



CITY PLANNING COMMISSION

June 17, 2015 / Calendar No. 6

C 150248 ZSM

IN THE MATTER OF an application submitted by Hospital for Special Surgery pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Zoning Resolution Section 74-682 (Developments over streets) to permit the modification of the lot coverage requirements of Section 24-11 (Maximum Floor Area Ratio and Percentage of Lot Coverage) in connection with a proposed 5-story plus 6-floor mechanical penthouse enlargement for a zoning lot generally bounded by the U.S. Pierhead and Bulkhead Line of the East River, the center line of the former East 70th Street, a line approximately 417 feet east of the York Avenue, and the center line of East 71st Street (Block 1482, Lots 20 and p/o 9020), within an R9 District, Borough of Manhattan, Community District 8.

The application by Hospital for Special Surgery was filed on February 2, 2015. The application is for a special permit pursuant to Section 74-862, to allow an increase in the permitted lot coverage to facilitate a 2,820 square-foot enlargement of the Hospital for Special Surgery; and for an approval by the City Planning Commission, under the 1973 agreement between the City of New York, Hospital for Special Surgery, Rockefeller University, and New York-Presbyterian Hospital, as amended, to allow development in the demapped air space above the former East 70th Street.

RELATED ACTIONS

In addition to the application for a special permit which is the subject of this report (C 150249 ZSM), implementation of the proposed development also requires action by the City Planning Commission on the following application which is being considered concurrently with this application:

N 150264 CMM: A City Planning Commission certification pursuant to Exhibit H of the 1973 Agreement for the construction of a building or other improvements in any portion of the demapped air space over the former East 70th Street.

BACKGROUND

The Hospital for Special Surgery is located in Manhattan's Upper East Side, with its main hospital buildings located adjacent to and over the Franklin Delano Roosevelt (FDR) Drive, between former East 70th Street and East 72nd Street. The Hospital for Special Surgery's campus includes the West Wing of the Hospital's Main Building, located to the west of the FDR Drive between East 71st Street and former East 70th Street; the East Wing of the Hospital's Main Building, located immediately to the east of the West Wing Building on a platform spanning over the FDR Drive; the Caspary Research Building located on the northern side of East 71st Street; and the Belaire Building, a mixed use community facility and residential building on the southern side of East 72nd Street with its main entrance located on a publicly accessible plaza fronting East 71st Street. The subject of this current application is the West Wing of the Main Building.

The Hospital for Special Surgery is a teaching hospital specializing in orthopedic and rheumatologic research and care. The West Wing is the original hospital building and was constructed in the 1950s on an as-of-right basis under pre-1961 zoning. The Hospital for Special Surgery has received various special permits and approvals from the City Planning Commission over the years for the expansion of their campus. The past approvals include a series of special permits, City Map amendments, disposition approvals, and special approvals pursuant to enabling legislation allowing for the expansion of Hospital for Special Surgery's campus over adjacent streets and the FDR Drive.

Enabling legislation was adopted by the State of New York on May 13, 1971, authorizing the City of New York to close volumes of the FDR Drive between East 62nd Street and half-way between East 71st Street and East 72nd Street, as well as some adjacent streets, to facilitate the expansion of three not-for-profit institutions: Rockefeller University, the Society of New York Hospital (New York-Presbyterian Hospital), and the Society for the Relief of the Ruptured and Crippled (the formal name of Hospital for Special Surgery). The three institutions entered into an agreement with the City of New York on March 22, 1973, governing implementation of the legislation. In 1983 and 1993, the Agreement was amended to be consistent with new City waterfront goals, including changing a proposed elevated walkway to an at-grade walkway and changing the location of access ramps to the walkway. The Agreement remains in effect, as amended.

Pursuant to the agreement, in 1973, the entirety of former East 70th Street from York Avenue to the FDR Drive was eliminated from the City Map. The demapped volume of the former street above a height of 20 feet above-grade was conveyed to Hospital for Special Surgery by the City Planning Commission the same year (CP-22062; January 1, 1973). The remaining portion of the former street below a height of 20 feet above-grade was eliminated from the City Map in 1981 (C 800100 MMM; September 24, 1980). Of this, the volume between a height of 6 inches below-grade and 20 feet above-grade was conveyed to New York Hospital to facilitate the construction of the Starr Pavilion, a multi-story medical facility now owned and operated by New York-Presbyterian Hospital extending over the former East 70th Street. The portion of this volume immediately adjacent to Hospital for Special Surgery was subsequently conveyed by

New York-Presbyterian Hospital to the Hospital for Special Surgery. In 1992, volumes above the FDR Drive between East 71st Street and East 70th Street were demapped and disposed to Hospital for Special Surgery (C 910484 MMM; February 24, 1992). Additionally, subsurface volumes beginning six inches below-grade were conveyed to Hospital for Special Surgery and New York-Presbyterian Hospital in 1993 to allow for construction of the foundations of a service ramp pursuant to a City Planning Commission approval for the disposition (C 920017 PPM; February 24, 1992). The Hospital for Special Surgery owns the full above-grade volumes of former East 70th Street immediately adjacent to the Development Site to the mid-point of the former street and owns a series of support volumes extending below-grade. New York-Presbyterian Hospital owns the southern half of the above-grade portion of the former street, and the City owns the below-grade portion of the former street, other than the volumes from the support columns.

The Hospital for Special Surgery is seeking a new special permit under Section 74-682 of the Zoning Resolution to allow for an expansion of the West Wing Building that would extend over the former East 70th Street. The West Wing is a five to eleven-story structure west of the FDR Drive with approx. 225,151 SF of zoning floor area. The West Wing houses an ambulatory surgery unit, administrative offices, outpatient clinics, a pharmacy, a surgical suite, recovery, conference center, and support space.

The expansion would begin at the third floor of the West Wing and would extend upward for a total of four floors, including a mechanical floor. The third floor enlargement would add offices

and examination rooms. The fourth floor enlargement would add new operating rooms, increasing the number of surgeries able to be performed annually by about 2,500. The fifth floor enlargement would be used for storage and support functions, and the sixth floor expansion would accommodate mechanical space. This addition would allow the hospital to meet the growing demand for its services.

The proposed enlargement would extend 22 feet over the service ramp that replaced former East 70th Street, and would extend for a length of 128 feet 2 inches. A clear height of 14 feet would be maintained between the service ramp and the enlargement, and therefore ramp access would be not be impeded. The enlargement would be supported by extending the existing columns holding up the service ramp to the underside of the proposed enlargement and therefore no new below-grade areas would need to be demapped. The maximum floor plate size of the enlargement would be 2,820 square feet. Access to support areas and ambulance berths at the top of the ramp would be maintained, with three travel lanes provided on the service ramp.

The proposed enlargement would result in a total of 404,106 SF of zoning floor area on the Development Site. The permitted lot coverage for the development is 50,082 SF, the approved lot coverage is 55,820 SF, and the total lot coverage with this action would be 58,640 SF which is an increase of 2,820 SF. As required pursuant to Section 24-35(b), the Development Site would maintain an eight foot wide side yard. No changes to parking, curb cuts or loading would result from the enlargement.

To facilitate the proposed project, two actions by the City Planning Commission are required. First, a special permit under Section 74-682 (Developments over streets) is required to modify the maximum percentage of lot coverage set forth in Section 24-11 in order to allow for an increase in lot coverage on the Development Site by an additional 2,820 SF to a total of 58,640 SF. While East 70th Street no longer exists at this location and the enlargement would not be over all or a portion of a street, other portions of the Development Site are within demapped air space (i.e., portions above East 71st Street and the FDR Drive), allowing for use of this Special Permit on the Development Site. Under Section 74-682, the City Planning Commission may permit modification of bulk regulations if certain findings are made, including that the location and distribution of the new bulk shall result in a good site plan in relation to the existing building on site and in the area. The proposed project will comply with all bulk regulations other than lot coverage.

In addition, the project will require the City Planning Commission to make certain findings under Exhibit H to the 1973 Agreement, namely, in Paragraph (e): (i) that such construction will not substantially interfere with the vehicular and pedestrian use of the FDR Drive or the streets; and (ii) that such construction shall be in accordance with the provisions of the Agreement.

The Hospital for Special Surgery is located in Community District 8 within the Coastal Zone Boundary. The campuses of Rockefeller University and New York Presbyterian Hospital-Cornell Medical Center, which are designated large-scale community facility developments, are located east of York Avenue and south of the Hospital for Special Surgery buildings, to East 63rd

Street. Rockefeller University has a lower density character with open space and lower scale buildings while New York-Presbyterian Hospital is a dense complex of tightly packed buildings. Much of the surrounding area is zoned R9 that allows for residential development to a maximum FAR of 7.52, and allows for community facility development to 10 FAR without bonus, or up to 12 FAR with a qualifying public plaza. Besides the Hospital for Special Surgery's Caspary Research Building and the 43-story Belaire Building, the block bounded by East 71st Street, East 72nd Street, York Avenue, and the FDR Drive also includes the 20-story Edgewater Apartments residential condominium, and Sotheby's auction house, gallery, and office building. The area further to the north and to the west has been developed with residential buildings consisting of lower rise five and six story multi-family apartment buildings and high-rise towers. A relatively small area between East 73rd Street and East 75th Street near the FDR Drive contains large manufacturing uses, including a former Department of Sanitation garage and a Consolidated Edison power plant.

ENVIRONMENTAL REVIEW

This application (C 150248 ZSM), in conjunction with the application for the related action (N 150264 CMM), 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 designated CEQR number is 15DCP108M. The lead is the City Planning Commission.

After a study of the potential impact of the proposed actions, a Type II was issued on March 6, 2015.

UNIFORM LAND USE REVIEW

This application (C 150248 ZSM) was certified as complete by the Department of City Planning on March 30, 2015, 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. The application for the related non-ULURP action (N 150264 CMM) was also referred to Manhattan Community Board 8 and the Manhattan Borough President for information and comment.

Community Board Public Hearing

Manhattan Community Board 8 held a public hearing on this application on April 15, 2015 and, on that date, by a vote of 33 in favor, 0 opposed, 0 abstaining, and 1 not voting for cause, adopted a resolution recommending approval of the application

Borough President Review

This application was considered by the President of the Borough of Manhattan, who issued a recommendation approving the application on May 18, 2015.

City Planning Commission Public Hearing

On May 6, 2015 (Calendar No. 3), the City Planning Commission scheduled a May 20, 2015, public hearing on this application (C 150248 ZSM) and in conjunction with the related

application (N 150264 CMM). The hearing was duly held on May 20, 2015 (Calendar No. 15). There were three speakers in favor of the application and none in opposition.

The Hospital for Special Surgery's Senior Director of Foundation and Government Relations spoke about the need for the project. The applicant's attorney provided an overview of the actions needed to facilitate the development. A representative from the Office of the Manhattan Borough President reiterated the Borough President's recommendation.

There were no other speakers and the hearing was closed.

WATERFRONT REVITALIZATION PROGRAM CONSISTENCY REVIEW

This application (C 150248), in conjunction with the application for the related action (N 150264 CMM), 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 22, 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 15-031.

The City Planning Commission, acting as the City Coastal Commission, having reviewed the waterfront aspects of this action, finds that the actions will not substantially hinder the achievement of any WRP policy and hereby determines that this action is consistent with WRP

policies.

CONSIDERATION

The Commission believes that the grant of this special permit (C150248 ZSM), in conjunction with the related application (N 150264 CMM), is appropriate.

New York State legislation, approved in 1971, authorized the City of New York to close and discontinue air space over FDR Drive from East 62nd Street to the midblock line between East 71st Street and East 72nd Street in order to convey such air space to the abutting property owners the Hospital for Special Surgery, New York-Presbyterian Hospital and Rockefeller University. The 1973 Agreement between the three institutions and the City of New York outlined the conditions and procedures by which the institutions could develop the air space over the FDR Drive and over the streets. The Commission continues to acknowledge the appropriateness of such a policy and notes that the Hospital for Special Surgery's proposed enlargement of the West Wing of their Main Building would be in accordance with the intent and specific requirements of the 1973 Agreement, as amended.

The Commission notes that the special permit under Section 74-682 (Developments over streets) to modify the maximum percentage of lot coverage set forth in Section 24-11 in order to allow for the increase in lot coverage by an additional 2,820 SF, will result in an effective distribution of new bulk and a good site plan with respect to existing buildings on site and in the area. The Commission notes that the modification of lot coverage by 2,820 SF would increase lot coverage

by approximately 5% of the approved lot coverage of 55,820 SF and would allow the Hospital for Special Surgery to expand its capacity, add offices, examination rooms, increase surgeries annually by approximately 2,500, and add approximately 60 jobs.

The elevation of the new West Wing addition would rise to approximately 106 feet, which is approximately 55 feet below the height of the existing West Wing building. The Commission believes that the view corridor along the former East 70th Street is already compromised by the existing 11-story Starr Pavilion, an existing pedestrian bridge connecting New York-Presbyterian Hospital to the Hospital for Special Surgery, and by the service ramp that slopes upward at a 12% incline and that the proposed expansion to the West Wing would thus only be visible in the immediate area of the development.

Commission Certification under the 1973 Agreement (N 150264 CMM)

In considering the findings required pursuant to paragraph (e) of Exhibit H of the 1973 Agreement, the Commission believes that the expansion of the West Wing will not substantially interfere with vehicular or pedestrian use of the FDR Drive or the streets. The expansion, beginning at the third floor and extending upward for a total of four floors, would be supported by extending the existing columns holding up the service ramp to the underside of the proposed enlargement. Access to the Hospital for Special Surgery's loading area at the top of the service ramp would be maintained as would three travel lanes provided on the service ramp. The service ramp at the eastern end of demapped East 70th Street is not directly connected to the FDR Drive.

The Commission recognizes that there is no tenable sidewalk along the ramp leading to the Hospital for Special Surgery loading area and acknowledges that there is very little pedestrian activity on the ramp except for drivers parking vehicles perpendicular along the curb or using the loading area. In order to minimize any potential traffic conflicts, the Hospital for Special Surgery has committed to preventing all vehicles, including those related to the Hospital for Special Surgery, from parking along the 60-foot service ramp underneath the proposed addition to the West Wing. In addition, the Commission notes that the applicant has agreed to have workers directing and monitoring traffic during construction of the West Wing addition.

Based on the foregoing, the Commission has determined that the findings of paragraph (e) of Exhibit H of the 1973 Agreement, as amended, have been met.

FINDINGS

The City Planning Commission hereby makes the following findings pursuant to Section 74-682 (Developments over streets) of the Zoning Resolution:

- (1) for development or enlargements in such demapped air space and for modification of bulk regulations, that the location and distribution of new bulk shall result in a good site plan in relation to the existing buildings on-site and in the area;

RESOLUTION

RESOLVED, that the City Planning Commission finds that the action described herein will have no significant adverse impact on the environment, and

RESOLVED, that the City Planning Commission, in its capacity as the City Coastal Commission, has reviewed the waterfront aspects of this application and finds that the proposed action is consistent with WRP policies; and be it further

RESOLVED, by the City Planning Commission, pursuant to Sections 197-c and 200 of the New York Charter, that based on the environmental determination, and the consideration and findings described in this report, the application submitted by Hospital for Special Surgery for the grant of a special permit pursuant to Zoning Resolution Section 74-682 (Developments over streets) to permit the modification of the lot coverage requirements of Section 24-11 (Maximum Floor Area Ratio and Percentage of Lot Coverage) in connection with a proposed 5-story plus 6-floor mechanical penthouse enlargement for a zoning lot generally bounded by the U.S. Pierhead and Bulkhead Line of the East River, the center line of the former East 70th Street, a line approximately 417 feet east of the York Avenue, and the center line of East 71st Street (Block 1482, Lots 20 and p/o 9020), within an R9 District, Borough of Manhattan, Community District 8, is approved, subject to the following terms and conditions:

1. The property that is the subject of this application (C 150248 ZSM) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following plans, prepared by Ewing Cole, filed with this application and incorporated in this resolution:

<u>Drawing Number</u>	<u>Title</u>	<u>Last Date Revised</u>
Z-002.00	Site Plan	January 7, 2015

Z-003.00	Ground Floor Lot Site Plan	January 7, 2015
Z-005.00	Zoning Analysis	March 16, 2015
Z-006.00	Waiver Diagrams	January 7, 2015

2. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application. All zoning computations are subject to verification and approval by the New York City Department of Buildings.

3. Such development shall conform to all applicable laws and regulations relating to its construction, operation and maintenance.

4. In the event the property that is the subject of the application is developed as, sold as, or converted to condominium units, a homeowners' association, or cooperative ownership, a copy of this resolution and the restrictive declaration described below and any subsequent modifications to either document shall be provided to the Attorney General of the State of New York at the time of application for any such condominium, homeowners' or cooperative offering plan and, if the Attorney General so directs, shall be incorporated in full in any offering documents relating to the property.

5. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sublessee or occupant.

6. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms or conditions of this resolution the provisions of which shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure or breach of any of the conditions referred to above, may constitute grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, renewal or extension of the special permit hereby granted.

7. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city's or such employee's or agent's action or failure to act in accordance with the provisions of this special permit.

The above resolution (C 150248 ZSM), duly adopted by the City Planning Commission on June 17, 2015 (Calendar No. 6), 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.

CARL WEISBROD, Chairman
KENNETH KNUCKLES, Esq., Vice Chairman
RAYANN BESSER, IRWIN G. CANTOR, P.E., ALFRED C. CERULLO, III,
MICHELLE R. DE LA UZ, JOSEPH I. DOUEK, CHERYL COHEN EFFRON,
BOME E JUNG, ANNA HAYES LEVIN, ORLANDO MARIN,
LARISA ORTIZ, Commissioners

James G. Clynes
Chairman

Latha Thompson
District Manager



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**The City of New York
Manhattan Community Board 8**

April 16, 2015

Hon. Carl Weisbrod
Chair
The Department of City Planning
22 Reade Street
New York, New York 10007

Re: ULURP No. 150248ZSM, 535 East 70th Street, Hospital for Special Surgery, West Wing Addition

Dear Chair Weisbrod:


At the Full Board meeting on Wednesday, April 15, 2015 Community Board 8M **approved** the following resolution by a vote of 33 in favor, 0 opposed 0 abstentions and 1 not voting for cause.

WHEREAS, The Hospital for Special Surgery has submitted a ULURP application to City Planning seeking a special permit and related approval to allow for a minor-less than 8,000 square foot enlargement of the hospital's main building at 525 East 70th Street. The enlargement is needed to permit the construction of three new operating rooms and support areas, therefore

BE IT RESOLVED that Community Board 8 approves the ULURP application for a special permit and related approval to allow for a minor-less than 8,000 square foot enlargement of the hospital's main building at 525 East 70th Street.

Please advise this office of any decision made by City Planning concerning this matter.

Sincerely,


James G. Clynes
Chairman

cc: Honorable Bill de Blasio, Mayor of the City of New York
Honorable Gail Brewer, Manhattan Borough President
Honorable Carolyn Maloney, 14th Congressional District Representative
Honorable Liz Krueger, NYS Senator, 26th Senatorial District
Honorable Rebecca Seawright, NYS Assembly Member, 76th Assembly District
Honorable Dan Quart, NYS Assembly Member, 73rd Assembly District
Honorable Ben Kallos, NYC Council Member, 5th Council District
Honorable Daniel Garodnick, NYC Council Member, 4th Council District



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Gale A. Brewer, Borough President

May 18, 2015

**Recommendation on ULURP Application No. C 150248 ZSM
By Hospital for Special Surgery**

PROPOSED ACTION

Hospital for Special Surgery (“the applicant”) seeks a special permit pursuant to Section 74-682 of the Zoning Resolution (“ZR”) to modify the lot coverage requirements of Section 24-11 in connection with a proposed four-story enlargement at 535 East 70th Street (Block 1482, Lot 20 and p/o Lot 9020) and approval to allow development in demapped air space above former East 70th Street pursuant to a 1973 Agreement between the City of New York, the Hospital for Special Surgery, Rockefeller University and New York Hospital (now, New York Presbyterian Hospital) in the Upper East Side neighborhood of Manhattan Community District 8.

In order for the City Planning Commission (“CPC”) to grant such special permit, the CPC must find that:

1. for development or enlargement in such demapped air space and for modification of bulk regulations, that the location and distribution of new bulk shall result in a good site plan in relation to the existing buildings on site and in the area; and
2. for modification of off-street loading requirements, when such non-profit institution includes more than one building on two or more zoning lots, the CPC may determine the required number of loading berths as if such non-profit institution were located on a single zoning lot, and may permit such loading berths to be located anywhere within such institution without regard for zoning lot lines, provided that such loading berths shall be:
 - a. adequate to serve the requirements of the institution;
 - b. accessible to all the uses in such institution without the need to cross any street at grade; and
 - c. located so as not to adversely affect the movement of pedestrians or vehicles on the streets within or surrounding such institution.

Exhibit H of the 1973 Agreement provides in pertinent part that:

- a. The City Planning Commission may from time to time, after public notice and hearing, grant a special permit to one or more of the Institutions for the construction of a building or other improvements in (i) the portion of the University Space between the easterly prolongations of the south side of East 63rd Street and the north side of East 62nd Street, (ii) any portion of the Space over the streets, or (iii) the

Society Space, provided that in each instance the Commission makes the findings required by paragraph e of this Exhibit H:

- d. An application to the Commission for the grant of a special approval shall include a site plan showing the location and proposed use of all buildings or other improvements; the location of all vehicular entrances and exits and off-street parking spaces; and such other information as may be required by the Commission.
- e. The Commission may permit construction of buildings or other improvements in the areas described in paragraph a of this Exhibit H, provided the following findings are made by the commission:
 - i. that such construction will not substantially interfere with the vehicular and pedestrian use of the FDR Drive or the Streets;
 - ii. that with respect to the FDR Drive all requirements imposed by federal and state law shall be complied with; and
 - iii. that such construction shall be in accordance with the provisions of this statement.

PROJECT DESCRIPTION

The applicant seeks a special permit pursuant to ZR § 74-682 to permit the modification of lot coverage requirements and approval under the 1973 Agreement to allow development in demapped air space over former East 70th Street. The permit would allow the West Wing of the hospital's main building to be enlarged by 7,930 square feet of floor area for a proposed four story, including a mechanical floor penthouse, with the enlargement beginning at the third floor of the existing building. The third floor expansion would accommodate four office spaces, seven surgical examination rooms, one lounge and bathroom; the 4th floor expansion would include three surgical examination rooms; the 5th floor expansion would be used for implant and operating room storage; and the 6th floor would accommodate the mechanical equipment. The proposed enlargement would result in a total of 404,106 square feet of zoning floor area on the West Wing building site.

The project would extend 22 feet over the East 70th Street service ramp and extend for a length of 128 feet. The enlargement would be structurally supported by extending the existing support columns from the service ramp below. A required clearance of 14 feet will be maintained between the enlargement and service ramp in addition to an 8 foot wide side yard.

Site Description

The project site is located at 535 East 70th Street and contains one building that is comprised of the West Wing and the East Wing. The West Wing is five to 11 stories and holds the ambulatory surgery unit, critical sterile supply, administrative and physician offices, outpatient clinics, pharmacy, surgical suite, recovery, conference center and support space. The East Wing is a 12 story structure located on the eastern portion of the site above the FDR Drive in demapped air space and houses inpatient bed units, pre-surgery holding, imaging, rehabilitation, administrative and physician offices, staff areas and support space. Along former East 70th Street is a 60 foot wide service ramp used by Hospital for Special Surgery and New York Presbyterian Hospital to

connect their easternmost buildings for service and delivery functions. There is also an enclosed pedestrian bridge across the former roadbed that connects the West Wing building at the second floor to NY Presbyterian Hospital.

Area Context

Immediately south of the site is a concentration of medical institutions which are designated large-scale community facility developments for Rockefeller University and NY Presbyterian-Cornell Medical Center and Hospital for Special Surgery. To the west of York Avenue, from East 66th to 69th Streets is the Memorial Sloane Kettering Cancer Center. The block north of the site, bounded by East 71st Street, East 72nd Street, York Avenue and FDR Drive includes Sotheby's auction house, gallery and office building, the Hospital for Special Surgery's Caspary Research building, the 43-story Belaire mixed use community facility and residential building, and the 20-story Edgewater residential condominium. Northeast of the site at East 71st Street is a pedestrian bridge, maintained by the hospital, which connects to the East River Esplanade. The area is served by the No. 6 subway line, with entrances west of the development site at East 77th and East 69th Streets along Lexington Avenue. The M31 and M72 buses are along East 72nd Street and York Avenue.

BACKGROUND

The Hospital for Special Surgery is an orthopedic and rheumatologic research and care facility located over and adjacent to the FDR Drive between East 70th and 72nd Street. The Hospital for Special Surgery's main building was constructed in the 1950s and the hospital campus includes the West and East Wings (as part of the main hospital building), the Caspary Research Building and the Belaire Building. Over the years, the Hospital for Special Surgery has received special permits, City Map amendments, disposition approvals, and special approvals to enable expansion of the hospital campus over adjacent streets.

In 1973, the Hospital for Special Surgery (former name Society for the Relief of the Ruptured and Crippled), New York Presbyterian Hospital (former name, New York Hospital) and Rockefeller University entered into an agreement with the City allowing them to develop buildings in the airspace over the FDR Drive adjacent to their campuses, subject to approval by the City based on the terms of the agreement. This 1973 Agreement was enabled by state legislation in 1971 which allowed the City to convey the airspace to the three institutions. This 1973 Agreement has subsequently been amended three times, once at adoption by the Board of Estimate in 1973, and then in 1983 and 1993.

In 1981, the portion of East 70th Street 20 feet above-grade was eliminated from the City Map and conveyed to the New York Presbyterian Hospital, to construct the Starr Pavilion which extends over the former street bed. In 1992, volumes above the FDR Drive between East 71st and East 70th were demapped and conveyed to HSS which allowed for the construction of the East Wing. In 2008, the CPC granted a second special permit pursuant to ZR § 74-682 to expand the East Wing by three stories and a special permit pursuant to ZR § 74-682 to allow the construction

of the River Building, connected to the East Wing in the demapped air space above the portion of the FDR Drive on the north side of East 71st Street.

Within the project site vicinity are projects and actions that would have an effect on this project. In 2013, the Memorial Sloan-Kettering Cancer Center and The City University of New York-Hunter College were approved for the disposition of City owned property for a large-scale general development, a zoning text amendment to increase floor area, and special permits to modify sign regulations and add an accessory parking facility. In 2014, Rockefeller University was approved for a special permit pursuant to ZR § 74-682 to allow construction in air space over the FDR Drive for the University's New River Building and Fitness Center, an amendment to the City Map for construction of columns and footings in the East River Esplanade for the proposed laboratory building, and a modification to their Large-Scale Community Facility Development.

Proposed Actions

The applicant seeks a special permit pursuant to ZR § 74-682 to increase the lot coverage of the West Wing by 7,930 square feet, approximately two percent, and approval to develop in demapped airspace above the former East 70th Street. In accordance with the 1973 Agreement, the CPC may grant a permit to construct the proposal over the former East 70th Street between FDR Drive and York Avenue. The applicant has submitted a site plan showing the location and use of buildings, vehicular entrances and exits. The statement of findings indicates the location and distribution of bulk shall result in a good site plan in relation to the existing building on site and in the surrounding area and will not substantially interfere with vehicular and pedestrian use of the streets.

COMMUNITY BOARD RECOMMENDATION

At its Full Board meeting on April 15, 2015 Manhattan Community Board 8 recommended approval of this application. The vote was 33 in favor, 0 opposed, 0 abstentions and 1 not voting for cause. The recommendation was submitted to the Department of City Planning on April 16, 2015.

BOROUGH PRESIDENT'S COMMENTS

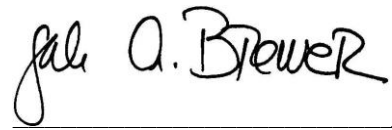
The Hospital for Special Surgery West Wing expansion will allow the hospital to significantly increase inpatient surgeries and respond to orthopedic demands.

Pursuant to the findings, the expansion of the West Wing will result in a good site plan in relation to the existing building on site and in the area. The special permit requested is for a relatively small increase of the building footprint and the view of this expansion will be blocked from the west by the enclosed pedestrian overpass and 12-story Starr building extending over the former East 70th Street. The demapped street is designated for hospital operations and the applicant has stated the construction will be phased with security and a traffic controller with no effect on the operations and use of the space by New York Presbyterian Hospital's and Hospital for Special Surgery's ambulances.

There are several large projects that will be under construction for the next few years all in the immediate vicinity of the project area. Without careful coordination, this concentration of development could snarl traffic and reduce quality of live in the neighborhood. Considering this, the Hospital for Special Surgery should coordinate its construction efforts with Rockefeller University, Memorial Sloan-Kettering Cancer Center and The City University of New York-Hunter. The institutions should jointly coordinate and communicate with the Community Board to minimize potential construction impacts on the community.

BOROUGH PRESIDENT'S RECOMMENDATION

Therefore, the Manhattan Borough President recommends approval of ULURP Application No. C 150248 ZSM.

A handwritten signature in black ink that reads "Gale A. Brewer". The signature is written in a cursive, flowing style.

Gale A. Brewer
Manhattan Borough President