



IN THE MATTER OF an application submitted by One45 Lenox LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Article VII, Chapter 4 for the purpose of amending location of commercial use regulations, and modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

This application (N 220135 ZRM) for a zoning text amendment was filed by One45 Lenox LLC on October 28, 2021. This application, in conjunction with the related actions, would facilitate the development of a new 32-story, approximately 826,000-square-foot mixed-use building, with approximately 866 to 939 dwelling units; 80,431 to 135,581 square feet of commercial floor area; approximately 44,000 square feet of community facility floor area; and 130 to 141 off-street accessory parking spaces in the Central Harlem neighborhood of Manhattan Community District 10.

RELATED ACTIONS

In addition to the zoning text amendment application that is the subject of this report (N 220135 ZRM), implementation of the proposed development also requires action by the City Planning Commission (CPC) on the following applications, which are being considered concurrently with this application:

- | | |
|------------------------|--|
| C 220134 ZMM | Zoning map amendment to change the current zoning designation of the project area from C8-3 and R7-2/C1-4 zoning districts to a C4-6 zoning district |
| C 220136 ZSM | Special permit to modify height and setback regulations |
| C 220137(A) ZSM | Special permit to modify supplementary use and sign regulations |
| C 220142 ZSM | Special permit to modify residential parking regulations |
| N 220138 ZCM | Zoning certification to modify retail continuity requirements |

N 220139 ZCM Zoning certification to allow additional curb cuts

N 220143 ZCM Zoning certification to allow curb cuts on a wide street

BACKGROUND

A full background discussion and description of this application appears in the report for the related zoning map amendment action (C 220134 ZMM).

ENVIRONMENTAL REVIEW

This application (N 220135 ZRM) in conjunction with the applications for the related actions (N 220143 ZCM, N 220139 ZCM, N 220138 ZCM, C 220142 ZSM, C 220137(A) ZSM, C 220136 ZSM, and C 220134 ZMM) was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq. and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 21DCP167M. The lead is the City Planning Commission.

A summary of the environmental review appears in the report for the related Zoning Map Amendment action (C 220134 ZMM).

PUBLIC REVIEW

On November 15, 2021 this application (N 220135 ZRM), along with the related applications (N 220143 ZCM, N 220138 ZCM, and N 220139 ZCM), was referred to Community Board 10 and the Manhattan Borough President for information and review in accordance with the procedures for non-ULURP matters, along with the related applications (C 220142 ZSM, C 220137(A) ZSM, C 220136 ZSM, and C 220134 ZMM), which were certified as complete by the Department of City Planning and were duly referred, in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

Community Board Public Hearing

Manhattan Community Board 10 held two public hearings on this application (N 220135 ZRM) and the related applications (N 220143 ZCM, N 220139 ZCM, N 220138 ZCM, C 220142 ZSM, C 220137(A) ZSM, C 220136 ZSM, and C 220134 ZMM) on December 16 and December 27, 2021, and on January 5, 2022, by a vote of 35 in favor, none opposed and two abstaining, adopted a resolution recommending disapproval of the application.

Borough President Recommendation

This application (N 220135 ZRM) in conjunction with the related applications (N 220143 ZCM, N 220139 ZCM, N 220138 ZCM, C 220142 ZSM, C 220137(A) ZSM, C 220136 ZSM, C 220134 ZMM) was considered by the Manhattan Borough President, who, on February 23, 2022 issued a recommendation to disapprove the application with conditions.

A summary of the Borough President's conditions and recommendations appears in the report for the related zoning map amendment action (C 220134 ZMM).

City Planning Commission Public Hearing

On February 16, 2022 (Calendar No. 2), the City Planning Commission scheduled March 2, 2022, for a public hearing on this application (N 220135 ZRM). The hearing was duly held on March 2, 2022 (Calendar No. 12), in conjunction with the applications for the related actions (N 220143 ZCM, N 220139 ZCM, N 220138 ZCM, C 220142 ZSM, C 220137(A) ZSM, C 220136 ZSM, and C 220134 ZMM). Fourteen speakers testified in favor of the application and eight in opposition, as described in the report for the related zoning map amendment action (C 220134 ZMM), and the hearing was closed.

CONSIDERATION

The Commission believes that this application (N 220135 ZRM), in conjunction with the related applications (N 220143 ZCM, N 220139 ZCM, N 220138 ZCM, C 220142 ZSM, C 220137(A) ZSM, C 220136 ZSM, and C 220134 ZMM), as modified herein, is appropriate.

A full consideration and analysis of the issues and reasons for approving this application appear in the report for the related zoning map amendment action (C 220134 ZMM).

RESOLUTION

Therefore, the City Planning Commission, deeming the actions described herein to be appropriate, adopts the following resolution:

RESOLVED, that having considered the Final Environmental Impact Statement (FEIS), for which a Notice of Completion was issued on April 14, 2022, with respect to this application (CEQR No. 21DCP167M), the City Planning Commission finds that the requirements of the New York State Environmental Quality Review Act and regulations, have been met and that:

1. Consistent with social, economic and other essential considerations, from among the reasonable alternatives thereto, adopted herein is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable;
2. The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating, as conditions to the approval, pursuant to the Restrictive Declaration attached as Exhibit A to City Planning Commission report for C 220134 ZMM, those project components related to environment and mitigation measures that were identified as practicable;
3. No development pursuant to this resolution shall be permitted until the Restrictive Declaration attached as Exhibit A, as same may be modified with any necessary administrative or technical changes, all as acceptable to Counsel to the Department of City Planning, is executed by One45 Lenox LLC or its successor, and such Restrictive Declaration shall have been recorded and filed in the Office of the Register of the City of New York, County of New York.

The report of the City Planning Commission, together with the FEIS, constitutes the written statement of facts, and of social, economic and other factors and standards, that form the basis of the decision, pursuant to Section 617.11(d) of the SEQRA regulations; and be it further.

RESOLVED, that the City Planning Commission, in its capacity as the City Coastal Commission, has reviewed the waterfront aspects of this application and finds that the proposed action will not substantially hinder the achievement of any WRP policy and hereby determines that this action is consistent with WRP policies; and be it further

RESOLVED, by the City Planning Commission, pursuant to Section 200 of the New York City Charter, that based on the environmental determination, and the consideration described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently modified, is further amended as follows:

Matter underlined is new, to be added;
Matter ~~struck-out~~ is to be deleted;
Matter within # # is defined in Section 12-10;
* * * indicates where unchanged text appears in the Zoning Resolution.

**ARTICLE VII
ADMINISTRATION**

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**Chapter 4
Special Permits by the City Planning Commission**

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**74-74
Large-scale General Development**

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**74-744
Modification of use regulations**

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(b) Location of #commercial# #uses#

For any #large-scale general development#, the Commission may permit #residential# and non-#residential# #uses# to be arranged within a #building# without regard for the regulations set forth in Section 32-42 (Location Within Buildings), provided the Commission shall find that:

- (1) the #commercial# #uses# are located in a portion of the #mixed building# that has separate access to the outside with no opening of any kind to the #residential# portion of the #building# at any #story#;
- (2) the #commercial# #uses# are not located directly over any #story# containing #dwelling units#, except in C4-6 Districts within Community District 10 in the Borough of Manhattan, where an acoustic barrier provides sufficient noise abatement; and
- (3) the modifications shall not have any adverse effect on the #uses# located within the #building#.

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**APPENDIX F
Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas**

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MANHATTAN

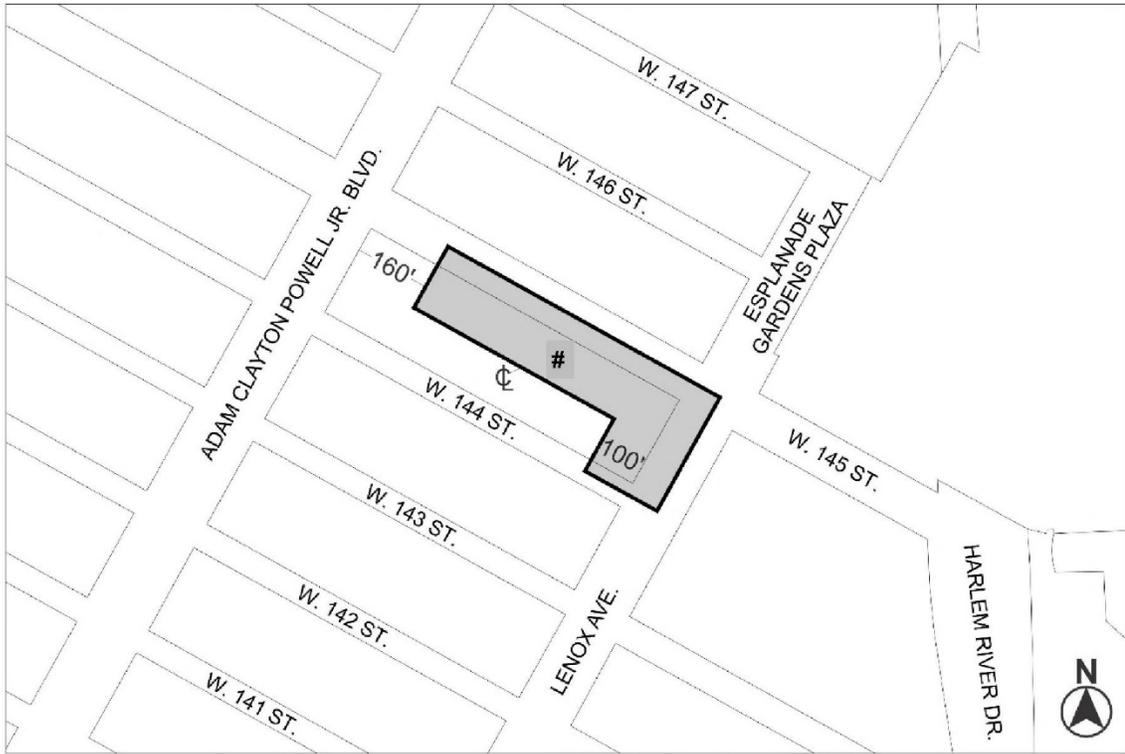
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Manhattan Community District 10

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Map 2 – [date of adoption]

[PROPOSED MAP]



Mandatory Inclusionary Housing Area *see Section 23-154(d)(3)*

Area # — [date of adoption] — MIH Program Option 1 and Option 2

Portion of Community District 10, Manhattan

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The above resolution (N 220135 ZRM), duly adopted by the City Planning Commission on April 25, 2022 (Calendar No. 2), is filed with the Office of the Speaker, City Council, and the Borough President, in accordance with the requirements of Section 197-d of the New York City Charter.

DANIEL R. GARODNICK, ESQ., *Chair*
KENNETH J. KNUCKLES, ESQ., *Vice Chairman*
DAVID J. BURNEY, ALFRED C. CERULLO, III,
JOSEPH DOUEK, LARISA ORTIZ, RAJ RAMPERSHAD, *Commissioners*

LEAH GOODRIDGE, ANNA HAYES LEVIN, *Commissioners*, **VOTING NO**