CITY PLANNING COMMISSION
CITY OF NEW YORK

OFFICE OF THE CHAIRMAN

April 11, 2016

NEGATIVE DECLARATION

Project Identification
CEQR No. 82-070M
ULURP No. M 840260 (E) ZMM
SEQRA Classification: Type 1

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 "Industrial Space" located within the northwest corner of the ground floor of the existing building at 95-97 Horatio Street (Block 643, Lot 1, the "Project Site") 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 D-93 to remove the use restriction 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 the 11,650 sf Project Site with restaurant use (Use Group 6).

The Project Site is comprised of the 11,650 sf vacant space located in the northwest corner of the lot, which includes the 4,700 sf area designated as Industrial Space and subject to use restrictions in D-93, 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 D-93. The existing building is a 10-story mixed-use building containing 272 residential units, approximately 31,630 sf of commercial space, and the Industrial Space, subject to use restrictions in D-93.

As a condition of the 1984 *Meat Market West Village Rezoning* (C840260 ZMM), Restrictive Declaration D-93 was placed on a portion of Lot 1 designated as "Industrial Space" in order to mitigate the potential adverse impacts of residential development of industrial meatpacking businesses. As discussed in the Technical Memoradum #003, and given changes in the area's land use, neighborhood character and socioeconomic conditions since 1984, as well as changes in the meatpacking industry in New York City, 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.

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 Memoradum #003, dated March 31, 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. A Technical Memorandum #003, dated March 31, 2016, analyzed the effects of the new proposal to eliminate the use restriction of the Project Site. As detailed in the Technical Memorandum #003, it was determined that the proposed modification to the Restrictive Declaration would not have the potential for significant adverse impact on the environment.

2. No other significant effects on the environment which would require an Environmental Impact Statement are foreseeable.

This 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 Negative Declaration, you may contact Stephanie Shellooe at (212) 720-3328.

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

Date: April 8, 2016

Carl Weisbrod, Chairman
City Planning Commission

Date: April 11, 2016