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. Riverdale Garage Corp (the "Applicant") is seeking a Zoning Map Amendment to rezone Bronx Block 3267, Lots 90, 91, 93, 95, 97, 98, 99 and portions of Lots 72, 75, 87, 88, and 110 ("Rezoning Area") from an M1-1 to an R7-3/C2-3 zoning district and a Zoning Text Amendment pursuant to Appendix F (collectively, the "Proposed Actions") to establish the Rezoning Area as a Mandatory Inclusionary Housing (MIH) Area in the Kingsbridge neighborhood of Bronx Community District 8. The Rezoning Area is generally bound by Broadway to the west, a prolongation of the centerline of Naples Terrace to the south, Major Deegan Expressway to the east, and Lot 110 of Block 3267 to the north. The Proposed Actions would facilitate the Applicant's proposed development at applicant-owned Block 3267 Lots 90 and 91 consisting of a 13-story 328,431 gross square foot (GSF), 6.0 floor area ratio (FAR) residential building containing 274,560 GSF of residential space including 226 dwelling units (DUs) of which 20%-30% (45-68 DUs) would be affordable at an average of 40-80% area median income (AMI) pursuant to MIH options 1, 2, or 3 and 188 accessory parking spaces at the cellar and sub-cellar garage at a building height of 135 feet. In addition, the Applicant is seeking public funding and/or financing through the New York City Department of Housing Preservation and Development (HPD)'s Extremely Low and Low-Income Affordability (ELLA) Program that funds the construction of low-income multi-family rental projects, in which a minimum of 80% of the units are affordable to households earning up to 80% of the AMI. To present a conservative analysis in the EAS, the Reasonable Worst Case Development Scenario (RWCDS) assumes a taller maximum building height of 185 feet (195 feet including a 10-foot bulkhead) for the development at Applicant-owned Lots 90 and 91 (Projected Development Site 1) and the development of mixed-use commercial and residential buildings on non-applicant owned Projected Development Site 2 at Block 3267, Lot 99 and on Potential Development Site 1 at Block 3267, Lots 93, 95, 97, and 98. In total, the Proposed Actions would facilitate 367,844 total GSF consisting of 305,001 residential GSF containing 256 DUs (20-30% of which (51-77 DUs) would be affordable at an average of 40-80% AMI pursuant to MIH options 1, 2 and 3), 5,732 commercial GSF, and 57,471 GSF of parking garage space containing 199 parking spaces on Projected Development Sites 1 and 2. Potential Development Site 1 is analyzed for site-specific bulk-related analysis sections and would be comprised of 93,715 total GSF containing 73,538 GSF of residential space, 12,977 GSF of commercial space and 36 parking spaces. The RWCDS analyzes a 185-foot maximum building height (195 feet including a 10-foot bulkhead) for the non-applicant owned Projected Development Site 2 and Potential Development Site 1. The Proposed Actions would facilitate residential and commercial land uses that are consistent with the study area (400-foot radius from the Rezoning Area) which consists of mixed-use buildings along Broadway and West 231st Street as well as multifamily residential buildings along West 232nd Street and Godwin Terrace. The Proposed R7-3/C2-3 district would be compatible with the study area's R6 district in the west of the study area and the R6/C1-3 and R6/C2-3 districts in the study area along Broadway, West 231st Street, and Albany Crescent. The Rezoning Area is located within New York City's coastal zone and is subject to review for its consistency with the City's Waterfront Revitalization Program (WRP). An assessment was conducted, and the Proposed Actions were found to be consistent with the policies set forth in the WRP (WRP #21-194). Overall, the Proposed Actions would be compatible with the study area's existing residential and mixed-use land use character, zoning, and public policies. Therefore, the Proposed Actions would not result in a significant impact to land use, zoning, or public policy.

Socioeconomic Conditions

A detailed analysis related to socioeconomic conditions is included in the EAS. The Proposed Actions would result in an incremental increase of 256 DUs and an indirect residential displacement analysis is warranted. Step 1 of the analysis shows that the weighted average income of the market-rate and affordable DUs would be $100,925, which exceeds the .25-mile study area's existing mean household income of $65,379. As a result, Step 2 of the analysis was warranted to determine whether the Proposed Actions' increase in population would be large enough relative to the size of the population expected to reside in the study area to affect real estate market conditions in the study area. The population that would be introduced from the Proposed Actions would total 627 residents reflecting a 3.92% increase from the no-action condition. The CEQR Technical Manual threshold for further analysis (proceeding to Step 3) is a population increase greater than 5% in the study area or within any identified subareas. Since the population increase is less than 5% within the study area, further analysis is not warranted, and the Proposed Actions would not result in a significant adverse impact to socioeconomic conditions.

Community Facilities and Services

A detailed analysis related to community facilities is included in the EAS. The Proposed Actions would introduce 53 additional elementary school students and 19 additional middle school students, which is over the combined 50 student threshold per the CEQR Technical Manual and a detailed analysis for public elementary and middle schools is warranted. In Bronx Community School District (CSD) 10, sub-district 2, the addition of 53 elementary school students would result in a utilization rate of 79.1% for elementary schools and a utilization rate of 74% for middle schools. The utilization rate for both public elementary and public middle schools would not be equal to or greater than 100%, nor would 100 or more new students be generated past a 100% utilization rate. Therefore, the Proposed Actions would not result in a significant adverse impact to public schools. The Proposed Actions would introduce 26 children eligible for publicly-funded early childhood programs which surpasses the 20 eligible children threshold per the CEQR Technical Manual and a detailed analysis is warranted. The utilization rate would increase from 74.3% in the no-action condition to 75.7% in the with-action condition, representing a 1.4% utilization rate increase in the 1.5-mile study area. The collective utilization rate would not exceed 100% and the utilization

Project Name: 5602-5604 Broadway Rezoning
CEQR # 24DCP106X
SEQRA Classification: Unlisted

rate increase would remain below 5%, which are the CEQR Technical Manual impact significance criteria. Therefore, the Proposed Actions would not result in a significant adverse impact to early childhood programs. Overall, the Proposed Actions would not result in a significant adverse impact to community facilities and services.

Open Space
A detailed open space analysis is included in the EAS. The incremental increase of 627 residents exceeds the CEQR Technical Manual threshold of 200 new residents for a detailed indirect open space analysis. The detailed analysis shows that between the no-action and with-action conditions, the total Open Space Ratio (OSR) would decrease from 0.395 to 0.390 per 1,000 residents, the active OSR would decrease from 0.174 to 0.172 per 1,000 residents, and the passive OSR would decrease from 0.221 to 0.218 per 1,000 residents, or a 1.24% decrease in total, active, and passive OSR. The percent changes in the total and active OSR's would each exceed the 1% optimal percentage reduction for both total and active OSR in areas with a total OSR of 0.50 or less and in areas with an active OSR range of 0.01 to 0.40. The passive OSR would not exceed the 3% optimal percentage reduction in areas with a passive OSR range of 0.21 to 0.30. Although the percent reduction in active and passive OSR would exceed the optimal percent reduction for total and active OSR's and the OSR in the 0.5-mile study area remains below the optimal 2.5 OSR under existing, no-action and with-action conditions, several open space resources are located just outside of the study area such as Van Cortlandt Park, Jerome Park Reservoir, and parks fronting the reservoir. Particularly, Van Cortlandt Park is a regional park totaling 1,146 acres of which 154 acres are within a one-mile radius from Projected Development Sites 1 and 2. Day Spring Park as part of the Tibbetts Brook Daylighting project would be completed by the 2028 build year and contain a greenway with a shared pathway and vegetation with seating traversing the eastern extent of the Rezoning Area. Additionally, the New York City Housing Authority Marble Hill Houses and Fort Independence Houses are located within the study area, and each contain their own on-site open spaces which were not included in the quantitative analysis. Due to these qualitative factors, the Proposed Actions would not result in a significant adverse open space impact.

Shadows
A detailed shadows analysis is included in the EAS. Development facilitated by the Proposed Actions would cast incremental shadows on sunlight-sensitive open space resources, including Crescent Park (March 21st/September 21st, May 6th/August 6th, and June 21st analysis days for 52 minutes, 42 minutes, and 2 hours and 14 minutes, respectively), Cooney Grauer Field (March 21st/September 21st analysis day for 50 minutes), PS 7 Playground (December 21st analysis day for 9 minutes), and the proposed Day Spring Park to be established by the 2028 build year as part of the Tibbetts Brook Daylighting Project (December 21st, March 21st/September 21st , May 6th/August 6th, and June 21st analysis days for 18 minutes, 2 hours and 19 minutes, 3 hours and 38 minutes, and 4 hours and 26 minutes, respectively). Crescent Park and Cooney Grauer Field contain vegetation and seating which would receive 6 to 8 hours of direct sunlight throughout the analysis days and, therefore, there would be no significant adverse shadows impact to these sunlight-sensitive resources. PS 7 Playground contains trees and playground areas, and incremental shadows would be cast for 9 minutes in the morning of the December 21st analysis day, leaving most of the resource with direct sunlight for the analysis day. As a result, there would be no significant adverse shadows impact to this sunlight-sensitive resource. Day Spring Park would contain a multipurpose path, trees, shrubs and plantings, and although the resource would receive shadows on each analysis day, the resource would continue to receive over 6 hours of sunlight during the growing season analysis days. Outside of the growing season, the resource would receive 5 hours and 16 minutes of direct sunlight on the December 21st analysis day. Overall, while incremental shadows would be cast on this sunlight sensitive resource, the portions of the park receiving incremental shadows would be limited in comparison to the entire length of the proposed park which would begin at West 230th Street to the south and continue into the southern portion of Van Cortlandt Park, totaling over a mile in distance. Therefore, the Proposed Actions would not result in a significant adverse shadows impact.

Disadvantaged Communities Assessment
An assessment of the Proposed Action's potential effects on disadvantaged communities is included in this EAS. The Rezoning Area is located within a designated disadvantaged community according to the NYSDEC Disadvantaged Community Assessment Tool (DACAT). The Proposed Actions would not result in significant adverse impacts on the following technical areas analyzed in the EAS: land use, zoning, and public policy, socioeconomic conditions, community facilities and services, open space, shadows, hazardous materials, noise, air quality, and construction. As such, the Proposed Actions would not disproportionately affect any disadvantaged communities, nor would they cause or increase a disproportionate pollution burden on disadvantaged communities.

Hazardous Materials, Air Quality, and Noise
An (E) designation (E-843) related to hazardous materials, air quality, and noise would be established as part of the approval of the proposed actions. Refer to "Determination of Significance Appendix: (E) designation" for the applicable (E) designation requirements. The hazardous materials, air quality, and noise analyses conclude that with the (E) designation in place, the proposed actions would not result in a significant adverse impact related to hazardous materials, air quality, or noise.

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 Erin Whitney at ewhitney@planning.nyc.gov.

TITLE	LEAD AGENCY
Director, Environmental Assessment and Review Division	Department of City Planning on behalf of the City Planning Commission 120 Broadway, 31st Fl. New York, NY 10271 | 212.720.3328
NAME Stephanie Shellooe, AICP	DATE April 18, 2025
SIGNATURE 	

Project Name: 5602-5604 Broadway Rezoning
CEQR # 24DCP106X
SEQRA Classification: Unlisted

TITLE Chair, City Planning Commission	
NAME Daniel R. Garodnick	DATE April 23, 2025
SIGNATURE	

Project Name: 5602-5604 Broadway Rezoning
CEQR # 24DCP106X
SEQRA Classification: Unlisted

Determination of Significance Appendix

The Proposed Action(s) were determined to have the potential to result in changes to development on the following site(s):

Development Site	Borough	Block and Lot
Projected Development Site 1	Bronx	Block 3267, Lots 90 and 91
Projected Development Site 2	Bronx	Block 3267, Lot 99
Potential Development Site 1	Bronx	Block 3267, Lot 93, 95, 97, 98

(E) Designation Requirements

To ensure that the proposed actions would not result in significant adverse impacts related to hazardous materials, air quality, and noise an (E) designation (**E-843**) would be established as part of approval of the proposed actions on **Projected Development Site 1, Projected Development Site 2, and Potential Development Site 1** as described below:

Development Site	Hazardous Materials	Air Quality	Noise
Projected Development Site 1	X	X	X
Projected Development Site 2	X	X	X
Potential Development Site 1	X	X	X

Hazardous Materials

The (E) designation requirements applicable to Projected Development Site 1 (Block 3267, Lots 90 and 91), Projected Development Site 2 (Block 3267, Lot 99), and Potential Development Site 1 (Block 3267, Lot 93, 95, 97, 98):
for hazardous materials would apply as follows:

Task 1 – Sampling Protocol

A Phase I Environmental Site Assessment must be submitted to the New York City Mayor's Office of Environmental Remediation (OER). If required based on Phase I ESA conclusions, a soil, groundwater, and soil vapor testing protocol must also be submitted, including a description of methods and a site map with all sampling locations clearly and precisely represented.

If subsurface 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 be submitted to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving such results, a determination will be 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 needed, a proposed remediation plan must be submitted to OER for review and approval. Such remediation must be completed as determined necessary by OER. Appropriate documentation indicating that the work has been satisfactorily completed must be provided.

A Construction Health and Safety Plan (CHASP) 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 CHASP will be submitted to OER prior to implementation.

Air Quality

The (E) designation requirements for air quality would apply as follows:

Projected Development Site 1 (Block 3267, Lots 90 and 91): Any new residential development on the above-referenced property must ensure the HVAC system and hot water equipment are powered by electricity only, with no venting or stacks, to avoid any potential significant adverse air quality impacts.

Projected Development Site 2 (Block 3267, Lot 99): Any new residential and/or commercial development on the above-referenced property must ensure the HVAC system and hot water equipment are powered by electricity only, with no venting or stacks, to avoid any potential significant adverse air quality impacts.

Potential Development Site 1 (Block 3267, Lot 93, 95, 97, 98): Any new residential and/or commercial development on the above-referenced property must ensure the HVAC system and hot water equipment are powered by electricity only, with no venting or stacks, to avoid any potential significant adverse air quality impacts.

Noise

The (E) designation requirements for noise would apply as follows:

Projected Development Site 1 (Block 3267, Lots 90 and 91): In order to ensure an acceptable interior noise level, future residential uses must provide a closed-window condition with a minimum of 37 dBA window/wall attenuation on the facades facing Broadway within 50 feet of Broadway and the facades facing West 233rd Street within 50 feet of Broadway and the facades facing West 231st Street within 50 feet of Broadway; 33 dBA of attenuation on the facades facing Broadway beyond 50 feet but within 145 feet of Broadway and the facades facing West 233rd Street beyond 50 feet of Broadway but within 165 feet of elevated train and the facades facing West 231st Street beyond 50 feet of Broadway but within 165 feet of elevated train; and 28 dBA of attenuation on the facades facing Broadway beyond 145 feet of Broadway and the facades facing Major Deegan Expressway and the facades facing West 233rd Street beyond 165 feet of elevated train and the facades facing West 231st Street beyond 165 feet of elevated train to maintain an interior L10 noise level not greater than 45 dBA or interior Ldn noise level not greater than 40 dBA for residential uses as illustrated in the EAS. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.

Projected Development Site 2 (Block 3267, Lot 99): In order to ensure an acceptable interior noise level, future residential/commercial office uses must provide a closed-window condition with a minimum of 37 dBA window/wall attenuation on the facades facing Broadway and the facades facing West 233rd Street within 50 feet of Broadway and the facades facing West 231st Street within 50 feet of Broadway and 33 dBA of attenuation on the facades facing West

233rd Street beyond 50 feet of Broadway and the facades facing West 231st Street beyond 50 feet of Broadway to maintain an interior L10 noise level not greater than 45 dBA or interior Ldn noise level not greater than 40 dBA for residential uses or interior L10 noise level not greater than 50 dBA for commercial office uses as illustrated in the EAS. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.

Potential Development Site 1 (Block 3267, Lot 93, 95, 97, 98): In order to ensure an acceptable interior noise level, future residential/commercial office uses must provide a closed-window condition with a minimum of 37 dBA window/wall attenuation on the facades facing Broadway and the facades facing West 233rd Street within 50 feet of Broadway and the facades facing West 231st Street within 50 feet of Broadway and 33 dBA of attenuation on the facades facing West 233rd Street beyond 50 feet of Broadway and the facades facing West 231st Street beyond 50 feet of Broadway to maintain an interior L10 noise level not greater than 45 dBA or interior Ldn noise level not greater than 40 dBA for residential uses or interior L10 noise level not greater than 50 dBA for commercial office uses as illustrated in the EAS. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.