

MSK/CUNY-Hunter
524-540 East 74th Street, Manhattan (Block 1485 Lot 15)
Date: March 12, 2013

LR Item 3. Description of Proposal

1. Introduction

The Applicants, Memorial Sloan-Kettering Cancer Center (“MSK”) and the City University of New York (“CUNY”), propose a series of land use actions (the “Application”) for a Project Area that consists of Tax Lot 15 (the “Development Site”, or “Site”), Tax Lot 14 (“Lot 14”) and Tax Lot 39 (“Lot 39”) on Block 1485 in Manhattan. Block 1485 is bounded by East 73rd and East 74th Streets, York Avenue and the Franklin D. Roosevelt Drive (“FDR Drive”) on Manhattan’s Upper East Side. The Project Area is located within Community District 8 (“CD8”). It is currently zoned M3-2.

The Application seeks the following City Planning Commission (“CPC”) actions:

1. approval of the disposition of the Development Site, a City-owned property, to the Applicants;
2. a zoning map amendment to Map 9a of the Zoning Resolution of the City of New York (“Zoning Resolution” or “ZR”) to rezone the Development Site and a 6-inch wide¹ portion of Lots 14 and 39 from M3-2 to C1-9² and to extend the M1-4 zoning district that exists west of the Project Area 5 ft east;
3. a zoning text amendment to create a new provision in the ZR Sec. 74-743 (Large-Scale General Development) special permit;
4. special permits for use and bulk modifications and modifications to sign regulations pursuant to ZR Sec. 74-74 (Large-Scale General Development) *et seq.*, and
5. a special permit pursuant to ZR Sec. 13-561 (Accessory off-street parking spaces) to increase the number of permitted accessory parking spaces.

The rezoning of the Development Site from a M3-2 to a C1-9 zoning district would facilitate MSK’s development on the Development Site of a new ambulatory care center with an accessory parking facility (the “MSK Building”) and CUNY’s development of the Hunter College Science and Health Professions Building (“CUNY-Hunter Building” and together with the MSK Building, the “Proposed Project”).

The Applicants

A. CUNY and Hunter College

CUNY is the nation's largest urban public university, comprising 24 institutions: 11 senior colleges, seven community colleges, the William E. Macaulay Honors College at CUNY, the Graduate School and University Center, the CUNY School of Law, the CUNY Graduate School

¹ All linear dimensions approximate.

² The position of the boundary was selected to be consistent with the Department’s policy of setting boundary lengths whose measurements end in 0.0 or 5.0.

of Journalism, the CUNY School of Professional Studies, and the CUNY School of Public Health. Serving more than 271,000 degree-credit students and nearly 270,000 continuing and professional education students, CUNY confers 35,000 degrees each year — more than 1.1 million associate, baccalaureate, masters, and doctoral degrees since 1967. CUNY plays a crucial role in the life and economy of the City and State and employs more than 39,000 faculty and staff. As of 2007, 54 percent of undergraduates and 46 percent of all college students in New York City were attending CUNY.

Hunter College is the largest college in the CUNY system. Founded in 1870, it is also one of the oldest public colleges in the country. Currently, over 22,000 students attend Hunter, pursuing both undergraduate and graduate degrees in more than 170 different programs of study. Hunter College is known for the diversity of its student body. For over 140 years, it has provided educational opportunities for women and minorities, and today, students from every walk of life and every corner of the world convene at Hunter.

To maintain and build on its excellence in science, advanced research, and the health professions, CUNY and Hunter College propose to build the CUNY-Hunter Building near its main campus on the Upper East Side of Manhattan. Currently, Hunter's basic sciences and health sciences are located at two different campuses. Basic sciences and advanced research are located on Hunter's main campus at East 68th Street and Lexington Avenue in facilities that date back to 1939 and health sciences and nursing are located on East 25th Street and First Avenue in a physical plant inherited from Bellevue Hospital in 1967. The proposed CUNY-Hunter Building will allow Hunter to consolidate its related Science and Health Professions programs under one roof in a state-of-the-art facility. It will provide professors and students with the modern classrooms, laboratories and cutting-edge equipment they need to remain at the forefront of teaching and scientific research. Additionally, the facility will allow Hunter scientists and health professionals to maintain close ties with MSK and other nearby medical and research institutions. It is planning major programmatic initiatives with MSK that can only exist through the adjacencies on the Development Site.

B. MSK

MSK is the world's oldest and largest private cancer treatment center. MSK has devoted more than a century to patient care as well as to innovative research that has made significant contributions to new and better therapies for the treatment of cancer. It is also one of leading academic centers for the training of physicians and investigators in a broad array of oncology-related fields.

In recent years, MSK has expanded with new construction and renovations designed to meet the growing needs of its patients and research programs. Aside from its main campus and satellite facilities on Manhattan's Upper East Side, MSK has developed a network of state-of-the-art outpatient cancer treatment facilities that bring expert care closer to patients living throughout the greater New York area.

This proposed MSK Building will support two of MSK's most important strategic objectives. First, it will provide additional space to accommodate the anticipated growth in the

demand for ambulatory outpatient treatments. As the general population grows older, the incidence of cancer is expected to increase. However, due to advances in cancer treatment, many of these cancers will be treatable on an outpatient basis, as MSK and other leading cancer centers develop treatment regimens that are increasingly turning to managing the cancers on an ongoing basis while the patient remains otherwise healthy. While MSK will continue to provide robust and cutting edge inpatient treatments at its main campus, it also foresees an intensive outpatient environment in an ambulatory care setting. Construction of the new ambulatory care facility in immediate proximity to the main campus will allow for the appropriate coordination of care between outpatient clinical services and inpatient treatment when needed.

As an example, among the changes MSK anticipates will revolutionize cancer treatment is the transition to performing bone marrow transplants on an outpatient basis. Hospitals generally are under increasing pressure to move from inpatient-focused bone marrow transplantation programs toward outpatient environments, enabling them to provide care at lower costs. MSK believes that through facilities such as the MSK Building it will eventually be able to provide the medical breakthroughs that will allow such previously invasive procedures as bone marrow transplants to be performed with comfort and safety in the patient's home. In this specific case, the clinical, research and training adjacencies with Hunter students, professors and investigators will provide MSK with a pool of jointly-trained graduates for this evolving field.

2. Prior and Current Unrelated Actions

Land Use Actions within the Project Area

The Project Area has been zoned M3-2 since the adoption of Zoning Resolution in 1961. There have been no CPC actions within the Project Area. The only land use action affecting the Project Area is a NYC Board of Standards and Appeals ("BSA") variance granted to the Hospital for Special Surgery ("HSS") on December 11, 2012³ to waive the necessary rear yard equivalent, use, height and setback floor area, and parking regulations in connection with a proposed ambulatory diagnostic and treatment health care facility to be built on Lot 14 within the Project Area, and Tax Lots 11 and 40 which fall outside of the Project Area. The BSA Variance will permit the construction of a 13-story, 204 ft high Use Group 4 building containing 163,472 sf of floor area.

Land Use Actions within 600 ft of the Project Area

In 2008, HSS received approval of several land use applications, including a special permit to facilitate the construction of a new 12-story hospital facility (the "River Building") on a platform in air space above the FDR Drive between East 71st Street and the midblock line between East 71st and East 72nd Streets.⁴ The River is now occupied.

³ BSA Cal. No. 137-12-BZ ("BSA Variance").

⁴ CPC Report C 060333 ZSM dated August 11, 2008 (Cal. # 21).

3. Description of the Surrounding Area and Project Area

Geographic Location Information

The Project Area is located within CD8 on Manhattan's Upper East Side and is identified as Block 1485, Lot 15 (524-540 East 74th Street/525 East 73rd Street) and parts of Lot 14 (523 East 73rd Street) and Lot 39 (504 East 74th Street). The Development Site consists solely of Lot 15.

Land Uses and Existing Zoning in the Surrounding Area and Proposed Project Area

Surrounding Area

The area surrounding the Project Area contains a mix of residential, light industrial, parking, commercial, and community facility uses. The most significant neighborhood feature, which defines the neighborhood, is the large percentage of land devoted to large community facility uses in relation to the total amount of developed land in the neighborhood. This percentage is among the highest in New York City. In particular, the long-term trend of medical institutional development between York and the FDR, East 72nd to the Ed Koch Queensboro Bridge has created a medical corridor that today serves as (a) a source of medical care to millions of New Yorkers, (b) a world-renowned multi-institutional center for the advancement of medical and scientific research, (c) an integrated campus for the medical training of physicians and other healthcare professionals of every category and (d) a powerful contributor to the City's and region's economy. This multi-institutional medical complex represents one of the City's most important communities of hospitals, medical schools, and research institutions containing as many as 50 buildings belonging to the Animal Medical Center, Rockefeller University, MSK, New York Presbyterian Hospital, Weil Cornell Medical College and HSS. These institutions and the healthcare professionals associated with them also occupy leased and owned space in dozens of nearby buildings to the north and west of the corridor and Project Area.⁵ The Proposed Project will extend this medical corridor north to East 74th Street. This medical corridor is zoned predominantly R10 and R9, with the exception of the Sotheby's North American headquarters (Block 1483 Lot 1), which was rezoned to C5-2 from C5-1 and R9 in 1998.

The surrounding neighborhood that is not included within the medical corridor includes manufacturing M1-4 and M3-2 districts, residential R8B, R8, R9 and R10 districts and commercial C1-5 and C5-2 districts. Immediately adjacent to the M3-2 district that includes the Project Area is an M1-4 district that encompasses the remainder of the midblock's retail business,

⁵ Although not located within this corridor of large community facilities, there are numerous institutional uses in the neighborhood that reinforce its defining institutional character. 510 East 74th Street is leased and operated by the Epiphany Community Nursery School and 74th Street Magic, a gymnastics facility for children. The Lycée Français de New York is located at 505-07 East 75th Street and the Town School is located at 540 East 76th Street. Private medical offices and offices belonging to the medical institutions are located in nearby residential, mixed use or commercial buildings both within and beyond the corridor. River Terrace at 519 East 72nd Street, the East River Professional Building at 523 East 72nd Street, Dana Center at 510 East 73rd Street, and East River Place at 525 East 72nd Street occupy most of the block just south of the Project Area. The Belaire Building and Guest Facility at 525 East 71st Street and the Human Resources/Education Division/Occupational Health offices at 517 East 71st Street both front on East 72nd Street. The large office building at 425 East 61st Street, just west of York and adjacent to MSK's new ambulatory surgical facility now under construction at 1133 York is largely occupied by hospital offices and medical practices.

commercial buildings, residential buildings and nursery school. There is another M1-4 district north of the Project Area within which is situated a Con Edison Steam Plant. York Avenue and East 72nd Street, wide avenues to the west and south of the Project Area are mapped R10. R10 districts allow the highest FAR for residential uses (FAR 10) and may be developed according to Quality Housing regulations or tower regulations. As-of-right bonuses for qualifying plazas and inclusionary housing permit residential development in R10 districts up to FAR 12.

Most of the residential uses in the vicinity of the Project Area are concentrated to the west along York Avenue, on the block south of the Project Area and midblock along the north side of East 75th Street and north and south sides of East 76th Street. Five- and six-story residential buildings, some with ground floor retail uses, line the east side of York Avenue and the north side of East 73rd Street west of the Project Area. Residential row houses are also found in the middle of the block on East 75th Street as well as on the north side of East 72nd Street immediately west of the FDR Drive between York Avenue and the Drive. There is a seven-story apartment building on the northeast corner of East 72nd Street and York Avenue. There are two large residential towers south of the Project Area along the waterfront: the 49-story One East River (525 East 72nd Street) and a 40-story building (524 East 72nd Street).

Commercial uses in the vicinity of the Project Area are generally found in mixed-use buildings ranging from 5 to 37 stories along both sides of York Avenue. These consist primarily of neighborhood goods and services and restaurants. The largest commercial use in the vicinity of the study area is the Sotheby's building at 1334 York Avenue, a modern re-cladding and enlargement of an early 20th Century four-story industrial loft used first for the production of munitions and subsequently for tobacco products before its conversion into a single owner-occupied 10-story commercial building. The block immediately north of the Project Area contains a large operating Con Edison Steam Plant.

The area within the vicinity of the Project Area also contains various industrial uses, primarily automotive repair establishments, parking garages and surface parking lots in addition to the Con Edison Steam Plant. Con Edison also operates a substation on the north side of East 75th Street, across from the Steam Plant.

A secondary defining characteristic of the neighborhood, which is derived from the specific building typologies required by the various medical institutions, is that there is very little public or privately owned but accessible open space within the vicinity of the Project Area. None of the buildings recently developed or proposed for development provide for any significant privately-owned, publicly-accessible open space in their site plans. The only public park in the vicinity is John Jay Park at East 75th Street. The next closest public parks are St. Catherine's Park at First Avenue and East 69th Street and the Andrew Haswell Green Park ("AHG Park" or "Park") at East 63rd Street and the East River. AHG Park is .6 miles south of the Development Site and is the only park under the jurisdiction of the Department of Parks and Recreation ("DPR") offering a waterfront environment in the vicinity of the medical institutions east of York Avenue and the mixed-use communities of the East 60's and East 70's west of York Avenue. AHG Park has been carefully studied for its potential in providing a significant public space experience. Manhattan Community District 8 ("CD8") 197-a Plan approved by the City Planning Commission on July

12, 2006⁶ (the “CD8 197-a Plan”) included recommendations for open space and waterfront access in the L-shaped area generally bounded by the East River, East 59th Street, Second Avenue, and the mid-block line between East 60th and East 61st Streets. A plan for the Park’s upgrading was approved by the Public Design Commission in 2010 and work began on the Park’s surfaces, landscaping, railings and structures, including a ramp, in 2011. Work was halted in 2011 when it was unexpectedly discovered that the repair and replacement of the piers supporting the platform beneath a portion of the Park would be so extensive that the funds allocated for its upgrading proved insufficient. Today only a small portion of the AHG Park is open to the public.

Beginning at the Park, the East River Esplanade runs north between the River and the FDR Drive. It continues north, running along the waterfront parallel to the Development Site to the east of the FDR Drive. There is a small public plaza with trees and seating located adjacent to the East River Professional Building on East 72nd Street. At the eastern end of East 72nd Street, which is elevated over the FDR Drive, there is a landscaped street end with trees and seating that provides views of the waterfront and Roosevelt Island.

Transportation in and around the neighborhood of the Project Area is primarily on foot, bicycle, car or bus. Many of the nearby residential buildings, several of which are owned by the medical institutions, are tenanted by affiliated professionals and students who walk to work. The closest current subway stations to the Project Area are the 68th Street and 77th Street Stations on the No. 6 line at Lexington Avenue. In 2019, the 72nd Street Station is expected to open for access to the Q line of the Second Avenue Subway. The major bus line serving the Project Area is the M31 on York Avenue serving both directions, with crosstown M72 and M79 buses serving both directions on East 72nd and East 79th Streets, respectively. The M66 line also travels east on East 68th Street and west on East 67th Street. That crosstown bus presently serves Hunter College and will serve students, faculty and staff traveling between Hunter’s main campus and the new CUNY-Hunter Building. Additionally, the Roosevelt Island Tram connects many of the professionals and students of the medical institutions to dedicated housing on Roosevelt Island.

As discussed in greater detail in the following section, the Project Area is located in an M3-2 zoning district that encompasses the Development Site, the Con Edison Steam Plant immediately to its north, a small sliver of two tax lots to its west (Lots 14 and 39) and the Con Edison dock parcel located east of the FDR Drive.

Proposed Project Area

The Project Area consists of the mostly vacant Development Site which represents 98 percent of the area of the Project Area, and the slivers of the two small adjoining tax lots used for commercial purposes. The Site is partially leased on a month-by-month basis by the City to a surface parking lot operator. In addition to the Development Site, further described below, the Project Area includes a portion of Lot 14, which has a frontage of 25 ft on East 73rd Street and a depth of 102 ft. It is improved with a three-story 35 ft tall building currently occupied by an orthopedic rehabilitation device company. The Lot is under contract to HSS, which proposes to demolish the building to construct, along with two adjacent lots, a new HSS ambulatory

⁶ CPC Report N 060096 NPM dated July 12, 2006 (Cal. # 10).

diagnostic and treatment health care facility pursuant to the BSA Variance. The Project Area also includes Lot 39, which has a frontage of 25 ft on East 74th Street and a depth of 102 ft. It is improved with a three-story 45 ft tall commercial building that houses a catering business.

The Project Area is located in an M3-2 zoning district. In addition to the Development Site and portions of Lots 14 and 39, the M3-2 district also includes the Con Edison Steam Plant immediately to the north of the Development Site and the Con Edison dock parcel located east of the FDR Drive. M3-2 permits development to FAR 2 and permits heavy industrial uses that are subject to minimum performance standards. M3-2 districts tend to be located near the waterfront and separated from residential uses, although in this case there are several residential uses in the immediate vicinity as the neighborhood has slowly transformed from an industrial area to a residential and community facility neighborhood. M3-2 use regulations do not permit community facilities as a matter of right. Accordingly neither MSK nor CUNY can use the Development Site for their purposes as currently zoned.

As currently zoned, the boundary of the M3-2 district dividing it from the M1-4 district to its west runs 5.6 ft west of the eastern property lines of Lots 14 and 39, thereby splitting each lot between the M1-4 district (78 percent) and the M3-2 district (22 percent). The proposed zoning map amendment would maintain the split lot condition on both lots with 2 percent of each lot located in the C1-9 district and 98 percent of each lot located in the M1-4 district.

The urban setting around the Project Area itself is highly varied, due in large part to the incomplete transition of the neighborhood away from its past industrial uses, mainly as garages, parking lots and automotive repair establishments. The contrasts in urban context to the Development Site's north and south are the most unique and extreme. It faces to its north a massive horizontally-massed public utility plant with nearly 600 ft of street frontage of vintage stone punctuated by a 500 ft smokestack, while to its south it faces the 49-story tower, 1990's-era all glass One East River. To its east is the FDR Drive, the East River and, between the two, the Con Edison Steam Plant dock and the narrow esplanade along the East River. To the west on East 74th Street is a three story building and on East 73rd Street an auto repair business slated for demolition by HSS. Accordingly, the uses along the immediate boundaries of the Project Area are a turn-of-the-century steam plant, an arterial highway and river, a luxury residential tower, a three story commercial building and, presumably as of 2016, the HSS ambulatory surgery center.

The broader urban context of the Project Area and its immediate environs is equally idiosyncratic, containing a mix of residential, light industrial, parking, commercial, and community facility uses. The streets bordering the Project Area have differing characteristics and traffic patterns that strongly influence the Site's planning and organization. East 74th Street within Block 1485 is a two-way street that terminates in a cul-de-sac and generates a minimal amount of local traffic. The Con Edison Steam Plant occupies nearly the entire north side of the street with a curb cut for the plant entrance at its easternmost portion used for employee parking and a mid-block plant entrance with two curb cuts for loading bays. The south side of East 74th Street to the west of the Project Area is improved with small residential, manufacturing and retail establishments: directly adjacent to the Project Area is a catering business at 522 East 74th (3 stories, 51 ft). Further west is an auto repair business at 512-520 East 74th Street (two stories, 24

ft), which is proposed to be demolished by HSS for its new ambulatory hospital. Further west is a nursery school located at 510 East 74th Street (four stories, 53 ft); a furniture gallery located to its west at 506 East 74th Street (five stories, 65 ft); and an art conservator office located at 502 East 74th Street (two stories, 28 ft). The York Avenue frontage of Block 1485 is developed with seven five-story residential and mix-use residential/commercial buildings, ranging from 60 to 64 ft in height.

East 73rd Street is a two-way street that feeds into the exit lane of the southbound FDR drive, generating constant easterly traffic flow. Its north side east of York Avenue is developed with the following uses: immediately adjacent to the Project Area to the west, there is an auto repair business located at 517-523 East 73rd Street (one story, 18 ft) slated for demolition by HSS for its new ambulatory hospital and five six-story residential buildings ranging in height from 68 to 69 ft further west. The south side of East 73rd Street is improved with One East River, the high-rise residential tower (49 stories) that is accessed from a private driveway off East 72nd Street. The majority of the rest of the southern side of East 73rd Street is developed with open and enclosed parking facilities and the rear elevations of East 72nd Street buildings, including the service and staff entrances of the medical buildings operated by Weill Cornell Medical School.

The block on which the Project Area is located (Block 1485), as well as the block immediately to the south, contains a mix of residential, light industrial, parking, commercial, and community facility uses. The south side of East 74th Street within Block 1485 contains the following uses: directly adjacent to the Project Area to the west is a two story (24 ft) auto repair business at 512 East 74th Street. Further west, there is a nursery school located at 510 East 74th Street (two story, 53 ft); a furniture gallery located to its west at 506 East 74th Street (five story, 65 ft); and an art conservator office located at 502 East 74th Street (two story, 28 ft). The York Avenue frontage of Block 1485 is developed with seven five-story residential and mix-use residential/commercial buildings, ranging from 60 to 64 ft in height. The north side of East 73rd Street contains the following uses: immediately adjacent to the Project Area to the west, there is a one-story (18 ft) auto repair business located at 517 East 73rd Street and four six-story residential buildings ranging in height from 68 to 69 ft further west. The properties at 517-523 East 73rd Street and 512-520 East 74th Street are proposed to be developed by HSS for its new ambulatory hospital.

4. Description of the Development Site

The Development Site is a 66,111 sf site located at the east end of Block 1485, with a frontage of 314 ft on East 73rd Street (narrow street, 60 ft), 332 ft on East 74th Street (narrow street, 60 ft) and 205 ft along the service road for the southbound FDR Drive (wide street, 100 ft). East 74th Street, the northern streetline of the Development Site, dead ends at a barrier that divides it from the FDR Drive. East 73rd Street, the southern street line of the Development Site, terminates as an entrance to the service lane of the southbound FDR Drive. The Development Site is a corner lot for its easternmost 100 ft from the FDR service lane and a through lot for the remainder. There are two existing 35.3 ft-wide curb cuts along the boundaries of the Development

Site: one on East 73rd Street located 127 ft west of the FDR Drive and one on East 74th Street located 296 west of the FDR Drive.

From sometime in the 1960s until 2006, the Development Site was used as a vehicle maintenance facility by Department of Sanitation (“DSNY”). This facility was demolished in 2008 and the Site has since remained largely vacant with standing remnants of the walls of a former garage structure. The northwest portion of the Development Site is occupied by a surface public parking lot with a capacity of 128 cars with the curb cut located on East 74th Street.

The Development Site will be the zoning lot for the Proposed Project and the related land use actions sought in this Application and all development contemplated by MSK and CUNY will occur within it.

5. Description of the Proposed Development

With the exception of the design decision to set both buildings back along 74th Street at the ground level to “open up” the entrances to the buildings and allow for better pedestrian movement, both the MSK Building and the CUNY-Hunter Building will be built full to the north, east and south lot lines. The MSK Building will have 23 stories (plus two underground levels) with a height of 453 ft on a footprint of 39,667 sf. It will contain 749,357 gsf and 530,818 zsf. It will house ambulatory diagnostic and treatment health care facilities, including clinics for dermatological, breast, and prostate cancers; areas for academic offices, consultations, conferences and infusions; clinics for medical/surgical purposes, interventional radiology and bone marrow transplant; a pharmacy, and a 248-space accessory parking facility on the lower level.

The CUNY-Hunter Building will have 16 stories (plus two underground levels) with a height of 346 ft on a footprint of 26,444 sf. It will contain 402,990 gsf and 262,514 zsf. It will house teaching and research laboratories, classrooms, a learning center, a 350-seat lecture hall, faculty offices and a vivarium.

Building Orientation. The positioning and design of the CUNY-Hunter Building on the western portion of the Development Site and the MSK Building to its east along the FDR Drive will create a unified campus through the buildings’ inter-related massing and consistent architectural vocabulary. Although entirely separate, the buildings will read as a single structure, an important design element projecting the two institutions’ commitments to join in common purpose to provide effective and compassionate treatment, engage in collaborative cutting-edge research and educate healthcare professionals seeking advanced training in oncology.

The location of the buildings within the campus design will also appropriately segregate project-generated traffic flow and minimize conflict. East 74th Street will be the “front door” to each building in part to avoid conflicts with the East 73rd Street entrance to the FDR Drive and in part because the character of this street is more appropriate to the nature of these facilities. Notwithstanding its massive and monolithic scale, the older portion of the Con Edison Steam Plant that faces the Development Site on its north provides a dignified and neutral backdrop for the two buildings’ distinctly different arrival and departure experiences. The majority of students, faculty and staff are expected to arrive at the CUNY-Hunter Building on foot and do not need to

traverse the entire length of the block. The majority of MSK patients will arrive by private car or taxi. The extreme eastern end of the Development Site at the terminus of East 74th Street is ideal for vehicular arrivals and departures and minimizes disruption to pedestrian paths. There will be two East 74th Street curb cuts: a 28 ft-wide curb cut located 168 ft west of the FRD Drive and a 30 ft-wide curb cut located 11.25 ft west of the Drive.

The campus site plan intentionally separates the MSK Building's entrance from CUNY-Hunter Building's entrance to respect a very different type of arrival and departure experience. The CUNY-Hunter Building will project an entry environment predominantly for pedestrians that recognizes student-oriented public interaction and group engagement that is typical to the university experience. At ground level, the Building will be set back to provide for a sidewalk that gradually expands to allow for more generosity at the building entry. The lower floors of the Building will have a high degree of transparency so that students, faculty and staff can have a direct visual connection both before and after entry to activities within a large interior lobby at grade and a courtyard below grade for interaction and social intercourse. The CUNY-Hunter Building entrance will discourage students congregating at street level by providing an exterior staircase leading to a second floor semi-private outdoor terrace that will respect the privacy of the patients coming to and going from the MSK Building.

The MSK Building will be a medical center serving seriously ill patients who will have less focus on socialization and greater focus on privacy. The campus site plan must therefore also provide the MSK Building with an entry environment that will respect its visitors' privacy and dignity for persons arriving predominantly by a variety of vehicles. Vehicles arriving at the MSK Building will pull in off the street to drop off and pick up patients and visitors under a covered set of specially designed lay-by lanes providing ample accommodations for movement in a serene, un-hurried environment. A valet parking service will be available to park cars in a below grade accessory parking facility for 248 vehicles. Bicycle parking will also be available. The intent is to evoke the feeling of an exterior room, with special consideration for ceiling articulation and lighting.

East 73rd Street will serve as the service street for both buildings, with loading docks for both the CUNY-Hunter and MSK Buildings recessed within the respective building footprints so that trucks will be docked entirely inside the buildings, assuring minimal disruption to traffic flow onto the FDR Drive. In addition, while the MSK Building will not receive emergencies, it will have two ambulance bays. Loading dock openings have been minimized and adjacent stone wall surfaces have been articulated with recessed panels that incorporate glazing where appropriate and louvers where needed for mechanical ventilation. This articulation breaks down the scale of otherwise blank service-oriented walls. There will be three curb cuts on the north side of East 73rd Street: a 30 ft, an 18.5 ft and a 30 ft curb cut located 127.5, 160.5 and 267.5 ft west of the FDR Drive, respectively.

An MSK staff entrance, with staff bicycle parking, will also be located on East 73rd Street. The amount of groundfloor space dedicated to the rational internalized multipurpose loading facilities in both buildings is a factor in the Development Site's high lot coverage.

Building Contours. A high degree of lot coverage is also required for the floors above ground level for both buildings. Each institution's internal program requires adjacencies and stacking that minimizes vertical circulation and maximizes lot coverage and floorplate size. Substantial uniformity in floorplate size is a staple of sound healthcare and educational planning, as setbacks at higher floors increase the number of floors, thereby unduly increasing the vertical transportation system while at the same time diminishing the opportunities to locate the elevator cores along the building perimeter. With regard to the design of university buildings, larger floorplates are also required. They allow for more desirable ratios of faculty-to-teaching spaces and more easily accommodate social spaces that promote creative collisions and interdisciplinary awareness. Moving large numbers of students vertically in an academic setting puts additional pressure on elevator requirements that further diminish usable floor area. Research labs in particular require large and uniform floorplates at the top of the CUNY-Hunter Building for required program arrangement and efficient adjacencies to mechanical systems. These factors are generic to the design of both ambulatory treatment centers and university teaching and research buildings. As a result, the lot area of the Development Site is barely sufficient to accommodate the campus footprints of these two buildings.

In order to mitigate the impacts of large footprints with only minor setbacks, the north, east, and south façades will be broken down into varying planes with set-backs and overhangs. There will be recesses for open terraces at the second and sixth floors of the CUNY-Hunter Building and at the sixth, seventeenth and eighteenth floors of the MSK Building. The CUNY--Hunter Building second floor terrace will wrap around the MSK Building to include space facing over the FDR Drive to the East River. The sixth level of the MSK Building will set back on its north, east and south sides to provide another terrace. Further above, the seventh and eighth levels will have setbacks to open up views north for the residential building to the south and views east for the CUNY-Hunter Building. These setbacks also effectively reduce the perceived bulk of the MSK Building.

In addition, there will be significant variation in the façade materials. The predominant cladding will be large masonry and glass panels with irregular vertical divisions. On floors where ventilation is required for mechanical systems, louvers will be set back from the façade plane. Portions of the buildings will also be clad in a glass curtain wall. All exterior walls have been analyzed for the amount of annual solar radiation (solar loads) hitting each façade and a complex variety of panels and shading fins have been selected to optimize the HVAC system's performance.

6. Actions Necessary to Facilitate the Proposed Project

In order to develop the Development Site as proposed, the following CPC actions are required:

a. Disposition of City-owned property. The City of New York must convey the Development Site to the New York City Land Development Corporation, which will in turn convey the Site to the New York City Economic Development Corporation for ultimate disposition to MSK and The City University Construction Fund ("CUCF"). The disposition action

is subject to ULURP and requires Mayoral and Manhattan Borough Board approval pursuant to New York City Charter Section 384(b)(4).

b. Zoning Map Amendment. The Application seeks a zoning map amendment applicable to the Project Area to (a) rezone an area from M3-2 district to C1-9 district starting from the center line of the FDR Drive and running down the center line of East 73rd Street for a distance of 315 ft from the southeast corner of the Development Site, then and then parallel with the western line of Block 1485 to the center line street line of East 74th Street and then running down the center line of East 74th Street to the back to the centerline of the FDR Drive, thereby including the Development Site and the 6-inch wide easternmost portions of Lots 14 and 39, and (b) extend the M1-4 zoning district that currently exists west of the Project Area 5 ft east, thereby entirely eliminating the M3-2 district on Lots 14 and 39. The current M3-2 zoning permits a maximum FAR 2 and does not permit community facilities use groups 3 and 4, which include universities and ambulatory diagnosis and treatment health care facilities. The C1-9 proposed for the Development Site will allow the MSK and CUNY-Hunter Buildings to be developed as a matter of right up to FAR 10 for community facility uses.

The proposed 5 ft relocation of the M1-4 district boundary currently splitting Lots 14 and 39 will maintain the split lot conditions for both lots, with 98 percent of each lot located in an M1-4 district and 2 percent in C1-9 district. With regard to Lot 14, M1-4, which permits Use Group 4 but not Use Group 3 community facility uses, is consistent with the HSS BSA Variance that permitted Use Group 3 use in the M3-2 portion of that lot. With regard to Lot 39, the rezoning of the M3-2 portion of that lot to M1-4 will be consistent with the continuation of the M1-4 district on the remainder of that lot and on the rest of Block 1485. It will not compromise the existing uses on that lot.

The zoning map amendment will also allow the use of the special permit provisions available to large scale general developments (“LSGDs”), further described below, to provide better site planning for the appropriate location and massing of the CUNY-Hunter and MSK buildings on the Development Site. The LSGD special permits are necessary to achieve the programmatic needs of both institutions and provide a campus design that is consistent with the land uses and zoning in the area. In addition to each institution’s internal requirements, the requested map amendment will facilitate the program synergies that their adjacency in a campus setting is intended to foster.

c. Zoning Text Amendment. The Applicants propose a zoning text amendment (included with this Application) to create a new provision in the ZR Sec. 74-743 LSGD special permit text that will allow the CPC to grant a floor area increase of up to 20 percent of the floor area permitted under the underlying district regulations for eligible community facility developments. The new provision will provide a mechanism through which a community facility development on a site in a C1-9 district located within CD8 can obtain up to an additional FAR 2 by providing an improvement to a public park within an appropriate distance of the Development Site selected by the Department of Parks and Recreation (“DPR”). Unlike the public plaza bonus and the Inclusionary Housing bonus, this mechanism can be utilized solely through a LSGD special permit and its associated public land use and environmental reviews.

Current C1-9 district floor area controls allow community facilities to attain FAR 12 through a qualifying plaza. Using the present case as an example, a zoning lot with a lot area of 66,111 sf would require a qualifying plaza of 22,037 sf, or 33 percent of the Development Site's lot area to generate the required FAR 2 plaza bonus – a result that would significantly adversely impact the achievable floorplate of both buildings. In addition, the controls regarding the basic design criteria for public plazas in commercial districts (ZR Sec. 37-71 *et seq.*) would further reduce the usability of the achievable floorplates.

Institutions such as MSK and CUNY typically require highly specialized buildings with high lot coverage footprints. Accordingly, the use of on-site plaza bonus is not feasible given these programmatic needs. The proposed text amendment would provide an alternative mechanism for achieving a 20 percent bonus through providing a significant public amenity in the form of a public park improvement. This approach, which responds directly to the need for additional open space in the surrounding community, has a strong basis in zoning precedents. Plaza and arcade bonuses and affordable housing bonuses, as well as the Quality Housing Program are examples of how the Zoning Resolution has been used to achieve additional zoning floor area through providing useful physical amenities. Other zoning provisions provide alternate means for securing additional zoning floor area in lieu of an available plaza bonus through contributing to the development or sustainability of useful public spaces or spaces within buildings that can provide commensurate benefits to the City and the community. For example, the rehabilitation of a listed theater located in the Theater Subdistrict of the Midtown Special Purpose District can receive a bonus of up to FAR 2 for an adjoining development as an alternative to a plaza pursuant to ZR Sec. 81-745 (Floor area bonus for rehabilitation of existing listed theaters). There is also precedent for permitting additional zoning floor area through a funding contribution to support capital development and operational sustainability of public spaces such as the High Line (ZR Sec. 98-25 (High Line Improvement Bonus)). In this case, the proposed text amendment will provide the necessary floor area to facilitate the interconnected expansion of the medical, educational and research missions of MSK and CUNY through providing to the City and the community a significant new public amenity. The larger community around the Development Site suffers from a lack of public open space in part due to the concentration of high lot coverage buildings within the vicinity of the Development Site that have been developed by institutions with similar needs for high lot coverage and large floor plates. The proposed text amendment provides an opportunity to meet the programmatic needs of the institutions that preclude the possibility of on-site open space while addressing local open space needs.

d) LSGD. The proposed actions include several special permits available to LSGDs pursuant to ZR Sec. 74-74:

1. A special permit pursuant to ZR Sec. 74-743(a)(2) and 74-743(a)(11) is sought to waive the following bulk regulations:

- ZR Sec. 33-25 (Minimum Required Side Yards). Side yards are not required in C1-9 districts. However, if an open area extending along a side lot line is provided at any level, it must either be (a) at least eight feet wide at every point, or (b) at least five feet wide at every point

with an average width of eight feet in accordance with the remaining provisions of ZR Sec. 33-25. The CUNY-Hunter Building provides an open space along the western side lot line of the zoning lot with an approximate width of 3 ft (varies). The width represents that necessary for a seismic separation from the existing building to the west, which is 2.5 ft, plus an additional 0.5 ft of open space to permit the resulting gap to be suitably maintained and cleaned.

- ZR Sec. 33-283(b) (Required Rear Yard Equivalents). On any through lot with a depth in excess of 110 ft, a rear yard equivalent must be provided that either (a) is an open area with a minimum depth of 40 ft midway between the two street lines upon which such through lot fronts, or (b) is two open areas, each adjoining and extending along the full length of both street lines, each with a minimum depth of 20 ft, or (c) is an open area adjoining and extending along the full length of each side lot line, each with a minimum width of 20 ft. As set forth in ZR Sec. 33-302, no rear yard equivalent is required for any portion of the zoning lot within 100 ft of the street line along the short dimension of a block where the front lot line of the zoning lot coincides with all of the street line measuring less than 230 ft between two intersecting streets, which in this case with the eastern portion of the zoning lot from the FDR (a wide street) to a point 100 ft westerly from the FDR. In addition, ZR Sec. 33-23 permits a portion of a community facility building to be located within a rear yard equivalent provided that that the height of that portion of such building does not exceed one story or 23 ft above curb level, whichever is less.

The proposed buildings exceed 23 ft in height within the rear yard equivalent type (b) on the through lot along both street lines. Thus zoning compliance for rear yard equivalence on the Development Site is required only for the through lot portion of the zoning lot that is west of the corner lot and above the first story.

With the exception of (a) the set back at the East 74th Street ground level intended to “open up” the entrances to both buildings to allow for better pedestrian movement and (b) the noncomplying side yard provided along the western lot line to accommodate the required seismic separation, the proposed buildings will be built full to their two street frontages and the frontage along the FDR. No open space that could qualify as a rear yard equivalent is provided midway between East 73rd and East 74th Streets, or along the street lines on any portion of the Development Site deemed a through lot or along the western lot line. The portions of the buildings located within any part of the Development Site that might have qualified as a location for a rear yard equivalent exceed the 23 ft height allowed for permitted obstructions for community facility buildings.

- ZR Sec. 33-432 (Maximum Height of Walls and Required Setbacks). The heights of front walls or other portions of a building in a C1-9 district located at the street line or within the initial setback distance of 15 ft from a wide street line, or 20 ft from a narrow street cannot not exceed 85 ft above mean curb level. Above 85 ft, and beyond the 15 ft initial setback on a wide street and the initial 20 ft setback on a narrow street, the building cannot penetrate the sky exposure plane set forth in ZR Sec. 33-432.

The proposed buildings have front walls that exceed the maximum front wall height, do not provide qualifying initial setbacks and penetrate the sky exposure planes on East 73rd Street, East 74th Street (both narrow streets) and the FDR Drive (a wide street).

- ZR Sec. 33-123 (Floor Area Regulations). Pursuant to the basic zoning floor area allowances in ZR Sec. 33-123, the Development Site as rezoned to C1-9 can be developed for community facility uses to a maximum 661,110 sf (FAR 10). The proposed buildings will contain 793,332 sf of zoning floor area (FAR 12). Pursuant to the text amendment requested in the Application, the Applicants apply for a 132,222 sf (FAR 2) bonus based on a proposed public park improvement.

In considering the likely public park improvement, MSK and CUNY believe that there is a very strong planning nexus between the Proposed Project and capital assistance for the improvement of AHG Park, previously discussed in connection with the zoning text amendment. The CD8 197-a Plan included recommendations for open space and waterfront access in the L-shaped area generally bounded by the East River, East 59th Street, Second Avenue, and the mid-block line between East 60th and East 61st Streets. The area also includes blocks bounded by York Avenue from East 60th to East 63rd Streets, and East 63rd Street from York Avenue to the East River. With respect to the *New Waterfront Park*, CD8 recommended the following:

- Create a new waterfront park in the area of the former heliport and Department of Sanitation (DOS) building on the East River between East 60th and East 63rd Streets.
- Extend the East River Esplanade through the new park.
- Provide additional space for a variety of uses that could include a children's playground, landscaped seating areas, a seasonal cafe, and a restroom.
- Rehabilitate the former DOS building at East 60th Street, the roof of which is currently used for Pavilion Park, to allow for a variety of park-related uses.
- Utilize and improve the existing vehicular ramp/sidewalk at East 60th Street and York Avenue for pedestrian access to the park and limited vehicular access.

The public park improvement contribution to the Park that the proposed text amendment would enable is consistent with, and complementary to, these CD8 planning objectives. And while the Park is well outside of the various study areas established for the Proposed Project for impact analyses under CEQR, the two sites are linked by the strong and unique land use planning legacy discussed earlier in this Discussion whereby over half a century of *ad hoc* land use planning decisions regarding the stretch of land bounded by the FDR Drive and York Avenue, between the Ed Koch Queensboro Bridge and East 76th Street have resulted in today's existing environment of large institutional buildings built almost full to their lots, offering little or no publicly accessible public or private open space. Historically zoned industrial and burdened with noxious uses typical to Manhattan's Upper East Side's 19th Century and mid-20th Century waterfront, the land between the Development Site and the Park has largely been transformed to the medical, research and education corridor it is today on a case-by-case basis at the times attributable to the needs of each medical institution for new facilities or for better facilities to lead the pace of advancements in medicine. These needs were addressed with a combination of variances, special permits, text amendments, or zoning map amendments suited to each individual project. The one exception to this characterization was the long-range initiative (requiring state legislation) in the mid-1970's to provide the opportunity to the institutions adjacent to the FDR Drive for development in the air space over the FDR Drive. Even with that more comprehensive

action, the developments built by each of the institutions using those development rights occurred piecemeal on a case-by-case basis, and returned very little to the City and the community by way of usable open space.

Although developed separately, each of these institutional expansions shared the same development profile: a building typology that sought to maximize lot coverage, resulting in a consequent minimization of open space throughout the community. High lot coverage was and continues to be a program mandate, not merely a design preference, for medical and research institutions. The large floor plates, providing both critical programmatic adjacencies and operational efficiencies related to patient outcomes, are indisputably essential factors in the design, development and operation of medical centers.

With the development of this site by MSK and CUNY, and development of the adjacent site by the HSS through a variance, this long chapter of *ad hoc* improvement will come to a close. In fact, the opportunities for further north/south institutional growth beyond the current northern and southern boundaries appear to be nil.

The saturation of medical institutional development between York and the FDR, East 75th to the Bridge has greatly benefited New York in many aspects, but lack of public and publicly accessible open space for the residents, employees and visitors in and along this stretch of Manhattan is a decided negative. The Park remains the only parcel of any consequence that could play a role in providing passive waterfront recreational space to the entire community. In contrast to the esplanade that runs along the FDR, the Park is the only significant public gathering place contiguous to the East River, and thus its only waterfront park. Since development of the buildings required by MSK and CUNY will not permit the inclusion of meaningful open space for the public, it is therefore entirely plausible for the City to undertake through the proposed text amendment a land use initiative to create an incentive for MSK and CUNY to make a meaningful contribution toward the last available open space in the vicinity through a capital contribution for repairs to the Park's infrastructure.

2. A special permit pursuant to ZR Sec. 74-744(c) is sought to waive the following sign regulations:

- ZR 32-642 (Non Illuminated Signs). In C1-9 districts, non-illuminated signs are not permitted to exceed 150 sf of total surface area for a through lot or 150 sf on each frontage of a corner lot. A non-illuminated MSK donor sign of 125 sf is proposed at the north façade, near the entry of the MSK Building. It will consist of non-illuminated dimensional metal letters attached to the building façade incorporating an institutional logo as well as a building and donor name. A non-illuminated CUNY donor sign of 25 sf is proposed on the north façade, over the entry canopy of the CUNY-Hunter Building. It will consist of non-illuminated dimensional metal letters attached to the top/front edge of the CUNY entry canopy incorporating a building and donor name. These signs are in addition to the allowable 150 sf of total surface area for a through lot and the allowable 150 sf on each frontage of a corner lot.

- ZR 32-643 (Illuminated Non-Flashing Signs). In C1-9 districts, illuminated non-flashing signs are not permitted to exceed 50 sf of total surface area for a through lot or 50 sf on each frontage of a corner lot. Two indirectly-illuminated non-flashing signs of 1,290 sf each are

proposed on the north and east façades of the MSK Building and one indirectly-illuminated non-flashing sign of 500 sf is proposed on the west façade of the CUNY-Hunter Building. These MSK and CUNY-Hunter large identity signs will be dimensional metal letters pinned to the façade incorporating an institutional logo and building name. These signs will incorporate indirect, “halo” lighting mounted behind the letters to illuminate the surface of the façade. Contrast between the metal letters and the lit façade will allow for legibility at night.

MSK is also requesting a free-standing illuminated non-flashing sign of 65 sf to aid in directional wayfinding that will be mounted to the ground within the property line at the vehicular drop-off of the MSK Building. It will incorporate building identity and institutional branding. This sign will consist of metal cladding with jet-cut lettering that will have acrylic infill and will be lit from within the cavity of the free-standing structure.

The CUNY pier-mounted sign of 25 sf will be mounted to the stone wall adjacent to the CUNY-Hunter entrance. It will consist of an institutional logo and building identity. It may also incorporate additional operational information. This sign will consist of a metal face with jet-cut lettering that will have acrylic infill and integral lighting.

These illuminated non-flashing signs are in addition to the 50 sf of total surface area for a through lot and the 50 sf on each frontage for a corner lot permitted for these type signs. They are also in addition to the 150 sf of total surface area for a through lot and the 150 sf on each frontage for a corner lot allowed for all signs.

- ZR 32-641 (Total Surface Area of Signs). In C1-9 districts, the total surface area of all permitted signs, including non-illuminated or illuminated signs, are not permitted to exceed 150 sf of total surface area for a through lot or 150 sf on each frontage of a corner lot. Total surface area of all signs proposed in connection with the Proposed Project amounts to 4,520 sf, which exceeds the permitted total surface area of 1,200 sf by 3,320 sf.

- ZR 32-655 (Height of Signs in Other Commercial Districts). In C1-9 districts, no sign is permitted to extend more than 25 ft above the curb level. Two signs are proposed at maximum height of 69 ft on the MSK Building. One sign is proposed at a maximum height of 116 ft on the CUNY-Hunter Building (at the mechanical floor level). These heights are measured from average curb elevation.

Without the signs requested in the Application, neither the MSK Building nor the CUNY-Hunter Building will have the identification necessary for a medical center or a university. The MSK Building will be physically remote from the MSK main campus and is in a vicinity of other large medical institutions. Many of these institutions have identifying names and logos, several of which are located in the public realm over the FDR Drive. The Development Site is also visible from the FDR Drive and the Ed Koch Queensboro Bridge, two roadways from which many of the MSK Building patients will arrive. The position of the signs, visible mainly from the River and the FDR Drive, assures that it will have minimal impacts on residents of adjacent buildings. With regard to adjacent properties, the signs will not be visible to One East River or the other major residential buildings south of the Development Site and the signs on East 74th Street will shine most directly only against the Con Edison Steam Plant. The proposed CUNY-Hunter sign

on that Building's west façade will not be viewable until a point midblock of East 74th Street between York and the FDR Drive.

e) Accessory Off-Street Parking Special Permit. ZR Sec. 13-133 and ZR Sec 13-134 limit the number of permitted accessory off-street spaces on the Development Site to 166 spaces. CUNY has no need for accessory parking but MSK requires such parking for patients and their accompanying visitors during their outpatient treatments. The MSK Building has been designed with an accessory parking facility for 248 accessory spaces and will therefore require a special permit pursuant to ZR Sec. 13-561 for the additional 82 spaces. Access and egress to the accessory parking facility would be through an East 74th Street curb cut at the eastern end of the Site. MSK proposes that use of the facility will be exclusively through valet services. Because of the outpatient nature of the services provided, the need for overnight or extended parking will be limited. It is expected that the requested 248 spaces would accommodate approximately 70 percent of the daily parking demand generated by the MSK Building's patients and visitors.

In addition to the CPC actions, a Certification by the Commissioner of Buildings is required to permit an entrance and exit to an accessory parking facility to be located within 50 feet of an intersection. The entrance to the MSK Building accessory parking facility will be located 11.254 ft from the intersection of the south side of East 74th Street and FDR Drive. While the two streets meet in plan and therefore fall within the definition of an intersection, there is no connectivity between the two streets. Nonetheless, pursuant to ZR Sec. 13-142 no entrance or exit leading to or from permitted accessory off street parking spaces can be located within 50 ft of the intersection of any two street lines unless the Commissioner of Buildings certifies that such location: (1) is not hazardous to traffic safety, (2) is not likely to create traffic congestion and (3) will not unduly inhibit surface traffic or pedestrian flow. Accordingly, a certification by the Commissioner of Buildings will be required. The fact that these two streets do not connect, that the curb cut is at the terminus of a street on which there is no through traffic and that the accessory parking facility will be under the close supervision of the valet staff that will bring cars down its ramp should all be relevant to the Commissioner's evaluation.

The Proposed Project will require the following approvals by other agencies:

- A Certificate of Need is required from the New York State Department of Health ("DOH") for the proposed MSK Building.
- Both CUNY and MSK anticipate using Dormitory Authority of The State of New York ("DASNY") funding and will require Authorization of the Issuance of Bonds and/or Authorization of the Expenditure of Bond Proceeds by DASNY.
- The CUNY Board must approve, undertake, and fund the CUNY-Hunter Building.
- The Board of the CUCF must approve acquisition of real property.

7. Conclusion

In its Request for Proposals ("RFP") released on May 20, 2011 for the disposition of the Development Site, the City expressly limited responses to parties who would "utilize the Site for the expansion or creation of a health care, education or scientific research facility ('Institutional Facility')." By so limiting the development of the Development Site, the City recognized several

underlying factors that influence the site design and land use actions requested in this Application. First, the City recognized that the historic industrial nature of the blocks east of York Avenue in the East Seventies has all but disappeared, and with it the need for industrially based zoning. In fact, there are only 16 tax lots, all of them in the immediate vicinity of the Development Site, located between the south side of East 73rd Street and the south side of East 76th Street, that remain zoned for manufacturing uses. These lots are all that is left of the significant industrial uses that once ran from the Ed Koch Queensboro Bridge to East 96th Street. With the exception of the Con Edison Steam Plant immediately to its north, the Development Site is the largest of these remaining industrially zoned sites, and as such the RFP represents an important opportunity to turn the last page from the industrial land water front uses of the early 20th Century to the land uses and urban designs appropriate to 21st Century's New York City.

MSK and CUNY partnered to respond to the RFP and on August 27, 2012 MSK and CUNY (acting through its subsidiary CUCF), entered into a Contract of Sale for the purchase of the Development Site to build two Institutional Facilities. The proposed zoning and land use actions are required to facilitate the development of these two Institutional Facilities.

A significant factor in the requested land use actions for the Development Site, and a factor implicit in the City's requirement that the Site be developed with Institutional Facilities, is its proximity to the unique medical, educational and research corridor to its south. With the development of this site by MSK and CUNY, and development of the adjacent through-block site by HSS through the BSA variance, a 75-year chapter of site-by-site incremental land use conversion of this corridor from a waterfront industrial corridor to a medical/educational institutional corridor will come to a close. This fact is borne out by the accelerating trend of medical institutional expansion west along the East 60's and East 70's midblocks toward Second Avenue. This saturation of medical institutional development between York and the FDR, East 75th to the Bridge, including now the development of the Development Site by CUNY and MSK for teaching, research and clinical medicine, has greatly benefited New York in many aspects. Through its disposition powers the City has indicated a strong preference to see the Development Site used as a final opportunity for expansion of the existing healthcare footprint. This factor imposes unique site planning considerations that drive the need for the actions sought in this Application.

The requested actions are consistent with existing or projected land uses and zoning in the area and general public policy. The changes in uses and bulk that the C1-9 zoning map amendment will enable on the Development Site are consistent with the predominant zoning districts in the area, and will also be entirely consistent with precedents of a series of CPC land use actions that have facilitated community facility, predominantly medical treatment and research, through new construction and expansion throughout the medical corridor and blocks to the east. The uses, densities and massing that the proposed C1-9 zoning, text amendment and special permits will allow on the Development Site are the predominant uses, densities and massings built within this medical corridor and throughout its surrounding area. They are also compatible with the few residential buildings in the vicinity of the Development Site, many of which are taller and denser than the buildings proposed for the Development Site.

The approval of the land use actions requested in this Application will promote public health and safety, facilitate economic development and provide other public benefits in the following ways:

- Approval will expand the medical services available to New Yorkers through the development of an ambulatory outpatient care center operated by one of the world leaders in the diagnosis and treatment of cancer.
- Approval will expand the educational and employment opportunities available to New Yorkers through the development by the Nation's largest urban public university of an educational venue dedicated to the health professions that will involve cutting-edge cross-programming with the MSK ambulatory facility.
- MSK staff and patients will have the benefits of cross-programming with the CUNY-Hunter Building which will conduct important research and train health professionals for future employment by MSK and other healthcare providers.
- The City of New York will benefit through expansion of the these two institutions, which as employers, service providers and educators are already significant contributors to the economic health of the City.