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December 20, 2013

Via Hand Delivery

Hon. Meenakshi Srinivasan, Chair  
New York City Board of Standards and Appeals  
250 Broadway, 29th Floor  
New York, NY 10007

Re: New York Methodist Hospital  
Center for Community Health  
505-525 6th Street (Block 1084, Lots 25, 26, 28,  
39-44, 46, 48, 50-59, 164, 1001, and 1002)  
BSA Cal. No. 289-13-BZ

Dear Chair Srinivasan:

We are writing in response to your Board's Notice of Comments, dated December 2, 2013, in connection with the referenced application on behalf of New York Methodist Hospital ("NYM" or the "Hospital") for a variance to allow the development of a new outpatient care facility, known as the Center for Community Health, on NYM's main campus.

The attachments to this letter consist of one (1) original and one (1) copy of the following materials, with an electronic copy to be sent by e-mail under separate cover, as well as one (1) copy of the complete updated application:

- Revised Statement of Facts and Findings;
- Letter from NYM, dated December 20, 2013, superseding and modifying the NYM Letter submitted with the original application (as superseded and modified, the "NYM Letter");<sup>1</sup>

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<sup>1</sup> All capitalized terms not defined in this letter shall have the meaning given to them in the Statement of Facts and Findings.

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- Survey dated April 30, 2013, by Gallas Surveying Group (the “Survey”);
- Letter from Severud Associates, dated December 19, 2013 (the “Severud Letter”);
- Letter from Lend Lease, dated December 13, 2013 (the “Lend Lease Letter”);
- Drawings G-01, G-02, and Z-01 through Z-52, dated December 10, 2013, prepared by Perkins Eastman Architects;
- Renderings and axonometric drawings of the Proposed Center and the Complying Development;
- Revised EAS with a revised Attachment C (Shadows) incorporating new graphics in connection with the analysis of incremental shadow impacts;
- Letter from Kramer Levin Naftalis & Frankel LLP (“Kramer Levin”) on behalf of NYM, dated December 20, 2013, responding to the letter from Stuart Klein to Brooklyn Community Board 6 (“CB6”), dated November 19, 2013; and
- Letter from Kramer Levin on behalf of NYM, dated December 20, 2013, responding to the letter from Eve C. Gartner to CB6, dated November 20, 2013.

Of the enclosed Drawings, Drawings Z-46 through Z-52 are new, and Drawings G-01, Z-02, Z-03, Z-13 through 23, Z-32 through Z-37, and Z-45, have been revised as described below and Drawings Z-46, Z-51 and Z-52 have been added in response to BSA comments. All other Drawings are as submitted with the original application but have been redated for consistency.

Our responses are set forth below and are divided into four sections corresponding to the Notice of Comments, relating to, respectively, the Statement of Facts and Findings, Plans and Renderings, CEQR, and Additional Materials.

In addition to incorporating the responses set forth herein, the attached materials reflect the following modifications and clarifications to the application:

- The Statement of Facts and Findings incorporates and discusses the enclosed Severud Letter and Lend Lease Letter, which describe in detail the practical difficulties involved in developing a building over the existing parking garage on the Zoning Lot. It further clarifies that the construction of the Complying Development would require suspension of the existing garage’s operations for 17 months.

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- Drawing G-01 has been revised to include Drawings Z-46 through Z-52 in the list of Drawings. Drawings Z-01 and Z-02 have been revised to include shading to distinguish existing buildings. Drawing Z-13 has been revised to include the outline of the buildings outside of the zoning lot in the north elevation. Drawings Z-13, Z-14, and Z-36 have been revised to remove the signage details now shown on new Drawing Z-52. Drawing Z-15 has been revised to clarify that the eastern portion of the ground floor is not programmable space, but instead corresponds to the upper portion of the Cellar level shown on new Drawing Z-46. Drawings Z-16 through Z-22 have been revised to include the outline of the buildings outside of the zoning lot for reference. Drawing Z-23 has been revised to include shading to distinguish existing buildings. Drawings Z-32, Z-33, Z-34, Z-37 have been revised to clarify required reinforcement of existing garage for overbuild. Drawing Z-35 has been revised to indicate the complying Bulletin Board/Directory signage. The title of Drawing Z-38 has been corrected from “Complying Ground Floor Plan” to “Complying First Floor Plan.” Drawings Z-37 through Z-45 have been revised to depict the buildings outside of the zoning lot to the same level of detail as shown for the corresponding Proposed plans. Drawings Z-46 through Z-51 (subsurface plans for the Proposed and Complying developments) and Z-52 (Comparison Elevation Details) have been added in response to BSA comments.
- The Statement of Facts and Findings have been revised to indicate that, in the case of both the Proposed Center and the Complying Development, the Hospital expects to construct a below-grade pedestrian and utility tunnel between the new development and the existing Hospital facilities across 6<sup>th</sup> Street to the south, subject to the approval of a revocable consent by the NYC Department of Transportation. The EAS submitted with the original application indicated that this tunnel would serve only utility connections. The proposed tunnel is described in greater detail in these materials and is shown on Drawings Z-48 and Z-51, submitted herewith.
- In the EAS, the Project Description was revised to: (i) further describe the comprehensive patient care institutes and proposed building program; (ii) further describe the deficiencies of the Complying Development; and (iii) to add text related to there being a below-grade pedestrian and utility tunnel between the new development and the existing Hospital facilities across 6<sup>th</sup> Street to the south as a project element, instead of just a potential utility conduit. Text was also added to the Land Use attachment to further describe the proposed pedestrian and utility tunnel, and to the Construction attachment to reflect the expected construction of the combined pedestrian and utility tunnel. The Shadows analysis was revised to respond to BSA comments, including new graphics clearly depicting the incremental shadows of the Proposed Development compared to the Complying Development, as well as to update the text to clarify the conclusions. In the Transportation attachment, Table G-1, the

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program square footages were removed, because they are not relevant to this analysis, and the parking text was modified to reflect the updated project parking demand.

**Statement of Facts and Findings**

**1. Identify the actual square footage of the as-of-right scenario in the first paragraph.**

The Statement of Facts and Findings has been revised to indicate that the Complying Development would contain approximately 310,000 square feet of floor area, as compared to the approximately 311,000 square feet in the proposed Center for Community Health.

**2. The discussion under the “A” finding states that 220,000 sf of existing programs is being relocated and 80,000 sf of new program space is being created. Please provide the following:**

- a. Identify the specific programs that are being relocated and the current vs. future space, in square feet. If additional square feet are being provided for a program in the relocation, identify the reasons why.**
- b. Identify the proposed uses of existing spaces that will be vacated once programs are relocated.**
- c. Explain the need for new program space and the square footage associated with it.**

The revised NYM Letter includes a summary sheet and spreadsheet prepared by the Hospital that identifies the programs to be included in the Center for Community Health and, with respect to each program, provides the following information: (i) whether the program will be new, will be fully relocated from existing space in an NYM facility, or will relocate outpatient services to the proposed Center but retain some or all of its existing space; (ii) the program’s current location [and square footage], if applicable; (iii) the need for the new or relocated, space and the square footage associated with it; (iv) and the planned use of the existing space that will be vacated by the relocation of the program, if applicable. The summary sheet lists the components that make up the remaining gross square footage of the building. Approximately 30% of the building area in the Center for Community Health will be for new or expanded programs. The balance of the

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space is for programs that are currently located in the Hospital's main campus or in leased space in the neighborhood.<sup>2</sup>

The spreadsheet supplements the original application by identifying where the relocation or expansion of an existing program is needed to accommodate projected increases in patient volumes, to remain up-to-date with current medical standards for size and type of facilities and equipment, and/or to satisfy applicable guidelines. With respect to the utilization of existing spaces to be vacated, the spreadsheet describes a number of the Hospital's plans, including the following:

- In some cases, the vacated space would allow for the expansion of an existing adjacent program with inadequate space. For example, the relocation of pre-admission testing would allow for the Hospital's emergency department to expand to satisfy increasing demand; the relocation of ambulatory surgery would allow for enhancements to the adjacent Pediatric Intensive Care Unit; and the relocation of hyperbaric and wound care and of the Hospital's urology practice would allow for enhancements to podiatry, pediatrics, and other practices.
- The relocation of certain programs would allow for the introduction of new Hospital programs, such as the employee health and wellness center that is expected to occupy the space vacated by the orthopedics faculty practice.
- The expansion of certain programs, such as ambulatory radiology, radiation oncology, and special procedures/endoscopy, would allow the respective existing facilities to be dedicated to inpatient populations, with resulting improvements in patient experience and operational efficiencies.
- As discussed in the Statement of Facts and Findings submitted with the original application, some shared patient rooms may be replaced with private and semi-private rooms, which are now the standard of care for inpatients. The relocation of NYM's women's health practice, for example, would allow the Hospital to reposition its facilities so as to accommodate the elimination of four-bedded inpatient rooms on that floor.

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<sup>2</sup> The transportation analyses in the EAS were completed using projections from NYM of the incremental number of patients, visitors and staff associated with the new building and were not based on square footage of new or expanded programs.

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The Statement of Facts and Findings has been revised to incorporate this discussion.

**3. Provide more information on the slope condition, including more details on how the slope constrains the site and how it is addressed in the proposal. Provide a survey as evidence for the slope.**

As shown on the enclosed Survey, the Development Site slopes downward from Eighth Avenue toward Seventh Avenue, with a change in grade of approximately 11 feet as measured from a point at the corner of 6<sup>th</sup> Street and Eighth Avenue to the midblock portion of 6<sup>th</sup> Street. This change in grade represents slightly more than three-quarters of the height of a typical building floor. As a result of the slope condition, a development that spans the length of the Development Site must have a split ground-floor level, which results in greater building heights in the western portion of the Proposed Building as well as inefficiencies in internal circulation, as described below. The slope also results in changing values of the applicable curb level and base plane, which, in combination with applicable height and setback regulations, restricts ceiling heights in the Complying Development.

The condition of a split ground floor is accommodated in the proposed Center for Community Health by a single-height space at the eastern end of the building (shown on Drawing Z-16 as the first floor) and a nearly double-height space at the western end of the building (shown on Drawing Z-15 as the ground floor). *See* Drawings Z-10, Z-15, and Z-16. Maintaining the greater ceiling height at the western end of the building allows the floors above to have continuous floor plates, and in turn efficient circulation and adjacencies, but it results in greater building heights toward the western end of the Development Site than would otherwise be needed.

The split ground floor also results in inefficiencies in internal circulation. The single-height portion of the ground floor would be served by a corner entrance at 6<sup>th</sup> Street and Eighth Avenue, and the double-height portion would be served by the main lobby entrance on 6<sup>th</sup> Street, with public circulation and amenity space situated along the southern portion of the building to create visual continuity along 6<sup>th</sup> Street. The difference in elevation between the two portions of the building would be negotiated by an interior communicating stair midway along the length of the building, near the central elevator core. *See* Drawings Z-15 and Z-16. The central bank of both passenger and service elevators would additionally provide stops on each portion of the ground floor. While this added circulation space and the modified elevator operations successfully address the change in elevation, they decrease overall building efficiency and occupy floor space that could otherwise be devoted to program. These impacts are even

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more significant in the Complying Development, the smaller floor plates of which make it more difficult to accommodate programmatic inefficiencies.

The slope of the Development Site also results in significant variations in the applicable curb level and base plane, as calculated pursuant to Section 12-10 of the Zoning Resolution. Along 6<sup>th</sup> Street in the R6 zoning district, the applicable curb level is 131.8 feet in the corner lot, 126.44 feet in the interior lot, and 122.62 feet in the through lot. *See* Drawing Z-05. The elevation of the applicable maximum front wall height thus steps down from Eighth Avenue toward Seventh Avenue. This results in constrained floor-to-floor heights of 9 feet and 12 feet 11 inches for portions of the fourth floor in the Complying Development. *See* Drawings Z-32 and Z-41. These low heights significantly impede the ability to program these portions of the building.

The Statement of Facts and Findings has been revised to incorporate this information.

**4. In the discussion of the floor area waivers, identify the amount of FAR increase in the R6B and R7B zoning districts.**

The Statement of Facts and Findings has been revised to indicate that, following the development of the proposed Center, the R6B portion of the Zoning Lot would contain 48,835 square feet of floor area, exceeding the maximum permitted amount of 22,426 square feet by 26,409 square feet, and the R7B portion would contain 45,600 square feet of floor area, exceeding the maximum permitted amount of 27,024 square feet by 18,576 square feet.

**5. Provide background on the surrounding historic district and discussion on why the subject block was not included.**

The Landmarks Preservation Commission (“LPC”) designated the Park Slope Historic District in 1973 and the Park Slope Historic District Extension in 2012. The original Historic District boundaries, which are irregular and exclude portions of certain blocks on the perimeter of the district, are located north of 5<sup>th</sup> Street and east of Eighth Avenue, and do not extend south and west to include any portion of the NYM campus. The boundaries of the Historic District Extension, which were proposed by the Park Slope Civic Council, are located south of 7<sup>th</sup> Street and also did not include any portion of the NYM campus. Although the NYM campus, or some portion of it, may have been informally reviewed and considered for inclusion within the Historic District and/or the Extension, it was not included in the Park Slope Civic Council’s proposed extension area or in the extension that was formally calendared for review by

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LPC. The NYM campus is not included in any published LPC materials relating to the designated Historic District or Extension.

The Statement of Facts and Findings has been revised to incorporate this information.

**Plans/Renderings**

**6. Provide subsurface floor plans for the complying and proposed scenarios.**

We have enclosed copies of floor plans for the cellar level, parking level 1, and parking level 2 for both the proposed Center and the Complying Development. See Drawings Z-46 through Z-51.

**7. Provide 3-D renderings of the proposal, and additional renderings which contrast the complying scenario with the proposal from different angles, including along Eighth Avenue and 5<sup>th</sup> Street.**

We have enclosed the following renderings of both the proposed Center and the Complying Development: (i) street view from the corner of Eighth Avenue and 6<sup>th</sup> Street; (ii) street view from the corner of Eighth Avenue and 5<sup>th</sup> Street; (iii) street view from 5<sup>th</sup> Street looking east; and (iv) street view from Eighth Avenue looking north. We have also enclosed the following axonometrics of both the proposed Center and the Complying Development: (i) street view from Eighth Avenue looking north and (ii) aerial view from the corner of Seventh Avenue and 5<sup>th</sup> Street.

**8. Provide separate plans for the signage waiver, comparing the complying with the proposed signs.**

We have enclosed new Drawing Z-52, which shows the signage in both the proposed Center and the Complying Development. Drawings Z-13, Z-14, and Z-36 have been revised to remove the signage details now shown on Drawing Z-52.

**CEQR**

**9. Under the shadow analysis, provide graphics to support the analysis conclusion regarding incremental shadow impacts (page C-5).**

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The shadows analysis in the EAS (Attachment C) has been revised to include new graphics (C-4 through C-6) and to clarify the conclusion that the proposed project would not result in incremental shadows impacts on nearby sunlight-sensitive resources.

**Additional Materials**

**10. Provide a response to the letters to the Community Board from Stuart Klein (dated November 19, 2013) and Eve C. Gartner (dated November 20, 2013).**

We have enclosed copies of the letter on behalf of NYM, dated December 20, 2013, sent to CB6 in response to the letter from Stuart Klein, and the letter on behalf of NYM, dated December 20, 2013, sent to CB6 in response to the letter from Eve C. Gartner.

Very truly yours,

  
Elise Wagner

Enclosures

cc: Brooklyn Community Board 6  
Hon. Marty Markowitz – Brooklyn Borough President  
Hon. Brad Lander – City Council Member 39<sup>th</sup> District  
Ira Gluckman, R.A. – Department of Buildings, Brooklyn  
Purnima Kapur – Department of City Planning  
Christopher Holme – Department of City Planning