



CITY PLANNING COMMISSION
CITY OF NEW YORK

OFFICE OF THE CHAIR

NEGATIVE DECLARATION

Project Identification

CEQR No. 17DCP079M

ULURP No. 170040ZSM

SEQRA Classification: Type I

Lead Agency

City Planning Commission

120 Broadway

New York, NY 10271

Contact: Robert Dobruskin

(212) 720-3423

Name, Description and Location of Proposal:

19 East 70th Street

The applicant, NY 70th St, LLC, is seeking a Special Permit pursuant to Zoning Resolution (ZR) Section 74-711 affecting 19 East 70th Street on Block 1385, Lot 15 (The "Project Site") located within the Upper East Side Historic District and Special Madison Avenue Preservation District in Manhattan, Community District 8. The proposed Special Permit would waive regulations relating to (1) minimum inner court dimension and minimum inner court area (ZR 23-851); (2) the minimum distance between legally required windows and walls or lot lines (ZR 23-86); and (3) maximum permitted height for a narrow building (ZR 23-692). The proposed action would facilitate a proposal by the applicant to increase the floor area and bulk of an existing building currently undergoing renovations pursuant to Department of Building (DOB) approved plans from 21,326 gross square feet (gsf) to 22,839 gsf (the "Proposed Project"). The as-of-right renovation of the Project Site, which is developed with an existing six-story townhouse that rises to 100 feet (including the bulk head), would include façade repairs and occupation of the structure with a single-family residential use. The proposed project includes interior renovations to repurpose a non-complying air shaft that will create new floor space on the eastern side of the Project Site between the second floor and the penthouse level.

The building at the Project Site was designated as a New York City Landmark (NYCL). The proposal is subject to Landmarks Preservation Commission (LPC) review and approvals, and requires the implementation of a Continuing Maintenance Plan. LPC has issued a design approval Certificate of Appropriateness (issued September 11, 2015) and a Certificate of No Effect (issued May 16, 2014) for the Proposed Project, and as a part of the project approvals, a Restrictive

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Negative Declaration

Declaration would be assigned to the Project Site to ensure development consistent with the LPC approvals and the implementation of the Continuing Maintenance Plan.

Currently, the Project Site contains a 19,694 gsf, six-story, vacant townhouse building with a built FAR of 5.09. The underlying C5-1 zoning district currently mapped on the Project Site allows a maximum FAR of 10.0 for residential and community facility uses and 4.0 for commercial uses. The current building at the Project Site predates the existing zoning regulations and contains above-grade features that do not conform to the zoning requirements for residential use. Present zoning, under ZR 23-86, requires that the rear windows of the Project Site meet a 30 foot minimum distance from the lot line. The open area at the rear of the Project Site, considered the "inner court," must have a 30 foot minimum distance from the lot line or at least a 1,200 square foot area under ZR 23-851. The building at the site, pursuant to ZR 23-692, is currently above the maximum permitted building height for narrow buildings which is 60 feet.

At present, renovations are ongoing pursuant to DOB approved plans to utilize the building as a single-family home (UG 2 residential). The as-of-right DOB approved renovations include adjustments to the interior of the building to create level floors, the removal of a partial mezzanine, and below grade excavations to expand subcellar level 1 and create a new subcellar level 2. The building also contains above-grade features that do not conform to the zoning requirements, but under the current DOB approved plans, if there is no increase in non-compliance, the as-of-right structure is permitted with limited modifications. The DOB plans include work that would setback the building's rear façade to allow for a vertical enlargement (a penthouse) that is a minimum distance of 40 feet from the lot line. The total gross square footage of the building at the Project site per the DOB approved plans is expected to increase to 21,326 gsf.

The proposed action would waive the underlying ZR 23-86, ZR 23-851, and ZR 23-692 zoning regulations to facilitate the applicant's above-grade modifications. Currently, the site's rear windows are ten feet from the rear lot line on the cellar and first floors and about 13 to 21 feet from the rear lot line on the upper floors, which is less than the minimum 30 foot distance required under ZR 23-86. The proposal to fill in the air shaft would create new gross floor area (approximately 1,500 gsf) for the building at the Project Site and eliminate the non-complying inner court requirements, pursuant to ZR 23-851, but would locate new floor area above the maximum permitted building height of 60 feet pursuant to ZR 23-692. The Special Permit would waive these requirements to facilitate the Proposed Project.

Absent the proposed action and under the existing C5-1 zoning district and zoning requirements, the building at the Project Site would continue to be developed into a 21,326 gsf single-family residence pursuant to the previously approved DOB.

The proposed project is expected to be completed by 2019.

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Statement of No Significant Effect:

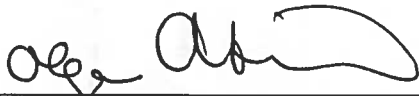
The Environmental Assessment and Review Division of the Department of City Planning, on behalf of the City Planning Commission, has completed its technical review of the Environmental Assessment Statement, dated December 9, 2016, prepared in connection with the ULURP Application (170040ZSM). The City 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 no 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 Rupsha Ghosh at (212) 720-3524.



Olga Abinader, Deputy Director
Environmental Assessment & Review Division
Department of City Planning

Date: December 9, 2016

Carl Weisbrod, Chairman
City Planning Commission

Date: December 12, 2016