



CITY PLANNING COMMISSION

April 27, 2005/Calendar No. 16

C 040538 ZSM

IN THE MATTER OF an application submitted by 415 Greenwich Fee Owners, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 13-561 of the Zoning Resolution to allow an attended accessory parking garage with a maximum capacity of 90 spaces on portions of the first floor and cellar of an existing 8-story building and proposed 1-story roof-top enlargement on property located at 415 Greenwich Street (Block 215, Lot 5), in an M1-5 District, within the Special TriBeCa Mixed Use District (Area B2), Borough of Manhattan, Community District 1.

The application for the special permit was filed by 415 Greenwich Fee Owners, LLC on June 24, 2004 to allow for the construction of a 90-space attended accessory parking garage to be located on portions of the first floor and cellar of an existing building at 415 Greenwich Street.

RELATED ACTIONS

In addition to the application for the special permit which is the subject of this report (C 040538 ZSM), implementation of the proposed development also requires action by the City Planning Commission on the following application which is being considered concurrently with this application:

N 040539 ZAM: An authorization pursuant to Section 111-23 to allow 90 loft dwellings in an existing 8-story building located at 415 Greenwich Street.

BACKGROUND

415 Greenwich Fee Owners, LLC requests a special permit pursuant to Sections 13-561 to allow for the construction of a 90-space attended accessory parking garage on a portion of the first floor

and the cellar of an existing 8-story building that is being converted to residential use pursuant to the related authorization (N 040539 ZAM). The planned residential conversion will contain 90 loft-dwelling units.

The site is located on the east side of Greenwich Street between Laight Street and Hubert Street. The site is an approximately 22,329 square foot zoning lot improved with an 8-story building containing approximately 175,524 square feet of floor area. The site is located in an M1-5 zoning district within the Special TriBeCa Mixed Use District, Area B2, which allows for commercial and manufacturing uses as-of-right and limited residential uses. Land uses in the vicinity of the site are a mix of commercial and residential uses with a large number of loft buildings having undergone conversion to residential use in recent years.

The project site and the existing buildings front on Greenwich, Hubert, and Laight streets. The garage entrance and exit would be located on Hubert Street which is a narrow street running one-way eastbound. Access to and egress from the garage would be provided by a ramp on Hubert Street. Entering and exiting vehicles would utilize the same ramp that will be signalized to avoid vehicle conflicts. The ramp will connect to Hubert Street via a curb cut measuring 20 feet wide inclusive of splays.

The proposed garage would be located on portions of the first floor and the cellar of the existing building and would occupy a total of approximately 19,800 square feet. The portion of the first floor occupied by the garage would be dedicated to an entrance and exit ramp while the cellar

would accommodate the proposed 90 accessory parking spaces. The garage would provide 10 reservoir spaces. The garage would be fully attended and would operate 24 hours a day, seven days a week.

The related authorization (N 040539 ZAM) allows for the conversion to loft dwellings of a portion of the 1st floor, all of the 2nd through 8th floors, and the proposed 1-story rooftop enlargement of the existing 8-story loft building. A total of 90 loft dwellings would be located in the building upon conversion. A portion of the first floor fronting on Greenwich Street is to remain as retail space.

ENVIRONMENTAL REVIEW

This application (C 040538 ZSM) was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq. and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 04DCP063M. The lead is the City Planning Commission.

After a study of the potential environmental impact of the proposed action, a Negative Declaration was issued on January 18, 2005.

UNIFORM LAND USE REVIEW

This application (C 040538 ZSM) was certified as complete by the Department of City Planning

on January 18, 2005, and was duly referred to Community Board 1 and the Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

Community Board Public Hearing

Community Board 1 held a public hearing on this application on February 15, 2005, and on that date, by a vote of 35 to 0 with no abstentions, adopted a resolution recommending approval of the application.

Borough President Recommendation

This application was considered by the Borough President, who issued a recommendation approving the application on February 25, 2005.

City Planning Commission Public Hearing

On March 16, 2005 (Calendar No. 7), the City Planning Commission scheduled March 30, 2005, for a public hearing on this application (C 040538 ZSM). The hearing was duly held on March 30, 2005 (Calendar No. 25). There was one speaker in favor of the application and none in opposition.

The applicant's representative described the requested action. The representative explained that the proposed parking garage would serve residents and guests of the existing building undergoing conversion to residential use. The representative further noted that the parking garage would not be available for public parking and that vehicles using the garage would only be accessory to uses

within the building. The representative noted that the proposed garage fully complies with zoning and that the garage contained the required number of reservoir spaces so as to prevent congestion on Hubert Street.

There were no other speakers and the hearing was closed.

CONSIDERATION

The Commission believes that the grant of the special permit is appropriate.

The parking garage will be used solely by the occupants and visitors to 415 Greenwich Street.

The Commission notes that the project is expected to generate 180 new residents, most of whom are anticipated to own personal vehicles and have a need for accessory parking.

The Commission notes the applicant's environmental assessment statement completed for the project which indicates the limited number of parking services in the area, all of which contain high utilization rates and do not offer weekend services.

The Commission further notes that this accessory parking garage is intended to serve the long-term parking needs of the building's residents. According to the environmental assessment statement the garage would likely result in only a modest increase in traffic with seven outbound and seven inbound vehicles trips being projected during the peak hour. The Commission notes that the existing curb cut will be reduced to a width of 20 feet and that the garage will contain

lights and buzzers to warn pedestrians of vehicles exiting the garage.

The Commission notes that the subject site is located in an area of the City that contains a mix of commercial and residential uses. The Commission further notes that the garage-related traffic would principally access the garage from Hubert Street which is primarily commercial in character. The Commission also notes the proximity of the garage to the major traffic arteries of West Street (Route 9A) and the Holland Tunnel entrance and exit rotaries.

The Commission notes that the garage provides the required ten reservoir spaces.

FINDINGS

The City Planning Commission hereby makes the following findings pursuant to Section 13-10 (Permitted Accessory Off-Street Parking Spaces) of the Zoning Resolution:

- (a) such parking spaces are needed for, and will be used by, the occupants, visitors, customers or employees of the use to which they are accessory;
- (b) within the vicinity of the site, there are insufficient parking spaces available;
- (c) the facility will not create or contribute to serious traffic congestion nor will unduly inhibit vehicular and pedestrian movement;

- (d) the facility is so located as to draw a minimum of vehicular traffic to and through local residential streets; and
- (e) adequate reservoir space is provided at the vehicular entrance to accommodate vehicles equivalent in number to 20 percent of the total number of parking spaces, up to 50 parking spaces, and five percent of any spaces in excess of 200 parking spaces, but in no event shall such reservoir spaces be required for more than 50 vehicles. However, in the case of a facility with a capacity of 10 vehicles or less, the Commission may waive this finding.

RESOLUTION

RESOLVED, that the City Planning Commission finds that the action described herein will have no significant impact on the environment; and be it further

RESOLVED, by the City Planning Commission, pursuant to Sections 197-c and 200 of the New York City Charter, that based on the environmental determination, and the consideration and findings described in this report, the application of 415 Greenwich Fee Owners, LLC for the grant of a special permit pursuant to Sections 13-561 of the Zoning Resolution to allow an attended accessory parking garage with a maximum capacity of 90 spaces on portions of the first floor and cellar of an existing 8-story building and proposed 1-story roof-top enlargement on a property located at 415 Greenwich Street (Block 215, Lot 5), in an M1-5 District, within the Special TriBeCa Mixed Use District (Area B2), Borough of Manhattan, Community District 1, is

approved subject to the following terms and conditions:

1. The property that is the subject of this application (C 040538 ZSM) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following plan, prepared by MG New York Architects, filed with this application and incorporated in this resolution:

<u>Drawing No.</u>	<u>Title</u>	<u>Last Date Revised</u>
A-101	Proposed 1 st Floor	December 20, 2004
A-400	Proposed Cellar Plan - Parking	December 20, 2004

2. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application. All zoning computations are subject to verification and approval by the New York City Department of Buildings.
3. Such development shall conform to all applicable laws and regulations relating to its construction, operation and maintenance.
4. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sublessee or occupant.

5. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms or conditions of this resolution and the attached restrictive declaration whose provisions shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, cancellation or amendment of the special permit hereby granted or of the attached restrictive declaration.

6. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city's or such employee's or agent's failure to act in accordance with the provisions of this special permit.

The above resolution (C 040538 ZSM), duly adopted by the City Planning Commission on April 27, 2005 (Calendar No. 16), is filed with the Office of the Speaker, City Council, and the Borough President together with a copy of the plans of the development, in accordance with the requirements of Section 197-d of the New York City Charter.

AMANDA M. BURDEN, AICP, Chair

KENNETH J. KNUCKLES, ESQ., Vice Chairman

IRWIN G. CANTOR, P.E., ANGELA R. CAVALUZZI, R.A., ALFRED C. CERULLO, III,

RICHARD W. EADDY, LISA A. GOMEZ, CHRISTOPHER KUI, JOHN MEROLO,

KAREN A. PHILLIPS, DOLLY WILLIAMS Commissioners