



## **CITY PLANNING COMMISSION**

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April 27, 2005/Calendar No. 20

C 050071 ZSM

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**IN THE MATTER OF** an application submitted by Maiden Lane Properties, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution to allow an attended public parking garage with a maximum capacity of 62 spaces on portions of the first floor and the common cellar of three existing buildings located at 100 Maiden Lane (Block 42, Lot 1), in a C5-5 District, within the Special Lower Manhattan District, Borough of Manhattan, Community District 1.

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The application for the special permit was filed by Maiden Lane Properties, LLC on August 24, 2004 to allow for the construction of a 62-space attended public parking garage to be located on portions of the first floor and the common cellar of three existing buildings at 100 Maiden Lane in Lower Manhattan.

### **BACKGROUND**

Maiden Lane Properties, LLC requests a special permit pursuant to Sections 13-562 and 74-52 to allow for the construction of a 62-space attended public parking garage on a portion of the first floor and the common cellar of three existing buildings that contain 9 stories, 11 stories, and 23 stories respectively and are being converted as-of-right to residential use. The planned residential conversion will contain 336 dwelling units.

The site is located on the south side of Maiden Lane between Pearl Street and William Street in Lower Manhattan. The site is an approximately 18,778 square foot zoning lot improved with three buildings that have subsequently been combined and contain approximately 271,508 square feet of floor area. The site is located in a C5-5 zoning district within the Special Lower

Manhattan District which allows for commercial and residential uses as-of-right. Land uses in the vicinity of the site are predominately commercial, being occupied by large office towers housing financial firms. In recent years, the area has also seen an increase in residential use, primarily through the conversion of older office towers to residential dwellings.

The project site and the existing buildings front on Maiden Lane, Pearl Street, and Cedar Street. The garage entrance would be located on Cedar Street which is a narrow street running one-way from Pearl Street to William Street. The entrance to and egress from the garage would be provided through the opening of a bay in one of the existing buildings at street level along the Cedar Street frontage. Entering and exiting vehicles would utilize the same ramp that will be signalized to avoid vehicle conflicts. The ramp will connect to Cedar Street via a curb cut measuring 15 feet wide inclusive of splays.

The proposed garage would be located on portions of the first floor and the common cellar of the three buildings would occupy a total of 12,497 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 62 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.

## **ENVIRONMENTAL REVIEW**

This application (C 050071 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 05DCP002M. 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 31, 2005.

### **UNIFORM LAND USE REVIEW**

This application (C 050071 ZSM) was certified as complete by the Department of City Planning on January 31, 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 32 to 4 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 March 16, 2005.

## **City Planning Commission Public Hearing**

On March 16, 2005 (Calendar No. 10), the City Planning Commission scheduled March 30, 2005, for a public hearing on this application (C 050071 ZSM). The hearing was duly held on March 30, 2005 (Calendar No. 28). There were no speakers and the hearing was closed.

## **CONSIDERATION**

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

The Commission notes that the area surrounding the proposed garage contains many medium to high-density commercial and residential buildings that provide limited parking. The proposed garage would serve current, work day parking demand within the area and accommodate the demand generated by new residents of the building on the site undergoing conversion.

The Commission notes that this section of Cedar Street runs for just one block, terminating at both Pearl and William Streets. According to the environmental assessment statement completed for this project proposed parking garage would likely result in only a modest increase in traffic with 39 additional vehicles trips being projected during the peak hour. The Commission believes that this increased traffic would not unduly inhibit traffic and pedestrian flow. The entrance and exit to the garage will also contain signs and buzzers to safely warn vehicles utilizing the garage ramp and to provide for the safe movement of vehicles on the garage ramp.

The Commission notes that the subject site is located in an area of the City that is predominately

commercial in character. The Commission further notes that the garage-related traffic would principally access the garage from Pearl Street and Maiden Lane which are primarily commercial in character.

The Commission notes that according to the environmental assessment statement, the incremental increase in traffic resulting from creation of this 62-space parking garage would not significantly alter traffic conditions on the local street network.

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 74-52 (Parking Garages or Public Parking Lots in High Density Central Areas) of the Zoning Resolution:

- (a) that such use will not be incompatible with, or adversely affect the growth and development of, uses comprising vital and essential functions in the general area within which such use is to be located;
- (b) that such use will not create or contribute to serious traffic congestion and will not unduly inhibit surface traffic and pedestrian flow;
- (c) that such use is so located as to draw a minimum of vehicular traffic to and through local streets in nearby residential areas;
- (d) that such use has adequate reservoir space at the vehicular entrances to accommodate automobiles equivalent in number to 20 percent of the total number of spaces up to 50 and five percent of any spaces in excess of 200, but in no event shall such reservoir space be required for more than 50 automobiles;
- (e) that the streets providing access to such use will be adequate to handle the traffic generated thereby;

- (f) not applicable; and
- (g) not applicable.

## **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 Maiden Lane Properties, LLC for the grant of a special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution to allow an attended public parking garage with a maximum capacity of 62 spaces on portions of the first floor and common cellar of three existing buildings at 100 Maiden Lane (Block 42, Lot 1), in a C5-5 District, within the Special Lower Manhattan District, 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 050071 ZSM) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following plans, prepared by Avinash K. Malhotra Architects, filed with this application and incorporated in this resolution:

<u>Drawing No.</u>	<u>Title</u>	<u>Last Date Revised</u>
GP-2	Zoning Computations	January 25, 2005
GP-5	First Floor Plan Garage Entrance	January 25, 2005
GP-6	Garage Plan at Cellar Level	January 25, 2005

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.

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 050071 ZSM), duly adopted by the City Planning Commission on April 27, 2005 (Calendar No. 20), 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,**  
**DOLLY WILLIAMS Commissioners**