One45 for Harlem
685-691 Lenox Avenue and 112-150 West 145th Street, Manhattan
November 15, 2024

Special Permit Pursuant to ZR Section 74-743

74-743
Special provisions for bulk modification

(a) For a #large-scale general development#, the City Planning Commission may permit:

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(2) location of #buildings# without regard for the applicable #yard#, #court#, distance between #buildings#, or height and setback regulations;

The Applicant requests a waiver of the height and setback regulations in Section 35-64(b)(3), in order that Building A of the Proposed Development may be built pursuant to the standard tower regulations of Section 23-652. This waiver is necessary because the Use Group VIII commercial banquet hall use is located on the top two stories of Building A and such portion of Building A penetrates the sky exposure plane.

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(b) In order to grant a special permit pursuant to this Section for any #large-scale general development#, the Commission shall find that:

(1) the distribution of #floor area#, #open space#, #dwelling units#, #rooming units# and the location of #buildings#, primary business entrances and #show windows# will result in a better site plan and a better relationship among #buildings# and open areas to adjacent #streets#, surrounding development, adjacent open areas and shorelines than would be possible without such distribution and will thus benefit both the occupants of the #large-scale general development#, the neighborhood and the City as a whole;

The Proposed Development would fully comply with Section 35-64, but for the fact that the proposed Use Group XIII banquet hall will be located on the top two stories of Building A. Accordingly, the Building A tower does not comply with the requirements f Section 35-64(b)(2-3). The principal Use Group VIII banquet hall use will be located on the top story, with the story immediately below in use as an accessory kitchen, storage, and staging area, as well as a possible annex banquet hall space. The top-floor banquet hall will be rented as a commercial event and community meeting space and the possible annex space below may also be made available to residential occupants. The location of the Use Group VIII banquet hall at the top of Building A will significantly enhance its prominence as a Harlem attraction with spectacular skyline views, and will draw visitors and commercial activity to the area.

Without this waiver, the Use Group VIII banquet hall would be required to be located at or below the fifth story. This location would diminish the attractiveness of the banquet hall and therefore weaken the economic and cultural stimulus that the Proposed Development would provide. In addition, a lower location would greatly diminish the relationship between the building and the adjacent street, and would all but eliminate the proposed activation of the streetscape in front of Building A that will be provided by the retail space. Further, without the column-free, visually spectacular nature of a top-floor space, the banquet hall would lose its distinctive, unique nature, thereby threatening its viability. The as-of-right ground floor option would lack the ceiling height, views, and visibility necessary to attract regular events and gatherings to the neighborhood.

(2) the distribution of #floor area# and location of #buildings# will not unduly increase the #bulk# of #buildings in any one block# or unduly obstruct access of light and air to the detriment of the occupants or users of #buildings# in the #block# or nearby #blocks# or of people using the public streets;

As noted above, the Proposed Development would comply entirely with Section 35-64, but for the fact that the Use Group VIII banquet hall will be located on the top two stories of Building A. If a residential use replaced these stories in the Building A tower, the Proposed Development would have the same bulk envelope, and thus the same resulting access to light and air for nearby residents and visitors. Therefore, this waiver will not result in an undue increase in bulk or access to light and air.

(3) where a #zoning lot# of a #large-scale general development# does not occupy a frontage on a mapped #street#, appropriate access to a mapped #street# is provided;

Not applicable: the zoning lot for the Proposed Development occupies frontages on mapped streets.

(4) considering the size of the proposed #large-scale general development#, the #streets# providing access to such #large-scale general development# will be adequate to handle traffic resulting therefrom;

The Proposed Development has frontage on two wide streets, West 145th Street and Lenox Avenue, and one narrow street, West 144th Street. Curb cuts would be located to access the loading berth and adjacent below-grade accessory group parking facility on West 144th Street. Accessory group parking is a less intense use than public parking, and will generate less frequent trips than public parking.

The Proposed Development is directly accessible via two major streets, Lenox Avenue and West 145th Street, and is also well-served by various forms of transit which will reduce the number of car trips to the site. Lenox Avenue and West 145th Street are each a major avenue and are adequate to handle traffic resulting from the Proposed Development. The 145th Street subway station, with service to the No. 3 subway line, is located at the intersection of West 145th Street and Lenox Avenue, with an entrance adjacent to the Proposed Development's eastern frontage. Bus service includes the M1,

M7, and M102 (running north-south along Lenox Avenue), as well as the Bx19 (running east-west along West 145th Street). Four Citi Bike hubs are also located nearby, along Adam Clayton Powell, Jr. Boulevard and its intersections with West 144th Street, West 147th Street, and along Lenox Avenue and its intersections with West 144th Street and West 146th Street. The site is expected to generate the most traffic on weekends and will thus not add to weekday rush hour traffic loads.

Given these findings and the Proposed Development's two large frontages on wide streets and proximity to mass transit, the streets providing access to the Proposed Development will be adequate to handle traffic resulting therefrom.

(5) when the Commission has determined that the #large-scale general development# requires significant addition to existing public facilities serving the area, the applicant has submitted to the Commission a plan and timetable to provide such required additional facilities. Proposed facilities that are incorporated into the City's capital budget may be included as part of such plan and timetable;

Not applicable.

(6) where the Commission permits the maximum #floor area ratio# in accordance with the provisions of paragraph (a)(4) of this Section, the #open space# provided is of sufficient size to serve the residents of new or #enlarged# #buildings#. Such #open space# shall be accessible to and usable by all residents of such new or #enlarged# #buildings#, have appropriate access, circulation, seating, lighting and paving, and be substantially landscaped. Furthermore, the site plan of such #large-scale general development# shall include superior landscaping for #open space# of the new or #enlarged# #buildings#;

Not applicable.

(7) where the Commission permits the exclusion of #lot area# or #floor area# in accordance with the provisions of paragraph (a)(5) of this Section or modification of the base and maximum #floor area ratios# or requirements regarding distribution of #affordable housing units# in accordance with paragraph (a)(8) of this Section, such modification will facilitate a desirable mix of #uses# in the #large-scale general development# and a plan consistent with the objectives of the Inclusionary Housing Program and those of Section 74-74 (Large-scale General Development) with respect to better site planning;

Not applicable.

(8) where the Commission permits portions of #buildings# containing #accessory# parking spaces to be excluded from the calculation of #lot coverage# in accordance with the provisions of paragraph (a)(9) of this Section, the exclusion of #lot coverage# will result in a better site plan and a better relationship among #buildings# and #open areas#

than would be possible without such exclusion and therefore will benefit the residents of the #large-scale general development#;

Not applicable.

(9) where the Commission permits a #floor area bonus# for a #public park# improvement in accordance with the provisions of paragraph (a)(11) of this Section:

> ***(i) the amount of such bonus #floor area# is appropriate in relation to the size and quality of the proposed #public park improvement#; and***
>
> ***(ii) such bonus #floor area# will not unduly increase the #bulk# of #buildings# on the #zoning lot# or unduly obstruct access of light and air to the detriment of the occupants or users of #buildings# on the #block# or nearby #blocks# or of people using the public #streets#.***
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> ***Grant of a #floor area# bonus for a #public park# improvement in accordance with the provisions of paragraph (a)(11) of this Section shall be conditioned upon adequate assurances for provision of the funding identified by the Commissioner of Parks and Recreation in a letter pursuant to paragraph (a)(11)(ii) of this Section as necessary for completion of the necessary infrastructure, landscape and other work for the #public park# improvement. The Commissioner of Buildings shall not issue a building permit for the #large-scale development# unless the Commissioner of Parks and Recreation shall have certified that the funding has been made or secured in a manner acceptable to such Commissioner;***

Not applicable.

(10) a declaration with regard to ownership requirements in paragraph (b) of the #large-scale general development# definition in Section 12-10 (DEFINITIONS) has been filed with the Commission; and

Pursuant to the definition of "zoning lot" found in Section 12-10(c), the Applicant through related entities has filed a zoning lot certification executed on January 22, 2022 and recorded at CRFN 2022012001111002. and a zoning lot development and ownership statement, executed on January 14, 2022 and recorded at CRFN 2022012001111003.

(11) where the Commission permits #floor area# distribution from a #zoning lot# containing existing light industrial #buildings# to be demolished in accordance with the provisions of paragraph (a)(12) of this Section, such #floor area# distribution shall contribute to better site planning of the waterfront public access area and shall facilitate the #development# of affordable housing units within a #large-scale general development#.

Not applicable.

One45 for Harlem
685-691 Lenox Avenue and 112-150 West 145th Street, Manhattan
September 6, 2024
CPC Special Permit Pursuant to ZR Section 74-532

74-532
Reduction of parking spaces to facilitate affordable housing

In all districts in the #Transit Zone#, the City Planning Commission may permit a waiver of, or reduction in, the number of required #accessory# off-street parking spaces for #dwelling units# in a #development# or #enlargement# that includes at least 20 percent of all #dwelling units# as #income-restricted housing units as defined in Section 12-10 (DEFINITIONS)…

Parking is required for 40% of the total market rate dwelling units: for the Proposed Development, up to 271 accessory off-street parking spaces would be required as accessory to the residential use. As shown on Plan Z-004 the Proposed Development would not include any required parking but would provide 40 spaces of permitted accessory residential parking. These spaces would be located in a fully attended, below-grade, group parking facility located in Building A. Therefore, the Applicant requests a waiver of the percentage of required residential parking spaces to accommodate the Proposed Development.

The Proposed Development would contain 30% income-restricted housing units as a percentage of the total proposed dwelling units, pursuant to MIH Option 2.

According to Appendix I, all of Manhattan Community District 10 is included within the Transit Zone. The Development Site is located entirely within this community district.

… provided that the Commission finds that such waiver or reduction:

(a) will facilitate such #development# or #enlargement#. Such finding shall be made upon consultation with the Department of Housing Preservation and Development;

The Proposed Development would contain 291 income-restricted units pursuant to MIH. Absent this parking reduction, this number would be significantly diminished due to the location and site plan of the Proposed Development. In order to provide the required 271 parking spaces accessory to the market-rate units, the Proposed Development would need to contain either (i) a second sub-cellar, or (ii) at- or above-grade parking.

Option (i) would be prohibitively expensive, for two reasons. First, the Proposed Development Site is located adjacent to the subway tunnel servicing the 3 train, complicating excavation planning and execution. Second, the Development Site contains areas of high-water tables, with the measured groundwater approximately 2 to 4 feet above the general excavation level for the first cellar level. As a result, the Applicant's engineer has advised that, if a second sub-cellar were required, soil-mix walls would need to be installed significantly deeper to limit groundwater intrusion, with substantially more reinforcement and size, including additional lateral support and internal bracing. The

associated increased costs would adversely impact the financial feasibility of the project, thereby putting in jeopardy the number of affordable units that could be provided.

As to option (ii), an at- or above-grade parking facility would displace residential floor area needed for the affordable units; or in the alternative, would displace local retail or floor area, weakening the street wall and/or diminishing community benefits. Further, adding an at-grade parking facility would create significant logistical issues on the ground floor due to the excess number of lobbies and entrances for the various uses within the Proposed Development, resulting in negative design, utility, and cost implications.

The Department of City Planning, on behalf of the City Planning Commission, will consult with the Department of Housing Preservation and Development prior to certification.

(b) will not cause traffic congestion; and

There are several reasons why the waiver of up to 85% of required accessory parking spaces will not cause traffic congestion in the surrounding area.

The Development Site is located at the intersection of two major streets, Lenox Avenue and West 145th Street, and is also well-served by various forms of public transit which will reduce the number of car trips to the site. The 145th Street subway station, with service to the No. 3 subway line, is located at the intersection of West 145th Street and Lenox Avenue, with an entrance adjacent to the Proposed Development's eastern frontage. Bus service includes the M1, M7, and M102 (running north-south along Lenox Avenue), as well as the Bx19 (running east-west along West 145thStreet). Four Citi Bike hubs are also located nearby, along Adam Clayton Powell, Jr. Boulevard and its intersections with West 144th Street, West 147th Street, and along Lenox Avenue and its intersections with West 144th Street and West 146th Street.

Accessory group parking is a less intense use than public parking and will generate less frequent trips than public parking. In addition, the site is expected to generate the most traffic on weekends and will thus not add to weekday rush hour traffic loads.

The Proposed Development itself will not generate significant traffic impacts as compared to an as-of-right scheme, as discussed in the Technical Memorandum. In all peak hours at any given intersection in the study area, the increment of vehicle trips is less than 50.

Given (i) the Proposed Development's two large frontages on wide streets, (ii) the Proposed Development's excellent access to public transit, (iii) the intensity of the proposed use, and (iv) the minimal traffic impacts caused by the Proposed Development, the Commission can conclude that the proposed reduction in parking spaces will not cause traffic congestion.

(c) will not have undue adverse effects on residents, businesses or #community facilities# in the surrounding area, as applicable, including the availability of parking spaces for such #uses#.

There are eight off-street public parking facilities within ½-mile of the project site with a combined capacity of 980 parking spaces. Overall, they were 72, 82, 75, 54, and 64-percent utilized, with 275, 176, 243, 450, and 356 parking spaces available during the weekday AM, midday, PM, weekday overnight, and Saturday time periods, respectively.

With an average auto ownership rate of 19 percent (per U.S. Census data) for rental-occupied housing, the 988 residential units (including the affordable unit) would generate a demand for 188 parking spaces. This maximum level would materialize overnight and diminish during the day when some residents use their autos for commuting to work or other travels. The other uses of the Modified Project would have relatively low parking demand that mostly occur during daytime hours. Accordingly, the maximum parking demand stemmed from the Modified Project's residential dwelling units is also the maximum parking demand for the entire Modified Project. With 40 on-site parking spaces and a minimum of 176 available off-site parking spaces, the adoption of the proposed parking waiver would not have the potential to result in a parking shortfall.

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September 6, 2024
CPC Certification Pursuant to ZR Section 26-15

26-15
Curb Cuts

No curb cuts are permitted on #wide streets#. Curb cuts are permitted along #narrow streets# provided that no #zoning lot# has more than one curb cut on any #narrow street# frontage.

Additional curb cuts, in excess of one for each #narrow street# frontage, for #zoning lots# in excess of 30,000 square feet of #lot area#, or curb cuts on #wide streets# for #zoning lots# that have no #narrow street# frontage may be allowed, provided that the City Planning Commission and the Department of Transportation certify to the Commissioner of Buildings that such additional curb cuts will not result in conflict between pedestrian and vehicular circulation and will result in a good overall site plan.

An application to the Commission for certification respecting any additional curb cut shall be made on a standard application form for such certification and shall be accompanied by a site plan drawn to a scale of at least one sixteenth inch to a foot, showing the size and location of the proposed curb cut. The Commission shall furnish a copy of the application for such certification to the affected Community Board at the earliest possible stage and will give due consideration to their opinion as to the appropriateness of such curb cuts.

The total lot area of the Development Site, which will be developed as a single zoning lot, is approximately 68,841 square feet. The Development Site has a combined 789 foot-long frontage on two wide streets, West 145th Street an Lenox Avenue, and a much smaller 100 foot-long frontage along a narrow street, West 144th Street. There are currently seven curb cuts located on West 145th Street, servicing existing and former uses.

The Proposed Development is required to contain two accessory loading berths and an accessory group parking facility. As shown on Plan Z-003, Applicant thus proposes two curb cuts servicing the Proposed Development located on a narrow street, West 144th Street (one to access an accessory loading berth and a second to access the group parking facility). The Applicant will request a waiver from the Commissioner of the Department of Buildings pursuant to Section 36-63 to waive the second loading bay in order to avoid (a) the curb cut on a wide street, West 145th Street or (b) a third curb cut on West 144th Street that would be within 50 feet of the intersection or within 30 feet of a residential district.

The one additional curb cut beyond the single one permitted on the Development Site's narrow street frontage will not result in conflict between pedestrian and vehicular

circulation. Accessory group parking is a less intense use than public parking and will generate less frequent trips than public parking. The Proposed Development is directly accessible via two major streets, Lenox Avenue and West 145th Street, and is also well-served by various forms of transit which will reduce the number of car trips to the site. Lenox Avenue and West 145th Street are each a major avenue and are adequate to handle traffic resulting from the Proposed Development. The 145th Street subway station, with service to the No. 3 subway line, is located at the intersection of West 145th Street and Lenox Avenue, with an entrance adjacent to the Proposed Development's eastern frontage. Bus service includes the M1, M7, and M102 (running north-south along Lenox Avenue), as well as the Bx19 (running east-west along West 145thStreet). Four Citi Bike hubs are also located nearby, along Adam Clayton Powell, Jr. Boulevard and its intersections with West 144th Street, West 147th Street, and along Lenox Avenue and its intersections with West 144th Street and West 146th Street. The site is expected to generate the most traffic on weekends, and will thus not add to weekday rush hour traffic loads.

The two proposed curb cuts comply with underlying district regulations regarding minimum distances from residential district boundaries and street intersections. While the nearby subway station and bus stops generate pedestrian traffic, none of the proposed curb cuts will be located close to the main circulation paths surrounding the subway entrance at the corner of Lenox Avenue and West 145th Street, nor near the bus stop 100 feet to the south of the subway entrance along Lenox Avenue. With respect to the curb cuts to be located on West 144th Street, as shown on Plan Z-004, they will not be located near any major building entrance, as the entrances to the retail, office, and residential lobbies for that portion of the Proposed Development would all be located along Lenox Avenue. The applicant intends to install audiovisual equipment at the parking garages and loading berths that would alert vehicle drivers and pedestrians to the presence of one another.

The additional curb cut would also result in a much-improved site plan as compared to the as-of-right allowance of a single curb cut on the Development Site's narrow street frontage. The permitted location of curb cuts is constrained both by the Development Site's small frontage on West 144th Street (approximately 100 feet) and by other curb cut regulations. Sections 36-53 and 36-682 require that curb cuts for accessory parking and loading berths be located at least 50 feet from the intersection of two streets, and Section 36-683 requires that entry and exit to loading berths be located 30 feet or more from a residential district boundary.

The additional curb cut beyond the single one permitted pursuant to Section 26-15 is needed along West 144th Street. With only one curb cut, it would be impossible for the Proposed Development to include both an accessory group parking facility and the other required loading berth, servicing primarily the Use Group VIII banquet hall located in close proximity.

Therefore, the proposed modifications to the curb cut restrictions of Section 26-15 would not result in conflict between pedestrian and vehicular circulation, and would significantly enhance the site plan of Proposed Development.