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**Gale A. Brewer, Borough President**

July 28, 2021

**Recommendation on the ULURP Applications No. C210351ZMM, N210352ZRM, and C210353ZSM**

**New York Blood Center  
by New York Blood Center, Inc**

**PROPOSED ACTIONS**

The New York Blood Center, Inc (the “Blood Center” or the “Applicant”) is seeking a zoning map amendment, a zoning text amendment, and a zoning special permit to allow for a new Life Sciences Hub building (the “Proposed Development”) on the existing site of the Blood Center at 310 East 67th Street.

The Applicant proposes the following actions:

- a) A zoning map amendment to rezone 310 East 67th Street (Block 1441, Lot 40) (the “Development Site”) and Lots 1001-1004 of Block 1441 and part of Lot 21 of Block 1421 on 2<sup>nd</sup> Avenue (all together comprising the “Project Area”). Within the Project Area, the current R8B district will be rezoned to a C2-7 district, and the current C1-9 district on 2<sup>nd</sup> Avenue will be rezoned to a C2-8 district between East 66<sup>th</sup> Street and East 67<sup>th</sup> Street;
- b) A zoning text amendment to Section 74-48 of the Zoning Resolution in order to allow for scientific research and development facilities in C2-7 districts by special permit as well as allow for modifications of the floor area, height and setback, yard, and sign regulations, and to Appendix F of the zoning resolution to designate the Development Site as a Mandatory Inclusionary Housing (“MIH”) area;
- c) A zoning special permit pursuant to Section 74-48 to allow for scientific research and development facility in a C2-7 district, permission to exceed the 2 FAR permitted in a C2-7 district pursuant to Zoning Resolution Section 33-122 but not more than 10 FAR permitted for community facility uses, modifications to height and setback regulations of Section 33-432 and the rear yard equivalent regulations of Section 33-283, and modification to sign regulations allowing signs to exceed surface area limitation of Section 32-641, 32-642, and 32-643 and the height limitations of Section 32-655 and modifications of Section 32-67 which requires C1 district sign regulation for park or residential adjacent structures.

## **BACKGROUND**

### **New York Blood Center**

The New York Blood Center is a non-profit organization dedicated to the mission of both supplying blood for transfusions in New York and the surrounding metropolitan region and performing medical research. Built in 1930, the building that currently houses the Blood Center was originally a trade school, but the New York Blood Center has occupied the Development Site since 1973. Since then, the 310 East 67th Street location has served as the organization's headquarters and primary blood donation location. Now a mainstay of the Upper East Side, the institution has become a leading supplier of blood to hospitals and research facilities across the New York metro region.

### **Zoning**

The Development Site is located within an R8B zoning district and was rezoned from a R8 district in 1985. A contextual district subject to the New York City Quality Housing Program, R8B zoning has a height limit of 75 feet and an Floor Area Ratio ("FAR") of 4.0 or 5.1 for community facility uses. This zoning is consistent with the zoning of midblocks on the Upper East Side, and is intended to preserve the existing scale of development in residential neighborhoods.

However, there were some changes made in response to the needs of community facility uses in the area. In 1986, a zoning text amendment was passed allowing a total FAR for community facilities of 5.1 in R8B districts.

The parcels facing Second Avenue on both sides between East 66<sup>th</sup> Street and East 67<sup>th</sup> Street have been zoned as C1-9 since the implementation of the 1961 Zoning Resolution. There are a few differences in permitted uses between the C1-9 district and the C2-8 district established to the south of 66<sup>th</sup> Street. C2-8 districts, unlike C1-9 districts, permit large retail, and medical and dental laboratories.

### **Life Sciences**

During the current mayoral administration, there has been a concerted effort made to promote the development of life sciences in New York City. In 2016 Mayor Bill de Blasio unveiled the LifeSci NYC initiative, a \$500 million program intended to create a new Applied Life Sciences Campus, expand research and development facilities, provide for life science startup incubator space, modernize land use regulations, and other subsidies to promote the sector.

In 2018, a Request For Expressions of Interest ("RFEI") was released for Applied Life Sciences Hub planned in the LifeSci NYC initiative. \$100 million was offered in capital funding for a new "transformative project" in the life sciences field. The sites that were offered as potential development sites were: 2469 Second Ave in East Harlem, 455 First Avenue in Kips Bay, and 44-36 44 Drive in Long Island City.

## **PROPOSED DEVELOPMENT**

### **Area Context**

The Project Area is completely located within Community District 8 on the Upper East Side of Manhattan. The rezoning would affect both sides of 2<sup>nd</sup> Avenue between East 66<sup>th</sup> Street and East 67<sup>th</sup> Street. This would include the easternmost 100 feet of Block 1421 with a portion of Lot 21, and the westernmost 325 feet of Block 1441, with Lots 1001-1004 and 40. Both of the parcels located along 2<sup>nd</sup> Avenue are zoned C1-9 and the remainder is zoned R8B.

1261 2nd Avenue (Lot 21 of Block 1421) is a 45-story mixed use commercial and residential building. 301 East 66th Street (Lots 1001-1004 of Block 1441) on the east side of 2<sup>nd</sup> Avenue is a 16-story mixed residential and commercial building.

The rest of the midblock of Block 1441 is occupied by the Blood Center on Lot 40 and primarily residential use ranging from 5 stories to 13 stories. 328 East 67<sup>th</sup> Street (Lot 38 of Block 1441), located directly east of the Blood Center, is a 3-story public library.

Within the surrounding area, there are two individual landmarks. Manhattan House is a landmarked apartment building at 200 East 66<sup>th</sup> Street and the City and Suburban Homes Company's First Avenue Estates is located at 530 E 77th St. Both occupy their entire block. The Upper East Side Historic District is located west of 3<sup>rd</sup> Avenue.

Surrounding the Blood Center location, both 1<sup>st</sup> and 2<sup>nd</sup> Avenue serve as major thoroughfares, with north- and southbound traffic. The M66 bus runs west on East 66<sup>th</sup> Street and east on East 67<sup>th</sup> Street. The M15 and M15 Select Bus Service run on both First and Second Avenues. The 72<sup>nd</sup> Street Q line is the nearest subway station. The F and Q line 63rd Street/Lexington Avenue stop, and the 6 line 68th Street/Hunter College stop are also nearby.

The Upper East Side is also notable for having a significant number of hospital and medical research facilities. Institutions located in the neighborhood include the Hospital for Special Surgery, Memorial Sloan Kettering Cancer Center, New York Presbyterian Hospital, Weill Cornell Medical Center, and Rockefeller University.

### **Site Description**

The Proposed Development, also known as the Applied Life Sciences Hub or "Center East," is planned to be located on one zoning lot (Block 1441, Lot 40) (the "Development Site"). This through lot is approximately 45,186 square feet and has 225 feet of frontage on East 66<sup>th</sup> Street and East 67<sup>th</sup> Street. The two street addresses are 303-319 East 66<sup>th</sup> Street and 304-326 East 67<sup>th</sup> Street.

Currently, the Development Site is occupied by a three-story building in which the Blood Center is located. It is comprised of approximately 130,678 zoning square feet of floor area and has an FAR of 2.89. The existing building currently covers the entire lot.

The Blood Center uses this building as its primary donation center as well as space for laboratories and administrative offices. The Blood Center also has housed space for startup companies in this location, who perform life sciences research.

## **Project Description**

The primary stated intention of this Proposed Development is to modernize the facilities used by the Blood Center at their 67<sup>th</sup> location at the Development Site. The current building has been used by the Blood Center for the past 50 years and has structural and space limitations for needed modernization upgrades. The existing building has narrow floorplates, low floor-to-floor heights, and outdated mechanical and structural systems. Additionally, the existing R8B zoning would not permit a new building that rises above 75 feet.

The proposed Center East project was developed by the Blood Center in partnership with developer Longfellow Real Estate Partners would be a 16-story, approximately 334 foot building. It would have an FAR of 10 and contain 451,860 zoning square feet. Within the building there would be approximately 139,094 square feet (206,375 gross square feet) classified as community facility space and approximately 312,766 square feet (389,760 gross square feet) classified as commercial space.

In addition to housing the Blood Center's updated laboratory, office, and donation facilities on the lower floors, the first floor would include a multi-purpose community room available to local community groups as well as a café that would be accessible to the public. There would also be a new biosafety level 3 ("BSL-3") laboratory replacing the existing BSL-3 laboratory.

The upper floors would house space for science research and development facilities, including space that could be rented out to private companies pursuing life sciences research and development.

## **COMMUNITY BOARD RECOMMENDATIONS**

The Project Area is located within the jurisdiction of Manhattan Community Board 8. The Blood Center, along with their development partner Longfellow, presented to Manhattan Community Board 8 on several occasions. A public hearing was held on May 12, 2021.

During their May 25, 2021 meeting, Manhattan Community Board 8 voted to disapprove ULURP applications No. C210351ZMM, N210352ZRM, and C210353ZSM by a unanimous vote of 38 in favor, 0 opposed, and 0 abstentions. The following were among the reasons given:

**The Application is a "Spot Zoning"**

The Community Board took issue with the inclusion of zoning changes along 2<sup>nd</sup> Avenue, which are not essential to the Proposed Development of the Blood Center. “Spot zoning” is defined as “singling out one parcel of land for a use classification totally different from that of the surrounding area for the benefit of the owner of such property and to the detriment of other owners” (15 Warren’s Weed New York Real Property § 157.13 (2021)).

### **Inappropriateness for Midblock Zoning**

The R8B midblock zoning was intended to maintain balanced development and quality of life on the Upper East Side and other neighborhoods. In the 35 years since its implementation, there has been no development lot in an R8B that has been rezoned to allow for more intense development.

### **No Justified Reason to Overturn Existing R8B Zoning**

When the City initiated life sciences projects, neither 310 East 67<sup>th</sup> Street or another R8B-zoned lot was selected as a potential development site. There is not a clear sense that there is a need for additional commercial lab space amid a surplus of commercial space.

### **The Impact on St. Catherine’s Park**

The Community Board noted that St. Catherine’s Park is the second most visited park per square foot in New York City, and is the only park within a half mile radius of the Proposed Development. Despite its importance, the shadow impacts of the new building on the park would be significant, and not mitigable.

### **The Impact on the Julia Richman Education Complex**

The Julia Richman Education Complex is located on East 67<sup>th</sup> Street, directly north of the Proposed Development. This building would also be impacted by shadows from the Blood Center, affecting the capacity of students to learn. Construction noise would be a significant issue.

### **Excessive Height and Bulk of Proposed Development**

The Proposed Development would occupy the whole lot at the 85-foot-tall base and rise to a height of 334 feet. This 16-story building is out of scale with the surrounding area. The Community Board noted that it will have a larger height/bulk ratio than any midblock building west of First Avenue within Community District 8.

## **BOROUGH PRESIDENT’S COMMENTS**

Since the first announcement of the Blood Center’s Center East Development, there has been widespread opposition from the community. Additionally, Community Board 8 expressed unequivocal opposition to the project after hundreds of people testified at their public hearing. At

my office's public hearing attended in person by over 100 people with an additional 100 people watching online, I heard from more than 40 advocates and members of the community who voiced their opposition or support for the project. Members from Community Board 8, Friends of the Upper East Side, the Coalition to Stop the Blood Center Tower, and other residents expressed their concerns about the height of the building, the shadow impact, and the precedent it would set for midblock zoning. Members from the Construction and General Building Laborers' Local 79 and Carpenters Local Union 157 spoke of the need to ensure good construction jobs for union workers at this site. Along with other groups in opposition to the rezoning, I participated in a "Stop the Blood Center" rally intended to raise awareness about the potential impacts of the proposed tower last May.

I support the mission of the Blood Center. This recommendation on the proposed rezoning is not a comment on the operation of the organization or their long history of service to New York. I understand that the Blood Center needs to modernize their facilities, but it shouldn't come at the cost of the residential character of the surrounding neighborhood, to which they have been a great neighbor for almost 50 years.

What the Blood Center and Longfellow Real Estate Partners are asking for is a subsidy. The improvements to the Blood Center's own operations can be accomplished under the existing zoning, an R8B district. Without needing a rezoning, the Blood Center would be able to build 229,092 gross square feet of community facility use, which is an increase from the current 159,347 gross square feet occupied by the Blood Center, and more than the 206,400 gross square feet estimated for use by the Blood Center in the Proposed Development.

The reason for this proposed rezoning is to allow for private lab space that can provide revenue for the redevelopment. The life sciences have been identified as a priority by the City of New York and the NYC Economic Development Corporation. However, there seems to have been no money or financing available to the Blood Center that doesn't take the form of expanded development rights.

The human cost of this additional commercial space will be borne by the surrounding community. The size of the proposed building is far too large. These plans increase the height of the building on the Development Site from three stories to 16 stories (approximately 334 feet). The maximum height (now 75 feet under the R8B zoning) would be four times greater than the current zoning allows.

I worry about the precedent this would set for midblock zoning. The intention of R8B zoning was to maintain a residential character for the Upper East Side. The lower-scale buildings allowed under this zoning provide for light and air and contrast with the more densely developed avenues. There has never been a rezoning at this scale on an R8B-zoned midblock, and if passed, this could serve as a proof of concept for further midblock rezonings for commercial use.

I am deeply concerned about the projected shadow impacts of the proposed building on St. Catherine's Park. This park is one of the few green spaces in the neighborhood, and a loss of sunlight would limit its useability, especially in the winter. During peak hours in the spring,

summer, and fall, the proposed project would cast shadows on over 70% of the park. There is no way to mitigate these impacts.

The Julia Richmond Education Complex across the street from the Blood Center would also face negative impacts, including shadows on classrooms and construction noise from the new building. Both of these would affect the capacity of students to learn.

For these reasons, I urge you to reject the proposed New York Blood Center – Center East proposal.

**BOROUGH PRESIDENT’S RECOMMENDATION**

Therefore, the Manhattan Borough President recommends **disapproval** of ULURP applications No. C210351ZMM, N210352ZRM, and C210353ZSM.

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

Gale A. Brewer  
Manhattan Borough President