CITY PLANNING COMMISSION
CITY OF NEW YORK

OFFICE OF THE CHAIRMAN

October 5, 2016

REVISED NEGATIVE DECLARATION

(Supercedes the Negative Declaration issued on June 6, 2016) [1]

Project Identification
CEQR No. 16DCP155X
ULURP Nos. C160365ZMX; N160366ZRX; C160367ZSX
C160368ZSX; M160291(A)ZSX;
N160369ZAX
SEQRA Classification: Unlisted

Lead Agency
City Planning Commission
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New York, NY 10271
Contact: Robert Dobruskin
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Name, Description and Location of Proposal:

1932 Bryant Avenue
The Applicant, Second Farms Neighborhood HFDC, is seeking discretionary actions, described in detail below, including a Modification of an existing Large Scale Residential Development (LSRD), a Zoning Map Amendment, Special Permits, and an Authorization and a Zoning Text Amendment to Appendix F of the ZR to establish a Mandatory Inclusionary Housing Area (MIHA), in connection with a proposal to develop a site located at 1932 Bryant Avenue (Bronx Block 3005, Lot 65) in the West Farms neighborhood of Bronx Community District 6.

The proposed actions would facilitate a proposal by the Applicant to develop the project site with an approximately 320,280 gross square foot (gsf), mixed use building containing approximately 295,780 gsf of affordable Use Group 2 (UG2) residential use (up to 327 affordable dwelling units), approximately 14,500 gsf of UG 6 commercial retail uses, and an approximately 10,000-gsf of community facility use, anticipated to be a pre-K facility. In connection with the Proposed Project, a Restrictive Declaration would be recorded at the time all land use related actions required to authorize the Proposed Project are approved. Additionally, the project may require discretionary financing through the New York City Department of Housing Preservation and Development (HPD) and the New York City Housing Development Corporation (HDC).

1932 Bryant Avenue is located within an existing LSRD. Within this existing LSRD, Phipps Houses owns Parcels 1, 3, 5, and 10 and is proposing, with HPD, to establish a new LSRD consisting of their parcels,

1 This Revised Negative Declaration addresses a change in the maximum number of stories for the proposed development from 14 to 15 stories, as noted in the supporting statement of this document.

pursuant to a separate and independent application. Thus, 1932 Bryant Avenue (Parcel 9) and Parcel 6, Parcel 7, Parcel 8a and Parcel 8b would form a modified LSRD. This modified LSRD, within which 1932 Bryant Avenue is located, is the study area of the Environmental Assessment Statement. As discussed, Phipps Houses owns Parcels 1, 3, 5, and 10 of the current LSRD and is proposing to establish a new LSRD consisting of those parcels, pursuant to a separate and independent application. As part of that application, known as CEQR No. 16HPD001X, HPD and Phipps Houses are seeking a disposition of City-owned property and designation as an Urban Development Action Area Project (UDAAP), establishment of a LSRD and other discretionary actions, as well as discretionary funding. Recently, Lambert Houses Redevelopment Company filed an application to subdivide the former BPSLSP's Parcels 1,3,5 and 10 from that large scale plan, establishing the Lambert Houses as a separate large scale plan area. A Draft Environmental Impact Statement Notice of Completion was issued for the project on April 22, 2016 and the project began public review in ULURP on April 25, 2016. A Final Environmental Impact Statement Notice of Completion was issued for the project on September 9, 2016. The proposed Lambert Houses project, if approved, would be completed and operational in 2029.

1932 Bryant Avenue (Parcel 9), along with Parcel 6 (Block 3131, Lot 20), Parcel 7 (Block 3136, Lot 1), Parcel 8a (Block 3130, Lot 20) and Parcel 8b (Block 3130, Lot 100)- the remaining parcels of the current LSRD- would form a modified LSRD. These parcels are currently zoned zoned R7-1, which permits residential uses and certain community facility uses, with an overall FAR of 0.87 to 3.44. 1932 Bryant Avenue is designated as Parcel 9 of the Bronx Park South Urban Renewal Area (BPSURA) and associated LSRD, which were established in 1970. Although the BPSURA Plan expired in 2005, the LSRD continues to regulate allowable uses and building massing on the project site.

1932 Bryant Avenue currently contains two structures. The first is a vacant, approximately 27,000 gsf four-level parking garage with a permitted capacity of 233 parking spaces. The garage has been closed since 2013 due to structural and safety concerns. To the north of this garage along East Tremont Avenue is a structure containing a one-story "strip" of UG 6 commercial retail stores totaling approximately 9,700 gsf. The retail strip contains three establishments: a delicatessen, a convenience store, and a vacant retail space.

The proposed discretionary actions sought by the Applicant include: a Modification of an existing Large Scale Residential Development (LSRD); a Zoning Map Amendment from R7-1 to R8 and to establish a C2-4 commercial overlay district to a depth of 100 feet from Boston Road; a Special Permit to waive the required, accessory, off-street parking for existing affordable dwelling units located on Parcels 6, 7 and 8a, pursuant to New York City Zoning Resolution (ZR) Section 74-532; a Special Permit pursuant to New York City Zoning Resolution (ZR) Section 78-312 to allow: location of buildings without regard for required year yards; a proposed height and setback waiver for street wall frontage along the periphery of the proposed LSRD; and proposed height and setback waivers for street wall frontage along streets wholly within the LSRD (ZR Section 78-313); an Authorization within a Large Scale Residential Development (ZR 78-311) to allow proposed height and setback waivers for portions of Proposed Building's street wall frontage wholly within the LSRD; and a Zoning Text Amendment to Appendix F of the ZR to establish a Mandatory Inclusionary Housing Area (MIHA).

Under the proposed actions, the uses, parking requirements, and massing on the development site would be governed by zoning, not the LSRD. However, the maximum FAR of the proposed development would be limited to 6.28 FAR. The existing retail strip and parking garage on the project site would be demolished, and the project site would be redeveloped with a 15-story, approximately 320,280 gsf, mixed use building at a height of 165' and containing approximately 295,780 gsf of affordable UG2 residential use (up to 327

dwelling units), approximately 14,500 gsf of UG 6 commercial retail uses, and an approximately 10,000-gsf of community facility use, anticipated to be a pre-K facility. No parking would be required on the project site, and none would be provided.

Absent the proposed action, 1932 Bryant Avenue (Parcel 9) would remain in its existing condition as would Parcels 6,7,8a and 8b (the remainder of the modified LSRD). As described above, a portion of the existing LSRD is proposed to become a new LSRD based on a separate action covering Parcels 1, 3, 5, and 10 of the current LSRD.

The proposed project is expected to be completed by 2019.

To avoid the potential for significant adverse impacts related to air quality and noise, an (E) designation (E-388) is proposed to be assigned to the project site as described below:

The (E) designation (E-388) text related to air quality is as follows:

> **Any new development on Block 3005, Lot 65 must ensure that fossil fuel-fired heating and hot water equipment utilize only natural gas and that the HVAC stack be at least 156 feet above grade, and no less than 90 feet from the lot line facing East Tremont Avenue, to avoid any potential significant air quality impacts.**

The noise (E) designation is split into two categories: one for window/wall attenuation of 40 dB(A) or less and one for window/wall attenuation greater than 40 dB(A). These two categories of the (e) designation language allow for more strigent controls to portions of the project that require a greater than 40 dB(A) window/wall attention.

The text for the (E) designation (E-388) for window/wall attenuation of 40 dB(A) or less would be as follows:

> **To ensure an acceptable interior noise environment, future new residential and/or commercial use on Block 3005 Lot 65 must provide a closed window condition with minimum attenuations set forth on Table L7. 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, central air conditioning.**

The text for the (E) designation (E-388) for window/wall attenuation greater than 40 dB(A) would be as follows:

> **In order to ensure an acceptable interior noise environment, future residential/commercial uses on Block 3005 Lot 65 must provide a closed-window condition with minimum attenuations set forth on Table L7. To achieve 42 dBA of building attenuation, special design features that go beyond the normal double-glazed windows are necessary and may include using specially designed windows (i.e., windows with small sizes, windows with air gaps, windows with thicker glazing, etc.), and additional building attenuation. In order 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, central 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 June 3, 2016, prepared in connection with the ULURP Application (Nos. 160365ZMX; N160366ZRX; 160367ZSX; 160368ZSX; M160291(A)ZSX; N160369ZAX). 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. A Revised Environmental Assessment Statement dated October 3, 2016, contains a revised site plan and waiver diagrams, and reflects changes to the maximum number of stories permitted in the proposed building. The EAS dated June 3, 2016 contained a site plan that illustrated a building with a maximum height of 165' and 14 stories throughout, and analyzed a building with a maximum of 14 stories. The maximum building height remains unchanged, however, the proposed building's massing has changed to provide a "stepped" building(s) with varied heights, from 13 to 15 stories. The total floor area would also remain unchanged, as the proposed building's floor area would be distributed among all portions. As detailed in the Revised EAS, it was determined that the updated drawings and changes in the permitted number of stories would not have the potential for significant adverse impacts and would not alter the conclusions of the previous environmental review.

2. The E designation (E-388) related to air quality and noise would ensure that the proposed actions would not result in significant adverse impacts.

3. 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.

Robert Dobrusin, AICP, Director
Environmental Assessment & Review Division
Department of City Planning

Date: October 4, 2016

Carl Weisbrod, Chairman
City Planning Commission

Date: October 5, 2016