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August 9, 2021

City Planning Commission

Written Testimony

Re: New York Blood Center – Center East, ULURP # C210351ZMM, N210352ZRM, C210353ZSM

FRIENDS of the Upper East Side Historic Districts, founded in 1982, is an independent, not-for-profit membership organization dedicated to the preservation and celebration of the architectural legacy, livability, and sense of place of the Upper East Side.

FRIENDS has been involved in planning and zoning issues as a critical piece of our mission from the beginning. In 1985, the City Planning Commission rezoned the midblocks of the Upper East Side to the then-new R8B. This was no accident. The R8B zoning envelope was adopted by the City to carefully reflect the existing context, following a systematic study of every midblock in CD8. This came in response to community advocates, including FRIENDS, who were dismayed with the out of character midblock towers that had begun to spring up following the 1961 zoning. The study found striking consistency: 93% of midblock buildings, including the Blood Center, complied with the low-rise envelope.

The 1985 R8B rezoning codified the well-established planning principle that tall buildings and commercial uses belong on wide streets, and narrow streets should be reserved for lower scale residential and associated uses. (see Exhibit A and B) Hundreds of such low-rise zoning districts have been mapped on narrow side streets throughout the City. Indeed, this very Commission has upheld the principle of directing growth away from lower-scale midblocks in rezonings across the five boroughs, including, for example, the East New York rezoning, which identifies Atlantic Avenue as a “growth corridor” and mapped R5B and R6B zoning on multiple midblocks (see [East New York Community Planning Plan - DCP \(nyc.gov\)](#)), the East Harlem rezoning, where midblock zoning enacted in 2003 was retained, and additional contextual districts were mapped to preserve existing character, while wide streets were upzoned to accommodate commercial uses and higher density residential to support affordable housing (see [East Harlem Rezoning - DCP \(nyc.gov\)](#)).

The distinction between density along broad corridors and lower-scale residential uses on narrow streets is an innate quality of urban life, and part of what makes our neighborhoods livable. In the 36 years since R8B was established, it has reinforced existing midblock context where mapped. The City’s meticulous study in 1985 looked at 175 midblocks then zoned R7-2 or R8, identifying those of R8B scale. Of the 2,900 buildings analyzed, 2,700 (93%) conformed to the R8B building prototype. Findings also included the following:

FRIENDS

of the UPPER EAST SIDE HISTORIC DISTRICTS

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The midblocks on the Upper East Side have a strong and identifiable sense of enclosure, scale and coherence. They form enclaves within the larger community and offer quiet refuge from the busier avenues. They also provide a viable and attractive housing resource to a wide range of income groups. The balancing of high-density zoning on the avenues by low-scale development in the midblocks has been a policy upheld consistently by the City Planning Commission. The current zoning regulations... encourage 150-190-foot high towers set back from the street that would be incompatible with the existing context of 55-60 foot high continuous streetwall townhouses and walkups. (see Upper East Side Midblock Study, Department of City Planning, February 1985, page 10. Also see Exhibit H)

But not every block was deemed suitable for R8B. In fact, the blocks east of First Avenue and south of 72nd Street were not included because of the large institutional uses found there. But the block that includes the Blood Center site and those north and south of it were included in the 1985 rezoning, and that's no surprise: the midblocks are overwhelmingly R8B in use and bulk, including the Blood Center. The lively urban respite of St. Catherine's Park, the six vital schools in the Julia Richman Educational Complex, and a New York Public Library branch underscore the residential nature of this portion of the neighborhood. Still today, the overwhelming majority of UES midblock buildings fit the R8B envelope. (see Exhibit C)

The Applicant attempts to justify the rezoning on the theory that the Blood Center is surrounded by non-conforming structures. See Applicant's July 29th hearing testimony. However the Applicant distorts the facts. Of the 36 buildings that the Applicant portrays as "non-conforming," all but 5 are less than 150 feet, less than half the Blood Center's proposed height. And the handful of taller midblock structures all predate the 1985 regulations and are, in fact, examples of what the R8B was trying to stop. For example, 215 East 68th Street, built in 1962, is located on 2nd Avenue and extends into the midblock. It was built under 1916 zoning regulations and includes a 25% lot coverage tower. 211 East 70th Street, built in 1975, built pursuant to C1-9/R8 split lot regulations, includes large open space at the base. DCP clearly was aware of these structures when it recommended a more balanced midblock zoning (see Exhibit D). That the very towers that catalyzed R8B should now be used to justify a huge upzoning is absurd and contrary to the purpose and effect of the R8B zoning.

To the extent that the applicant has represented that this is not a typical R8B block, we respectfully disagree. Compliance with the R8B envelope on the Blood Center block is high, including the existing Blood Center building itself. (see Exhibit E) The street-level perception on both 67th and 66th Streets between 1st and 2nd Avenue is one of remarkable consistency, with low-scale buildings sandwiched between the taller structures on the avenues, and the welcome green space of St. Catherine's Park providing a rare quality of openness on these dense blocks. While there are two non-compliant buildings at the eastern end of the Blood Center block, these were noted by DCP in 1985, and are less than 150 feet. And the Julia Richman Educational Campus building just across the street was



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identified by DCP as fitting the R8B scale in 1985, as the measurements to the main roof are just over 75 feet. (see Exhibit F)

There has been never been a rezoning of the R8B on the Upper East Side, nor has it proved an impediment to expansion of medical or other institutional uses. (see Exhibit G) The applicant attempts to downplay the dramatic departure from long-held land use policy by citing the only other rezoning of an R8B district: an affordable housing project on the Upper West Side that included a rezoning from R8B to R8A. (see [West 108th Street WSFSSH Rezoning – ZAP \(nyc.gov\)](#)) But it's an apples and oranges comparison; that project included only a modest increase in height and bulk, and notably included height setbacks as the building approached an adjacent park. It did not introduce a commercial use into the midblock, and it maintained the overarching principle of placing lower scale development on narrow side streets.

Here, the maximum height would quadruple from 75 to 334 feet, the allowable floor area would double, and it would, for the first time anywhere, map a C-2 district on a midblock without frontage on a wide street. The bulk is also massive, with the size of floorplates rivaling major office towers like One Vanderbilt and the Freedom Tower, rather than anything, anywhere on the Upper East Side, much less in a midblock. Everything about this proposal is unprecedented.

While the community will bear the burden of this egregiously large building, it will do nothing to benefit the community. Nor will it directly benefit the Blood Center, which could achieve 10% more brand-new community facility space in an as-of-right building than in the proposed building. The application will primarily benefit a private developer who could otherwise locate more appropriately in an M or C district elsewhere within the City.

There is no need to dismantle decades of consistent land use policy and practice by this Commission to subsidize a private development which has no substantiated need to be at this location. And doing so at time when the City faces a crisis in vacant commercial space would be irrational.

If approved, this application would diminish what makes our neighborhoods livable, and it will send a message that will be heard loud and clear that contextual residential midblocks are for sale not just on the Upper East Side, but across the five boroughs. FRIENDS strongly urges the Commission to reject this proposal.

Thank you.

Written Testimony of
FRIENDS of the Upper East Side Historic Districts

EXHIBITS

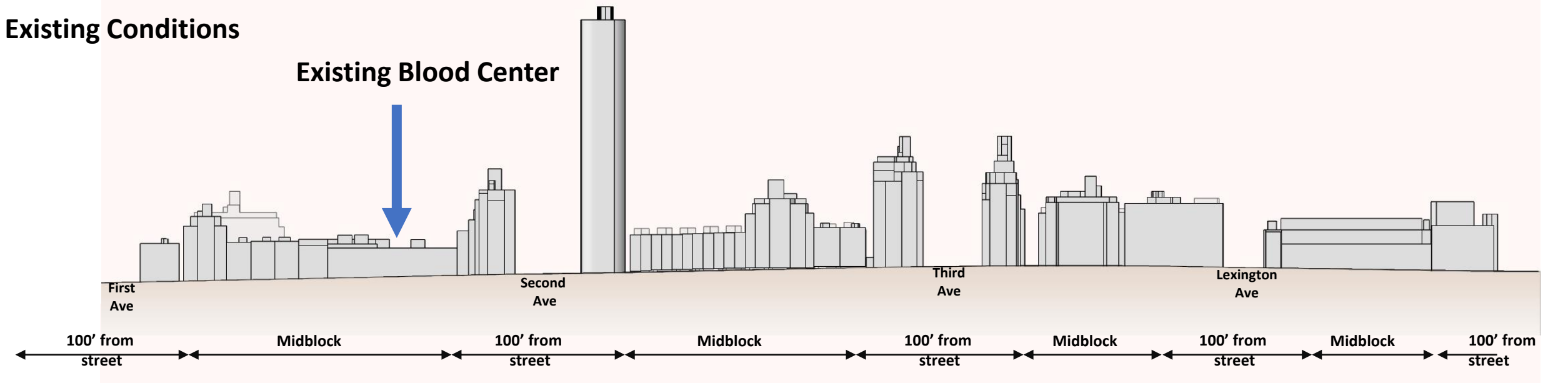
New York Blood Center – Center East, ULURP #
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August 9, 2021

Exhibit A: Distribution of tall buildings on wide streets with lower scale on narrow streets

Street elevations – 67th Street South Elevation

Existing Conditions



Proposed Conditions

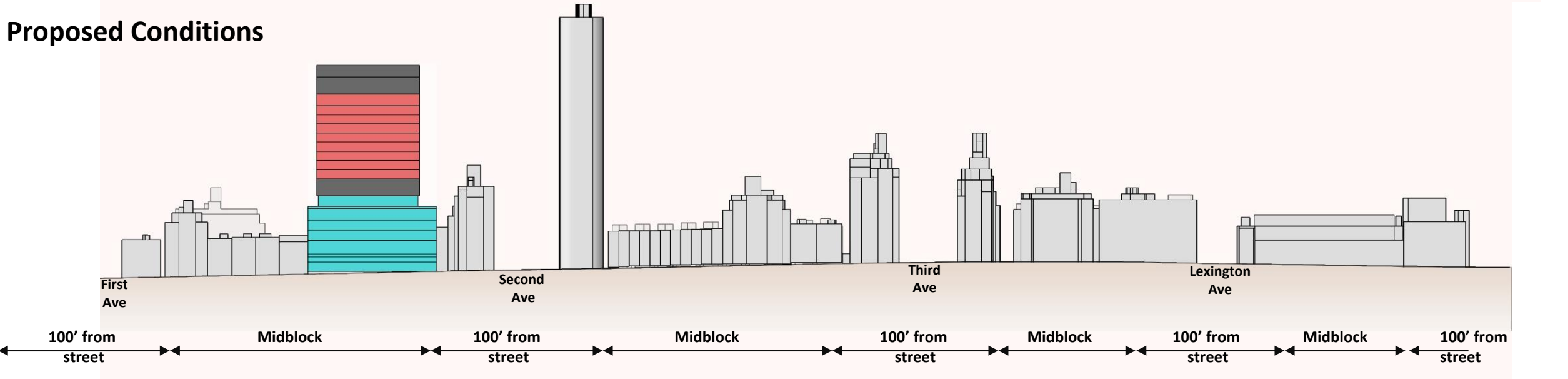
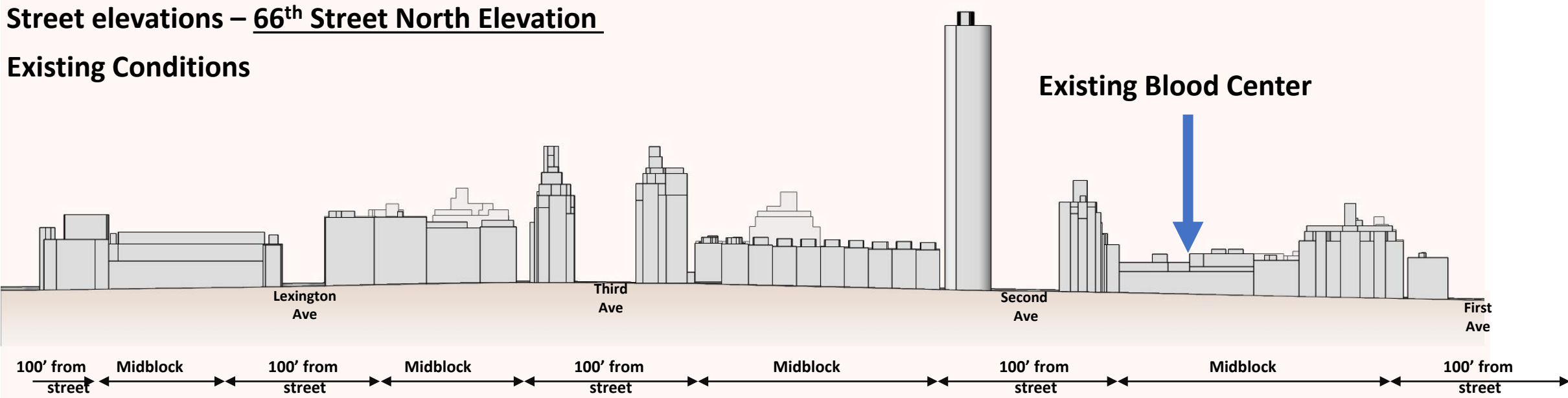


Exhibit B: Distribution of tall buildings on wide streets with lower scale on narrow streets

Street elevations – 66th Street North Elevation

Existing Conditions



Proposed Conditions

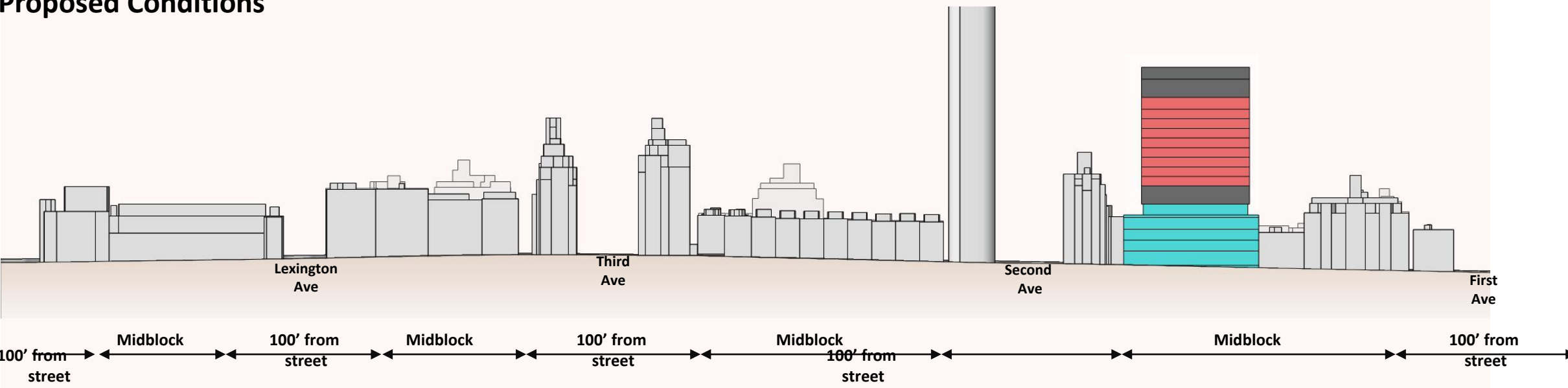


Exhibit C: R8B Compliance 1985 vs 2021

Even though all the major non-compliances pre-date the mapping of R8B, DCP still decided to recommend R8B

In 1985, DCP recommended not rezoning the midblocks east of First Avenue because of substantial non-compliance. Later, parts of three blocks east of First Avenue were rezoned R8B.

DCP could have decided that blocks west of First Avenue should also be omitted, but they didn't, and *the compliance of this area with the R8B has not materially changed since that time.*

Most of the differences shown are buildings that existed in 1985 that DCP did not correctly characterize 1985, not actual changes.

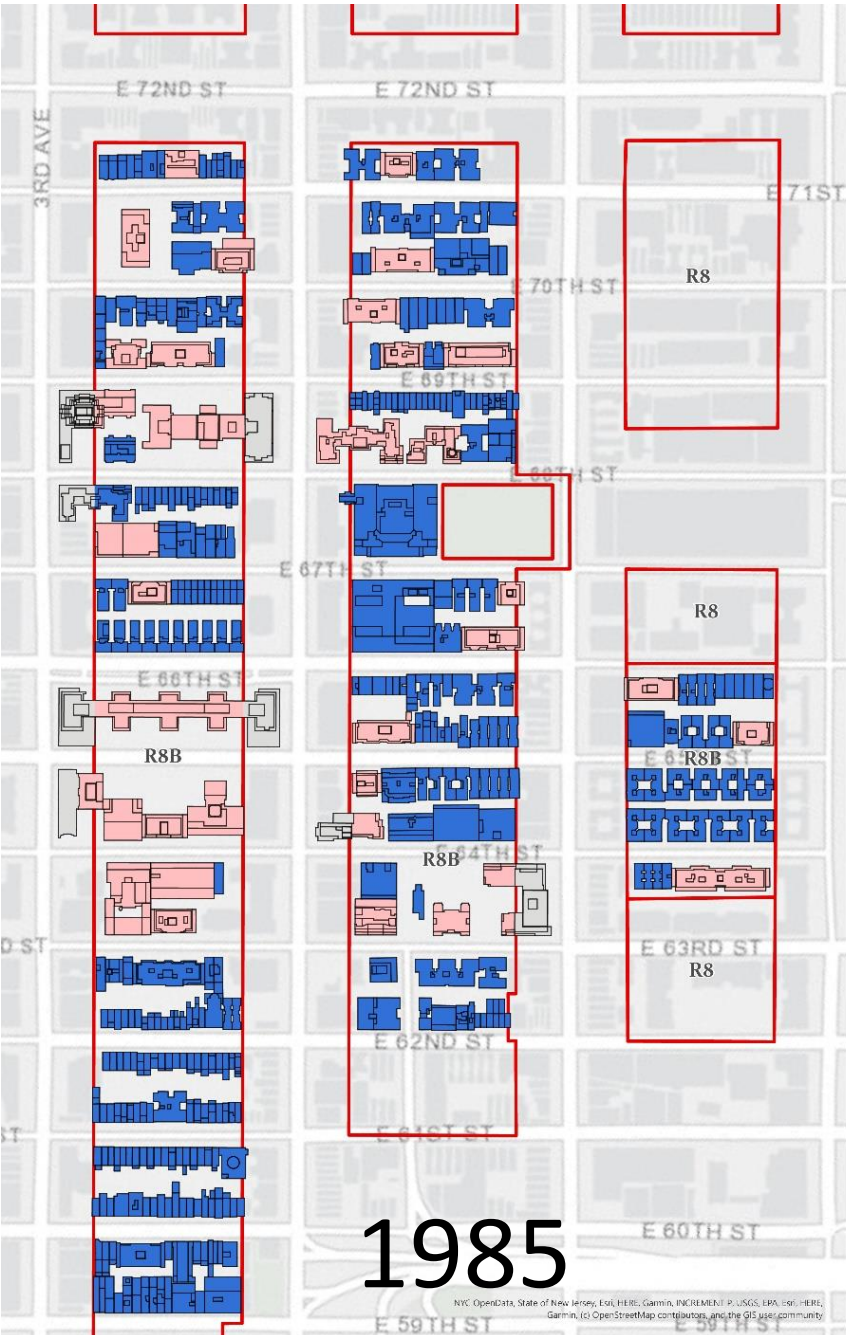


Exhibit D: Upper East Side Midblock Study, Buildings of R8B Scale, DCP 1985

- Backed by community advocates, the Department of City Planning studied the every midblock building in 1985
- “The balancing of high-density zoning on the avenues by low-scale development in the midblocks has been a policy upheld consistently by the City Planning Commission.”
- “The midblocks on the Upper East Side have a strong and identifiable sense of enclosure, scale and coherence. They form enclaves within the larger community and offer quiet refuge from the busier avenues.”
- “[The R8 district] ...encourages 150-190-foot high towers set back from the street that would be incompatible with the existing context of 55-60 foot high continuous streetwall townhouses and walkups.”
- “[R8B zoning] is applicable to the East Side midblocks in that **over 90% midblock structures in the study are compatible with the R8B building prototype.**”

Blood Center



Exhibit E: High R8B Compliance Around the Blood Center



Most buildings in this area, including the Blood Center are of R8B scale.

The very few existing non-compliances are all less than 150 feet.

One building requires a little more discussion. In 1985 DCP classified the Julia Richmond Educational Complex (JREC on the map to the left) R8B scale. The applicant calls this non-complying “under 200 feet.”

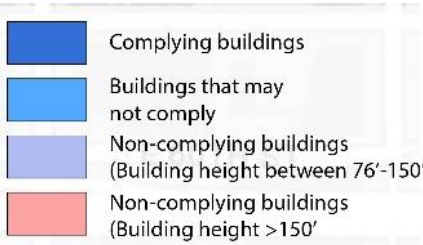


Exhibit F: Julia Richman Educational Complex R8B Compliance



The Julia Richman Educational Complex is very close to the R8B’s 75 foot height limit

When measured from the lowest sidewalk elevation, JREC is barely over 75 feet to its main roof, with a modest bulkhead. It is of R8B scale, as DCP identified in 1985.

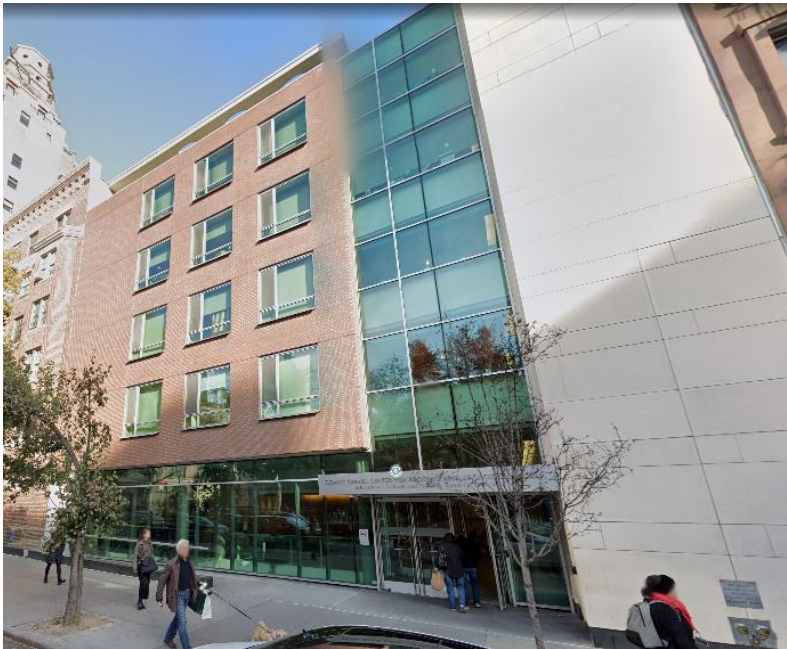
While not all non-complying buildings are this close, many are, and that fact is completely lost in the applicant’s materials

Main roof is just over 75 feet

Exhibit G: Recent medical buildings in R8B



Memorial Sloan Kettering 327 East 64th Street, 2000



Memorial Sloan Kettering 353 East 68th Street, 2016



Memorial Sloan Kettering 333 East 61st Street, 2021