CITY PLANNING COMMISSION
CITY OF NEW YORK

OFFICE OF THE CHAIRMAN

NEGATIVE DECLARATION **December 12, 2016**

Project Identification
CEQR No. 17DCP075X
ULURP Nos. 170150ZMX, 170151ZRX
SEQRA Classification: Unlisted

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:

Watson Avenue Rezoning
The Applicant, Azimuth Development Group LLC, is seeking a zoning map amendment from R5/C1-2 to R7A/C1-4 on a majority portion of Block 3751, Lot 1 (the "Project Site"), located at 1755 Watson Avenue in the Soundview neighborhood of the Bronx, Community District 9. The Applicant is also seeking a zoning text amendment to Appendix F (Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas) of the New York City Zoning Resolution (ZR) to designate the Project Area as a Mandatory Inclusionary Housing (MIH) Area. The proposed MIH option, Option 2, requires that at least 30% of the residential floor area to be provided at an average of 80% AMI, with no unit targeted at a level exceeding 130% of AMI. Together these actions would facilitate the development of four new multi-story, mixed use buildings containing residential, commercial and community facility uses, with a total of 284,606 gross square feet (gsf) at the Project Site. The Project Site is bounded by Watson Avenue to the south, Rosedale Avenue to the west, Commonwealth Avenue to the east, and a line measuring 310 linear feet parallel to Watson Avenue to the north.

Currently, the Project Site is located in an R5 residential zoning district and is mapped with a C1-2 commercial overlay district, and contains a one-story 12,240 gsf community facility (a Use Group (UG) 4 house of worship), and an at-grade private parking facility with capacity for 131 parking spaces. R5 residential districts are medium-density districts that allow residential uses at an FAR of 1.25 and community facility uses at an FAR of 2.0, with a maximum building height of 40 feet. Off-street parking is required for 85% of dwelling units. C1-2 commercial overlay districts are mapped within residential districts and along streets that serve local retail needs. When mapped with a C1-2 commercial overlay, commercial uses are permitted in R5 districts at an FAR of 1.0. Parking requirements for C1-2 districts are 1 per 300 square feet of floor area for UG 6 local commercial retail uses, and 1 per 15 persons-rated capacity for UG 4 community facility uses (houses of worship).

Compared to R5 zoning districts, R7A districts are higher density, contextual general residence districts that permit residential and community facility uses at an FAR of 4.0, with a maximum building height of 85 feet. When mapped with MIH, residential uses are permitted at an FAR of 4.6, and buildings with a qualifying ground floor of 13 feet in height may reach a maximum building height of 95 feet. Parking is required for 50% of the market rate dwelling units, but may be waived if fewer than 15 spaces are required, or for any new income-restricted dwelling units if the area is located in a Transit Zone. C1-4 commercial overlay districts are mapped within residential districts and along streets that serve local retail needs. When mapped with a C1-4 commercial overlay, commercial uses are permitted at an FAR of 2.0 in R7A districts. Parking requirements for C1-4 commercial overlay districts are 1 per 1,000 square feet of floor area for UG 6 local commercial retail uses, and none required for UG 4 community facility uses (houses of worship).

The proposed actions would facilitate a proposal by the applicant to construct four buildings that contain a total of 284,606 gsf, including 257,607 gsf of Use Group (UG) 2 residential uses (286 affordable dwelling units pursuant to the MIH program), 16,592 gsf of UG 6 ground floor commercial retail space, and 10,407 gsf of UG 4 community facility space (a house of worship). Building A would be the tallest building on the project area, containing nine stories of residential uses. The Applicant proposed that 100% of the proposed dwelling units would be income restricted units, provided at 80% AMI or below.

Pursuant to ZR 25-251, ("Required Accessory Off-Street Parking for Residences: Income-restricted housing units") no parking spaces are required for income restricted residential uses, and pursuant to ZR 36-232, ("Requirements for accessory off-street parking spaces for commercial or community facility uses: waiver of requirements for spaces below minimum number in districts with very low parking requirements"), the parking requirement for commercial retail and community facility uses would be waived, since the total number of accessory off-street parking spaces required would equal less than 40. However, the Applicant intends to provide a total of 56 at-grade private, unattended parking spaces to serve all of the proposed uses, accessible via a driveway through the northern portion of the site. The parking lot would be entered by a proposed new driveway that would be accessed via one new curb cut on Rosedale Avenue and one new curb cut on Commonwealth Avenue.

The four buildings on the project site would contain the following uses and programming:

- Building A comprises a nine-story residential structure occupying the western portion of the lot facing Rosedale Avenue and containing approximately 107,459 gsf of residential uses (119 affordable dwelling units)
- Building B comprises an eight-story mixed use residential and commercial structure occupying the southern portion of the lot facing Watson Avenue and would contain approximately 16,592 gsf of commercial retail space on the ground floor and approximately 101,434 gsf of residential uses on the floors above (112 affordable dwelling units)
- Building C comprises an eight-story residential structure occupying the eastern portion of the lot facing Commonwealth Avenue and would contain approximately 48,714 gsf of residential uses on the floors above (55 market rate dwelling units)

- Building D comprises a three-story community facility structure, occupying the northeastern portion of the lot facing Commonwealth Avenue and containing approximately 10,407 gsf of community facility uses (a house of worship).

Absent the proposed actions, the Project Area could be developed with four buildings totaling 102,461 gsf, containing 77,337 gsf of UG 2 residential uses (81 market-rate dwelling units), 17,000 gsf of UG 6 commercial retail uses, and 8,124 gsf of UG 4 community facility space (a church). A total of 157 accessory off-street parking spaces would be required: 69 parking spaces for residential uses (85% of dwelling units pursuant to ZR Section 25-23), 56 parking spaces for commercial uses (1 per 300 sf pursuant to ZR Section 36-21), and 32 for community facility uses (one per 15 persons-rated capacity pursuant to ZR Section 36-21). The required 157 parking spaces would be provided as underground parking, accessible via a driveway through the northern portion of the site. Parking would be accessed by one new curb cut on Rosedale Avenue and one new curb cut on Commonwealth Avenue.

The four buildings on the project site would contain the following uses and programming:

- Building A would be a four-story residential building occupying the eastern portion of the lot facing Commonwealth Avenue and containing approximately 33,633 gsf of residential uses (33 market rate dwelling units)
- Building B would be a four-story mixed use building occupying the western portion of the lot facing Rosedale Avenue and would contain approximately 9,990 gsf of commercial retail space on the ground floor and approximately 23,380 gsf of residential uses on the floors above (26 market rate dwelling units)
- Building C would be a four-story mixed use building occupying the southwestern portion of the lot facing Rosedale Avenue and Watson Avenue and would contain approximately 7,161 gsf of commercial retail space on the ground floor and approximately 20,173 gsf of residential uses on the floors above (22 market rate dwelling units)
- Building D would be a three-story community facility building, occupying the southeastern portion of the lot facing Commonwealth Avenue and Watson Avenue and containing approximately 8,124 gsf of community facility uses (a house of worship).

The analysis year for the proposed actions is 2019.

To avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise, an (E) designation (E-403) is proposed to be assigned to the project site as described below.

The (E) designation (E-403) text related to hazardous materials is as follows:

Block 3751, Lot 1

Task 1-Sampling Protocol

The applicant submits to OER, for review and approval, a Phase II of the site along with a soil, groundwater and soil vapor testing protocol, including a description of methods

and a site map with all sampling locations clearly and precisely represented. If site sampling is necessary, no sampling should begin until written approval of a protocol is received from OER. The number and location of samples should be selected to adequately characterize the site, specific sources of suspected contamination (i.e., petroleum based contamination and non-petroleum based contamination), and the remainder of the site's condition. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of sampling data. Guidelines and criteria for selecting sampling locations and collecting samples are provided by OER upon request.

Task 2-Remediation Determination and Protocol

A written report with findings and a summary of the data must he submitted to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving such results, a determination is made by OER if the results indicate that remediation is necessary. If OER determines that no remediation is necessary, written notice shall be given by OER.

If remediation is indicated from test results, a proposed remediation plan must be submitted to OER for review and approval. The applicant must complete such remediation as determined necessary by OER. The applicant should then provide proper documentation that the work has been satisfactorily completed.

A construction-related health and safety plan should be submitted to OER and would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil, groundwater and/or soil vapor. This plan would be submitted to OER prior to implementation.

The (E) designation (E-403) text related to air quality is as follows:

Block 3751, Lot 1

Any new development or enlargement on Block 3751, Lot 1 with residential/commercial/community facility uses on the above-referenced property must use natural gas as the type of fuel for heating, ventilating, and air conditioning (HVAC) systems, and ensure that one HVAC stack is used for the entire development, located at the highest tier or at least 98 feet above grade on Building B facing Watson Avenue, to avoid any significant adverse air quality impacts.

The (E) designation (E-403) text related to noise is as follows:

> **Block 3751, Lot 1**
>
> **To ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed-window condition with a minimum window/wall attenuation of 28 dBA on the façade facing Watson Avenue to maintain an interior noise level of 45 dBA. To maintain a closed-window condition, an alternate means of ventilation (AMV) must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.**

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 Environmental Assessment Statement, dated December 9, 2016, prepared in connection with the ULURP Application (Nos. 170150ZMX, 170151ZRX). The City Planning Commission has determined that the proposed actions 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. The (E) designation (E-403) related to hazardous materials, air quality and noise would ensure that the proposed actions would not result in significant adverse impacts.

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 Annabelle Meunier at (212) 720-3426.

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

Date: December 9, 2016

Carl Weisbrod, Chairman
City Planning Commission

Date: December 12, 2016