapter 13, "Mitigation." A substantial upgrade to the portion of the East River Esplanade adjacent to the project site and an additional 150-long portion extending south of the project site would also be undertaken as partial mitigation for the significant adverse shadows impact to the esplanade. The substantial upgrade would include an overall redesign

and reconstruction, with improved spatial organization of the walkway/bikeway and seating areas, new planting beds, and new shade tolerant plantings; a designated walkway/bikeway widened to the desired width of 12 feet; the planting of 78 new trees that would be resistant to flood waters; and other improvements as described in Chapter 13, "Mitigation." Therefore, the proposed project would be consistent with this policy.

The construction of the proposed project would result in temporary construction-period impacts to noise and open space (i.e., the East River Esplanade). Measures to partially mitigate the construction-period noise impact would be explored and may be identified between the Draft and Final EIS. As partial mitigation for the significant construction period impact to open space, the applicant would provide a minimum eight-foot-wide pathway through the affected portion of the esplanade. Therefore, the construction of the proposed project would have a temporary significant impact on the East River Esplanade during a portion of the construction period. Between the Draft and Final EIS, the applicant will consider whether there are additional mitigation measures that would be feasible and practicable to implement to alleviate this impact. Construction open space mitigation measures would be included in the Restrictive Declaration.

Policy 8.4: Preserve and develop waterfront open space and recreation on publicly owned land at suitable locations.

As described in the response to Policy 8.1, the proposed project would require the demapping of approximately 236 sf of space within the western edge of the East River Esplanade. As described in Chapter 3, "Open Space," the demapped area would represent a minimal loss of recreational space within the esplanade, as the 236 sf of space that would be occupied by the column footings is less than one-half of one percent of the total space within the portion of the esplanade adjacent to the Rockefeller University LSCFD. The esplanade would remain available as a waterfront open space resource that is primarily used for active recreation such as running, walking, and biking (with minimal passive recreation use). Therefore, the proposed project would be consistent with this policy.

Policy 8.5: Preserve the public interest in and use of lands and waters held in public trust by the state and city.

Construction of the proposed project would include the use of barges in the East River adjacent to the project site. Construction activities would also result in temporary disruptions to the accessibility of the East River Esplanade at certain times, as described in Chapter 12, "Construction." However, the proposed project would not result in any permanent changes to the public accessibility of the East River Esplanade or the East River. Upon completion of the proposed project, the limited portions of the esplanade adjacent to the project site that would be damaged by construction-related activities, including existing pavers, benches, lighting, and plantings, would be replaced in-kind.[1] Therefore, the proposed project would be consistent with this policy.

[1] See discussion of bulkhead repair and rebuilding and substantial esplanade upgrades as described in Chapter 13, "Mitigation."

Policy 8.6: Design waterfront public spaces to encourage the waterfront's identity and encourage stewardship.

The proposed project would not result in any new waterfront public open space, as the East River Esplanade already occupies the waterfront adjacent to the project site. Upon completion of the proposed project, any limited portions of the esplanade adjacent to the project site that may be damaged by construction-related activities associated with the proposed project, including existing pavers, benches, lighting, and plantings, would be replaced in-kind.[1] Therefore, the proposed project would be consistent with this policy. As partial mitigation for the significant adverse shadows impact to the portion of the esplanade adjacent to the project site, a substantial upgrade to the East River Esplanade would be undertaken, as described in Chapter 13, "Mitigation."

Policy 10: Protect, preserve, and enhance resources significant to the historical, archaeological, architectural, and cultural legacy of the New York City coastal area.

Policy 10.1: Retain and preserve historic resources and enhance resources significant to the coastal culture of New York City.

The project site is located within the boundaries of the State/National Register-eligible (S/NR-eligible) and New York City Landmark-eligible (NYCL-eligible) Rockefeller University Historic District. The laboratory building site is also immediately adjacent to Founder's Hall, a National Historic Landmark (NHL). The proposed project would avoid potential inadvertent construction-related impacts to the architectural resources located within 90 feet of the laboratory building, the North Terrace and ICC, and fitness center sites during project demolition and construction activities through the development and implementation of a Construction Protection Plan (CPP) that would be prepared in accordance with the New York City Landmarks Preservation Commission (LPC)'s Guidelines for Construction Adjacent to a Historic Landmark as well as the guidelines set forth in section 523 of the *CEQR Technical Manual* and the procedures set forth in DOB's TPPN #10/88. There are no resources significant to the coastal culture of New York City in close proximity to the project site. Therefore, with the implementation of the measures described above, the proposed project would be consistent with this policy.

Overall, the proposed project would be consistent with the objectives of the City's WRP.

COMPREHENSIVE WATERFRONT PLAN

In March 2011, DCP released *Vision 2020: New York City Comprehensive Waterfront Plan*. The plan articulates eight goals for New York City's waterfront, strategies to achieve each goal, and complements those strategies with the New York City Waterfront Action Agenda, a set of projects chosen for their ability to catalyze investment in the waterfront. None of the projects in the New York City Waterfront Action Agenda is related to, or would be affected by, the proposed project.

The compatibility of the proposed project with each goal is analyzed below:

- **Expand public access to the waterfront and waterways on public and private property for all New Yorkers and visitors alike.**

[1] See discussion of bulkhead repair and rebuilding and substantial esplanade upgrades as described in Chapter 13, "Mitigation."

The project site is separated from the East River Esplanade by the FDR Drive. Access from the project site to the East River Esplanade is available via a pedestrian bridge over the FDR Drive at East 63rd Street. There would be temporary disruptions to the accessibility of the East River Esplanade due to construction activities associated with the proposed project, as described in Chapter 12, "Construction," however, the esplanade would remain open during the construction period. After the construction of the proposed project is complete, damaged areas of the esplanade would be replaced in-kind.[1] Overall, the proposed project would not result in any permanent changes to the public accessibility of the East River Esplanade.

- **Enliven the waterfront with a range of attractive uses integrated with adjacent upland communities.**

  The project site is not located on the waterfront, but the proposed project would result in an attractive new institutional building in an adjacent upland community. As described above, the proposed project would preserve views from the existing Rockefeller University campus buildings to the East River and the laboratory building's landscaped roof would provide a linear extension of the campus's open space and green space along the campus's eastern edge.

- **Support economic development activity on the working waterfront.**

  The project site is not situated on the working waterfront. However, the proposed project would result in economic development, as it would result in a new institutional facilities that would further Rockefeller University's world-class research. It also would create jobs during construction.

- **Improve water quality through measures that benefit natural habitats, support public recreation, and enhance waterfront and upland communities.**

  The proposed laboratory building would have a landscaped green roof and the North Terrace would have landscaping that would contribute to storm water best management practices and thermal load reduction. The proposed project would also not require the construction of a new storm water outfall. Therefore, the proposed project is consistent with this policy.

- **Restore degraded natural waterfront areas, and protect wetlands and shorefront habitats.**

  This goal is not applicable to the proposed project.

- **Enhance the public experience of the waterways that surround New York—our Blue Network.**

  This goal is not applicable to the proposed project.

- **Improve governmental regulation, coordination, and oversight of the waterfront and waterways.**

  This goal is not applicable to the proposed project.

- **Identify and pursue strategies to increase the City's resilience to climate change and sea level rise.**

  This goal is not applicable to the proposed project.

Overall, the proposed project would be consistent with the goals of the Comprehensive Waterfront Plan. ✷

[1] See discussion of bulkhead repair and rebuilding and substantial esplanade upgrades as described in Chapter 13, "Mitigation."