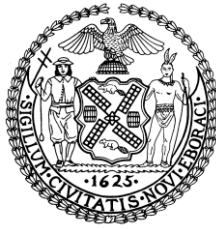


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**The City of New York
Community Board 8 Manhattan
Zoning and Development Committee
Monday, September 19, 2019 – 6:30PM
New York Blood Center, Auditorium
310 East 67th Street**

Please note: The resolutions contained in the committee minutes are recommendations submitted by the committee co-chairs to the Community Board. At the monthly full board meeting, the resolutions are discussed and voted upon by all members of Community Board 8 Manhattan.

Committee Members present: Vanessa Aronson, Elizabeth Ashby, Gayle Baron, Michele Birnbaum, Alida Camp, Barbara Chocky, Anthony Cohn, Greg Lader, Valerie Mason, Sharon Pope Marshall, Rita Popper, Barry Schneider, Marco Tamayo, Adam Wald, Elaine Walsh, Shari Weiner

Excused:

Resolutions for Approval:

Item 3 - Unanimous

The meeting was called to order at 6:35 PM by Dr. Elaine Walsh, Committee Co-Chair.

1. Update and Discussion of the CB8 Zoning Application for Special Zoning Districts on First, Second, Third and York Avenues.

Tuck Edelstein of Edelstein Architects, CB 8's land use consultant, provided an update on the Community Board's proposal to create two new special districts. The Yorkville District will run from 79th Street to 96th Street and from Third Avenue to the East River. The Lenox Hill District's boundaries are from 60th Street to 79th Street from Third Ave to the East River. These proposed special districts covering Third, Second, First and York Avenues have three goals: (1) Limit building heights to 210 feet while still allowing development of FAR 10 and FAR 12, including affordable housing bonuses. (2) Preserve existing affordable housing in Old Law and New Law Tenements. (3) Support and expand small business retail. Two pre-applications with detailed descriptions have been prepared and discussed with elected officials and are currently under discussion with the Department of City Planning.

2. Discussion of Variety Store Zoning

Elizabeth Ashby, Committee Co-Chair, briefed the attendees about the need to send a letter to the City Planning Commission requesting a change in variety store zoning. Variety stores are in Use Group 6 which provides for small local retail stores and service businesses. They are limited to 10,000 square feet of floor area but cellar space does not count in allowable floor area. For example, a 20,000 square foot variety store with 10,000 square feet on the ground floor and 10,000 square feet in the cellar is permitted; a 20,000 square foot variety store with 10,000

square feet on the ground floor and 10,000 square feet on the second floor is not permitted. CB 8 is requesting that cellar space in Use Group 6 Variety Stores be counted in floor area.

3. Presentation and Discussion of Lenox Hill Hospital's Proposal for its Block between Park and Lexington Avenues, and 76th Street and 77th Street.

Principle presenters were Dr. Jill Kalman MD, Executive Director, Lenox Hill Hospital, Joshua Strugatz VP, Lenox Hill Hospital, and Tomas Rossant AIA, Design Partner, Ennead Architects.

Dr. Kalman began by explaining that Lenox Hill has served the community since 1857 and is comprised of 10 separate buildings, several of which are over 100 years old. She said the hospital is outdated and since Lenox Hill partnered with Northwell, there has been more demand for hospital services. Plans are to create a revitalized 516 foot tall hospital on Lexington equipped to deliver comprehensive, next generation of care. Among the planned upgrades are single bed patient rooms giving more privacy for patients and families and reducing the risk of infections, expansion of operating rooms to accommodate new and emerging technology, enlargement of the 14,300 square foot Emergency Room handling 56,000 visits per year and construction of a baby hospital with an expanded neonatal intensive care unit.

Mr. Strugatz spoke about loading dock issues and proposed improvements to address traffic congestion surrounding the hospital. There will be separate loading dock entrances and in-building spaces for ambulances which should address the congestion problem. The entrance to the subway on the west side of Lexington will be widened and discussions are underway with the MTA with the hope of securing installation of an elevator. No commitment has been reached at this time. There will also be accessible community spaces for hospital support groups, health fairs and meetings.

Next, Mr. Rossant discussed the architectural elements of the plan. Among the improvements not addressed by the previous speakers, he said that the ICU rooms will have to be larger in the future in order to allow for more procedures within the rooms, thus avoiding the OR in certain instances. The OR rooms will be enlarged to 5,000 to 6,000 square feet to accommodate future equipment needs. There will 24 patient rooms per floor with a proposed 960 square feet per room.

Construction will take place in phases to enable the hospital to continue to provide all services. Phase 1 is the hospital complex located along Lexington Avenue, which will take approximately 6 years from start to finish. Three and one-half years will be spent on exterior work and two and one-half years on the interior. Phase 2, the condominium at Park Ave and 77th Street, will take approximately three years to complete. The façade work and interior work will each take one and a half years. Phase 2B along 76th Street is new construction that will take approximately three years-two years spent on external construction and one year on interiors.

It was noted by Lenox Hill staff that revenue from operations, philanthropy and a capital campaign will cover 75% of the project's cost leaving a 25 % gap. Staff said the sale of apartments in the residential building is critical to moving forward.

Lenox Hill is also working on other projects in the neighborhood including their building on Third Avenue which is slated to become an ambulatory comprehensive cancer center. The renovation of 115 East 75th Street will become physician offices.

The NY Blood Center Auditorium was filled to capacity and numerous members of the public as well as Board Members raised questions about the project. Among the issues raised were concerns about the scope of the project which violates existing zoning regulations. The hospital on Lexington is slated to be 516 feet tall even though the current zoning height limit is 170 feet. The Park Avenue condominium building at 490 feet exceeds the existing zoning limit of 210 feet or 19 stories, whichever is less. Moreover, the mid-block at a height of over 200 feet far exceeds the 75 feet height currently permitted. Attendees raised quality of life issues. They feared that the new complex is likely to impact space, air and light and cast shadows on surrounding buildings. Others felt the hospital was overbuilding, creating a vanity project destroying the existing character of the neighborhood. A board member's mock up showed how out of scale the proposed renewed hospital will be with the surrounding buildings. Some expressed concern about construction debris, noise and traffic during the ten year construction period. Others questioned whether congestion surrounding the hospital will be adequately addressed within the proposed plan. A question was raised as to why there was not the required affordable housing component. Another query was why the Third Avenue project was not woven into the overall redevelopment program since there are currently no height limits on Third and the condominium building or other hospital services could be placed there. The community group "Save Lenox Hill" has secured information that they believe illustrates that Lenox Hill /Northwell is financially able to undertake this rebuilding hospital project without the proposed residential component. It was noted that the condominiums on Park Avenue will not provide medical services. Since this site was carved out of the Upper East Side Historic District for hospital uses initially and since the proposed residential building no longer will be part of the hospital, it was recommended that the site should revert to the 210 foot height limit and become a part of the Upper East Side Historic District.

The following resolution was passed by a vote of 13-0-0

In Favor: Vanessa Aronson, Elizabeth Ashby, Gayle Baron, Michele Birnbaum, Alida Camp, Barbara Chocky, Craig Lader, Valerie Mason, Rita Popper, Marco Tamayo, Adam Wald, Elaine M. Walsh, Sharon Weiner; **Opposed:** None; **Abstain:** None

WHEREAS Lenox Hill Hospital | Northwell Health is proposing a series of zoning actions, consisting of: of: (i) rezoning the Development Site to a C2-8 (R10 equivalent) district; (ii) text amendments to: remove the western portion of the Development Site from the Special Park Improvement District; map a Mandatory Inclusionary Housing area over the Development Site; allow the Development Site to be redeveloped as a large-scale community development; provide for modification, by special permit, of height and setback regulations for a large-scale community development; allow, by special permit, a floor area increase of 2.0 FAR, without an affordable housing component, for a project at least 70% of which would be community facility use; and allow, by special permit, a floor area increase up to a total of 15.0 FAR for a mixed-use project with a substantial community facility component and additional amenities; and (iii) special permits to permit the proposed project on the Development Site up to a total of 15.0 FAR, of which 77.6% would be comprised of 21st century state of the art hospital use.

WHEREAS this proposal, as presented, is a significant violation of the Zoning Resolution, and

WHEREAS the proposed Park Avenue and 76th Street apartment building will be 490 feet tall where the existing zoning height limit is 19 stories or 210 feet, whichever is less, and

WHEREAS the proposed Lexington Avenue hospital building will be 516 feet tall where the existing zoning height limit is 170 feet, and

WHEREAS the proposed mid-block portion of the hospital will be over 200 feet tall where the existing zoning height limit is 75 feet, and

WHEREAS the Northwell Lenox Hill Hospital has applied for a rezoning of the block to C2-8, and

WHEREAS Northwell Lenox Hill Hospital is requesting enormous waivers of most of C2-8's provisions, and

WHEREAS the total FAR of the proposed buildings on the block would be approximately 15, and the maximum allowable FAR is approximately 7.5, and

WHEREAS the proposal is approximately double the allowable bulk and two-and-a-half to three times the allowable height on the block, and

WHEREAS the blocks between Park and Lexington Avenues in Community District 8 are currently appropriately zoned, accurately reflecting their scale and character, and

WHEREAS the current controls are necessary to protect the neighborhood's existing character and the quality of life of the residents, and

WHEREAS Northwell/Lenox Hill Hospital proposes to sell the Park Avenue/76th Street site to a developer for the purpose of constructing luxury housing, and

WHEREAS the applicant claims that the proceeds of the sale of this site is necessary to provide needed funding for this project, and

WHEREAS information provided by the community group, *Save Lenox Hill*, suggested that Northwell was well positioned to fund this project without constructing the oversize, out of context residential building, and

WHEREAS the period of construction is projected to be approximately 10 years, and

WHEREAS there are significant concerns about construction debris, noise, and traffic, and

WHEREAS Northwell Lenox Hill Hospital is proposing to widen the steps of the subway entrance on the southwest corner of 77th Street and Lexington Avenue and install an elevator for subway access at this location, but does not, as yet, have a commitment from the MTA, and

WHEREAS there is serious concern as to whether or not the subway access plans are sufficient, and

WHEREAS the community has not been presented with an Environmental Impact Study, and

WHEREAS there are significant concerns about shadows that will be cast by the tall buildings, and

WHEREAS there are no plans for garages or an evaluation of the impact of this development on traffic before, during, and after construction, and

WHEREAS the carve out in the Upper East Side Historic District, permitting Lenox Hill Hospital to be excluded from the Historic District, was predicated on the current height and configuration of the hospital complex and the fact that it is a hospital, and

WHEREAS the proposed 490 foot residential building on Park Avenue is an egregious affront to the Historic District, and

WHEREAS the architecture is inconsistent with the residential architecture on Park Avenue, and

WHEREAS the residential building is out of context, and

WHEREAS the project does not provide for affordable housing, and

WHEREAS completion of this project, as presented, would have a negative impact on the surrounding community, and

WHEREAS the Community Board is not in opposition to the modernization of Lenox Hill's medical facilities, and

WHEREAS the Community Board looks forward to working with Northwell Lenox Hill to amend these development plans to the mutual satisfaction of the hospital and the community, and

WHEREAS there were no plans presented about the Third Avenue site, but just a verbal explanation that it would be an out-patient cancer treatment center, medical offices, and an outpatient medical diagnostic and treatment center, rising no more than 210 feet, and

WHEREAS the community values the services of Lenox Hill Hospital and feels confident that its modernization needs could be met within the current zoning and without the negative impact of the current plan,

THEREFOR BE IT RESOLVED, that Community Board 8 strongly disapproves the plan, as presented, but looks forward to working with Northwell Lenox Hill Hospital to effect a design that complies with the existing zoning regulations, addresses community concerns, and satisfies the hospital modernization plan.

Before adjourning the meeting, Dr. Walsh reiterated that CB8 is in favor of Lenox Hill upgrading its facilities, but the hospital's request for numerous variances is extreme and flies in the face of the existing Zoning Resolution whose purpose is to keep the neighborhood in appropriate character and scale.

There being no further business the meeting was adjourned at 9:55 PM.

Respectfully submitted,
Elizabeth Ashby, Co-Chair
Dr. Elaine Walsh, Co-Chair