



CITY PLANNING COMMISSION
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

MEMORANDUM

To: Members of the City Planning Commission

From: Celeste Evans *CE*

Date: April 5, 2013

Re: **150 Charles Street**
CEQR No. 07DCP059M
ULURP Nos. N070395ZAM, N070394ZRY
Community District 2, Manhattan
SEQRA Classification: Type 1

The Environmental Assessment and Review Division has reviewed the Technical Memorandum for the above referenced CEQR application. Based on our review, pursuant to the City's Environmental Quality Review process and NYCRR 617, we have come to the conclusion that the proposed action will not have a significant effect on the quality of the environment that was not already identified in the Environmental Assessment Statement with respect to the CPC approved 150 Charles Street Project.

Attached is a copy of the Technical Memorandum.

attachment

cc: Jacquelyn Harris Robert Dobruskin Kenny Ramnarine Calvin Brown
Ingrid Young Susan Wong Pat Bussey Patrick Sullivan

CITY PLANNING COMMISSION
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**Technical Memorandum
150 Charles Street Project
(formerly 303 West 10th Street)
CEQR Number 07DCP059M
February 28, 2013**

INTRODUCTION

The 150 Charles Street project (formerly known as 303 West 10th Street) involved a text amendment to Zoning Resolution Section 15-41 to allow the City Planning Commission, by authorization, to waive the open space ratio and height factor requirements for the enlargement of existing non-residential buildings that are converted to residential use, where such buildings are located in non-contextual commercial and residential districts and are subject to height factor zoning (N 070394 ZRY). The applicant sought an authorization pursuant to this text amendment in connection with the proposed conversion and enlargement of an existing non-residential building (N 070395 ZAM). The text amendment and authorization facilitate the enlargement and conversion of an existing 4-story, 180,704 gsf manufacturing building located at 150 Charles Street/303 West 10th Street between West and Washington Streets (Block 636, Lot 70). Subsequently, a special permit pursuant to Section 74-52 and 13-562 was granted to allow an attended parking garage with a maximum capacity of 92 spaces on the project site (C 090036 ZSM).

The existing warehouse building is to be enlarged by approximately 157,850 gsf with a new 11-story residential structure for a total of 15 stories. The project will total approximately 338,284 gsf, with approximately 91 residential units, a 92-space public parking garage, and approximately 1,025 square feet of bicycle parking. The project will include two 11-story stepped towers atop the northeast and southeast portions of the existing building joined by a 9-story connector. Two 5-story sections will be added on the northwest and southwest portions of the existing building. Outdoor space for building residents will be located in an at-grade courtyard between these two 5-story sections, and additional rooftop open space will be provided.

The purpose of this Technical Memorandum is to determine whether a modification of the landscaping of the open areas on the zoning lot and an increase to the size of those areas by increasing the size of certain planters would alter the conclusions of the Environmental Assessment Statement (EAS) dated April 24, 2007 (CEQR Number 07DCP059M) that was prepared to analyze the potential environmental impacts of the text amendment and authorization. A Negative Declaration was issued on April 25, 2007. (A separate EAS was prepared in connection with the subsequent public parking special permit application and a Negative Declaration for that action was issued on July 22, 2009 (CEQR Number 08DCP057M); however, the analyses in that subsequent EAS are not relevant to current application for a minor modification pertaining to the open areas of the building only.) As described below, the minor modification now under consideration would not alter the conclusions of the EAS or the Negative Declaration.

A. PROPOSED CHANGES TO OPEN AREAS

The applicant is proposing to modify the landscaping of the tenant only-accessible open areas and increase the size of those areas by increasing the size of certain planters. The previously approved open areas totaled 18,208 square feet, including 10,890 square feet of accessible common space. The proposed modifications would slightly increase the total proposed open space to 18,282 square feet, including 11,111 square feet of accessible common space. The location of the common space, in a courtyard at grade level and on 5th floor rooftop common terraces, will not change. The size of the 5th floor common terraces will be increased from 5,560 square feet to 5,781 square feet, which results from increasing the

size of certain planters and adjusting the demising line between the common area and the adjacent private terraces. The size of the courtyard space will not change.

The 2007 EAS was based on a build year of 2010. Currently, it is anticipated that the project build year will be 2014. As described above, the proposed modifications relate only to the redesign of landscaping of tenant only-accessible open areas and would slightly increase accessible common space. The proposed modifications do not have the potential to affect or be affected by No Build conditions. Accordingly, no analysis of the change in schedule is required.

B. POTENTIAL ENVIRONMENTAL EFFECT OF PROPOSED CHANGES

The modifications in the landscaping, the increase in overall landscaped and open area, and the increase in the size of planters do not have the potential to affect any CEQR analysis areas previously studied in the EAS except for open space.

As noted in the EAS, the proposed project would not have a direct effect on open space nor would it introduce more than 200 residents or 500 employees, the *CEQR Technical Manual* threshold for an open space analysis in this part of Manhattan. Therefore, no detailed open space assessment was warranted. In 2007, CPC made specific findings relating to tenant-accessible open space as a prerequisite for granting the authorization under the proposed text amendment. These findings were that the proposed project would provide open areas on the zoning lot of sufficient size to serve residents of the building, and that the open areas are accessible to and usable by all residents of the building, and that the open areas have appropriate access, circulation, seating, lighting and paving. In addition, CPC found that the site plan included superior landscaping for all open areas, including the planting of street trees. As a result, the use of the provisions of the text amendment resulted in on-site open spaces of a better quality than required by the then existing open space regulations and, as such, no significant adverse impacts on open space were anticipated.

The changes that are the subject of the minor modification would allow the landscaping of the open areas to be redesigned as follows: the planters in the courtyard and the 5th floor terraces would be modified to change the delineation between the common open space and the adjacent private terraces, with no reduction in the amount of total courtyard common area and an increase in the overall planted area; the planters on the 5th floor terraces would be increased in size, resulting in an increase in the size of the common areas on these terraces; individual raised modular planters would be enlarged to increase overall soil volume accessible to individual plants, allowing for a more diverse plant community; evergreens would be added to the plant species list to provide for a more varied seasonal appearance. The open areas will continue to have the size, character and quality to satisfy the findings previously made by CPC. Therefore, the minor modification would not alter the conclusions of the EAS or the Negative Declaration.