E-365

CITY PLANNING COMMISSION
CITY OF NEW YORK

OFFICE OF THE CHAIRMAN

NEGATIVE DECLARATION

September 8, 2015

Project Identification
CEQR No. 16DCP027M
ULURP Nos. 150385ZSM
SEQRA Classification: Type I

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

Name, Description and Location of Proposal:

323 Canal Street
The Applicant, 321 New Canal LLC, is seeking a special permit per the New York City Zoning Resolution (ZR) Section 74-711 to modify the use provisions of ZR Sections 42-10 and 42-14D(2)(b) in connection with a proposal to allow Use Group (UG) 6 commercial retail and UG 2 residential uses in a four-story building located at 323 Canal Street[1] (Block 230, Lot 6, the "project site"). The project site is located in an M1-5B zoning district within the SoHo Cast Iron Historic District in Manhattan, Community District 2.

The proposed action would facilitate a proposal by the applicant to enlarge the existing, 5,793 gross square foot (gsf) building by extending the second and third floors by 930 gsf, for a total development size of 6,723 gsf. The existing footprint would be maintained at the ground and fourth floors. Upon approval of the proposed action, the ground floor and cellar levels of the building would be converted to UG 6 commercial retail uses, and the second through fourth floors would be converted to UG 2 Residential uses (three dwelling units). M1-5B zoning districts permit light manufacturing and wholesale uses; residential uses are not permitted on an as-of-right basis.

The building, which has been vacant for over two years and does not have a Certificate of Occupancy, is currently undergoing emergency repair work pursuant to New York City Department of Buildings (DOB) approvals. In connection with the proposed project, the Applicant has also received approvals for repair and restoration work from the New York City Landmark Preservation Commission (LPC) on May 8, 2014 and July 15, 2014.

[1]Concurrently with the proposed action, the applicant has filed an application (CEQR No. 16DCP026M) for the same action to facilitate the conversion of uses within an adjacent building located at 321 Canal Street (Block 230, Lot 5).

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The analysis year for the proposed project is 2018. Absent the proposed action, the building is expected to remain vacant, and would remain in its present size of 5,793 gsf.

In connection with the proposed action, an (E) designation (E-365) is assigned to the project site to avoid potential significant adverse impacts related to air quality and noise.

The text for the (E) designation related to air quality is as follows:

> **Any new residential and/or commercial development on Block 230, Lot 6 must exclusively use natural gas as the type of fuel for HVAC systems and hot water equipment, and ensure that the heating, ventilating and air conditioning and/ or the hot water equipment stack(s) is located at least 30 feet away from the lot line facing Grand Street, to avoid any potential significant air quality impacts.**

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

> **For any new residential and/or commercial development on Block 230, Lot 6, a closed window condition with a minimum of 35 dB(a) window/wall attenuation must be provided in order to maintain an acceptable interior noise level.**

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 September 4, 2015, prepared in connection with the ULURP Application (No. 150385ZSM). 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. As the project site is located within a NYC-designated historic district, the proposed project requires a Certificate of Appropriateness from LPC. A Certificate of Appropriateness was granted by LPC on September 30th, 2014.

2. The (E) designation for air quality and noise would ensure that the proposed actions would not result in significant adverse impacts.

3. No other significant effects upon the environment that would require the preparation of a Draft Environmental Impact Statement are foreseeable.

This Negative Declaration has been prepared in accordance with Article 8 of the New York State Environmental Conservation Law 6NYCRR part 617 (SEQRA).

Should you have any questions pertaining to this Negative Declaration, you may contact Annabelle Meunier at (212) 720-3426.

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

Date: September 4, 2015

Carl Weisbrod, Chairman
City Planning Commission

Date: September 8, 2015