CITY PLANNING COMMISSION

August 21, 2013 | Calendar No. 12 C 130214 ZMM

IN THE MATTER OF an application submitted by Memorial Hospital for Cancer and Allied Diseases (MSK) and City University of New York (CUNY) pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 9a:

1. changing from an M3-2 District to a C1-9 District property bounded by East 74th Street, Franklin D. Roosevelt Drive, East 73rd Street, and a line perpendicular to the northerly street line of East 73rd Street distant 315 feet westerly (as measured along the street line) from the point of intersection of the northerly street line of East 73rd Street and the westerly street line of Franklin D. Roosevelt Drive; and

2. changing from an M3-2 District to an M1-4 District property bounded by East 74th Street, a line perpendicular to the northerly street line of East 73rd Street distant 315 feet westerly (as measured along the street line) from the point of intersection of the northerly street line of East 73rd Street and the westerly street line of Franklin D. Roosevelt Drive, East 73rd Street, and a line perpendicular to the northerly street line of East 73rd Street distant 320 feet westerly (as measured along the street line) from the point of intersection of the northerly street line of East 73rd Street and the westerly street line of Franklin D. Roosevelt Drive;

Borough of Manhattan, Community District 8, as shown on a diagram (for illustrative purposes only) dated March 18, 2013.

The application was filed by Memorial Hospital for Cancer and Allied Diseases and City University of New York on March 12, 2013, for a zoning map amendment to rezone an existing M3-2 zoning district to a C1-9 district and an M1-4 district in association with a proposed general large-scale development on property generally bounded by East 74th Street, Franklin D. Roosevelt Drive, East 73rd Street, and a line approximately 320 feet west of Franklin D. Roosevelt Drive, within Manhattan Community District 8.

RELATED ACTIONS

In addition to the special permit which is the subject of this report (C 130214 ZMM), implementation of the proposed development also requires action by the City Planning Commission on the following applications which are being considered concurrently with this application:

> **N 130215 ZRM**: zoning text amendment to create a new provision in Section 74-743 to permit floor area increase of up to 20 percent in exchange for provision of a public park improvement, as modified;
>
> **C 130216 ZSM**: a special permit, pursuant to Section 74-743, to allow for modifications of height, setback, yard, and floor area regulations for a Large Scale General Development;
>
> **C 130217 ZSM**: a special permit, pursuant to Section 74-744(c), to modify sign regulations;
>
> **C 130218 ZSM**: a special permit, pursuant to Section 13-561, for an accessory parking facility with 248 spaces;
>
> **C 130219 PPM**: Disposition of City-owned property, as modified.

BACKGROUND

A full background discussion and description of this application appears in the related report for a special permit application (C 130216 ZSM).

ENVIRONMENTAL REVIEW

This application (C 130214 ZMM), in conjunction with the application for the related actions,

was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 *et seq.* and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The lead agency is the Office of the Deputy Mayor for Economic Development (ODMED). The designated CEQR number is 13DME003M.

A summary of the environmental review and the Final Environmental Impact Statement appears in the related report for a special permit application (C 130216 ZSM).

UNIFORM LAND USE REVIEW

This application (C 130214 ZMM), in conjunction with related applications (N 130215 ZRM, C 130216 ZSM, C 130217 ZSM, C 130218 ZSM, C 130219 PPM), was certified as complete by the Department of City Planning on March 18, 2013, and was duly referred to Community Board 8 and the Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules, along with the application for the zoning text amendment (N 130215 ZRM) which was referred for review and comment.

Community Board Public Hearing

Community Board 8 held a public hearing on this application on May 8, 2013, and on that date,

adopted a resolution recommending approval of the application with conditions.

A summary of the recommendations of Community Board 8 appears in the report for a related application for a special permit (C 130216 ZSM).

Borough President Recommendation

This application was considered by the Manhattan Borough President, who issued a recommendation approving the application with conditions on June 27, 2013.

A summary of the recommendations of the Manhattan Borough President appears in the report for a related application for a special permit (C 130216 ZSM).

City Planning Commission Public Hearing

On June 19, 2013, (Calendar No. 6), the City Planning Commission scheduled July 10, 2013, for a public hearing on this application (C 130214 ZSM), in conjunction with related applications (N 130215 ZRM, C 130216 ZMM, C 130217 ZSM, C 130218 ZSM, C 130219 PPM). The hearing was duly held on July 10, 2013, (Calendar No. 43) in conjunction with the public hearing on the applications for the related actions.

There were a number of appearances as described in the related application for a special permit (C 130216 ZSM), and the hearing was closed.

WATERFRONT REVITALIZATION PROGRAM CONSISTENCY REVIEW

This application (C 130214 ZMM), in conjunction with those for the related actions, was reviewed by the Department of City Planning for consistency with the policies of the New York City Waterfront Revitalization Program (WRP), as amended, approved by the New York City Council on October 13, 1999, and by the New York State Department of State on May 28, 2002, pursuant to the New York State Waterfront Revitalization and Coastal Resources Act of 1981 (New York State Executive Law, Section 910 et seq.). The designated WRP number is 12-102.

Based on the information submitted, the Waterfront Open Space Division, on behalf of the New York City Coastal Commission, having reviewed the waterfront aspect of this action, finds that the actions will not substantially hinder the achievement of any Waterfront Revitalization Program (WRP) policy and hereby finds the project consistent with the WRP policies.

CONSIDERATION

The Commission believes that this application for a zoning map amendment (C 130214 ZMM), in conjunction with related applications (N 130215 ZRM, C 130216 ZSM, C 130217 ZSM, C 130218 ZSM, C 130219 PPM) is appropriate.

A full consideration and analysis of issues and the reasons for approving this application

appear in the related report for a special permit application (C 130216 ZSM).

RESOLUTION

RESOLVED, that having considered the Final Environmental Impact Statement (FEIS), for which a Notice of Completion was issued on August 8, 2013, with respect to this application (CEQR No. 13DME003M), the City Planning Commission finds that the requirements of the New York State Environmental Quality Review Act & regulations, have been met and that:

1. Consistent with social, economic, and other essential considerations, from among the reasonable alternatives thereto, the Proposed Action adopted herein is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and

2. The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, in accordance with the environmental commitment letter, dated August 13, 2013, from NYCEDC, those project components related to the environment and mitigation measures that were identified as practicable.

This report of the City Planning Commission, together with the FEIS, constitute the written statement of facts, and of social, economic and other factors and standards, that form the basis

of the decision, pursuant to Section 617.11(d) of the SEQRA regulations; and be it further

RESOLVED, by the City Planning Commission, pursuant to Sections 197-c and 200 of the New York City Charter, that based on the environmental determination and consideration described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is hereby amended by changing the Zoning Map, Section No. 9a:

1. changing from an M3-2 District to a C1-9 District property bounded by East 74th Street, Franklin D. Roosevelt Drive, East 73rd Street, and a line perpendicular to the northerly street line of East 73rd Street distant 315 feet westerly (as measured along the street line) from the point of intersection of the northerly street line of East 73rd Street and the westerly street line of Franklin D. Roosevelt Drive; and

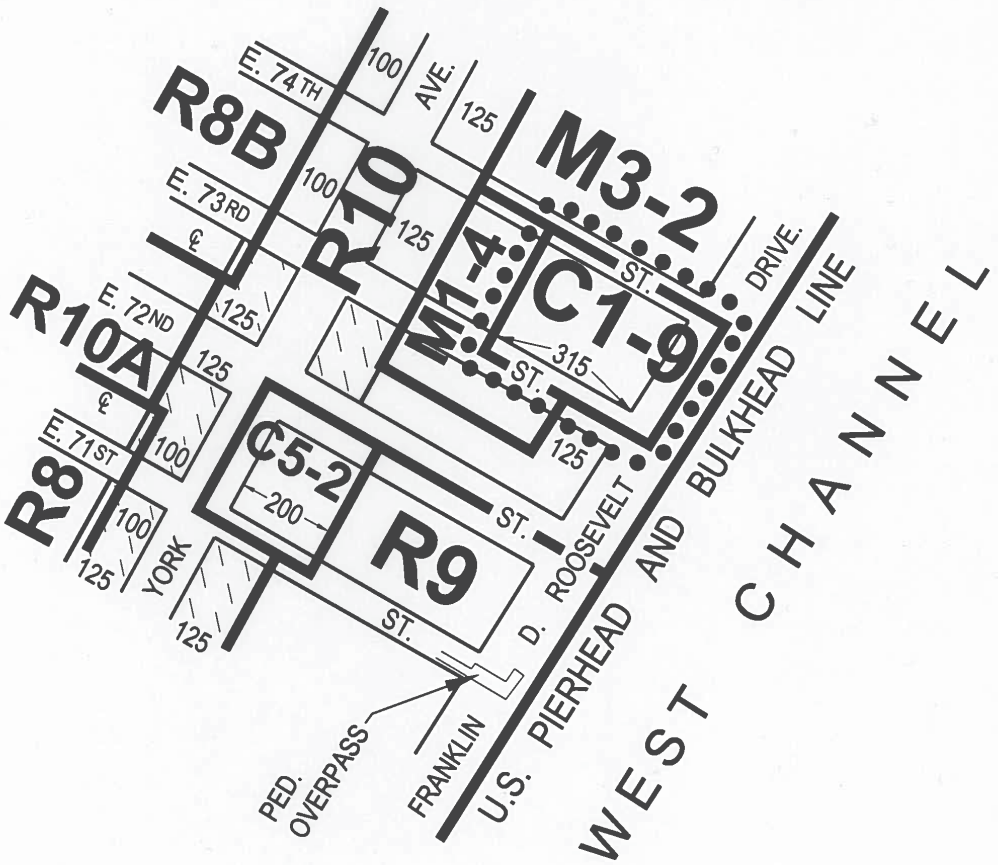
2. changing from an M3-2 District to an M1-4 District property bounded by East 74th Street, a line perpendicular to the northerly street line of East 73rd Street distant 315 feet westerly (as measured along the street line) from the point of intersection of the northerly street line of East 73rd Street and the westerly street line of Franklin D. Roosevelt Drive, East 73rd Street, and a line perpendicular to the northerly street line of East 73rd Street distant 320 feet westerly (as measured along the street line) from the point of intersection of the northerly street line of East 73rd Street and the westerly street line of Franklin D. Roosevelt Drive;

Borough of Manhattan, Community District 8, as shown on a diagram (for illustrative purposes only) dated March 18, 2013.

The above resolution (C 130214 ZMM), duly adopted by the City Planning Commission on August 21, 2013 (Calendar No. 12), is filed with the Office of the Speaker, City Council, and the Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

AMANDA M. BURDEN, *FAICP*, Chair
ANGELA M. BATTAGLIA, RAYANN BESSER, IRWIN G. CANTOR, P.E.,
ALFRED C. CERULLO, III, BETTY Y. CHEN, MICHELLE R. DE LA UZ,
MARIA M. DEL TORO, JOSEPH I. DOUEK,
ANNA HAYES LEVIN, ORLANDO MARIN, Commissioners

RICHARD W. EADDY, recused



CITY PLANNING COMMISSION

CITY OF NEW YORK

DIAGRAM SHOWING PROPOSED

ZONING CHANGE

ON SECTIONAL MAP

9a

BOROUGH OF

MANHATTAN

New York, Certification Date
MARCH 18, 2013

J. Miraglia, Director
Technical Review Division

SCALE IN FEET

400 0 400

NOTE:

Indicates Zoning District Boundary.

The area enclosed by the dotted line is proposed to be rezoned by changing an M3-2 District to C1-9 and M1-4 Districts.

Indicates a C1-5 District.

THIS DIAGRAM IS FOR ILLUSTRATIVE PURPOSES ONLY.