

11/26/12

## CORNELL RESPONSES TO QUESTIONS AND COMMENTS ON CORNELL ULURP APPLICATIONS

(Questions by LARRY PARNES, 11/18/12)

- For the City Map change application (C 130007 MMM), Main Street is a "traditional" name on Roosevelt Island and the proposed name of the southerly extensions of East and West Main streets should be changed from East and West Loop roads to East and West Main streets. From the Queensboro Bridge south to North Loop Road, the streets are already proposed to be named East and West Main streets and these names should continue to South Loop Road. The two connecting loop streets (North and South Loop Roads) could be renamed to something more representative of Roosevelt Island (e.g., FDR Street, South Point Park North).

**RESPONSE:** Cornell is fine with extending the traditional names of the Roosevelt Island streets on the mapped grid. The Borough President has authority for street names, and we will raise this request with the Borough President's staff.

- Why is the disposition application (C 130078 PPM) pursuant to zoning? The disposition should be restricted similar to what was done for the Whitney Museum (see Attachment A). Use can be restricted to same language as in Section 133-00, paragraph (a) of the special district text. Such restrictions and others described below are necessary in case Cornell is no longer the developer of all or part of the site.

**RESPONSE:** Cornell's lease with the City will require that it build an academic campus of at least 1.8 million square feet by 2037, including at least 620,000 sf of academic space. The lease will also prohibit uses unrelated to the mission of the campus. The lease will be subject to review and approval pursuant to NYC Charter Section 384(b)(4). In order to change any of the material terms of the lease, that lease or an amended lease would require its own review and approval pursuant to Charter Section 384(b)(4). If a new lease was granted for a substantially different program, then a reopening of the environmental record would be required as part of that process.

- Why does zoning map change (C 130076 ZMM) and special district (N 130077 ZRM) include property outside of the development site? Although the rezoned property that will remain in RIOC's control is not subject to zoning, inclusion in the C4-5 and special district allows the zoning to be applicable without any public review when RIOC relinquishes control of the property. In addition, the language of Section 133-05 has publicly accessible hours that are more restrictive than the current 24 hours for the existing promenade. This is another reason why the zoning actions should be limited to Cornell's site.

**RESPONSE:** As noted in the comment, the zoning text WOULD NOT change operations or hours of the promenade or RIOC's control at all. The only purpose of the zoning text is to address what could happen to the waterfront area once RIOC's lease ends, whether in 2068 or at some

other date. Our intention in including the waterfront in the Special District was to ensure that the property be maintained solely as open space into the future.

Cornell has no intention or desire to dictate the hours of the waterfront. The hours proposed in the text are the hours applicable to all waterfront open space areas and would be the hours that apply to any open space on the waterfront in absence of the proposed zoning text amendment.

- Explain the purpose of the definition of Base Plane.

**RESPONSE:** The base plane (set at elevation 19.0') is the height against which the building heights and envelope controls are measured. Elevations across the site currently range from about 10.5 to 24.0 feet, and the base plane is set several feet above the current 100 year flood plain to account for changes in environmental conditions.

- Section 133-04 – What is the purpose of the language allowing the accessory parking spaces “which may be available for public use”? Is such language necessary?

**RESPONSE:** The language is not necessary for Cornell's operations; however the purpose is to allow any unused parking spaces on the campus to be available to Roosevelt Island residents or visitors to the parks.

- Section 133-11 allows Use Group 17B, research, experimental and testing laboratories as-of-right within the special district. Currently, such uses are only permitted as-of-right in manufacturing districts and in C6 districts by special permit of the City Planning Commission. In order to grant that permit, which requires review pursuant to ULURP, the Commission must make certain findings. In addition such application must be referred to the Commissioner of Health and Mental Hygiene. The complete language of Section 74-48 is attached as Attachment C.

**RESPONSE:** Research labs are also allowed in mixed use districts where residential and commercial uses are also allowed. The use is a central element of the campus, namely developing technological prototypes for the research and development and academic components of the campus. The labs on an applied science campus focus on hardware and software applications, robotics, data analysis, etc. There is no plan for genetic or biologic testing, or use of lab animals. Cornell would be amenable to a text modification that imposes performance standards. These could include:

- Requiring any lab space to meet the performance standards applicable to labs in M1 manufacturing zones
- Requiring any lab space to meet the standards that apply to UG 17B labs in mixed use districts, including requirements that any lab space not be located in a building containing residential use.

- The underlying C4-5 floor area regulations generally remain unchanged by the special district (3.44 for residential and commercial uses and 6.5 for community facilities although Section 133-

21 limits Use Group 17B to and FAR of 3.4. In order to avoid the possibility of the site being entirely developed with uses such as laboratories, hotels or retail, and in case Cornell does not develop any or all of the site, specific uses should be limited in the disposition and/or the special district to the amounts described and analyzed in the DEIS as the reasonable worst case. Such limits were included the CPC's approval of the East River Science Park (See Attachment B).

**RESPONSE:** Cornell will be required to develop an applied science campus of at least 1.8 million square feet over the next 25 years, including a minimum of 620,000 square feet of academic space under its lease with the City. As noted above, in order to change any of the material terms of the lease, that lease or an amended lease would require its own review and approval pursuant to Charter Section 384(b)(4). If a new lease was granted for a substantially different program, then a reopening of the environmental record would be required as part of that process.

- The provisions of Section 133-231 are very technical and illustrations would be helpful to understand the provisions and intent. An illustration would also be useful to understand the areas affected by Section 133-232.

**RESPONSE:** The architect has developed a series of diagrams to help explain the zoning controls, which are attached.

- What is meant by "area" in Section 133-233? Is it *floor area*? What is the purpose of this section?

**RESPONSE:** The purpose of the Section is to make sure that any building that is taller than 180' above the base plane has a relatively small floor plate, i.e., no more than 15,000 sf. Because the control pertains to floor plate size, the 15,000 sf is a gross area amount rather than floor area.

- How does the language of Section 133-234 compare to that of the recently adopted "green zoning" text?

**RESPONSE:** The proposed text would allow for energy savings structures to count as permitted obstructions for height and setback; this is an additional measure over what the green zoning allows. This measure would allow for elements like the PVC canopy to extend above the base height. As drafted, the elements WOULD NOT be permitted obstructions for lot coverage purposes and WOULD be counted as part of the maximum 20% coverage of the publicly accessible open space.

- The zoning comparison chart included in the application does not include information relating to distance between buildings. This information is necessary to understand the modifications of Section 133-24. An illustration would also be useful.

**RESPONSE:** Under C4-5 zoning, there are no distance requirements between commercial and community facility uses, and residential uses are required to be between 40 and 60 feet away from another building. The proposed zoning would require at least eight feet of separation between buildings below a height of 180 feet, and at least 60 feet of separation above a height

of 180 feet. This allows for the buildings to be somewhat concentrated on the site, which in turn allows for larger areas of publicly accessible open spaces. A diagram showing this requirement is attached.

- Section 133-25 – The first two paragraphs seem confusing. Should one have been deleted? The section allows the Commission to make bulk modifications by authorization. An authorization is a non-ULURP action that does not go through ULURP. Why isn't a special permit which requires ULURP?

**RESPONSE:** The first paragraph can be deleted. Because the campus will be developed over a long period, we think that an accelerated review for beneficial changes to the envelope controls is a benefit to everyone. City Planning often refers authorizations out to the Community Board for advisory review, and Cornell would support such review.

- Section 133-31 (b) - an illustrative drawing would be useful. What is the difference between sections 133-31(b) and 133-31(c)? In 131-31(c), shouldn't the term "street line" be used instead of boundary?

**RESPONSE:** An illustrative drawing showing the open space areas is attached. Paragraph (b) relates to a 50' wide North-South corridor that will run the length of the campus from the proximity of the North Loop Road to the South Loop Road. Paragraph (c) relates to an at least 30' wide connection that runs east-west. The only reason for the use of "boundary" rather than "street line" in the text is to account for the fact that there will be a short period between adoption of the zoning text and the formal mapping of the streets.

- Section 133-32(a) – First paragraph; is there a definition of grade level? Can publically accessible area, which may be enclosed, be located in buildings?

**RESPONSE:** The portion of the open space that may be covered (a maximum of 20% of the requirement) would be allowed to be within buildings, provided that it remains open and publicly accessible and complies with the minimum height and other design requirements. "Grade level" is the actual level of the grade as it may change over time, and accordingly may vary from the "base plane".

- Section 133-32(c) allows open air cafes as permitted obstructions. Is it necessary to be a patron of the café to use the tables and chairs within them?

**RESPONSE:** It would not be necessary to be a patron of the café to use the tables and chairs, when not required for patron use.

- 133-50 – The "may" in the opening sentence should be changed to "shall". Who determines that the various requirements of sections (a) – (d) are substantially complete? This should be done by certification of the Chair of CPC to the Buildings Department. What is the purpose of the final paragraph?

**RESPONSE:** We would propose to keep the “may” (so that more open space can be provided at any point), but add language at the end of the introductory clause to make it clear that any phase in of the open space at MINIMUM meets the standards set forth in the text. Our proposal would be as follows: “The public access areas required pursuant to Section 133-30, inclusive, may be built out in phases on the *Development Parcel*, provided that any such phased public access area shall be provided in accordance with this Section.” The NYC Department of Buildings would be responsible for determining compliance.

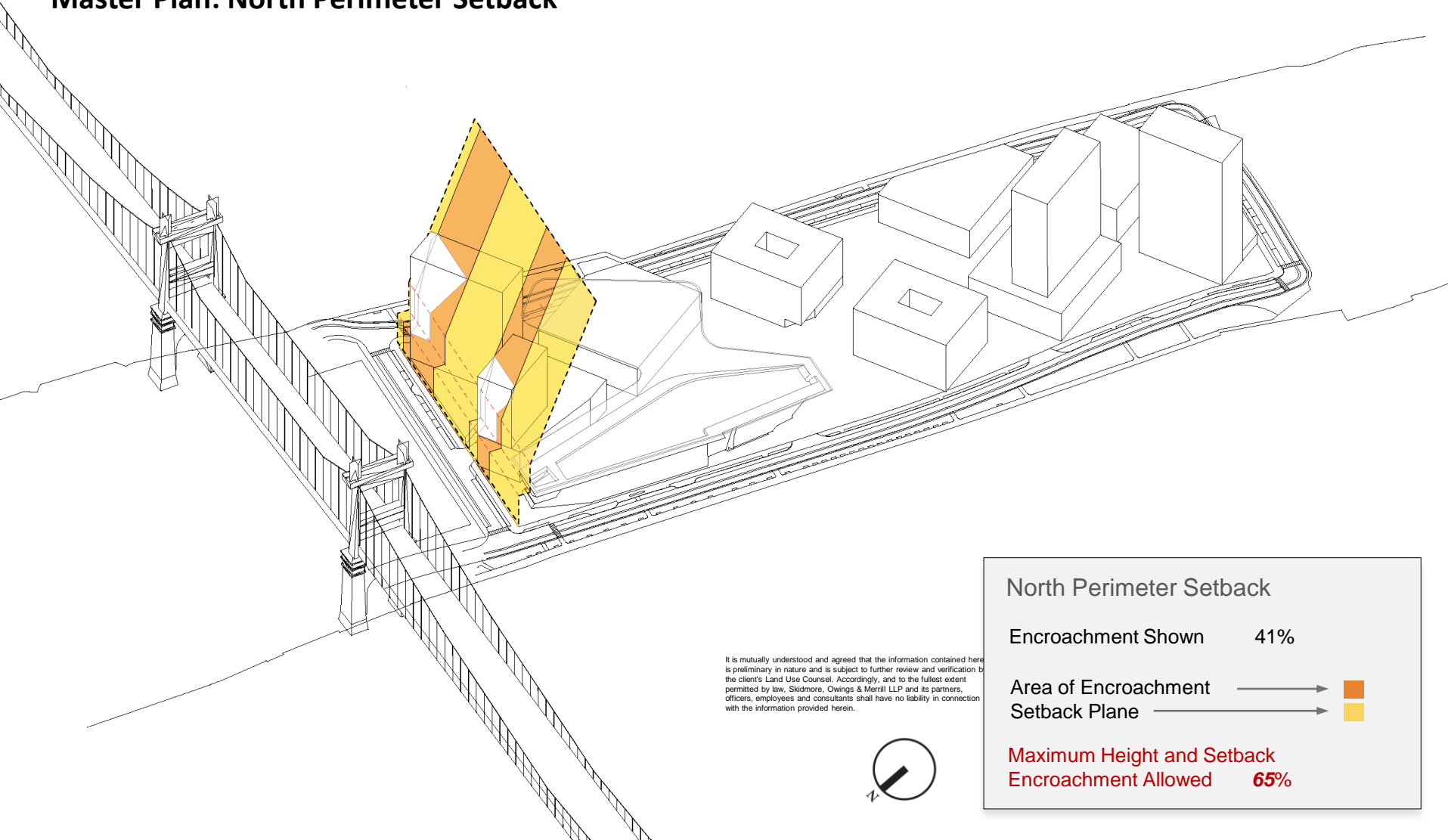
The open space phasing front loads the open space somewhat by requiring that the 20% publicly accessible open space requirement be met by the time 1.7 million square feet of development has been constructed on the site. The final paragraph simply makes it clear that once the full 20% has been provided, no additional open space is required as development proceeds.

- Section 133-60 appears to allow modification, elimination or reconfiguration with any review. At a minimum, this should be done by Chair certification, if not by CPC authorization or special permit.

**RESPONSE:** This section is important to allow for the open space on the Cornell campus to be upgraded and changed as and after the campus is built out. Any changed or reconfigured open space will continue to need to comply with the design controls set forth in the Zoning Resolution so the overall goals would be preserved. Cornell has already agreed that it would create a community-based advisory construction committee, and these sorts of future changes would be discussed with that group.

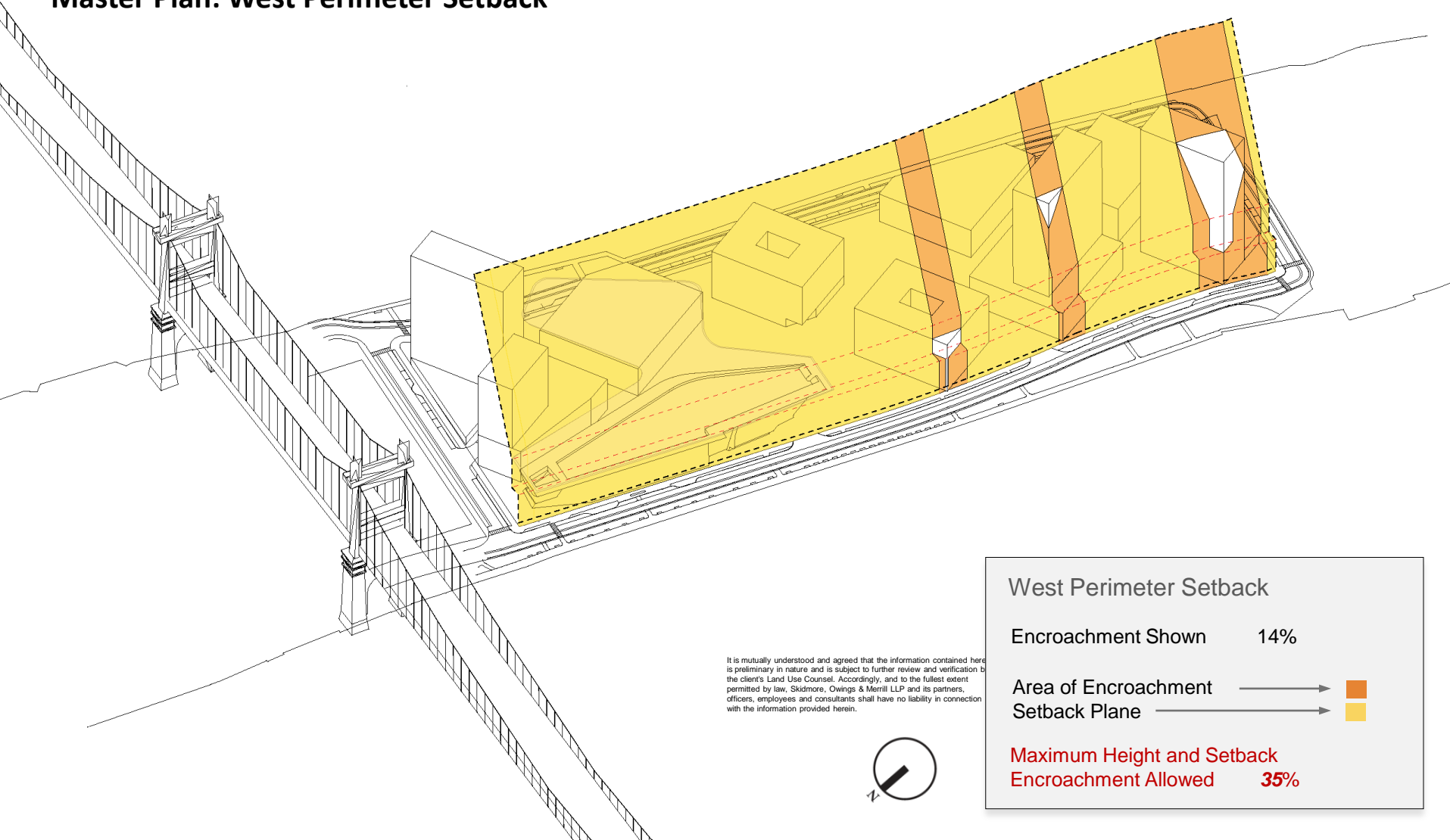
# Height and Setback Controls

## Master Plan: North Perimeter Setback



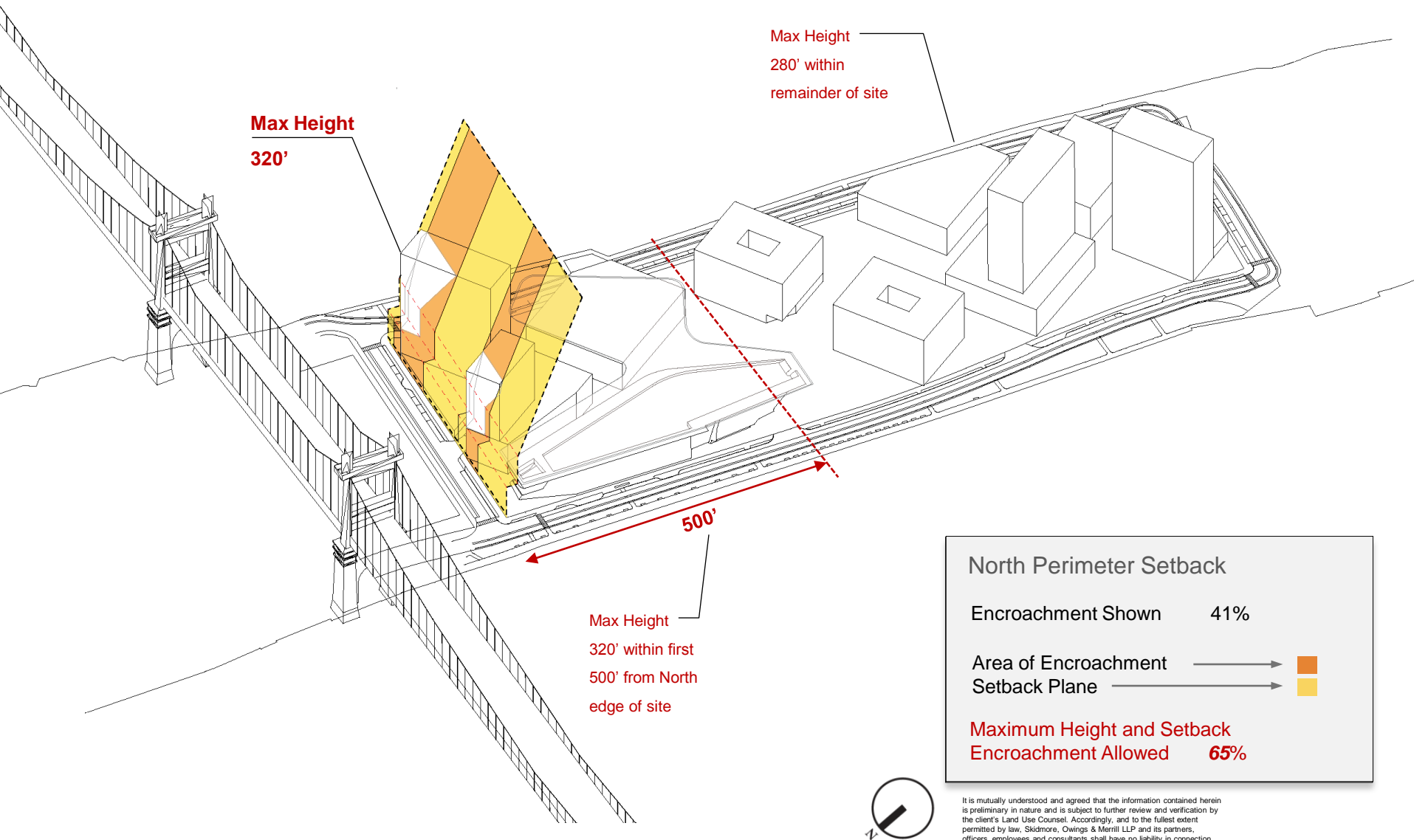
## Height and Setback Controls

### Master Plan: West Perimeter Setback



# Height and Setback Controls

## Master Plan: North Perimeter Setback

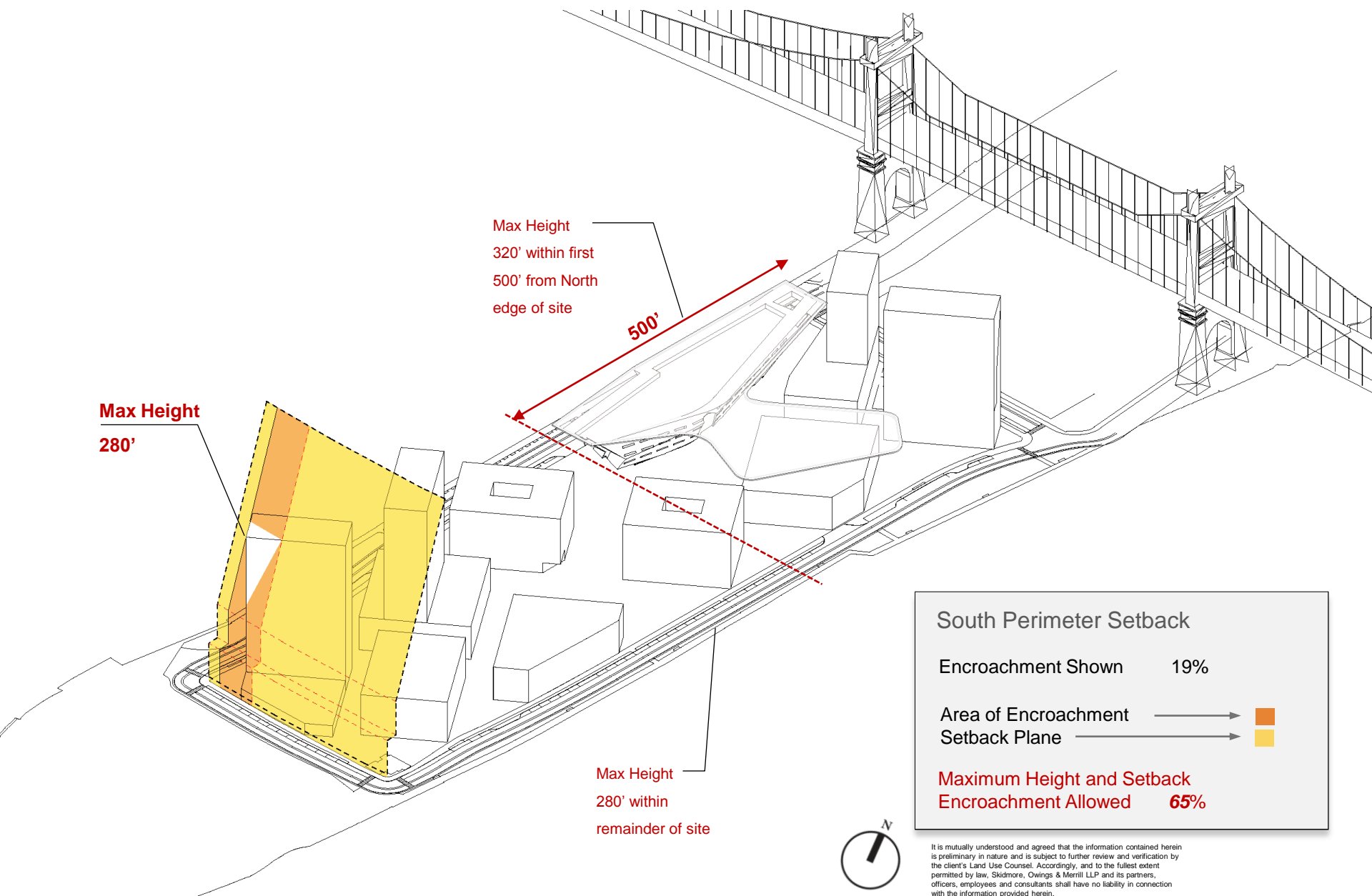


It is mutually understood and agreed that the information contained herein is preliminary in nature and is subject to further review and verification by the client's Land Use Counsel. Accordingly, and to the fullest extent permitted by law, Skidmore, Owings & Merrill LLP and its partners, officers, employees and consultants shall have no liability in connection with the information provided herein.



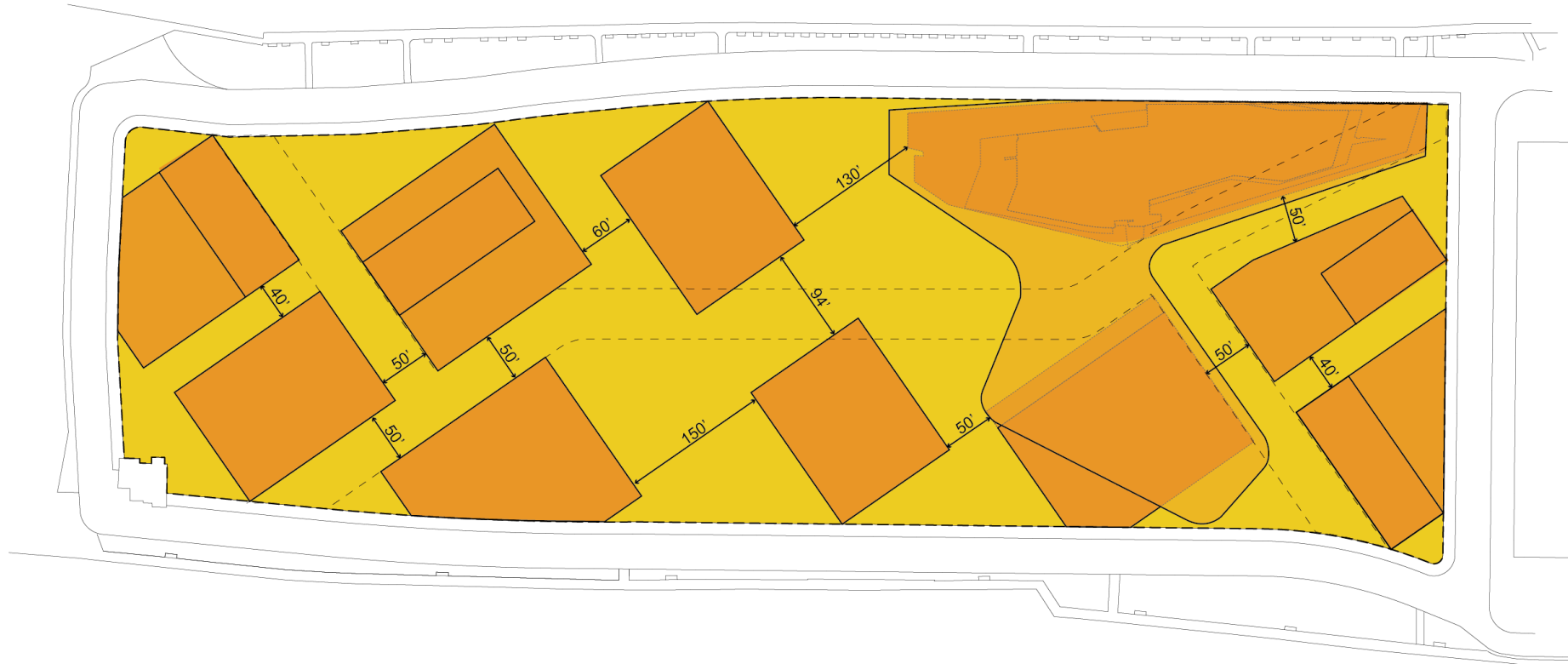
# Height and Setback Controls

## Master Plan: South Perimeter Setback



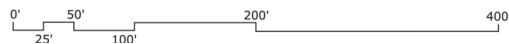
# Distance Between Buildings

0'-180' Above Grade as Currently Designed



Distance Between Buildings 0'-180'  
Above Grade

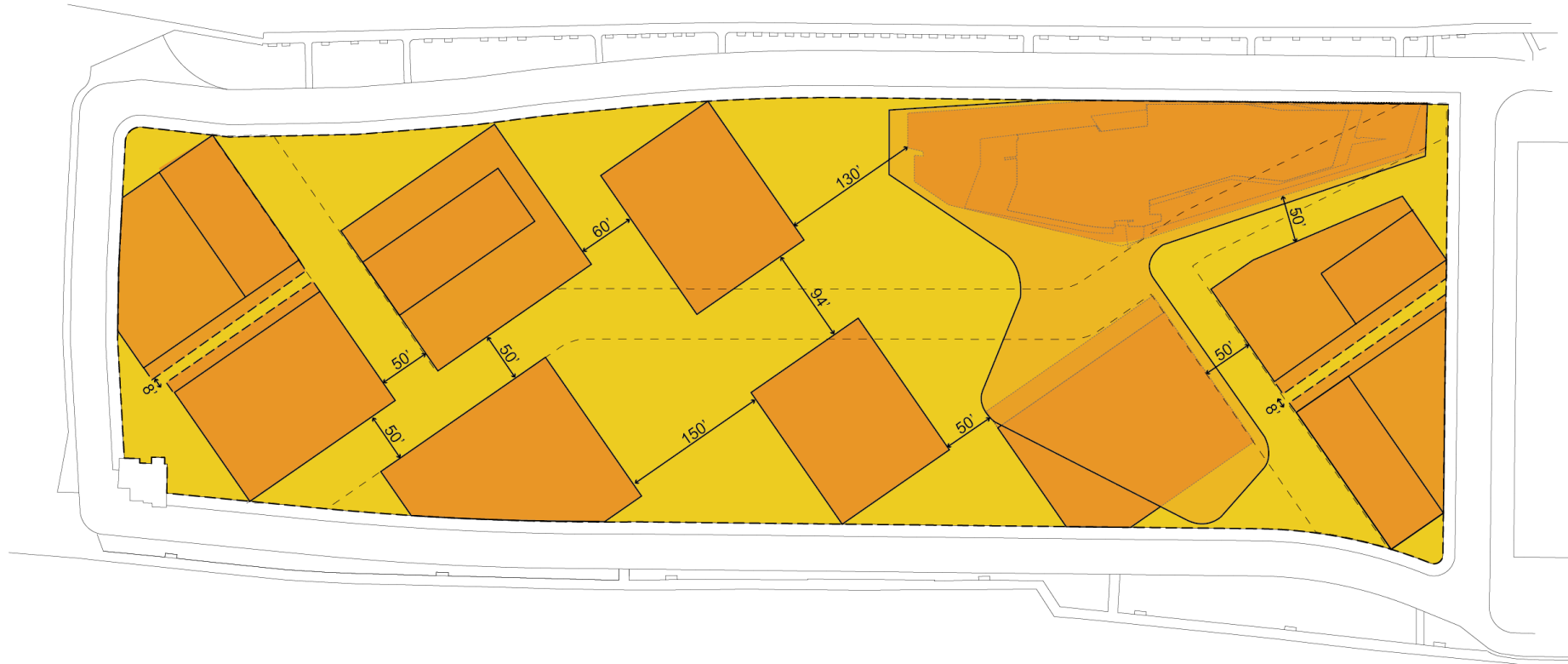
Minimum Width 8'




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# Distance Between Buildings

## 0'-180' Above Grade with Potential Future Build-Out

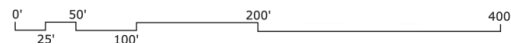


### Legend

 Area for Potential Future Build-Out

Distance Between Buildings 0'-180'  
Above Grade

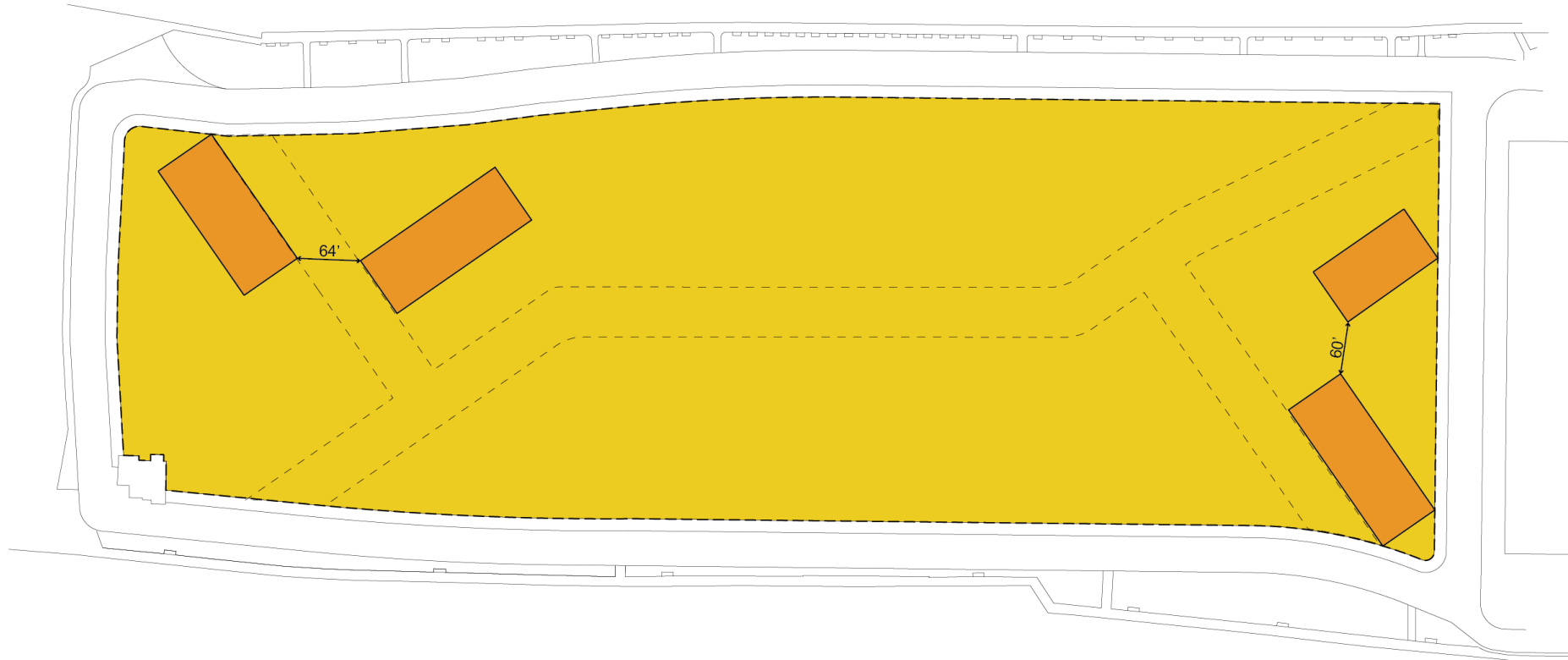
Minimum Width 8'



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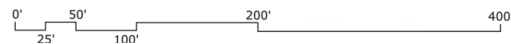
# Distance Between Buildings

180' + Above Grade as Currently Designed



Distance Between Buildings >180'  
Above Grade

Minimum Width 60'

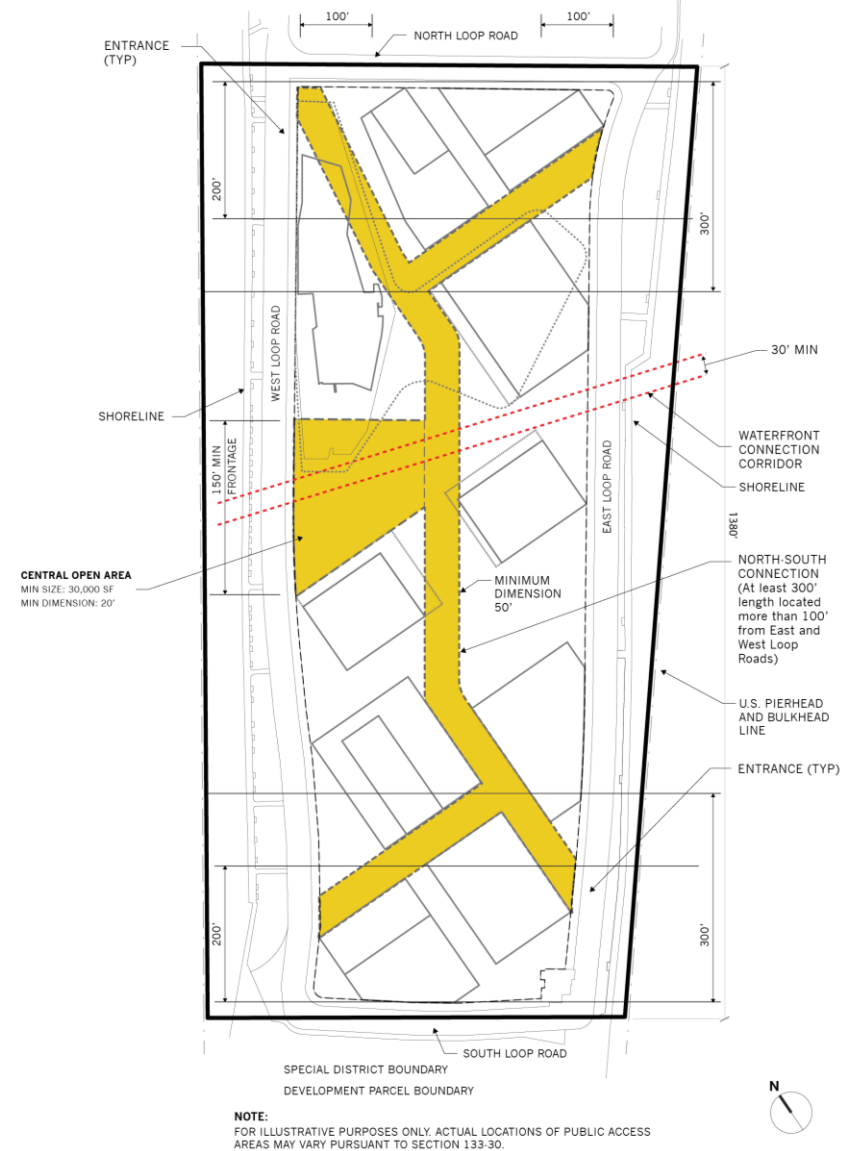


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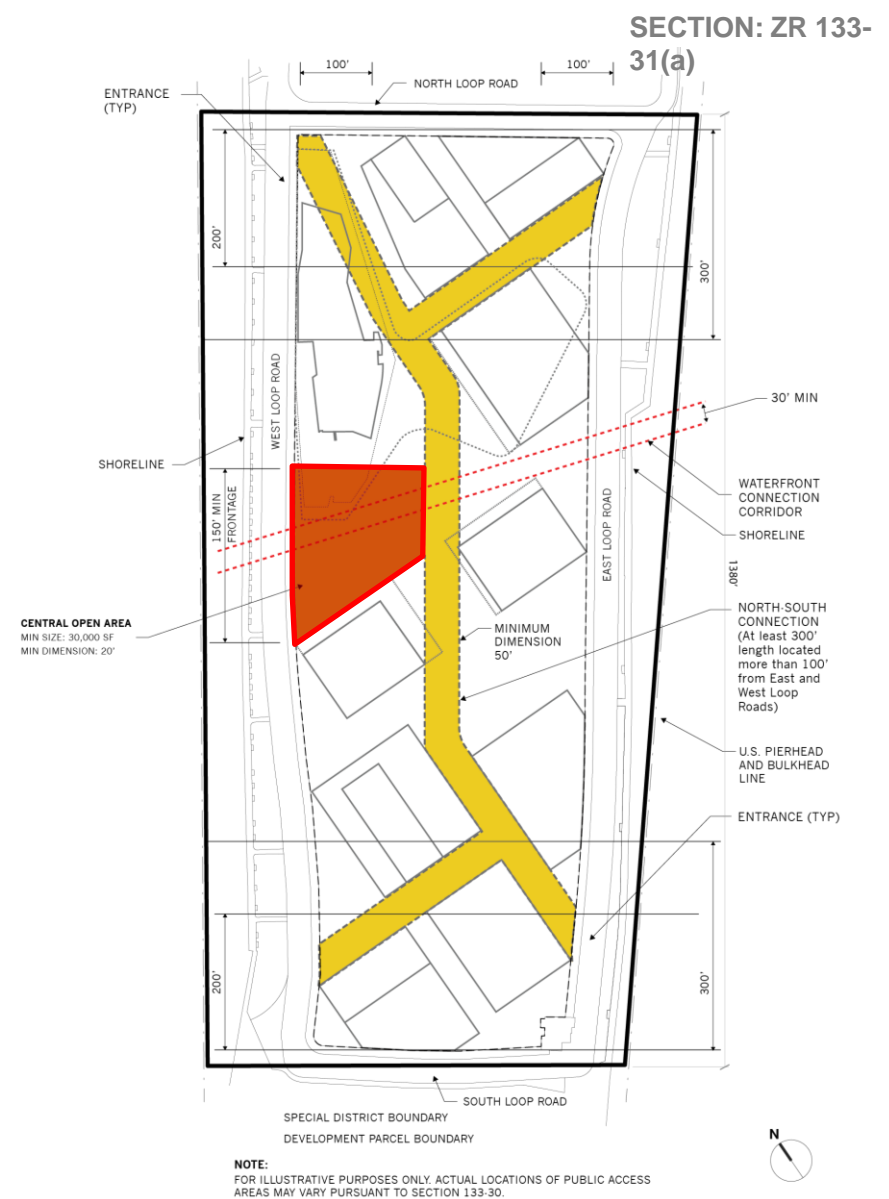
# Public Access Areas

- Required public access areas:
  - » Central Open Area
  - » North-South Connection
  - » Waterfront Connection Corridor
  - » Supplemental Open Space Areas



# Public Access Areas

- Public Access Areas
  - **Central Open Area:**
    - Adjacent to West Loop Road (at least 150' of frontage)
    - Minimum 30,000 sf
    - Minimum 300' from northern and southern boundaries of Development Parcel
    - Connection to North-South Connection
    - Seating/Landscaping (30%) requirements



**SECTION: ZR 133-31(b)**

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- 31(b)
- ENTRANCE (TYP)
- 100'
- NORTH LOOP ROAD
- 100'
- 200'
- 300'
- SHORELINE
- WEST LOOP ROAD
- 150' MIN FRONTAGE
- CENTRAL OPEN AREA  
MIN SIZE: 30,000 SF  
MIN DIMENSION: 20'
- MINIMUM DIMENSION 50'
- EAST LOOP ROAD
- 30' MIN
- WATERFRONT CONNECTION CORRIDOR
- SHORELINE
- OREL
- NORTH-SOUTH CONNECTION  
(At least 300' length located more than 100' from East and West Loop Roads)
- U.S. PIERHEAD AND BULKHEAD LINE
- ENTRANCE (TYP)
- 200'
- 300'
- SOUTH LOOP ROAD
- SPECIAL DISTRICT BOUNDARY
- DEVELOPMENT PARCEL BOUNDARY
- NOTE:  
FOR ILLUSTRATIVE PURPOSES ONLY. ACTUAL LOCATIONS OF PUBLIC ACCESS AREAS MAY VARY PURSUANT TO SECTION 133.30.
- N



# Public Access Areas

- Public Access Areas
  - **Waterfront Connection Corridor:**
    - Located at least 300' from northern and southern boundaries of Development Parcel
    - Minimum 30' width
    - Minimum 12' clear path within required width

