



CITY PLANNING COMMISSION
CITY OF NEW YORK

OFFICE OF THE CHAIRMAN

REVISED NEGATIVE DECLARATION

Supersedes the Revised Negative Declaration Issued on April 11, 2016¹

Project Identification

CEQR No. 82-070M
ULURP No. M 840260 (E) ZMM
SEQRA Classification: Type I

Lead Agency

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

Name, Description and Location of Proposal:

95 Horatio Street (Modification to RD)

The applicant, 95-97 Horatio LLC, is seeking a modification to Restrictive Declaration D-93 to remove use restrictions and marketing requirements imposed on the currently vacant 4,700 sf “Industrial Space” located within the northwest corner of the ground floor of an existing building at 95-97 Horatio Street (Block 643, Lot 1, the “Project Site”). The Project Site is located within the Gansevoort Market Historic District in Manhattan Community District 2. Restrictive Declaration D-93 was originally executed and recorded in conjunction with the 1984 *Meat Market West Village Rezoning* (C840260 ZMM), and restricted uses in the 4,700 sf “Industrial Space” to certain industrial and meat-related uses (e.g., Use Groups 17A and 17B). The proposed action would modify Restrictive Declaration D-93 to remove the existing use restriction and to allow uses pursuant to the underlying C6-2A zoning district (e.g. Use Groups 1-12). The proposed action would facilitate a proposal by the applicant to re-tenant an 11,650 sf portion of the existing building, including the 4,700 sf “Industrial Space,” with restaurant use (Use Group 6).

¹ This Revised Negative Declaration reflects new modifications to the Restrictive Declaration based on recommendations made during the public review process. The proposed changes include maintaining an existing use restriction prohibiting eating and drinking establishments with dancing (Use Group 12 or “Night Club Use”) in the “Industrial Space.”

In response to recommendations made during the public review process, the application has been modified so that an eating and drinking establishment with dancing (Use Group 12 or “Night Club Use”) would remain prohibited within the “Industrial Space” of the existing building.

The Project Site is developed with an existing 289,376 gsf 10-story mixed-use building, containing 272 residential units, approximately 31,630 sf of commercial space and the 4,700 sf “Industrial Space” that is subject to the proposed action. An approximately 11,650 sf area of the building, including the 4,700 sf “Industrial Space,” a 3,405 sf portion of the ground floor that is not use restricted and a 3,545 sf associated cellar space that is not subject to Restrictive Declaration D-93, is currently vacant.

As a condition of the 1984 *Meat Market West Village Rezoning* (C840260 ZMM), Restrictive Declaration D-93 was recorded against a portion of Lot 1 designated as “Industrial Space” in order to mitigate the potential adverse impacts of residential development on industrial meatpacking businesses. As discussed in Technical Memorandum #003 (dated April 8, 2016), given changes in the meatpacking industry in New York City and in the area’s land use, neighborhood character and socioeconomic conditions since 1984, the Declaration’s requirements to use and market the “Industrial Space” only for industrial and meat-related uses have become obsolete and these mitigation measures are no longer necessary or appropriate.

Technical Memorandum #004, dated September 2, 2016, reflects the recommendation that eating and drinking establishments with dancing (Use Group 12 or “Night Club Use”) remain prohibited in the “Industrial Space.”

Absent the proposed action, the Project Site would be reconfigured into two separate spaces, with the non-use restricted area (3,405 sf) used for as-of-right restaurant or retail, and the “Industrial Space” and cellar (8,245 sf) to remain vacant.

The proposed project is expected to be completed by 2017.

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 Technical Memorandum #003, dated April 8, 2016, and the Revised Technical Memorandum #004, dated September 2, 2016, prepared in connection with the ULURP Application (No. M 840260 (E)ZMM). The City Planning Commission has determined that the proposed action will have no significant effect on the quality of the environment.

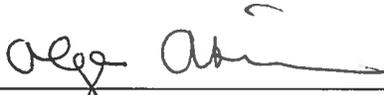
Supporting Statement:

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

1. No significant effects on the environment which would require an Environmental Impact Statement are foreseeable.
2. Technical Memorandum #004, dated September 2, 2016, reflects the proposed modifications to the Restrictive Declaration and concluded that the modification would not have the potential for significant impacts on the environment and would not alter the conclusions of Technical Memorandum #003, dated April 8, 2016, and the Negative Declaration, dated April 11, 2016.

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 Stephanie Shellooe at (212) 720-3328.



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

Date: September 2, 2016

Carl Weisbrod, Chairman
City Planning Commission

Date: September 7, 2016

