## 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, Phipps Houses/The 2136 Crotona Parkway Housing Development Fund is requesting a zoning map amendment to rezone Block 3111, a portion of Lot 49, and Lots 55, 59, 65, 69, 71, 76, 79, 82, and 85, and Block 3119, Lots 37 and 44 (the "Rezoning Area") from R7-1 and R7-1/C1-4 districts to R8 and R8/C2-4, consecutively, and a zoning text amendment to Appendix F of the Zoning Resolution to establish a Mandatory Inclusionary Housing (MIH) Area covering the entirety of the Rezoning Area and the remaining portion of Block 3111, Lot 49 (together, the "Affected Area") in the Crotona neighborhood of the Bronx, Community District 6 (the "Proposed Actions"). The portion of Block 3111, Lot 49 that is located outside of the Rezoning Area would be designated as an MIH Area, and would remain zoned as R7-1. The Proposed Actions would facilitate a proposal by the applicant to develop two new 100% affordable buildings: a 14-story, 293,628 gross square foot (gsf), mixed-use building on Block 3111, Lots 49, 55, 59, 65, and 69 ("Projected Development Site 1"), containing approximately 278,422 gsf of residential use and 15,206 gsf of community facility use and would contain approximately 298 dwelling units (DUs); and a 16-story, 159,390 gsf residential building on Block 3119, Lots 37 and 44 ("Projected Development Site 2"), containing approximately 185 DUs (the "Proposed Project"). In addition, one other projected development site, not under the control of the applicant was identified and analyzed in the EAS: A new seven-story, 72,000 gsf mixed-use building on Block 3111, Lot 76 ("Projected Development Site 3") containing approximately 62,000 gsf of residential use and approximately 10,000 gsf of ground floor commercial use, providing 62 DUs, approximately 19 of which would be income-restricted pursuant to MIH. The Applicant also seeks construction financing from the New York City Department of Housing and Preservation (HPD) and New York City Housing Development Corporation (HDC) and the Applicant intends for 100% of the units in the Proposed Project to be affordable pursuant to HPD's New Construction Finance Program's (NCF) Extremely Low and Low-Income Affordability (ELLA) option. As part of the Proposed Actions, the Applicant will enter into a Restrictive Declaration (RD) to codify certain Project Components Related to the Environment (PCRE).

The Proposed Actions would continue to support the mixed-use character found in the study area and would permit higher residential density and a wider range of commercial uses. These uses would be compatible with the surrounding study area and the bulk requirements under the proposed zoning would result in a more cohesive street wall. In addition, the Proposed Actions would be supportive of several goals established in relevant public policies, including Housing Our Neighbors, through the provision of supportive housing, by providing permanent, affordable homes to New Yorkers that also need social service support to remain stably housed. For these reasons, the Proposed Actions would not result in a significant adverse impact to land use, zoning, or public policy.

### Community Facilities and Services

A detailed analysis related to community facilities is included in this EAS. The Proposed Actions would not directly displace any public schools or early childhood programs. Because the Proposed Actions would result in 100 or more elementary or middle school students creating additional demand, its indirect effects on existing community facilities and services have been assessed. The analysis concluded that the Proposed Actions would not create demand that would overtax services or facilities. Utilization rates for elementary schools and middle schools in the study area would remain below 100% under the With-Action scenario. Therefore, no significant impacts to community facilities and services would occur.

### Shadows

A detailed analysis related to shadows is included in this EAS. The Proposed Actions would result in developments that would cast shadows on Crotona Parkway Malls, Garden of Happiness, Hornaday Community Garden, and the Bronx Zoo, sunlight sensitive open space resources. Incremental shadows would fall on portions of the Crotona Parkway Malls for much of the day in all seasons, but the increments would be limited in size, would affect different areas of the Malls at different times of day and in different seasons due to their size and layout. The incremental shadow would not significantly affect the health of the trees and other vegetation in the Malls, nor would it significantly affect recreational use by the public. Incremental shadows would fall on portions of the Garden of Happiness briefly in the mornings of the March 21/September 21 analysis days and would receive eight or more hours of direct sun during the growing season from May to August. Therefore, incremental shadows would not significantly impact the health of the garden's plants and vegetation, nor would the brief early morning shadow, occurring only in certain months, significantly impact any recreational use of the garden.

The analysis showed that all areas of the Hornaday Community Garden affected by incremental shadows would receive a minimum of four to six hours of direct sunlight over the course of the day through the heart of the growing season from May to August, with the exception of two small areas located within 5 to 10 feet of an existing building wall bordering the garden to the east. On the May 6/August 6 analysis day, approximately one third of the garden would continue to receive over six hours of direct sun in the With Action condition, reduced from one half in the No Action condition. On the June 21 analysis day, approximately half the garden would continue to receive over six hours of direct sun in the With Action condition, reduced from approximately three-quarters in the No Action condition. The area that would continue to receive over six hours of sun would be concentrated in the north and west portions of the space. As part of the Proposed Actions, the Applicant will provide a one-time financial contribution to the New York City Department of Parks and Recreation to facilitate a redesign of Hornaday Community Garden in order to alleviate the effects of incremental shadows on portions of the garden as described above. This project component related to the environment will be codified in a Restrictive Declaration. Therefore, the Proposed Actions would not result in significant adverse shadows impacts.

**Project Name: Sojourner Truth - Mapes Rezoning**
**CEQR # 26DCP113X**
**SEQRA Classification: Type I**

**Construction**

A detailed analysis of construction is included in this EAS. The phased construction plan for Projected Development Sites 1 and 2 is considered a long-term (i.e., greater than two years) construction project with multiple buildings. Construction associated with the Proposed Actions would adhere to the applicable laws, regulations, and building codes that govern construction in New York City. As detailed in the construction assessment in the EAS, the Proposed Actions would not result in significant adverse construction impacts in the key technical areas of historic and cultural resources, hazardous materials, transportation, air quality, and noise. The applicant will enter into a Restrictive Declaration requiring the implementation of project components related to the environment that would preclude any potential impacts to air quality or noise related to construction activities, including emission control measures, use of specified lower noise equipment and a construction noise barrier. With these measures in place, the proposed actions would not result in construction-period significant adverse impacts and no further analysis is warranted.

**Disadvantaged Communities Assessment**

An assessment of the Proposed Actions' potential effects on disadvantaged communities is included in this EAS. The Project 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 in the following technical areas analyzed in the EAS: land use, zoning, and public policy, socioeconomic conditions, open space, shadows, historic and cultural resources, urban design and visual resources, hazardous materials, air quality, noise, public health, neighborhood character, or 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-897) 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 Andrew Martini at +1 212-720-3315.*

| TITLE | LEAD AGENCY |
|---|---|
| Deputy Director, Environmental Assessment and Review Division | Department of City Planning on behalf of the City Planning Commission<br>120 Broadway, 31st Fl. New York, NY 10271 \| 212.720.3493 |
| NAME<br>Evren Ulker-Kacar, AICP | DATE<br>5/7/2026 |
| SIGNATURE | |

| TITLE | |
|---|---|
| Chair, City Planning Commission | |
| NAME<br>Sideya Sherman | DATE<br>5/11/2026 |
| SIGNATURE | |

**Project Name: Sojourner Truth - Mapes Rezoning**
**CEQR # 26DCP113X**
**SEQRA Classification: Type I**

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 3111, Lots 49, 55, 59, 65, and 69 |
| Projected Development Site 2 | Bronx | Block 3119, Lots 37 and 44 |
| Projected Development Site 3 | Bronx | Block 3111, Lot 76 |

(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-897**) would be established as part of approval of the proposed actions on **Projected Development Sites 1, 2, and 3** as described below:

| Development Site | Hazardous Materials | Air Quality | Noise |
|---|---|---|---|
| Projected Development Site 1 | X | X | X |
| Projected Development Site 2 | X | X | |
| Projected Development Site 3 | X | X | X |

*Hazardous Materials*

The (E) designation requirements applicable to **Projected Development Sites 1, 2, and 3** for hazardous materials would apply as follows:

*Task 1-Sampling Protocol*

*The applicant submits to OER, for review and approval, a Phase I 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.*

*Air Quality*

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

***Projected Development Site 1:*** *Any new development on the property must utilize only natural gas in any fossil fuel-fired hot water equipment and must ensure the heating and hot water stacks(s) is/are located on the highest tier, to avoid any potential significant adverse air quality impacts.*

***Projected Development Site 2:*** *Any new development on the property must utilize only natural gas in any fossil fuel-fired hot water equipment and must ensure the heating and hot water stacks(s) is/are located on the highest tier, to avoid any potential significant adverse air quality impacts.*

***Projected Development Site 3:*** *Any new development on the property must utilize only natural gas in any fossil fuel-fired hot water equipment and must ensure the heating and hot water stacks(s) is/are located on the highest tier and at least 73 feet above grade, to avoid any potential significant adverse air quality impacts.*

*Noise*

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

***Projected Development Site 1:*** *To ensure an acceptable interior noise environment, future residential and community facility uses must provide a closed-window condition with a minimum window/wall attenuation of 28 dBA on the east façade, north façade within 50 feet of Southern Boulevard, and south façade within 50 feet of Southern Boulevard in order to maintain an interior $L_{10}$ noise level not greater than 45 dBA for residential or community facility uses or not greater than 50 dBA for commercial office uses as shown 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 3:*** *To ensure an acceptable interior noise environment, future residential and community facility uses must provide a closed-window condition with a minimum window/wall attenuation of 28 dBA on the east façade, north façade within 50 feet of Southern Boulevard, and south façade within 50 feet of Southern Boulevard in order to maintain an interior $L_{10}$ noise level not greater than 45 dBA for residential or community facility uses or not greater than 50 dBA for commercial office uses as shown 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.*