



DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

OFFICE OF THE CHAIRMAN

REVISED NEGATIVE DECLARATION

Supersedes the Negative Declaration Issued on October 31, 2014
Also Supersedes the Revised Negative Declaration Issued on March 30, 2015¹

Project Identification

CEQR No. 15DCP058K
ULURP No. N150109ZRK
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:

1901 Emmons Ave., Cherry Hill Gourmet Legalization

The Applicant, Cherry Hill Gourmet, Inc., is seeking a zoning text amendment to the Special Sheepshead Bay District (SSBD) to amend Zoning Resolution (ZR) Section 94-061 in order to permit Use Group 6A food stores in "Area B" of the SSBD (the "project site"). In addition, the proposed text amendment would allow for technical clarifications to ZR 94-061 language pertaining to permitted uses in SSBD Areas A through H. The proposed action would facilitate a proposal by the Applicant to legalize an existing non-conforming food store (the "Cherry Hill Gourmet Market," approximately 15,000 gross square feet (gsf) in total, the "Proposed Development") located in an existing three-story, 51,924 gsf building (the "Building") at 1901 Emmons Avenue within Area B of the SSBD in the Sheepshead Bay neighborhood of Brooklyn Community District 15.1 The Project Site coincides geographically with "Area B" of the SSBD, is identified as Block 8775, Lot 41, and is zoned R5/C2-2. The R5/C2-2 zoning district covers the entire SSBD, which permits low-density residential development and a range of retail, service, community facility, and office uses. The existing building is a designated New York City Landmark and is listed on National Register of Historic Places.

The existing building on the project site is occupied by two eating and drinking establishments, the subject Cherry Hill Gourmet food store and restaurant, office spaces, and retail uses. The analysis year for the project is 2015.

Absent the proposed action, the Applicant has stated that the existing Cherry Hill Gourmet food store and restaurant would not be allowed to remain and would become vacant.

¹ This Revised Negative Declaration addresses changes to the proposed text amendment, as noted in the supporting statement of this document.

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 Revised Environmental Assessment Statement, dated March 27 2015, prepared in connection with the ULURP Application (No. N150109ZRK). 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. Since the issuance of the Revised Environmental Assessment Statement on March 27, 2015 and the Revised Negative Declaration on March 30, 2015, the Land Use Committee of the New York City Council proposed modifications, on May 7, 2015, to the proposed text amendment to include a sunset provision. The sunset provision sets forth that in Area B of the SSB, a food store, as listed in Section 32-15 (Use Group 6), shall be allowed on a zoning lot existing on the effective date of amendment for a period of ten years from the effective date of amendment. This proposed modification would not have the potential for significant adverse impacts and would not alter the analyses or conclusions of the environmental review.
2. No other significant effects on the environment which would require an Environmental Impact Statement are foreseeable.

This Revised 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 Revised Negative Declaration, you may contact Evren Ulker-Kacar, AICP at (212) 720-3419.



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

Date: May 15, 2015

Carl Weisbrod, Chairman
City Planning Commission

Date: May 18, 2015