CITY PLANNING COMMISSION

December 16, 2024 / Calendar No. 16 N 240344 ZRM

IN THE MATTER OF an application submitted by 455 First Avenue Associates LLC and the NYC Economic Development Corporation, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York modifying APPENDIX F, for the purpose of establishing a Mandatory Inclusionary Housing area.

This application for a zoning text amendment was filed by 455 First Avenue Associates LLC and the New York City Economic Development Corporation (EDC) on May 3, 2024. This application, in conjunction with related applications for a zoning map amendment (C 240342 ZMM) and a zoning special permit (C 240343 ZSM) would facilitate the development of a new commercial life sciences development at 455 First Avenue in the Kips Bay neighborhood of Manhattan Community District 6.

RELATED ACTIONS

In addition to the zoning text amendment (N 240344 ZRM) that is the subject of this report, 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 240342 ZMM	Zoning map amendment to change an R8 district and an R8 district with a C2-5 commercial overlay to a C6-4 district.
C 240343 ZSM	Zoning special permit pursuant to Section 74-901 of the Zoning Resolution (ZR) to modify the height and setback requirements of Section 33-432 (In Other Commercial Districts).

BACKGROUND

A full background discussion and description of this application appears in the report for the

related zoning map amendment (C 240342 ZMM).

ENVIRONMENTAL REVIEW

This application (N 240344 ZRM), in conjunction with the related actions, 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 23DME012M, and the lead is the New York City Mayor's Office of Environmental Coordination (MOEC).

After a study of the potential environmental impact of the proposed actions, a Negative Declaration was issued on June 21, 2024. A full description of the environmental review is included in the report for the related zoning map amendment (C 240342 ZMM).

PUBLIC REVIEW

On June 24, 2024, this application (N 240344 ZRM) was referred to Manhattan Community Board 6 and the Manhattan Borough President in accordance with the procedures for non-ULURP matters, along with the related applications for a zoning map amendment (C 240342 ZMM) and a zoning special permit (C 240343 ZSM), 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 Review

Manhattan Community Board 6 held a public hearing on this application (N 240344 ZRM), in conjunction with related applications for a zoning map amendment (C 240342 ZMM) and a zoning special permit (C 240343 ZSM), on September 11, 2024, and on that date, by a vote of 40 in favor, one opposed, zero abstaining, and one not entitled, the community board adopted a resolution recommending approval of the application with conditions. A summary of the recommendation appears in the report for the related zoning map amendment (C 240342 ZMM).

Borough President Recommendation

On October 30, 2024, the Manhattan Borough President issued a recommendation to approve this application (N 240344 ZRM), in conjunction with related applications for a zoning map amendment (C 240342 ZMM) and a zoning special permit (C 240343 ZSM), with conditions. A summary of the recommendation appears in the report for the related zoning map amendment (C 240342 ZMM).

City Planning Commission Public Hearing

On October 16, 2024 (Calendar No. 9), the City Planning Commission scheduled November 6, 2024, for a public hearing on this application (N 240344 ZRM), in conjunction with related applications for a zoning map amendment (C 240342 ZMM) and a zoning special permit (C 240343 ZSM). The hearing was duly held on November 6, 2024 (Calendar No. 16).

There were seven speakers in favor of the application and none in opposition, as described in the report for the related action (C 240342 ZMM), and the hearing was closed.

CONSIDERATION

The Commission believes that this application for a zoning text amendment (N 240344 ZRM), in conjunction with related applications for a zoning map amendment (C 240342 ZMM) and a zoning special permit (C 240343 ZSM), is appropriate.

A full consideration and analysis of the issues and the reasons for approving the application appear in the report for the related action (C 240342 ZMM).

RESOLUTION

RESOLVED, that having considered the Environmental Assessment Statement, for which Negative Declaration was issued on June 21, 2024, with respect to this application (CEQR No. 23DME012M) the City Planning Commission finds that the actions described herein will have no significant impact on the environment; 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 consideration described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, 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.

APPENDIX F
Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

MANHATTAN

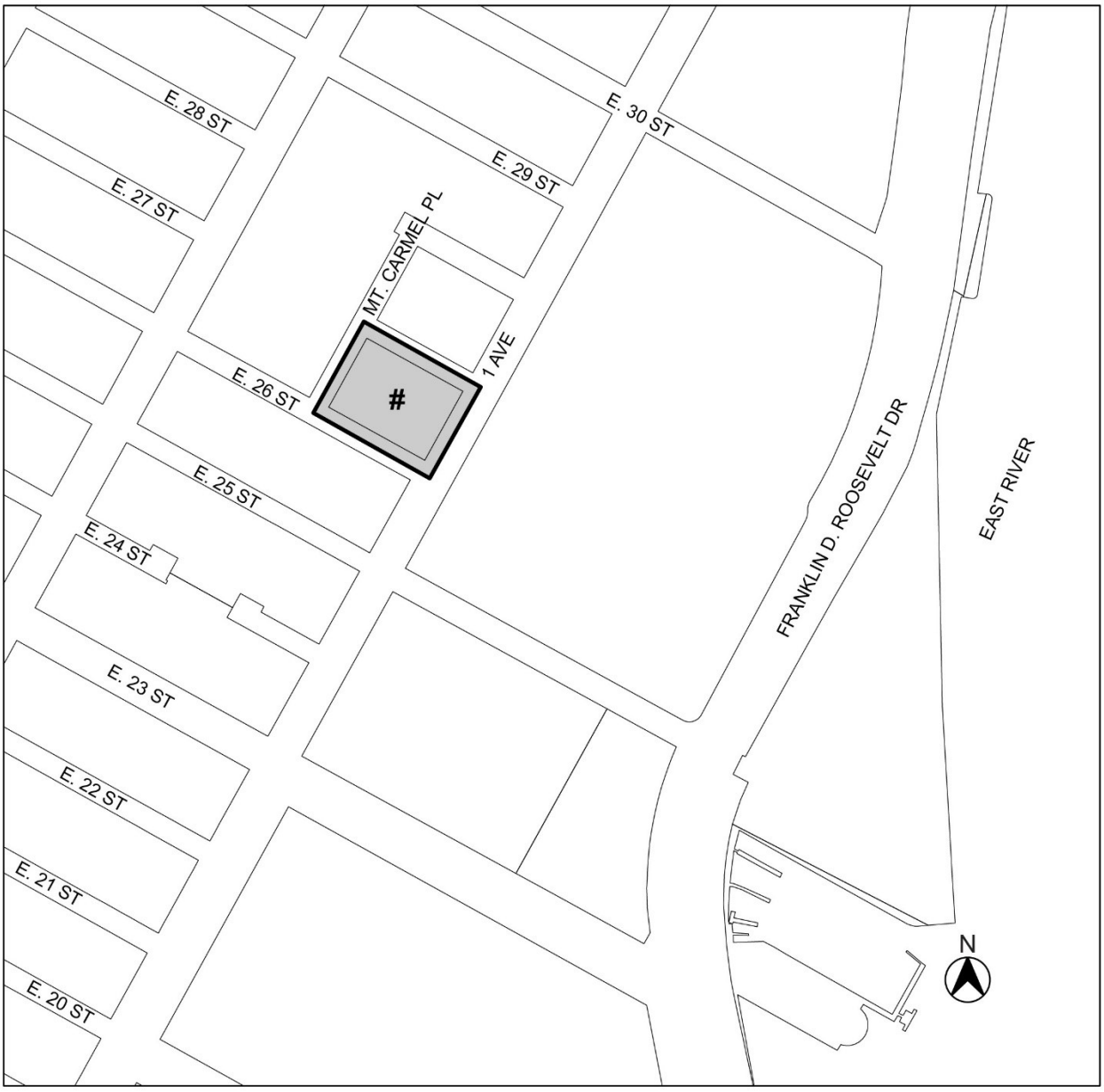
* * *

Manhattan Community District 6

* * *

Map 3 — [date of adoption]

[PROPOSED MAP]



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

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

Portion of Community District 6, Manhattan

* * *

The above resolution (N 240344 ZRM), duly adopted by the City Planning Commission on December 16, 2024 (Calendar No. 16), 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*
GAIL BENJAMIN, ALFRED C. CERULLO III, Esq.,
ANTHONY W. CROWELL, Esq., DAVID GOLD, Esq., RASMIA KIRMANI-FRYE,
ORLANDO MARÍN, JUAN CAMILO OSORIO,
RAJ RAMPERSHAD, *Commissioners*

LEAH GOODRIDGE, Esq., *Commissioner ABSTAINED*