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Michael Kwartler, FAIA
Principal

April 21, 2014

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 39,
164, 1001, and 1002)
BSA Cal. No. 289-13-BZ

Dear Chair Srinivasan and Commissioners:

At the request of New York Methodist Hospital, I have reviewed the proposal by Preserve Park Slope for the alternative design for an ambulatory care center for the Hospital, as set forth in the March 25, 2014, submission to the Board by Stuart Klein (the "Garage Overbuild"), to assess the zoning waivers that the building would require from the Board. I presented these findings to the Board at the April 8, 2014, public hearing on the application. As discussed below, and as summarized in the attached table, the Garage Overbuild would require virtually all of the same zoning waivers as the Hospital's proposed Center for Community Health (the "Center"), plus three additional zoning waivers for the portion of the Garage Overbuild located over the Hospital's existing garage. Some of these waivers were not identified in the Preserve Park Slope submission.

I note at the outset that the Preserve Park Slope materials submitted to the Board do not provide specific floor area numbers or floor-to-floor heights for the Garage Overbuild. With respect to the latter, I have conservatively assumed floor-to-floor heights of 20 feet at the ground floor and 14 feet at the floors above. The proposed Center has floor-to-floor heights of 20 feet at the ground floor and 14 to 16 feet at the floors above.

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First, the Garage Overbuild requires nearly all of the same zoning waivers as the Hospital's modified proposal. This includes waivers for lot coverage, rear yards, rear yard equivalents, and distribution of floor area. With respect to height and setback, both the Garage Overbuild and the Center fully comply with the height and setback regulations of the R7B district. Both proposals do not comply with the applicable maximum base height and maximum building height in the R6B district. (The non-compliances of the Garage Overbuild with the maximum building height in the R6B district and the required rear yard in the R6 district are not indicated in the Preserve Park Slope materials.) Although the Garage Overbuild has a lower building height than the proposed Center within the R6B district, its upper floors are closer to the 5th Street street line. Interestingly, the most significant reduction in the Garage Overbuild's bulk appears to have been made along 6th Street in the R6 zoning district, where the non-compliance of the proposed Center is not very significant and where the nearby structures consist mostly of Hospital buildings.

The Garage Overbuild also requires three additional waivers for the western through lot occupied by the existing garage and the Wesley House, the latter of which contains non-profit hospital staff dwellings:

- The lot coverage of the through lot exceeds the maximum of 65%.
- The Garage Overbuild provides a rear yard equivalent of only 45 feet, less than the required 60-foot rear yard equivalent.
- The Garage Overbuild does not provide the required minimum distance between buildings on floors containing dwelling units. The Wesley house is located approximately 45 feet to the immediate south.

Based on these findings, it is my opinion that the Garage Overbuild does not require a lesser variance than the proposed Center.

Very truly yours,



Michael Kwartler, FAIA

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Object #	Section of Code	Comments	VARIANCES REQUESTED	
			NYM Proposed	PPS Alternative
1.	ZR 24-11	Proposed FAR in R6B and R7B portions both exceed maximum permitted because proposed "floor area" distribution across district boundary lines are not permitted; contrary to ZR 24-11, ZR 24-17 and ZR 77-02.	Yes:	Yes/Assumption: Floor area calculations not provided
2.	ZR 24-11	Proposed Lot Coverage of: a. Corner Lot in R6 b. Interior lot in R6 c. Through Lot in R6/R6B and, d. Corner lot in R7B, exceeds maximum; contrary to ZR 24-11.	Yes: $\pm 100\% > 70\%$ Yes: $\pm 70\% > 65\%$ Yes: $\pm 100\% > 65\%/60\%$ Yes: $\pm 100\% > 80\%$	Yes: $\pm 100\% > 70\%$ Yes: $\pm 70\% > 65\%$ Yes: $\pm 100\% > 65\%/60\%$ Yes: $\pm 100\% > 80\%$
3.	ZR 24-382	Proposed rear yard at through lot portion B in zoning districts R6 and R6B is contrary to ZR 24-382 Required Rear Yard Equivalent.	Yes: RYE not provided	Yes: RYE not provided
4.	ZR 24-522	Height and setback limitations for: a. The R6 district portion, above both narrow (6th St) and wide street (8th Ave) and, b. The R6B and R7B districts portions above, narrow street (5th St.), are both contrary to ZR 24-522.	Yes: Mechanical equipment floor, maximum base height, setback, and SEP Yes: Base and building height	Yes: Mechanical equipment floor and maximum base height GF @ 20' and 4 fls. @ 14' = 76' > 60' Yes: Base and building height R6B only
5.	ZR 24-552	Required rear setbacks for R6 and R6B districts portions are contrary to ZR 24-552.	Yes: R6 and R6B	Yes: R6B
6.	ZR 22-321	Proposed signs exceed maximum permitted number and surface area contrary to ZR 22-321.	Yes:	NA
7.	ZR 24-36	Proposed building portion in required rear yard on interior lot portion (R6), beyond 100' of a wide street, is not a permitted obstruction as per ZR 24-33 (b)(3)(iii), and is therefore contrary to ZR 24-36.	Yes:	Yes:
8.	ZR 24-382	Rear Yard Equivalent of 45 ft on western through lot (R6) is not permitted, and is therefore contrary to ZR 24-382.	No: Complies	Yes:
9.	ZR 24-11	Proposed lot coverage of western through lot (R6), exceeds maximum of 65% contrary to ZR 24-11.	No: Complies	Yes:
10.	ZR 23-71	Minimum Distance Between Buildings is less than minimum required on western through lot (R6), contrary to ZR 23-711.	No: Complies	Yes: