



CITY PLANNING COMMISSION  
CITY OF NEW YORK

OFFICE OF THE CHAIR

## **NEGATIVE DECLARATION**

### **Project Identification**

CEQR No. 17DCP195M  
ULURP No. M920493(J)ZAM  
SEQRA Classification: Unlisted

### **Lead Agency**

City Planning Commission  
120 Broadway, 31<sup>st</sup> Floor  
New York, NY 10271  
Contact: Robert Dobruskin  
(212) 720-3423

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

#### **95 West 95<sup>th</sup> Street (Columbus House Enlargement)**

The Applicant, Columbus 95<sup>th</sup> Street LLC, is seeking to modify the West Side Large Scale Residential Development (LSRD) pursuant to ZR Section 78-06(b)(3) (the "Proposed Action") to increase the total non-residential floor area by 32,760 gross square feet (gsf) (27,544 zoning square feet (zsf)) on a property located at 95 West 95<sup>th</sup> Street (Block 1209, Lot 1, the "Project Site") in the Upper West Side neighborhood of Manhattan, Community District 7. The Proposed Action would facilitate a proposal by the Applicant to enlarge an existing 305,793 gsf mixed-use building with 20,819 gross square feet (gsf) of commercial uses (Use Group 6) and 11,941 gsf of community facility uses (Use Groups 3 and 4) at 95 West 95<sup>th</sup> Street. The Project Site is bounded by Columbus Avenue to the west, West 96<sup>th</sup> Street to the north, West 95<sup>th</sup> street to the south, and the midblock portion of Manhattan Block 1209 to the east.

The Project Site is currently developed with a 33-story building containing 294,796 gsf of residential uses (249 dwelling units), 11,217 gsf of commercial space of the ground floor, and 98 accessory parking spaces located in the cellar. The westernmost portion of the Project Site, located along Columbus Avenue, is located in a C1-9 zoning district. The easternmost portion of the Project Site is located in an R9 zoning district.

The Project Site was developed in accordance with the former West Side Urban Renewal Area (the "WSURA"), which was implemented in 1962 by the Urban Renewal Board and included twenty blocks bounded by West 87<sup>th</sup> Street to the south, West 97<sup>th</sup> Street to the north, Amsterdam Avenue to the west and Central Park West to the east. The WSURP was implemented to support high-rise residential development and rehabilitate blighted portions of the Upper West Side. In conjunction with the WSURA, a Large-Scale Residential Development (the "LSRD") plan was approved by the City Planning Commission ("CPC") in 1963 that set maximum floor area requirements for residential, commercial and community facility uses for each site

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within the LSRD. With the expiration of the WSURA in 2002, sites within the former WSURA are now governed by the LSRD plan and underlying zoning requirements. Pursuant to the LSRD regulations, the Project Site is permitted a maximum residential floor area of 265,700 zoning square feet (zsf) and maximum commercial floor area of 4,200 zsf within the C1-9 zoning district. Within the R9 zoning district, the Project Site is allowed a maximum residential floor area is 29,958 zsf. Community facility use is not permitted on the Project Site.

The Proposed Action would modify the West Side Large Scale Residential Development governing the Project Site, permitting an increase in total non-residential floor area by 32,760 gsf on the first two floors of the existing mixed-use building at the Project Site. The proposed development would consist of 20,819 gsf of Use Group 6 retail and 11,941 gsf of Use Group 3 or 4 community facility use. In total, the building would contain a maximum of 43,977 gsf of non-residential floor area, with 32,036 gsf of commercial floor area (11,217 gsf of existing floor area and 20,819 gsf of new floor area), and 11,941 gsf of community facility floor area. The amount of above-grade residential floor area, and the number and size of dwelling units on the Project Site would remain unchanged.

The analysis year for the Proposed Action is 2019. Absent the Proposed Action, the Development Site would remain as the existing conditions.

In connection with the Proposed Action, an (E) designation (E-448) would be assigned to the project site (Block 1209, Lot 1) to avoid potential significant adverse impacts related to noise. The (E) designation text related to noise is as follows:

**To ensure an acceptable interior noise environment, future community facility uses must provide a closed-window condition with a minimum of 28 dBA window/wall attenuation on all western façades facing Columbus Avenue 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.**

With the attenuation measures specified above, the Proposed Action would not result in any significant adverse impacts related to noise.

#### **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 1, 2017, prepared in connection with the ULURP Application (No. M920493(J)ZAM). 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. In July of 2008, the City Planning Commission adopted a Text Amendment (N050402ZRM) of the

ownership provisions of the LSRD regulations which allowed individual owners to request modifications in order to construct enlargements in accordance with the underlying zoning. The Text Amendment required that any new modifications sought pursuant to the text meet certain conditions, including the following:


“In any significant adverse impacts resulting from a #development# or #enlargement# pursuant to such modifications, considered in combination with #developments# or #enlargements# within the former urban renewal area listed in paragraph (b)(2), previously the subject of modifications under this paragraph, (b)(3), shall have been avoided or minimized to the maximum extent practicable by incorporating as conditions to the modification those mitigative measures that have been identified as practicable.”

Consequently, the Environmental Assessment Statement dated September 1, 2017 considers the potential effects of the Proposed Action in combination with other previously-approved applications for enlargement. The other enlargements considered in the analysis are 100 Columbus Avenue (CEQR No. 05DCP071M), 733 Amsterdam Avenue (CEQR No. 09DCP005M), 175 West 90<sup>th</sup> Street (CEQR No. 14DCP033M) and 70 West 93<sup>rd</sup> Street (CEQR No. 15DCP148M). The EAS analyses conclude that the combined effects of the enlargements do not raise the potential for significant adverse impacts, and therefore there are no conditions necessary to avoid or minimize significant environmental effects;

2. The (E) designation (E-448) for noise would ensure that the Proposed Action would not result in significant adverse impacts;
3. 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 Christopher Lee of the Department of City Planning at (212) 720-3429.

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

Date: September 1, 2017

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Marisa Lago, Chair  
City Planning Commission

Date: September 5, 2017