



**IN THE MATTER OF** an application submitted by New York Blood Center, Inc. pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Article VII, Chapter 4, for the purpose of allowing scientific research facilities in C2-7 Districts and allowing related use and bulk modifications, and modifying APPENDIX F, for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Manhattan, Community District 8.

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This application for a zoning text amendment (N 210352 ZRM), in conjunction with the related special permit (C 210353 ZSM) and zoning map amendment (C 210351 ZMM), was filed by New York Blood Center, Inc. on April 1, 2021, to facilitate the development of an approximately 452,000-square-foot scientific research and development facility and community facility. The proposed action, in conjunction with the related applications, would facilitate the development of a new, modern headquarters for the New York Blood Center and a commercial life sciences hub located at 310 East 67th Street (Block 1441, Lot 40) in the Upper East Side of Manhattan, Community District 8.

#### **RELATED ACTIONS**

In addition to the zoning text amendment (N 210352 ZRM) that is the subject of this report, the proposed project also requires action by the City Planning Commission on the following applications, which are being considered concurrently with this application:

**C 210353 ZSM**      Zoning special permit pursuant to Section 74-48 of the Zoning Resolution to allow a scientific research and development facility and to allow modification of the height and setback regulations of Section 33-432.

**C 210351 ZMM**      Zoning map amendment to change an R8B District to a C2-7 District and to change a C1-9 District to a C2-8 District.

## **BACKGROUND**

A full background discussion and description of this project appears in the report for the related special permit (C 210353 ZSM).

## **ENVIRONMENTAL REVIEW**

This application (N 210352 ZRM), in conjunction with the related applications for a special permit (C 210353 ZSM) and a zoning map amendment (C 210351 ZMM), were 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 New York City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 21DCP080M. The lead is the City Planning Commission.

A summary of the environmental review, including the Final Environmental Impact Statement (FEIS) dated September 10, 2021, appears in the report on the related application for a special permit (C 210353 ZSM).

## **PUBLIC REVIEW**

This application (N 210352 ZRM) was referred for information and review in accordance with the procedures for non-ULURP matters, in conjunction with the applications for the related actions for a special permit (C 210353 ZSM) and zoning map amendment (C 210351 ZMM), which were certified as complete by the Department of City Planning on April 19, 2021, and duly referred to Manhattan Community Board 8 and the Manhattan Borough President in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

## **Community Board Review**

Manhattan Community Board 8 held a public hearing on May 12, 2021, on this application (N 210352 ZRM) and the related actions for a special permit (C 210353 ZSM) and a zoning map amendment (C 210351 ZMM), and, on May 25, 2021, by a vote of 38 in favor, none against, and none abstaining, adopted a resolution recommending disapproval of the application.

### **Borough President Review**

The Manhattan Borough President held a public hearing on July 12, 2021, on this application (N 210352 ZRM) and the related actions for a special permit (C 210353 ZSM) and a zoning map amendment (C 210351 ZMM) and, on July 28, 2021, issued a recommendation to disapprove the application.

### **City Planning Commission Public Hearing**

On July 14, 2021 (Calendar No. 18), the CPC scheduled July 29, 2021 for a public hearing on this application (N 210352 ZRM), in conjunction with the related actions for a special permit (C 210353 ZSM) and a zoning map amendment (C 210351 ZMM). The hearing was duly held on July 29, 2021 (Calendar No. 6). Eleven people testified in favor of the application and 36 in opposition, as described in the report for the related special permit (C 210353 ZSM), and the hearing was closed. Following the public hearing, the CPC received several letters of written testimony.

### **CONSIDERATION**

The City Planning Commission believes that this application for a zoning text amendment (N 210352 ZRM), in conjunction with the related special permit (C 210353 ZSM) and a zoning map amendment (C 210351 ZMM), are appropriate. A full consideration and analysis of the issues and the reasons for approving the application appear in the report for the related special permit (C 210353 ZSM).

### **RESOLUTION**

**RESOLVED**, that having considered the Final Environmental Impact Statement (FEIS), for which a Notice of Completion was issued on September 10, 2021, with respect to this application (CEQR No. 21DCP080M), the City Planning Commission finds that the requirements of Part 617, New York State Environmental Quality Review, have been met and that, consistent with social, economic and other considerations:

1. From among the reasonable alternatives thereto, the action to be approved is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
2. The adverse environmental impacts revealed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval those mitigation measures that were identified as practicable.

The 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 201 of the New York City Charter that based on the environmental determination and the consideration described in this report, the Zoning Resolution of the City of New York, effective December 15, 1961, and as subsequently amended, is further amended as follows:

Matter underlined is new, to be added;

Matter ~~struck out~~ is to be deleted;

Matter within # # is defined in Section 12-10;

\* \* \* indicates where unchanged text appears in the Zoning Resolution.

**ARTICLE III  
COMMERCIAL DISTRICT REGULATIONS**

**Chapter 2  
Use Regulations**

\* \* \*

**32-30  
USES PERMITTED BY SPECIAL PERMIT**

**32-32  
By the City Planning Commission**

In the districts indicated, the following #uses# are permitted by special permit of the City Planning Commission, in accordance with standards set forth in Article VII, Chapter 4, or as otherwise indicated in this Section.

\* \* \*

C1 C2 C3 C4 C5 C6 C7 C8

Railroad passenger stations

C2-7 C6

Research and development facility, scientific, in C2-7 Districts within Community District 8 in the Borough of Manhattan, and in C6 Districts

C1 C2 C3 C4 C5 C6 C7 C8

Seaplane bases

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## **ARTICLE VII**

### **Administration**

\* \* \*

## **Chapter 4**

### **Special Permits by the City Planning Commission**

**74-40**

### **USE PERMITS**

\* \* \*

**74-48**

### **Scientific Research and Development Facility**

In C2-7 Districts within Community District 8 in the Borough of Manhattan, and in C6 Districts, the City Planning Commission may permit a scientific research and development facility ~~containing~~ as a commercial use, where such facility contains laboratories for medical,

biotechnological, chemical or genetic research, including space for production, storage and distribution of scientific products generated through research and ~~may modify height and setback regulations for the facility.~~ Such facility shall conform to the performance standards applicable to M1 Districts and occupy a ~~#zoning lot#~~ that either contains a minimum ~~#lot area#~~ of 40,000 square feet or comprises an entire ~~#block#~~. No ~~#residential use#~~ is to be located anywhere on a ~~#zoning lot#~~ containing such a facility, in conjunction with such facility, may allow the modifications set forth in paragraph (a) of this Section. For a special permit to be granted, applications shall comply with conditions in paragraph (b) and the findings of paragraph (c) of this Section. Additional requirements are set forth in paragraph (d).

(a) Additional modifications

For such scientific research and development facility, the Commission may modify the following:

- (1) height and setback regulations; and
- (2) where such facility is located within C2-7 Districts:
  - (i) #sign# regulations;
  - (ii) #floor area ratio# regulations, up to the maximum #floor area ratio# permitted for #community facility uses# for the District; and
  - (iii) #yard# regulations.

(b) Conditions

As a condition for granting a special permit, such facility shall:

- (1) conform to the performance standards applicable to M1 Districts;
- (2) occupy a #zoning lot# that either contains a minimum #lot area# of 40,000 square feet or comprises an entire #block#; and
- (3) occupy a #zoning lot# containing no #residential use#.

(c) Findings

As a condition for granting a special permit, the Commission shall find that the scientific research and development facility:

~~(a)~~(1) will not unduly affect the essential character or impair the future use and development of the surrounding area;

~~(b)~~(2) will be located so as to draw a minimum of vehicular traffic to and through local #streets#;

~~(c)~~(3) provides fully enclosed storage space for all raw materials, finished products, by-products and waste materials including debris, refuse and garbage; and

~~(d)~~(4) that the modification of such height and setback to any applicable #bulk# regulations will not unduly obstruct the access of light and air to adjoining properties or public #streets#.

(5) with regard to #sign# modifications:

(i) a signage plan has been submitted showing the location, size, height, and illumination of all #signs# on the #zoning lot#;

(ii) the modifications are consistent with the amount and location of commercial life sciences laboratories that the Commission finds appropriate on the #zoning lot#; and

(iii) #illuminated signs#, if provided:

(a) utilize an illumination type, and are located and oriented in a manner so as to minimize any negative effects on nearby

residences; and

(b) do not alter the essential character of the adjacent area.

(d) Additional requirements

- (1) To minimize traffic congestion in the area, the Commission shall require the provision of off-street loading berths conforming to the requirements set forth in Section 36-62 (Required Accessory Off-street Loading Berths) for commercial uses.
- (2) The Commission may also require the provision of accessory off-street parking facilities to prevent the creation of traffic congestion caused by the curbside parking of vehicles generated by such use. The size and location of such parking, bicycle parking, and loading facilities shall comply with the applicable provisions of Section 36-00, inclusive.
- (3) All applications for the grant of a special permit pursuant to this Section shall be referred to the Commissioner of Health of the City of New York or its successor for a report and recommendations on matters relating to health, safety and general welfare of the public with regard to the proposed facility. If the report is received within 45 days from the date of referral, the Commission shall, in its determination, give due consideration to the report and its recommendations. If such agency does not report within 45 days, the Commission may make a final determination without reference thereto.

In order to promote and protect the public health, safety and general welfare, the City Planning Commission may impose additional conditions and safeguards and more restrictive performance standards where necessary.

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## **APPENDIX F**

### **Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas**

\* \* \*

# MANHATTAN

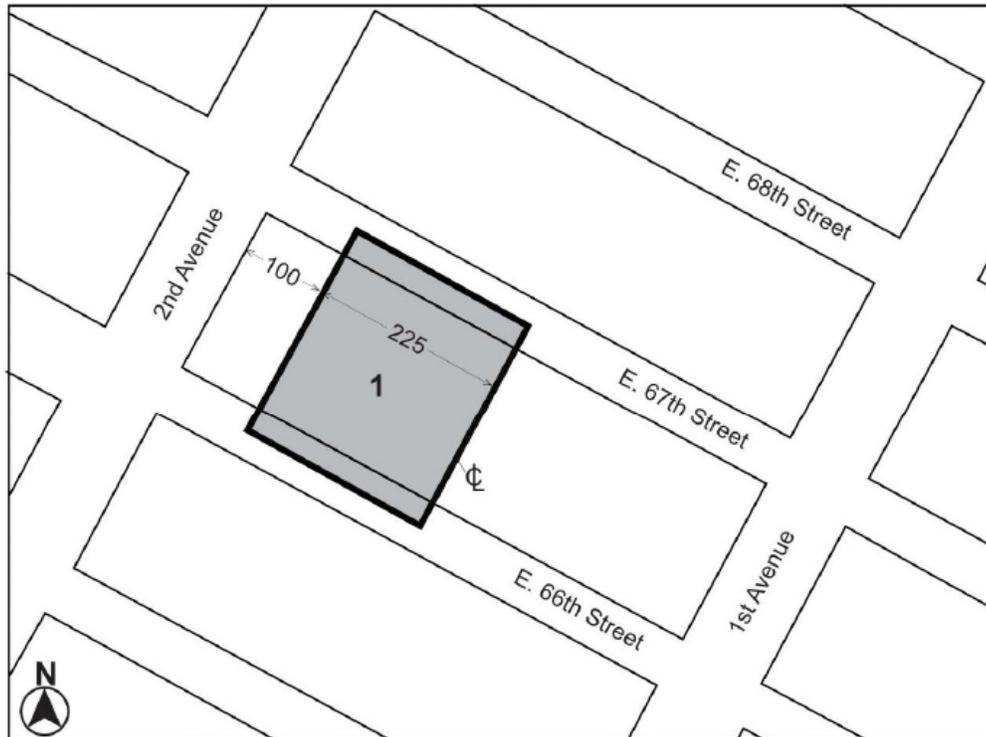
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## Manhattan Community District 8

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Map 1 [date of adoption]

[PROPOSED MAP]



 Mandatory Inclusionary Housing Area (see Section 23-154(d)(3))  
Area 1 - [date of adoption] - MIH Program Option 1 and Option 2

Portion of Community District 8, Manhattan

\* \* \*

The above resolution (N 210352 ZRM), duly adopted by the City Planning Commission on September 22, 2021 (Calendar No. 24), is filed with the Speaker, City Council, and Borough President, in accordance with the requirements of Section 197-d of the New York City Charter.

**KENNETH J. KNUCKLES, ESQ.,** *Vice Chairman*  
**DAVID BURNEY, ALLEN P. CAPPELLI, ESQ.,**  
**RICHARD W. EADDY, HOPE KNIGHT, ORLANDO MARIN,**  
**LARISA ORTIZ, RAJ RAMPERSHAD,** *Commissioners*

**ALFRED C. CERULLO, III, ANNA HAYES LEVIN,** *Commissioners, VOTING NO*