

NEGATIVE DECLARATION

Statement of No Significant Effect
 Pursuant to Executive Order 91 of 1977, as amended, and the Rules of Procedure for City Environmental Quality Review, found at Title 62, Chapter 5 of the Rules of the City of New York and 6 NYCRR, Part 617, State Environmental Quality Review, the Department of City Planning acting on behalf of the City Planning Commission assumed the role of lead agency for the environmental review of the proposed actions. Based on a review of information about the project contained in this environmental assessment statement (EAS) and any attachments hereto, which are incorporated by reference herein, the lead agency has determined that the proposed actions would not have a significant adverse impact on the environment.

Reasons Supporting this Determination
 The above determination is based on information contained in this EAS, which finds the proposed actions sought before the City Planning Commission would not have a significant adverse impact on the environment. Reasons supporting this determination are noted below.

Land Use, Zoning, and Public Policy
 A detailed analysis of land use, zoning, and public policy is included in the EAS. The applicant, Square-Churchill Mercer, LLC, is requesting a special permit pursuant ZR §74-711 to modify the use requirements of ZR §42-14D(2)(b) to allow Use Group 6 retail use on the ground floor and cellar, and the bulk requirements of ZR §43-17 to allow the enlargement of a building containing joint living-work quarters for artists (JLWQA) in a building located at 5 Mercer Street (Block 230, Lot 42) in an M1-5B zoning district, in the SoHo neighborhood in Manhattan Community District 2. The proposed action would facilitate a conversion of 9,298 GSF of retail Use Group 6 (UG 6) on the ground floor and cellar of an existing building. In addition to the modification of use, the applicant seeks to create a penthouse level at the rear of the building, which would enlarge an existing fifth floor JLWQA unit. The existing rooftop elevator bulkhead would be raised by 3.5 feet. The analysis shows that while the proposed action would allow a use that is not otherwise permitted at the site, the requested special permit is specific to the site and would not result in changes to the zoning or land use patterns in the surrounding area. In addition, the proposed project would not conflict with applicable public policy goals. As the project area is within the Coastal Zone, a Consistency Assessment Form pursuant to the Waterfront Revitalization Program (WRP) (#17-129) is included in the EAS. The project would not hinder any of the goals or policies of the WRP. The analysis concludes that the proposed action would not result in significant adverse impacts to Land Use, Zoning and Public Policy.

Historic and Cultural Resources
 A detailed analysis related to historic and cultural resources is included in this EAS. The Project Site is located within the SoHo Cast Iron Historic District, designated in 1973 by the New York City Landmarks Preservation Commission (LPC), which is also listed on the National Register of Historic Places. The changes requested support and are warranted by the significant restorative and historic preservation work that has been approved the Landmarks Preservation Commission. The modification of use and bulk would be performed pursuant to an approved LPC Certificate of No Effect 19-20349, Certificate of Appropriateness 19-23412, and MOU 19-23413. The proposed modifications will have minimal effects on the conforming uses in the building and uses in the surrounding area. has determined that the proposed rooftop enlargements, restoration work, and ongoing maintenance would be consistent with the policy intents of the SoHo Cast Iron Historic District. Therefore, no significant adverse impacts are anticipated on Historic Resources.

Urban Design and Visual Resources
 A detailed analysis related to historic and cultural resources is included in this EAS. The proposed action would facilitate the development of a penthouse level at the rear of the building, which would enlarge an existing fifth floor JLWQA unit. The existing rooftop elevator bulkhead would be raised by 3.5 feet. In their consideration of this application, LPC addressed the potential visual impact of the proposed rooftop modifications, as they would be perceived by a street-level observer. They noted that the proposed rooftop addition will not be visible over the primary façade from any public thoroughfares. The proposed physical modifications that would be permitted under the proposed action would not significantly affect pedestrian experience of the area and would be consistent with the area’s established urban design context. Therefore, further assessment is not warranted, and no significant adverse urban design impacts would occur.

No other significant effects upon the environment that would require the preparation of a Draft Environmental Impact Statement are foreseeable. This Negative Declaration has been prepared in accordance with Article 8 of the New York State Environmental Conservation Law (SEQRA). Should you have any questions pertaining to this Negative Declaration, you may contact Stephanie Shellooe at 212-720-3328.

TITLE Deputy Director, Environmental Assessment and Review Division	LEAD AGENCY Department of City Planning on behalf of the City Planning Commission 120 Broadway, 31 st Fl. New York, NY 10271 212.720.3328
NAME Stephanie Shellooe, AICP	DATE October 16, 2020
SIGNATURE	
TITLE Chair, City Planning Commission	
NAME Marisa Lago	DATE October 19, 2020
SIGNATURE	