

## **A. INTRODUCTION**

This chapter assesses the potential impacts of the proposed Memorial Sloan-Kettering Cancer Center (MSK)/The City University of New York (CUNY)-Hunter project on open space resources. Open space is defined by the 2012 *City Environmental Quality Review (CEQR) Technical Manual* as publicly accessible, publicly or privately owned land that operates or is available for leisure, play, or sport, or serves to protect or enhance the natural environment. The *CEQR Technical Manual* guidelines indicate that an open space analysis should be conducted if an action would result in a direct effect, such as the physical loss or alteration of public open space, or an indirect effect, such as when a substantial new population could place added demand on an area's open spaces.

The proposed project would not remove any publicly accessible open space. However, it would substantially increase the user population for study area open spaces and cast new shadow on the East River Esplanade which runs along the east side of Franklin Delano Roosevelt (FDR) Drive in the project area. The proposed project would make a contribution to publicly accessible open space by providing funding to the New York City Department of Parks and Recreation (DPR) for improvements to Andrew Haswell Green Park located along the East River Esplanade to the south of the project site and outside the ¼-mile radius study area. Therefore, an open space assessment was conducted to determine whether the proposed project would result in any significant adverse open space impacts.

## **PRINCIPAL CONCLUSIONS**

### ***DIRECT EFFECTS***

The proposed project would not remove any open space, but would cast shadow on a portion of the East River Esplanade in the afternoon in all seasons of the year and on John Jay Park in December.

While MSK would provide funding to DPR for improvements to Andrew Haswell Green Park, this 1.98 acre open space is located outside the study area near East 61st Street. Therefore, it is not counted in the quantitative assessment of impacts. Further, both MSK and CUNY would provide open space on the project site. While those open spaces would serve users of the proposed project, they would not be open to the public, and they are not counted in the quantitative analysis.

### ***INDIRECT EFFECTS***

The project site is located in an area that, according to the 2012 *CEQR Technical Manual*, is underserved in terms of open space. Underserved areas are defined as areas having a high population

density and being located far from parkland such that the amount of open space per 1,000 residents is less than 2.5 acres.

According to the *CEQR Technical Manual*, a worker population of over 125 may noticeably diminish the ability of open spaces in the area to serve the total future population. As the proposed project would generate well over the 125-worker threshold for analysis a detailed analysis was undertaken. The quantitative assessment of open space is based on ratios of usable open space acreage to the study area populations (the “open space ratios”).

The proposed project would decrease the total, active, and passive open space ratios in the study area by 31.7 percent. The passive open space ratio would decrease by 32 percent, but would remain above the City’s passive open space guidelines with the proposed project. Therefore, the proposed project would result in a significant adverse impact on passive open space.

The proposed project would partially reduce the additional demand for open space presented by its worker and student population in the study area by providing interior and outdoor passive spaces that would be attractive and much closer to the employee and student populations generated by the proposed project. These facilities, while not open to the public, would likely serve the needs of MSK and CUNY’s workers, students, and faculty members seeking places to take short breaks, and would decrease the number of non-residents who would seek out public open space resources in the area.

In addition, MSK would make a substantial contribution to DPR for Phase 2B of DPR’s improvement plan for Andrew Haswell Green Park. While the improvement to 1.1 acres of this park would be a part of the East River Esplanade which runs by the project site, this improvement is outside the study area.

## **B. METHODOLOGY**

### **STUDY AREA**

This analysis of potential open space impacts was conducted based on the methodology of the *CEQR Technical Manual*. According to CEQR guidelines, the first step in assessing potential open space impacts is to establish study areas appropriate for the new population(s) to be added as a result of the proposed project. Study areas are generally defined by a reasonable travel distance a person would walk to reach a neighborhood open space. Workers (or non-residents) typically use passive open spaces within an approximately 10-minute walking distance (about ¼-mile). The proposed health care and educational facility would introduce a new population of workers to the area; therefore, a ¼-mile study area was established to assess the proposed project’s potential open space effects on non-residential users based on the methodology in the *CEQR Technical Manual*.

As recommended in the *CEQR Technical Manual*, the open space study area comprises all census tracts that have at least 50 percent of their area located within ¼-mile of the project site. As shown in **Figure 3-1**, the non-residential study area for the proposed project encompasses two census tracts (Manhattan tracts 124 and 132), roughly between First Avenue to the west, East 79th Street to the north, the FDR Drive to the east, and East 69th Street to the south. The non-residential study area also extends to encompass a portion of Roosevelt Island, which is separated from the project site by the East River; this area has been excluded from the open space analysis, because it is unlikely to be visited on foot by non-residents from the Manhattan side due to the lack of nearby connections (bridges or trams) to Roosevelt Island.



- Project Site Boundary
- Study Area Boundary (1/4-Mile Perimeter)
- Study Area Census Tract Boundary
- 124** Census Number



Open Space Study Area • Census Tracts  
**Figure 3-1**

## **STUDY AREA POPULATION**

Information regarding the population within the non-residential study area was obtained using the ESRI Business Analyst. The comprehensive database of businesses, included number of employees, is updated annually by ESRI based on a number of sources—including directory listings such as Yellow Pages and business white pages; annual reports; 10Ks and Securities and Exchange Commission (SEC) information; federal, state, and municipal government data; business magazines; newsletters and newspapers; and information from the U.S. Postal Service<sup>1</sup>—and geographically coded. Businesses and employee totals within the non-residential study area were isolated using the ESRI Business Analyst Online.

## **INVENTORY OF OPEN SPACE RESOURCES**

Publicly accessible open spaces and recreational facilities within the study area were inventoried to determine their size, character, utilization, amenities, and condition. Open spaces that are not accessible to the general public or that do not offer usable recreational areas, such as spaces where seating is unavailable, were generally excluded from the survey. The information used for this analysis was gathered through a field survey conducted in September 2012, during the midday hours when non-residents are more likely to use open spaces, and from the DPR website, as well as from New York City DoITT GIS data.

At each open space, active and passive recreational spaces were noted. Active open space acreage is used for activities such as jogging, field sports, and children's active play. Passive open space usage includes activities such as strolling, reading, and people-watching. Some spaces, such as lawns and public esplanades, can be considered both active and passive recreation areas since they can be used for passive activities such as sitting or strolling and active uses, such as jogging. For the purposes of this analysis, special attention was paid to the passive open space resources, as non-residential users are unlikely to participate in activities that require active space during the day. Based on the methodology in the *CEQR Technical Manual*, the use level at each facility was determined based on observations of the amount of space or equipment determined to be in use. Open spaces with less than 25 percent of space or equipment in use were categorized as low usage; those with 25 to 75 percent utilization were classified as moderate usage; and those with over 75 percent utilization were considered heavily used.

## **ADEQUACY OF OPEN SPACE RESOURCES**

### *COMPARISON TO GUIDELINES*

As noted above, the adequacy of open space in the study area can be quantitatively assessed using a ratio of usable open space acreage to the study area population—referred to as the open space ratio. To assess the adequacy of open space resources, open space ratios are compared with planning goals set by the New York City Department of City Planning (DCP). Although these open space ratios are not meant to determine whether a proposed project might have a significant adverse impact on open space resources, they are helpful guidelines in understanding the extent to which user populations are served by open space resources. For non-residential

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<sup>1</sup> 2011 Methodology Statement: Esri® Data—Business Locations and Business Summary, ESRI, June 2011.

populations, 0.15 acres of passive open space per 1,000 non-residents is typically considered adequate.

### ***IMPACT ASSESSMENT***

Impact assessment is both quantitative and qualitative. The latter considers nearby destination resources and open spaces created by the proposed project not available to the general public. It is recognized that DCP goals are not feasible for many areas of the City, and they are not considered impact thresholds on their own. Rather, these are benchmarks indicating how well an area is served by open space. The *CEQR Technical Manual* indicates that a significant adverse impact may result if a project would reduce the open space ratio by more than 5 percent in areas that are currently underserved by open space (i.e., areas that are below the City's median open space ratio of 1.5 acres per 1,000 residents). A significant adverse impact may also result if a project would result in the direct displacement or alteration of existing open space within the study area.

## **C. EXISTING CONDITIONS**

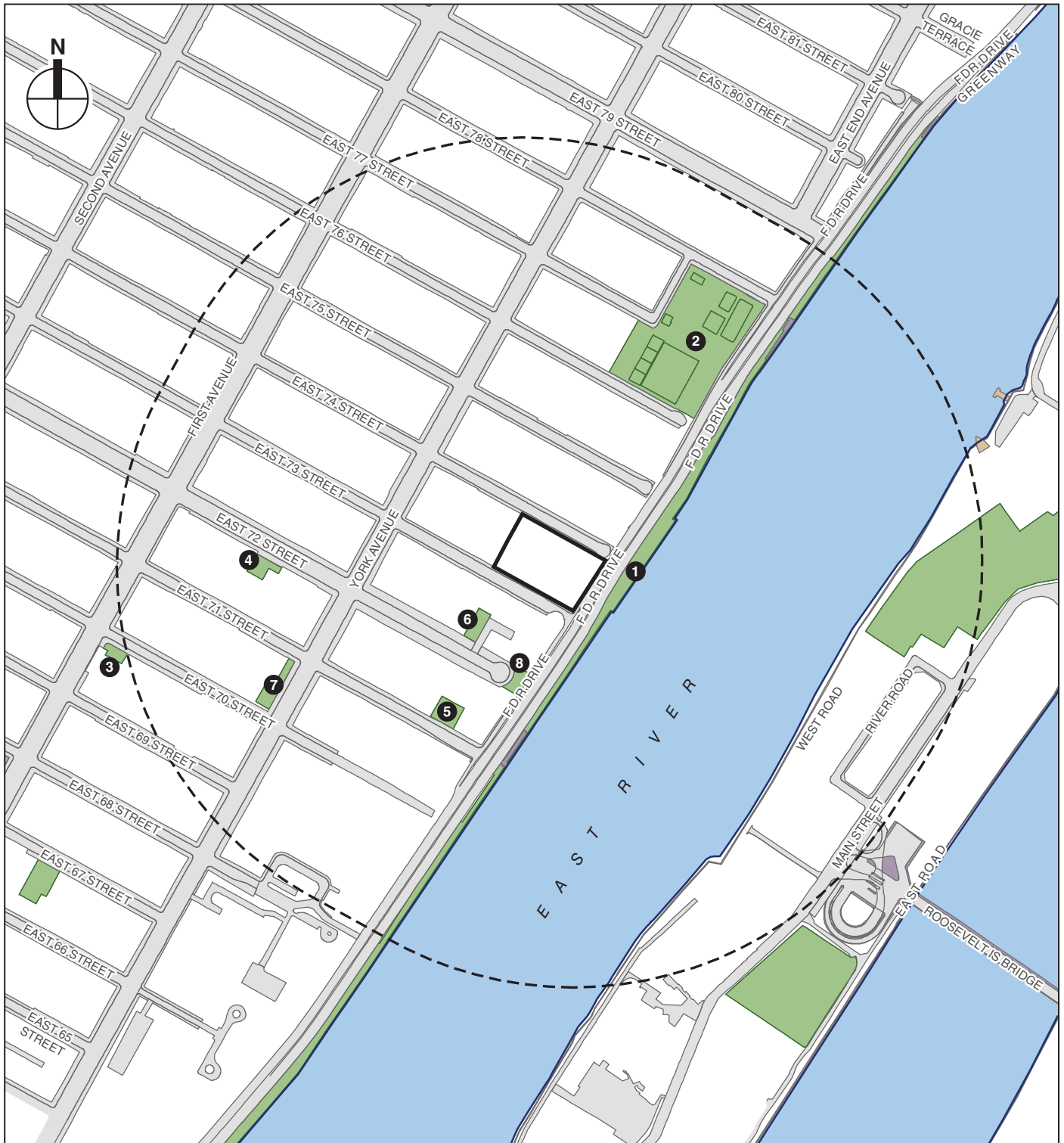
### **STUDY AREA NON-RESIDENTIAL POPULATION**

According to the ESRI Business Analyst, the current non-residential population within the study area census tracts is 7,504 workers.

The study area includes several educational facilities, including facilities for medical students (Weill Cornell Medical College, New York Presbyterian Hospital, Hospital for Special Surgery), primary schools (P.S. 158 Baylard Taylor School) and secondary schools (Lycee Francais de New York). For the purposes of this analysis, the student population introduced by these facilities has not been included in the non-residential population. It is assumed that the students at these facilities are housed within the study area (in the case of students at the medical institutions), and therefore can be considered residents, or utilize separate recreational spaces provided by the institution. These students are unlikely to utilize the existing passive open space resources in the study area.

### **STUDY AREA OPEN SPACES**

Despite being located in an area that has been designated as being underserved by open space, the study area includes a number of open spaces resources with passive recreational space that can be used by local workers and other non-residents. Several of these resources are public plazas or seating areas maintained by private landlords, known as Privately Owned Public Spaces (POPS). Under provisions in the New York City Zoning Resolution (ZR), developers are afforded additional floor area within their buildings if the development includes a POPS; although this bonus provision was used on many of the large-scale residential and community facility projects in the area, many of these open spaces feature only landscaping and green space. Therefore, this analysis only includes POPS that contain areas for recreational activity, such as benches or seating areas. **Table 3-1** and **Figure 3-2** summarize the open spaces within the non-residential study area. The study area contains approximately 5.3 acres of open space, of which approximately 2.44 acres are passive space.



- Project Site Boundary
- - - Study Area Boundary (1/4-Mile Perimeter)
- ① Study Area Open Space Resource



**Table 3-1**

**Existing Open Space Resources within the Non-Residential Study Area**

Ref. No. <sup>1</sup>	Name	Location	Owner/ Agency	Features	Total Acres	Passive Acres	Active Acres	Condition/ Utilization
1	East River Esplanade	FDR Drive between E. 68th St and E. 79th St	DPR/Department of Small Business Services	Walkway/ bikeway, benches	1.62	0.81	0.81	Fair/Moderate
2	John Jay Park	FDR Drive between E. 76th St and E. 78th St	DPR	Benches, basketball and handball courts, playground, pool	3.31	0.83	2.48	Good/High
3	Kingsley POPS	First Ave between E. 69th St and E. 70th St	Kingsley Condominium	Benches, planting areas	0.11	0.11	0	Good/Low
4	Oxford POPS	E. 71st St between First Ave and York Ave	Oxford Condominium	Seating ledges, planting areas	0.12	0.12	0	Good/Low
5	Belaire POPS	E. 71st St between York Ave and FDR Drive	HSS Properties Corp.	Fountain, seating ledges, tables and chairs, planters	0.17	0.17	0	Good/Moderate
6	One East River Place POPS	E. 72nd St between York Ave and FDR Drive	One East River Place Realty Co.	Fountain, tables and chairs	0.11	0.11	0	N/A <sup>2</sup>
7	Herman Stich Medical Building Plaza	York Ave between E. 70th St and E. 71st St	Royal Charter Properties—East, Inc.	Seating ledges, benches, planters	0.16	0.16	0	Good/Low
8	E. 72nd Street Seating Area	End of E. 72nd St	Private residential	Benches, planters	0.13	0.13	0	Fair/Moderate
<b>Study Area Total</b>					<b>5.73</b>	<b>2.44</b>	<b>3.29</b>	
<b>Notes:</b> 1. See Figure 3-2 2. As of October, 2012, the One East River Place POPS was temporarily closed to the public due to construction on the adjacent building; it is expected to reopen in early 2013.								
<b>Sources:</b> AKRF Field Survey, October, 2012; DPR website, September 2012; Jerold S. Kayen, <i>Privately Owned Public Spaces</i> (The New York City Department of City Planning and the Municipal Art Society of New York, 2000); NYC DoITT GIS data								

The field survey of the open spaces, conducted in good weather on October 5, 2012, between noon and 2:00 PM, indicated that these resources were not overcrowded by workers during the daytime, and in fact several were noticeably underused, which appears to show that the existing non-residential population's needs for open space are being met by the existing open spaces in the area.

## ADEQUACY OF OPEN SPACE RESOURCES

The analysis of open space resources takes into consideration the ratios of active, passive, and total open space resources per 1,000 non-residents. For the purposes of this analysis, the ratio of passive open space resources per 1,000 non-residents is pertinent to assessing the open space that is most likely to be used by a non-resident.

With a total of 5.73 acres of open space (of which 3.29 are for active use and 2.44 are for passive use) and a total non-residential population of 7,504, the study area has a passive open space ratio of 0.33 acres per 1,000 non-residents (see **Table 3-2**). This is more than DCP's planning goal of 0.15 acres per 1,000 in areas that are underserved by open space, such as the study area.

**Table 3-2**  
**Existing Conditions: Adequacy of Open Space Resources**

2010 Non-Resident Population	Open Space Acreage			Open Space Ratios			DCP Open Space		
				per 1,000 Residents			Guidelines		
	Total	Active	Passive	Total	Active	Passive	Total	Active	Passive
7,504	5.73	3.29	2.44	0.76	0.44	0.33	N/A	N/A	0.15

## D. THE FUTURE WITHOUT THE PROPOSED PROJECT

### STUDY AREA POPULATION

There are two known developments anticipated within the ¼-mile study area by 2019: an approximately 773,775-square-foot (sf) ambulatory surgery center for the Hospital for Special Surgery (HSS) located at 523 East 73rd Street and an approximately 480,000-sf research facility for Weill Cornell Medical Center located at 413 East 69th Street, the Belfer Research Building. The HSS facility is anticipated to introduce approximately 970 new workers, while the Belfer Research Building is anticipated to introduce approximately 1,119 new workers. Therefore, the non-residential population within the study area is anticipated to grow to 9,593 workers without the proposed project.

### STUDY AREA OPEN SPACES

No new open spaces or alterations to existing open spaces are anticipated within the study area by 2019. The total open space will remain at 5.73 acres, of which 2.44 acres are passive open space.

## ADEQUACY OF OPEN SPACE RESOURCES

With the new workers introduced by the HSS and Belfer Research Building projects, the non-residential passive open space ratios will decrease to 0.25 acres per 1,000 non-residents (see **Table 3-3**). The passive open space ratio will remain above the 0.15 acres per 1,000 non-residents recommended by DCP for areas that are underserved by open space.

**Table 3-3**  
**The Future Without the Proposed Project: Adequacy of Open Space Resources**

2019 Non-Resident Population	Open Space Acreage			Open Space Ratios			DCP Open Space		
				per 1,000 Residents			Guidelines		
	Total	Active	Passive	Total	Active	Passive	Total	Active	Passive
9,593	5.73	3.29	2.44	0.60	0.34	0.25	N/A	N/A	0.15



## E. PROBABLE IMPACTS OF THE PROPOSED PROJECT

### STUDY AREA POPULATION

As described in Chapter 1, “Project Description,” the proposed project comprises an MSK ambulatory care center (ACC) and CUNY-Hunter Building. The MSK ACC is anticipated to be staffed by 1,620 workers, while the CUNY-Hunter Building is anticipated to be staffed by 547 workers (faculty members, researchers, and support staff). The CUNY-Hunter Building would also be visited by 1,130 undergraduate students and 1,219 graduate students daily. Therefore the proposed project would introduce 4,516 workers to the study area; the non-residential study area population would increase to 14,109 workers.

### OPEN SPACE RESOURCES

At-grade open space on the project site that could be publicly accessible was not found to be practical as the programs for the two institutions each require a large floor plate at and above the ground floor requiring full coverage of their respective sites. However, although the proposed project would not provide any publicly accessible open space on-site, some exterior open spaces would be provided for both institutions. At the second floor level there would be a terrace that would wrap around the north façade of both buildings and the east façade of the MSK ACC. It would have easy access from the entrance to the CUNY-Hunter Building on the north side and from the MSK ACC on the east. At the sixth floor there would also be an outdoor space for MSK staff, patients, and visitors.

In terms of the quantitative analysis, which does not consider open spaces which are not open to the general public, the total open space in the study area would remain at 5.73 acres, of which 2.44 acres are passive open space.

### ADEQUACY OF OPEN SPACE RESOURCES

#### QUANTITATIVE ANALYSIS

With a new total non-residential population of 14,109, the passive open space ratio in the study area would decrease to 0.17 acres per 1,000 workers (see **Table 3-4**). This represents a decrease of approximately 32 percent from the No Build passive open space ratio of 0.25 (see **Table 3-5**).

**Table 3-4**  
**The Future With the Proposed Project: Adequacy of Open Space Resources**

2019 Non-Resident Population	Open Space Acreage			Open Space Ratios			DCP Open Space		
				per 1,000 Residents			Guidelines		
	Total	Active	Passive	Total	Active	Passive	Total	Active	Passive
14,109	5.73	3.29	2.44	0.41	0.23	0.17	N/A	N/A	0.15

**Table 3-5**  
**The Future With the Proposed Project: Open Space Ratios Summary**

Ratio	DCP Guideline	No Build Ratio	Build Ratio	Percent Change
Total/non-residents	N/A	0.60	0.41	-31.7%
Active/non-residents	N/A	0.34	0.23	-32.4%
Passive/non-residents	0.15	0.25	0.17	-32.0%

According to the *CEQR Technical Manual*, a decrease in the open space ratio of more than 5 percent may represent a significant adverse impact. Therefore, as a quantitative assessment, the proposed project would result in a significant adverse impact resulting from a 32 percent decrease in the passive open space ratio. A further discussion of the anticipated effects of the proposed project on the open space resources in the study area are discussed below in the qualitative assessment.

### *QUALITATIVE ANALYSIS*

Although the proposed project would result in a decrease of 32 percent in the passive open space ratio, the passive open space ratio would remain above the ratio of 0.15 acres per 1,000 workers recommended by DCP for areas that are underserved by open space. Therefore, there would likely remain a sufficient amount of passive open space in the study area to support the non-residential population. As noted above, the field survey of the open spaces suggested that these resources were not overcrowded by workers during the daytime, and in fact several were noticeably underused, which indicates that the existing non-residential population's open space needs are currently being met in the area.

In particular, these two buildings would provide interior spaces as well as outdoor spaces described above that would be attractive and much closer to the employee and student populations generated by the proposed project. An outdoor terrace space would wrap the north and east faces of both the MSK ACC and the north face of the CUNY-Hunter Building at the second floor, providing outdoor passive recreation space for CUNY-Hunter faculty, staff, and students as well as MSK staff. The terrace would feature a mix of planters and seating areas; space would also be provided in separated outdoor "rooms" to allow for small group gatherings or casual educational sessions. Faculty, staff, and students from both buildings would also have access to a café and dining area located on the second floor of the CUNY-Hunter Building. In addition, the MSK ACC would provide approximately 10,000 sf of outdoor terrace space located on the sixth floor; this space would be intended for use by patients and visitors.

These recreation spaces would likely diminish the burden placed by new employees or students on public open space resources: employees or students taking short breaks are more likely to use the more convenient on-site resources than travel to one of the public spaces in the study area, none of which are immediately accessible. The decrease in the open space ratio of 32 percent identified in the quantitative analysis likely overstates the extent to which the non-residential population introduced by the proposed project would present added pressure on public open space. Therefore, the qualitative impact on open space may be less than indicated in the quantitative analysis.

Finally, MSK would make a substantial contribution to DPR for Phase 2B of the park improvement plan for Andrew Haswell Green Park, a 1.98-acre parcel owned by the City and under the jurisdiction of DPR. Andrew Haswell Green Park is located roughly between East 59th Street and East 63rd Street along the East River Esplanade and is outside the study area (see **Figure 3-3**).

Previously controlled by the Department of Transportation and used as a heliport, DPR took control of the parcel in 2007 and began the process of developing it into a public park. While the ramp down to the site is open to the public, of the 1.98-acre area, 1.1 acres at the grade of the esplanade has not been opened to public access due to lack of sufficient capital funding to complete necessary infrastructure repairs and replacements-in-kind. The funding would be used by DPR for such repairs, replacements-in-kind, and improvements at DPR's discretion. Based on



- Project Site Boundary
- Study Area Census Tract Boundary
- 124** Census Number
- Andrew Haswell Green Park

0 500 1000 FEET  
SCALE

Andrew Haswell Green Park  
Figure 3-3

currently available information, including the Phase 2B plans for Andrew Haswell Green Park issued in 2010, work would include repairs to the piers beneath the platform supporting a portion of the Park; upgrades and repairs to structures; landscaping, paving, railings, and public access features. As previously planned, this work would allow DPR to open the portion of Andrew Haswell Green Park at esplanade grade to public access.

Improvements to parks and public open spaces in the study area were considered, but were not found to be feasible. There are no large unused City-owned properties in the study area. The Upper East Side and Community Board 8 are considered highly desirable places to live, and unutilized or underutilized sites (other than the project site) are not owned by the City. At 1.1 acres, the area of Andrew Haswell Green Park to be improved and made accessible to the public represents a considerable benefit. John Jay Park to the north of the project site is well-maintained, well-programmed and fully open to the public. Improvements to Andrew Haswell Green Park therefore would be more beneficial. The East River Esplanade across the FDR Drive from the project site is a narrow tract adjacent to a Con Edison oil receiving facility that leaves no space for a pedestrian bridge to touch down or even for the placement of smaller improvements. Improvement to this park would allow 1.1 acres of the open space to be opened to the public, and would amount to a substantial contribution to the East River Esplanade in this section of the waterfront and to all the people who use the esplanade for outdoor recreation such as walking and jogging. \*