



CITY PLANNING COMMISSION
CITY OF NEW YORK

OFFICE OF THE CHAIR

NEGATIVE DECLARATION

Project Identification

CEQR No. 17DCP109M

ULURP No. 170068ZSM

SEQRA Classification: Type I

Lead Agency

City Planning Commission

120 Broadway, 31st Floor

New York, NY 10271

Contact: Robert Dobruskin

(212) 720-3423

Name, Description and Location of Proposal:

66 Allen Street

The Applicant, Grand Associates LLC, is seeking a Special Permit pursuant to New York City Zoning Resolution (ZR) Section 74-711 ("Landmark preservation in all districts") to modify the use provisions of Section 15-021[e] ("Special use regulations"). The Proposed Action would facilitate a proposal by the Applicant to: convert 9,396 gross square feet (gsf) of commercial UG 6 floor area on the second through fourth floors of an existing five-story mixed-use building under the Applicant's control at 66 Allen Street (Block 308, Lot 14) to UG 2 residential floor area (with 7 new residential dwelling units), expand the residential lobby from 161 gsf to 642 gsf to accommodate a new elevator lobby, and permit 1,210 gsf of residential use in an as-of-right penthouse addition. The Proposed Action would result in a total of 14,380 gsf of UG 2 residential floor area (8 dwelling units) in the building: inclusive of an existing 3,132 gsf UG 2 residential unit on the fifth floor; 1,210 gsf of UG 2 residential floor area in the proposed penthouse addition, which is permitted per the underlying zoning regulations; and a 481 gsf lobby expansion. The building at the Project Site is an individual landmark as designated by the New York City Landmark Preservation Commission. The Project Site is located in the Lower East Side of Manhattan, Community District 3 and is located within a C6-2G zoning district.

The building at the Project Site, which currently contains 23,503 gsf, consists of 3,887 gsf in the cellar, 3,887 gsf in the sub-cellar, 3,040 gsf of ground floor retail, 9,396 gsf of UG 6 office space on floors two through four (of which 1,093 gsf is currently vacant), 3,132 gsf of UG 2 residential use

Marisa Lago, Chair
120 Broadway 31st Floor, New York, N.Y. 10271
(212) 720-3200 FAX (212) 720-3219
<http://www.nyc.gov/planning>

(one unit) on the fifth floor, 161 gsf of elevator lobby space, and rises to five stories (4.91 FAR). The underlying C6-2G zoning district allows a maximum commercial FAR of 6.0. C6 zoning districts have no height limits. For height factor buildings, they cannot penetrate the sky exposure plane, which begins at 85 feet. Use Groups permitted include 1-12, while restrictions exist on the conversion of commercial and manufacturing uses to residential uses. The C6-2G district does not permit conversion to residential uses as-of-right; therefore, the Special Permit is being sought. The existing UG 2 residential unit is located on the fifth floor of the building, per the Certificate of Occupancy dating back to September 29, 1965, and is considered as a legal non-conforming use. The building at the Project Site is an individual landmark. It is also listed on the National Register as part of the Lower East Side Historic District. The Applicant has begun restorative work on the exterior of the building, pursuant to LPC approvals, as well as in conjunction with Department of Buildings (DOB) filed permits, and with the expectation that the Special Permit will be approved.

The Proposed Action would permit the conversion of the existing 9,396 gsf on the second through fourth floors of the building from UG 6 office to UG 2 residential uses, 1,210 gsf of new UG 2 residential use in the as-of-right penthouse addition, and a 481 gsf residential elevator lobby expansion on the ground floor of the building (from 161 to 642 gsf). The existing ground floor commercial use (3,040 gsf) would be reduced to 2,559 gsf to accommodate the proposed elevator lobby expansion and the existing fifth floor residential use (one unit) would remain and is not subject to the proposed Special Permit. As a result of the Proposed Action, the total residential floor area would increase from 3,293 gsf (inclusive of the existing 161 gsf residential lobby) to 14,380 gsf with a total of 8 dwelling units. The net increase in residential floor area (11,087 gsf) would be gained from the conversion of the existing office floor area to residential on floors two through four (9,396 gsf) as well as the penthouse addition (1,210 gsf). The action will result in a total of 8 residential units, an increase of 7 units from the existing 1 legal unit on the 5th floor. The building at the Project Site will be occupied with 2 units each on the 2nd, 3rd, and 4th floors, and the existing 5th-floor unit will be divided into 2 units, one of which will be a duplex with the penthouse enlargement. Cellar space (3,887 gsf) and sub-cellar space (3,887 gsf) would be used as ancillary residential and commercial space. The resulting building would contain a total floor area of 24,713 gsf (5.21 FAR) and would rise to a height of approximately 72 feet.

Absent the proposed action, the Project Site is expected to remain unchanged from the existing conditions, with the exception of 1,093 gsf of vacant space on the second floor of the building, anticipated to be re-tenanted. The existing commercial uses on the second through fourth floors would be retained, as would the existing legal non-conforming fifth-floor unit. Construction on the building would still proceed pursuant to filed DOB permits, which correlate with LPC-approved exterior façade work, as well as the construction of a new elevator shaft. No new interior modifications would be provided.

The proposed project is expected to be completed by 2020.

To avoid the potential for significant adverse impacts related to noise, an (E) designation (E-450) has been incorporated into the proposed actions, as described below.

Block 308, Lot 14

To ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed- window condition with minimum attenuation of 31 dB(A) window/wall attenuation on Allen Street and Grand Street facades to maintain an interior noise level of 45 dB(A). 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, central air conditioning.

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 13, 2017, prepared in connection with the ULURP Application (No. 170068ZSM). 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 would ensure that the proposed actions would not result in significant adverse impacts.
2. A historic and cultural resources assessment was conducted to identify the potential for impacts to architectural and archaeological resources on the Project Site, as it is an individual landmark, and on the adjacent Ridley and Sons Department Store Building, also a landmark. In conjunction with the Proposed Action, the New York City Landmarks Preservation Commission (LPC) issued a Certificate of Appropriateness, Modification of Use approving the building enlargement and modification of use, and a Certificate of No Effect on April 26, 2016. Upon approval of the Special Permit, the applicant will record a Restrictive Declaration with LPC requiring the owner and any successor in interest to provide for the continuing maintenance of the proposed building, resulting in its preservation. Based on the LPC documentation and analysis it was concluded that there is no potential for significant adverse impacts to historic and cultural resources on the Project Site and on the adjacent landmarked building (Ridley and Sons) as the current and proposed restorative work on the Project Site would be minor and contextual, in keeping with the surroundings. The exterior façade work would reinforce the historic and architectural character of the building and bring it closer to its original appearance. The proposed rooftop addition would also be set back from the street facades, helping it to recede from public thoroughfares.

3. A construction assessment was conducted to identify the potential for construction related impacts on the Project Site and adjacent landmarked building. It was found that the restorative work would not result in any such impacts. LPC-approved construction procedures would be followed to protect the buildings from damage from vibration, subsidence, dewatering, or falling objects as part of the repairs to the building. Construction procedures would also comply with the NYC Department of Buildings Memorandum Technical Policy and Procedure Notice # 10/88 (TPPN # 10/88) and with the site safety requirements of the 2008 NYC Building Code, as amended, which stipulate that certain procedures be followed for the avoidance of damage to historic and other structures resulting from construction. Based on the nature of the restoration and conformance with the above policies, no significant adverse construction related impacts are anticipated.
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 Samuel Nourieli at (212) 720-3425.



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

Date: October 13, 2017

Marisa Lago, Chair
City Planning Commission

Date: October 16, 2017

