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Mark D. Levine, Borough President

February 23, 2022

Recommendation on One45/Museum of Civil Rights ULURP Application By One45 Lenox, LLC

PROPOSED ACTIONS

One45 Lenox, LLC (“the Applicant”) is seeking approval of nine land use actions to facilitate the construction of a mixed-use development at the southwestern corner of West 145th Street and Lenox Avenue (“the Project”). The Applicant is seeking approval for a zoning map amendment, a zoning text amendment, zoning special permits, and City Planning Commission certifications (“the Actions”) located at 685 Lenox Avenue (Block 2013, Lot 29), 691 Lenox Avenue (Block 2013, Lot 33), 112 West 145th Street (Block 2013, Lot 38), 122 West 145th Street (Block 2013, Lot 44), and 150 West 145th Street (Block 2013, Lot 50), all located in Manhattan Community Board 10 (“the Development Site”). These Actions would facilitate the construction of a building that would include 866-939 residential units, of which 217-282 would be permanently affordable under the Mandatory Inclusionary Housing (MIH) Program. The proposed building would also include ground-floor retail, a new Museum of Civil Rights, a banquet hall, and a new headquarters for the National Action Network (NAN).

The Applicant proposes the following actions (“the Actions”):

1. Zoning map amendment to [Section 6a](#), to change the Development Site from a C8-3, R7-2/C1-4 district to a C4-6 district;
2. Zoning text amendment to [Appendix F](#) of the Zoning Resolution (ZR) to establish an MIH boundary within the Development Site;
3. Zoning special permit pursuant to [ZR Section 74-743](#) to modify the height and setback back regulations of [ZR Section 35-64](#);
4. Zoning special permit pursuant to [ZR Section 74-744\(b\)](#) to modify supplementary use regulations;
5. Zoning special permit pursuant to [ZR Section 74-533](#) to modify the residential parking regulations of [ZR Section 36-33](#) and [25-33](#);
6. City Planning Commission certification pursuant to [ZR Section 32-435\(c\)](#) to modify retail continuity requirements;
7. City Planning Commission certification pursuant to [ZR Section 26-15](#) to allow for additional curb cuts;
8. City Planning Commission certification pursuant to [ZR Section 26-17](#) to allow a curb cut on a wide street; and
9. City Planning Commission certification pursuant to [ZR Section 74-744\(c\)](#) to modify signage in [ZR Sections 32-64](#) and [32-65](#) for the proposed museum.

BACKGROUND

Area Context

The Development Site is located within Manhattan Community District 10 in Central Harlem. The site is located at the southwestern corner of West 145th Street and Lenox Avenue, extending south along Lenox Avenue to West 144th Street and west along West 145th Street and ending about 160 feet east of Adam Clayton Powell, Jr. Boulevard. The site is several hundred feet to the south and west of the Harlem River, which separates Manhattan and The Bronx.

There are several landmarks and destinations in proximity to the Development Site, including the 369th Regiment Armory (0.3 miles away, or a 5-minute walk); Brigadier General Charles Young Playground (adjacent to the Development Site on Lenox Avenue)¹ and the Jackie Robinson Play Center (0.5 miles or a 10-minute walk). The site is also located near the Harlem Heights, Sugar Hill, St. Nicholas, and Dorrance Brooks Square Historic Districts.

The Development Site is adjacent to the 145th Street subway station along the 3 line. This station is the only one in the subway system that cannot accommodate a full-length (10-car) train. The existing platforms only allow passengers to board and/or alight from the first five cars. The site is also close to bus stops for the M1, M2, M7, M102, and Bx19 routes.

The area around the Development Site is subject to numerous complaints from residents regarding traffic. Residents have repeatedly stated that traffic congestion is an issue after baseball games at Yankee Stadium, which is one mile, or a 9-minute drive away. They have also reported issues with finding parking on residential side streets.

Harlem experiences higher rates of asthma than the rest of Manhattan and the city. Harlem's rate of childhood asthma was 565.4 per 10,000 residents, and its adult asthma rate was 269.4 per 10,000 residents (compared to a citywide average of 215.3 and 99.1 respectively).² Harlem's air quality is similar compared to the borough and city. The fine particulate matter (PM2.5) measurement for Harlem in 2020 was 6.4, compared to 7.2 for Manhattan and 6.1 for New York City.³ The data shows that higher rates of asthma and poor air quality have been consistent problems in the community since at least 2009.

The Development Site is across the street from Brigadier General Charles Young Playground (6.4 acres) and is 0.5 miles away from the Jackie Robinson Park and Recreation Center (12.7 acres). St. Nicholas Park (22.7 acres) is located southwest of the Development Site (0.7 miles or a 15-minute walk). Around the Development Site are several pocket parks, playgrounds, and other green spaces. However, Central Harlem ranks 34th out of 59 community districts in the city in terms of its resident-to-open-space ratio, and the area around the Development Site is deemed as underserved by open space according to CEQR guidelines.⁴

¹ [Charles Young was posthumously promoted to Brigadier General effective February 1, 2022.](#)

² [Asthma and the Environment in Central Harlem – Morningside Heights. NYC Health Environment & Health Data Portal.](#)

³ Ibid.

⁴ [Manhattan Community District 10 Profile.](#)

The Applicant has stated that they have given commercial tenants who are currently occupying the site the option to return to the Development Site after completion of the Project. Some commercial tenants have indicated that they would return, while others have asked the Applicant for assistance finding other spaces in Harlem.

Recent Zoning Proposals in Area

2007 Rezoning Action⁵

In 2007, the western portion of the block on which the Development Site is located (Adam Clayton Powell Jr. Boulevard between West 145th and West 144th Streets) was rezoned from C8-3 and R7-2/C1-4 to C4-4D.^{6,7} The properties affected by this previous rezoning are not the subject of the current application. They include three buildings with ground-floor retail that have not been redeveloped since the rezoning.

2020 Lenox Terrace Rezoning Application⁸

In 2017, a rezoning was proposed for the Lenox Terrace housing complex, located several blocks to the south of the Development Site. This proposal called for the construction of five mixed-use buildings that would have included 1,600 residential units, some of which would have been permanently affordable under MIH. The Lenox Terrace proposal was met with opposition from local stakeholders, who found it to be out of context with the neighborhood. Residents were also particularly concerned about the potential for the development to accelerate neighborhood gentrification. The proposal was rejected by the New York City Council Subcommittee on Zoning and Franchises in 2020.⁹

PROPOSED DEVELOPMENT

The Applicant first approached the Department of City Planning (DCP) with their intent to redevelop the Development Site in 2015 and assembled the site through a series of private acquisitions that took place in 2021. The proposed Actions would facilitate the construction of two mixed-use 30-story, 363-foot-tall buildings (not including a 30-foot mechanical bulkhead atop the eastern tower, Building 1). The development team has presented two possible massing options: one with a residential podium that would yield 939 residential units; or a building with a commercial podium that would yield 866 residential units (see Tables 1 and 2). The towers would be erected above an 85-foot-tall podium. The two buildings would include 217-282 permanently affordable under MIH (depending on which massing option is selected) as well as ground-floor retail space. Building 1 would include a new headquarters for the National Action Network (NAN) and a banquet hall. A Museum of Civil Rights, four stories and 85 feet in height, would be located between the two towers. The total proposed floor area for the Project is approximately 867,000 square feet.

⁵ [C050414 ZMM – West 145th Street Rezoning.](#)

⁶ [City Planning Commission Report C050414 ZMM, February 7, 2007.](#)

⁷ [New York City Council Resolution 0791-2007.](#)

⁸ [C200050 ZSM, N200051 ZRM, C200052 ZMM, N200053 ZAM, C200054 ZSM – Lenox Terrace.](#)

⁹ [LU 0632-2020.](#)

Table 1: Proposed Building Program Scenarios

Use	Residential Podium	Office Podium
Residential units	939	866
Affordable residential units	235-282	217-260
Parking spaces (total number)	141	130
Bike parking spaces (total number)	452-472	452-472

Table 2: Proposed Square Footage Allocation Scenarios

Use	Residential Podium	Office Podium
Residential units	741,714	684,358
Museum	48,015	48,015
Office/commercial	17,710	75,018
Banquet hall/event space	17,291	17,291
Retail	41,991	41,991
Total Gross Square Feet	866,721 GSF	866,673 GSF

Under the Applicant’s current proposal, 182 (21%) of the residential units would be studio apartments and 450 (52%) would be one-bedroom apartments. 234 (27%) of the proposed units would be family-sized, two- and three-bedroom apartments. The Applicant has indicated that they would select MIH Option 1, which would require 25% of units to be affordable at an average of 60% AMI, and that 10% of units to be affordable at an average of 40% AMI (see Table 3). At the lower end of these AMI bands, an individual earning \$33,440 would pay \$598 in monthly rent for a studio apartment. At the higher end, a family of four earning \$50,160 would pay \$1,653 in monthly rent for a three-bedroom apartment.¹⁰ Under MIH Option 1, 217-260 of the residential units would be affordable. The Applicant has stated that they will maintain the same bedroom mix percentages for both the affordable and the market rate portions of the development. This MIH option would therefore yield 46-55 affordable studios, 113-135 affordable one-bedroom apartments, and 58-70 affordable two- and three-bedroom apartments.

Table 3: MIH Option 1¹¹

Affordable Floor Area Required	Weighted Average of Income Bands	Limitations
25% of residential floor area	60% Area Median Income (AMI) or lower	<ul style="list-style-type: none"> • No more than three income bands • 10% floor area at 40% AMI • No income band above 130% AMI

¹⁰ [2021 HPD AMI Guidelines](#).

¹¹ [Mandatory Inclusionary Housing Fact Sheet](#).

Restrictive Declaration

The Applicant has submitted a draft of a restrictive declaration, which defines the Project as a “large-scale general development” consistent with the proposed actions and limits the community facility use to a museum.

Site Description

The Development Site currently consists of vacant land, a shuttered gas station, an active gas station that also provides parking for area residents, and several active commercial, retail, and community facility uses (see Table 4). The Development Site is zoned C8-3, R7-2 with a C1-4 commercial overlay. C8 districts do not permit residential uses and would not permit a museum.¹² The portion of the Development Site that is zoned R7-2 and C1-4 is on Lenox Avenue and West 144th Street. This portion of the Development Site is 9,992 square feet and is the only portion of the Development Site that would allow residential use.

Table 4: Existing Site Details

Lot	Address	Current Uses	Existing Zoning	Lot Area (SF)
29	685 Lenox Avenue	NAN headquarters, Sweet Mama’s restaurant, Timbuktu Islamic Center, commercial and retail	C8-3, R7-2/C1-4	15,170
33	691 Lenox Avenue	Vacant land	C8-3	4,813
38	112 West 145 th Street	Commercial and retail	C8-3	15,986
44	122 West 145 th Street	Vacant gas station	C8-3	13,988
50	150 West 145 th Street	Gas station/parking	C8-3	18,884

The surrounding area is predominately zoned R7-2 with multifamily residential buildings that average five to six stories in height. There are large residential complexes that are very close to the Development Site, including Esplanade Gardens, which is located at the northeast corner of West 145th Street and Lenox Avenue; New York City Housing Authority’s (NYCHA) Drew-Hamilton Houses, which are 1,000 feet to the west; and Savoy Park Apartments, 1,000 feet to the south of the Development Site. Each of these developments varies in height from 15-30 stories. Although these buildings follow a tower-in-the-park design, none exceeds the height of the proposed development. The highest tower is 246 feet, 117 feet shorter than what the Applicant proposes to build. Additionally, there are large developments planned across the Harlem River in the Bronx, including Bronx Point at 65 East 149th Street, which would provide approximately 540 residential units and 355 and 399 Exterior Street, which would provide approximately 2,000 residential units.

¹² [ZR 22-14 Use Group 4](#).

The Development Site is located on West 145th Street, a major east-west thoroughfare across Northern Manhattan, and one of the primary commercial corridors for the area. Lenox Avenue (where the Development Site is also located) is a major north-south throughfare which leads south to 125th Street, the major business and cultural center of Harlem. To the east is the 145th Street Bridge which crosses the Harlem River and connects the neighborhood to the Bronx. The easternmost portion of the Development Site (at West 145th Street and Lenox Avenue) is within the 0.2% annual chance floodplain.

COMMUNITY BOARD RESOLUTION

Manhattan Community Board 10 held two public hearings on December 16, 2021 and December 27, 2021. At the public hearings, numerous members of the Community Board, the public, and local elected officials voiced their opposition to the proposed Actions.

At its Full Board meeting on January 5, 2022, Manhattan Community Board 10 voted to recommend disapproval of the application by a vote of 35 in favor (of disapproval), zero opposed, zero abstentions, and two recusals. Community Board 10 did not include any conditions in their resolution, but cited numerous concerns with the proposal, including:

1. A lack of affordable units and concerns about the affordability of those units;
2. The proposed apartment ratio is not consistent with the needs of the community;
3. The proposed increase in density would exacerbate existing transportation concerns;
4. A lack of clarity on the proposed community benefits;
5. The risk of displacement of residents in the vicinity of the proposed development;
6. The potential risk of displacement would adversely affect the area's representation at the local, state, and federal levels; and
7. The Applicant's lack of preparedness regarding questions from community members.

Community Board 10 stated that they support efforts to construct affordable housing in the district, particularly family-sized units. The Board has also noted that the area in and around the Development Site should be improved. Board members and individuals who testified at the Board's public hearings raised concerns regarding the safety of residents, including poor street lighting, dangerous street conditions due to vehicular traffic, and crime.¹³

BOROUGH PRESIDENT'S COMMENTS

I share the community's concerns about the quantity and depth of affordability as well as the environmental impacts of this project. I also understand that there is a desperate shortage of affordable housing in Harlem, forcing many long-term residents to leave the neighborhood in search of lower rents elsewhere. With very few undeveloped City-owned sites remaining in the neighborhood, it is thus critical that new development on privately owned sites include the maximum number of affordable units.

¹³ [Community Board 10 Resolution](#).

The as-of-right option on the Development Site would yield zero affordable units and would likely include a self-storage facility. This development scenario would be a terrible misuse of a prime location on a prominent street next to mass transit.

While, for these reasons, a rezoning on the site might help achieve critical goals for the community, I believe that the Project as currently proposed is unacceptable for a variety of reasons.

Affordable Housing and Residential Unit Mix

I urge the Applicant to listen to community recommendations and increase the overall number of affordable units, deepen the AMI levels, and redistribute unit size to accommodate Harlem families. While the current proposal does not include City subsidies, the Applicant has indicated that they have been speaking to various agencies regarding subsidies to fund more affordable units. By securing subsidies or through other means, the applicant should increase the number of permanently affordable units to at least 50% of the total number of units.

I am pleased that at the request of my office, the Applicant has committed to a 50% community preference for the building's affordable units, which would help ensure that one of the most impactful contributions of this development is available to the local community. However, the Applicant must strengthen their affordable housing commitment to better respond to the community's needs, including providing units at AMI levels that reflect community needs.

The current mix of apartment size disproportionately favor studios and one-bedrooms. During Community Board 10's hearings, Board members and participants stressed the need for affordable housing for families. Since 2015, Harlem has seen only slight increases in two-bedroom units and small growth in three-bedroom units (2.8% and 10.0%, respectively).¹⁴ I therefore urge the Applicant to adjust the unit mix to increase family-sized units and better reflect the needs of Harlem residents.

Transportation

The Development Site is located above the 145th Street station on the number 3 subway line. This station cannot accommodate a full-length train. The Harlem-148th Street bound platform only allows passengers to exit (the following station is the line's terminal), while the Brooklyn-bound platform allows passengers to both enter and exit. The station is not accessible.

I understand that the Applicant has contacted the Metropolitan Transportation Authority (MTA) regarding potential improvements to the 145th Street station. The Applicant received confirmation from the MTA that the agency would not request improvements at the station. I find this determination very troubling, particularly as the City has renewed its efforts to make our transit system more accessible through initiatives like Zoning for Accessibility. The Applicant expects that up to 2,000 new residents will live in their new building when the Project is completed. I therefore urge the Applicant and the MTA to continue discussions on how to further improve the 145th Street station and provide better access for commuters with disabilities.

¹⁴ [Furman Center](#).

Particularly as the proposed new building starts to lease up their residential and commercial spaces, the Applicant should diligently note how the increase in density contributes to congestion on local streets and public transit, and they should work with the appropriate agencies to implement mitigation measures.

The Applicant requested a special permit in order to reduce the number of parking spots required by zoning. I believe that our city needs to reduce the dependency on vehicles in order to address the climate crisis. However, the Applicant must also have a robust plan for incentivizing alternative modes of transportation among residents, including providing a significant number of spaces for carshare vehicles and bike parking that is situated and designed to be used by residents.

Museum

There are concerns that the proposed Museum of Civil Rights would exacerbate existing transportation and traffic issues around the Development Site. Public hearing attendees noted that idling buses for museum attendants would worsen traffic congestion and exacerbate the area's air quality. Despite numerous requests for the museum's projected attendance, the Applicant has been unable to provide these figures. The Applicant must provide expected attendance for the museum so that the community and the City can fully understand its impacts. The Applicant has also alluded to programming and partnerships that the museum could offer to the community, but there is a lack of certainty on these plans. Moreover, the museum is only slated to get core and shell space and a "below-market rent". The Applicant has provided no detailed plan that ensures the ongoing, financial feasibility of this new institution. Without these commitments and information, it is difficult to assess this component of the proposal.

Open Space

The Project's surrounding community already suffers from limited open space for recreation and the addition of up to 2,000 new residents would only exacerbate the problem. The New York City Department of Parks and Recreation (NYC Parks) currently utilizes portions of Brigadier General Charles Young Park for storage of equipment and NYC Parks vehicles. These two areas of the park total 20,200 square feet (or 0.46 acres). While I understand that there is limited space to park official vehicles, the practice of using what could otherwise be open space as parking must change, especially in an area of the city that lacks significant open and green space. Although the Environmental Impact Statement (EIS) identified open space as one of the factors that would have an adverse impact as a result of the proposed development, the Applicant has only proposed a renovation of an existing playground in Brigadier General Charles Young Park as a mitigation measure. This offer is woefully insufficient. The Applicant must work with NYC Parks and the local community to ensure that areas of Brigadier General Charles Young Park that are currently used for storage and NYC Parks vehicles be open to the community and repurposed for recreational uses.

Green Energy District

The Applicant has proposed a green energy district that would provide cooling and heating not only for the proposed buildings, but also for nearby developments that could, as the Applicant described it, “plug in.” This proposal is ambitious, and while I support green energy solutions, I do not think the Applicant has given an earnest representation of the scale and difficulty of achieving what they have proposed.

The Applicant’s plan requires geothermal equipment to access groundwater. Other projects in Manhattan were required to dig up to 2,000 feet below ground level to access the water necessary for their geothermal system.¹⁵ The Applicant has not proposed a timeline for implementation of the green energy district, where additional mechanical space for the geothermal systems would be located, or what their strategy is to receive permission to pump water from the Harlem River. Moreover, reintroducing pumped water into the Harlem River at a different temperature is a legally murky proposal. Without details that address these significant issues, this element of the Applicant’s proposal is improbable.

Banquet Hall/Event Space

The proposed banquet hall is located on the top floor above the residential units but will contain separate ground-floor access. This arrangement requires that the Applicant apply for a special permit pursuant to ZR 74-744(b) to allow the banquet hall to be located above residential use. I am reluctant to recommend approval of this special permit, and I believe the onus is on the Applicant to explain how this component could provide a substantial public benefit.

There are numerous banquet halls in Harlem that would undoubtedly benefit from additional business as they recover from the Covid-19 pandemic. Three banquet halls are in the vicinity of the Development Site: Dear Harlem, Grand Slam Banquet Hall, and the Alhambra Ballroom. On average, they each provide space for between 100 and 200 patrons (see Table 5). In addition to these ballrooms, there are also the Great Hall at The City College of New York, Harlem Stage, and The Forum at Columbia University. These spaces can accommodate between 438 and 1,000 patrons. The existence of these venues raises serious questions about the need for an additional events space, especially one that requires a variance.

I do not believe that the event space, as proposed, offers a public benefit that is meaningful enough to warrant the special permit. However, I do believe that the space presents the opportunity to provide recreational space to a community that does not have enough of it. The Applicant should embrace this opportunity.

¹⁵ [The New, Green Pride of St. Patrick’s Cathedral is Underground.](#)

Table 5: Existing Event Spaces Near Development Site

Venue	Capacity	Distance from Development Site	Demand
Grand Slam Banquet Hall (3534 Broadway)	180-200 patrons	1 mile (20-minute walk; 15-minutes via public transportation; 10-minute drive)	Steady use; slight recovery since height of pandemic
Dear Harlem (238 West 116 th Street)	90 patrons	1.7 miles (35-minute walk; 12-minutes via public transportation; 10-minute drive)	Opened during pandemic; less use of venue since October 2021
Great Hall (The City College of New York; 160 Convent Avenue)	1,000 patrons	0.9 miles (17-minute walk, 17-minutes via public transportation, 7-minute drive)	Frequent use; daily to weekly; closed during pandemic, currently a vaccination site
The Forum (Columbia University; 601 West 125 th Street)	438 patrons	0.9 miles (35-minute walk, 28-minutes via public transportation [2-seat ride, 1 train + Bx19], 13- minute drive)	Newly constructed but used publicly twice a year and more frequently for internal events; closed during the pandemic

Local Hiring and Workforce Development

The Applicant has indicated that the Proposed Development would create an estimated 1,150 jobs and that half of those jobs would be permanent. Furthermore, they have committed to partnering with Positive Workforce and Nobel Strategies, two organizations that would help with job placement and training, to ensure that 25% of the jobs go to Harlem residents. A contract with Construction and General Building Laborers’ Local 79 would ensure an additional 25% of the jobs go to local residents, for a total of 50%. I encourage the developer to honor this commitment to the community and the union.

BOROUGH PRESIDENT’S RECOMMENDATION

Therefore, the Manhattan Borough President recommends **disapproval** of the One45/Museum of Civil Rights proposal **unless the Applicant agrees to meet the following conditions:**

- Ensure that the affordable housing component of the proposed Project reflects the community’s needs by increasing the number of affordable units to 50% of the total units; increasing the portion of affordable, family-sized units; and providing units at AMI levels that are appropriate.
- Work with the MTA and DOT to track development’s impacts on transportation infrastructure and identify improvements to mitigate congestion.

- Work with NYC Parks and the local community to provide more meaningful community spaces at Brigadier General Charles Young Park.
- Ensure that the open space above the museum is open and accessible to the public free of charge at least 150 days per year, and partner with local nonprofits to create programming and memorialize this commitment in the restrictive declaration.
- Partner with physical wellness organizations to provide free community programs in the proposed events space at least 45 days per year and memorialize this commitment in the restrictive declaration.
- Incorporate amenities and programs that will disincentivize car ownership, including:
 - Increasing the number of car share spaces from five to 15 and securing a partnership with one or more car share companies to provide financial incentives for residents.
 - Providing extensive bike amenities to incentivize bike usage among residents.
- Conduct extensive community outreach to finalize the design of the towers to make them more contextual with the surrounding neighborhood and ensure that the museum's frontage along West 145th Street is a passive recreation amenity for the community.
- Present a plan for extending use of the proposed geothermal plant to other developments, including the Frederick E. Samuel Apartments, Drew-Hamilton Houses, and Esplanade Gardens.
- Establish a construction task force to note and respond to construction impacts to surrounding community.



Mark Levine
Manhattan Borough President