



CITY PLANNING COMMISSION  
CITY OF NEW YORK  
OFFICE OF THE CHAIR

**REVISED NEGATIVE DECLARATION**  
**Supersedes Negative Declaration Issued on November 13, 2012**

**Project Identification**

CEQR No. 12DCP111M  
ULURP Nos. 120201ZSM & N120200ZRM  
SEQRA Classification: Type 1

**Lead Agency**

City Planning Commission  
22 Reade Street  
New York, NY 10007  
Contact: Robert Dobruskin  
(212) 720-3423

**Name, Description and Location of Proposal:**

**150 Wooster Street.**

The Negative Declaration originally issued on November 13, 2013, has been revised in order to take into account modifications to the proposed action, as described further below

The applicant, MTM Associates, LLC/Scion & Stock Inc., proposes a zoning text amendment to Section 74-712 of the Zoning Resolution and a special permit pursuant to Section 74-712 as modified in connection with a proposal to redevelop a property located at 150 Wooster Street (Block 514, Lots 7 and 9), in the SoHo neighborhood of Manhattan, Community District 2. The project site is located in an M1-5A district and is within the boundaries of the SoHo Cast Iron Historic District, which is a designated New York City historic district and is listed on the National and State Registers.

Currently, a special permit for modifications of use and bulk pursuant to Section 74-712 allows residential development throughout the building (Use Group 2) and commercial retail (Use Group 6) below the second floor on lots within M1-5A and M1-5B districts in an historic district that is not more than 20 percent occupied by buildings. Additionally, the total floor area is not to exceed a maximum FAR of 5.0, the minimum floor area for each dwelling unit is 1,200 square feet (sf) and the buildings are compatible with the surrounding character and historic district. Under the proposed text amendment, the percentage of lot area allowed to be occupied by non-contributing buildings

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(buildings that are not historic or do not add to the historic district) would be increased to 40 percent or less. There are approximately three sites, including the applicant's, which are vacant or substantially vacant, and therefore have the potential to be affected by the proposed text change. The proposed action would facilitate a proposal by the applicant to develop a new eight-story, 103 foot tall building with approximately seven dwelling units and 6,375 gross square feet of retail space on the ground floor and cellar levels. The special permit would allow the residential use throughout the building, the commercial space below the second floor and a portion of the seventh floor to be non-compliant with regard to the governing height and setback regulations. The applicant's proposal received a Certificate of Appropriateness from the Landmarks Preservation Commission (LPC) on October 16, 2012.

The project site is currently developed with 15-space parking lot (Lot 7) and an approximately 2,500 square foot retail, non-contributing building (Lot 9). It is expected that the proposed project would be completed by 2014. Absent the proposed action, it is expected that the subject site would not be redeveloped and the use would remain the same.

M1-5A and M1-5B districts are high performance light-manufacturing districts mapped that allow commercial and manufacturing uses at a maximum FAR of 5.00. Community facility uses are permitted at a maximum FAR of 6.50. Building envelopes are regulated by the sky exposure plane. These districts do not allow residential development except for joint living-work quarters as an industrial use. Section 74-712 of the Zoning Resolution regulates development in historic districts and M1-5A/M1-5B districts. The proposed text amendment would modify the current special permit's qualifying criterion that lots be no more than 20 percent occupied by buildings. The proposed modification would change this criterion to no more than 40 percent of the lot area can be occupied by buildings.

The proposed action includes an (E) designation on the project site (Block 514, Lots 7 and 9) in order to preclude future noise and hazardous materials impacts, which could occur as a result of the proposed action. The (E) designation number is E-294.

The (E) designation text related to noise is as follows:

**To ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed window condition with a minimum of 28 dBA window/wall attenuation on all façades to maintain an interior noise level of 45 dBA. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.**

The (E) designations text related to hazardous materials is as follows:

### **Task 1-Sampling Protocol**

**The applicant submits to OER, for review and approval, a Phase 1A of the site along with a soil and groundwater testing protocol, including a description of methods and a site map with all sampling locations clearly and precisely represented.**

**If site sampling is necessary, no sampling should begin until written approval of a protocol is received from OER. The number and location of sample sites should be selected to adequately characterize the site, the specific source of suspected contamination (i.e., petroleum based contamination and non-petroleum based contamination), and the remainder of the site's condition. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of sampling data. Guidelines and criteria for selecting sampling locations and collecting samples are provided by OER upon request.**

#### **Task 2-Remediation Determination and Protocol**

**A written report with findings and a summary of the data must be submitted to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving such results, a determination is made by OER if the results indicate that remediation is necessary. If OER determines that no remediation is necessary, written notice shall be given by OER.**

**If remediation is indicated from the test results, a proposed remediation plan must be submitted to OER for review and approval. The applicant must complete such remediation as determined necessary by OER. The applicant should then provide proper documentation that the work has been satisfactorily completed.**

**A OER-approved construction-related health and safety plan would be implemented during evacuation and construction and activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil and/or groundwater. This plan would be submitted to OER for review and approval prior to implementation.**

**All demolition or rehabilitation would be conducted in accordance with applicable requirements for disturbance, handling and disposal of suspect lead-paint and asbestos-containing materials. For all projected and potential development sites where no E-designation is recommended, in addition to the requirements for lead-based paint and asbestos, requirements (including those of NYSDEC) should petroleum tanks and/or spills be identified and for off-site disposal of soil/fill would need to be followed.**

With the placement of the (E) designation on the projected development site, no significant noise or hazardous materials impacts would be expected as the result of the proposed action.

In addition to facilitating the proposed redevelopment of 150 Wooster Street, the proposed action has the potential to facilitate development on two other parcels, 137 Crosby Street (Block 510, Lots 38, 39 and 40; also known as 300 Lafayette Street) and 254 Lafayette Street (Block 496, Lots 9 and 19), which are not under the control of the applicant. For these properties to be redeveloped under the proposed text amendment, future special permits and the issuance of Certificates of Appropriateness from LPC would be required. A conceptual analysis has been conducted which considers the potential for these properties to be redeveloped under the proposed special permit text. As a result of the proposed action, the 137 Crosby Street site could be developed with 70,700 gsf of commercial retail and the 254 Lafayette site could be developed with 26 dwelling units and 7,758 gsf of commercial retail. Absent the proposed action, it is assumed that these two sites would be developed using the existing special permit provisions, which could result in the development of 51,396 gsf commercial retail space on 137 Crosby Street and 20 dwelling units and 7,758 gsf commercial retail space on 254 Lafayette Street. Combined with the 150 Wooster Street site, the proposed action could result in 85,628 gsf of commercial retail space and 51 dwelling units. The total incremental increase that could be developed as a result of the proposed action is 19,304 gsf of commercial space and 16 dwelling units.

**On March 13, 2013, the applicant filed a revised application containing modifications to the original special permit request (120201ZSM) in response to concerns raised during the ULURP review to date. The proposed modification would reduce the proposed building's streetwall height at the seventh floor from 89 to 85 feet and would reduce its overall height to the top of the parapet from 108 to 102 feet. This change modifies the certified application's proposed special permit pursuant to Section 74-712 of the Zoning Resolution. The proposed changes to the building's height and setback would not alter the proposed square footage, uses, or number of units. These would remain at 35,853 square feet total, 6,375 square feet of commercial use, and 25 residential units as analyzed in the October 24, 2012 EAS. The applicant's proposed modification received an amended Certificate of Appropriateness on March 15, 2013 (LPC-141864, MISC 14-1832).**

**Statement of No Significant Effect:**

The Environmental Assessment and Review Division of the Department of City Planning, on behalf of the City Planning Commission, has completed its technical review of the Environmental Assessment Statement, dated October 17, 2012 and the Revised EAS dated March 19, 2013, prepared in connection with the ULURP Application (Nos. 120201ZSM & N120200ZRM). The City Planning Commission has determined that the proposed action will have no significant effect on the quality of the environment.

**Supporting Statement:**

The above determination is based on an environmental assessment which finds that:

1. The (E) designation for noise and hazardous materials would ensure that the proposed actions would not result in significant adverse impacts.
2. Prior to completion of this EAS, further talks with the applicant of Site 2 (known as 137 Crosby Street in the EAS and as 300 Lafayette Street in the recently filed pre-application statement) revealed a proposal for an additional special permit pursuant to Section 74-922 for Use Group 10A—large retail. While the development scenario for Site 2 in the conceptual analysis does not assume UG 10A—large retail uses, or a 74-922 special permit, the conclusion of the conceptual analysis would not change, since the relevant thresholds in the *CEQR Technical Manual* would not be exceeded.
3. The Revised EAS analyzed the proposed modification to the special permit request (ULURP No. 120201ZSM), which would not result in any changes to the proposed square footage, uses, or number of units previously analyzed, and concluded that the proposed modification would not have the have the potential for significant adverse impacts on the environment.
4. No other significant effects on the environment which would require an Environmental Impact Statement are foreseeable.

This Negative Declaration has been prepared in accordance with Article 8 of the Environmental Conservation Law 6NYCRR part 617.

Should you have any questions pertaining to this Negative Declaration, you may contact Jonathan Keller at (212) 720-3419.



Robert Dobruskin, Director, AICP  
Environmental Assessment & Review Division  
Department of City Planning

Date: March 19, 2013

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Amanda M. Burden, FAICP, Chair  
City Planning Commission

Date: March 20, 2013