



CITY PLANNING COMMISSION
CITY OF NEW YORK

OFFICE OF THE CHAIRMAN

NEGATIVE DECLARATION

Project Identification

CEQR No. 17DCP113M

ULURP No. 160349ZSM

SEQRA Classification: Type I

Lead Agency

City Planning Commission

120 Broadway, 31st Floor

New York, NY 10007

Contact: Robert Dobruskin

(212) 720-3423

Name, Description and Location of Proposal:

40 Wooster Street

The Applicant, 40 Wooster Restoration, 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 regulations of Section 42-10 and Section 42-14(D) (“Manufacturing District – Uses permitted as-of-right”). The Proposed Action would facilitate a proposal by the Applicant to reconfigure and reoccupy an existing 16,447 gross square foot (gsf) six-story building located at 40 Wooster Street (Block 475, Lot 34, the “Project Site”) with 13,164 gsf of residential uses (Use Group 2) on the 2nd through 6th floor (4 dwelling units) and a 3,074 gsf retail use (Use Group 6) on the ground floor. Accessory storage space would be provided in the cellar for both retail and residential uses. The Project Site is located in the SoHo neighborhood of Manhattan, Community District 2. The Project Site is in an M1-5B zoning district within the SoHo Cast-Iron Historic District.

In conjunction with the Proposed Action, the New York City Landmarks Preservation Commission (LPC) issued a Certificate of Appropriateness, Certificate of No Effect, and Modification of Use on June 17, 2015, approving the building reconfiguration and modification of use. 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.

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The building at the Project Site is currently occupied by a non-conforming UG 10 showroom/gallery on the ground floor, a fitness studio on the second floor, vacant space on the third and fourth floors, and UG 6 office space on the fifth and sixth floors. According to the Applicant, the current occupants are subject to leases set to expire in 2017. The building contains 16,447 gsf and reaches a height of six stories. The Project Site is located within the SoHo Cast Iron Historic District, which is characterized by loft-style buildings typically built to a height of five to twelve stories, covering the entire lot width with a cast-iron façade. The underlying M1-5B zoning permits commercial and manufacturing uses (Use Groups 4-14, 16 and 17) but does not permit residential uses (Use Group 2). Use Group 6 commercial uses are also not permitted below the second story of a building. A maximum FAR of 5.0 is permitted, building heights cannot penetrate the sky exposure (85 feet), and a minimum of 20 feet is required for rear yards. There are no parking requirements.

The Proposed Action would allow for the interior reconfiguration and reoccupation of the building at the Project Site. The resulting building would contain 3,074 gsf of UG 6 retail space on the ground floor, with 1,224 gsf of accessory commercial storage space in the cellar. It would contain 13,164 gsf of UG 2 residential space on the second through sixth floors, totaling 4 dwelling units, with 1,374 gsf of accessory residential storage space in the cellar. Approximately 538 gsf would be set aside on the ground floor for the residential lobby. The building would contain a total floor area of 16,238 gsf (5.25 FAR), which accounts for a net reduction of 209 gsf from the existing floor area of 16,447 gsf (5.37 FAR). The net reduction in floor area would be achieved through interior renovations that include combining the fifth and sixth floors into a single residential unit, and the removal of a portion of the sixth floor to allow for a vaulted ceiling in a portion of the unit's fifth floor. A new roof level space (with a 373 gsf sitting area and a 154 gsf mechanical bulkhead) would increase the overall height of the building to approximately 85 feet, or six stories.

Absent the Proposed Action, the Project Site is expected to be occupied with a UG 10 showroom on the ground floor and UG 6 office uses on the remaining upper floors.

The proposed project is expected to be completed by 2018.

To avoid the potential for significant adverse impacts related to air quality, an (E) designation (E-416) has been incorporated into the proposed actions, as described below.

Block 475, Lot 34

To ensure that there will be no impacts related to air quality, future residential uses must use heating and cooling systems with no venting or stacks, powered by electricity only.

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 March 3, 2017, prepared in connection with the ULURP Application (No. 160349ZSM). The City Planning Commission has determined that the proposed action will have no significant effect on the quality of the environment.

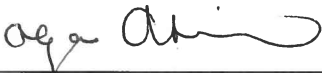
Supporting Statement:

The above determination is based on an environmental assessment which finds that:

1. The (E) designation for air quality would ensure that the proposed actions would not result in significant adverse impacts.
2. 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: March 3, 2017

Marisa Lago, Chair
City Planning Commission

Date: March 6, 2017

