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ENVIRONMENTAL ASSESSMENT STATEMENT (EAS) AND SUPPLEMENTAL STUDIES TO THE EAS

Lead Agency:
Department of City Planning
120 Broadway, 31st Floor
New York, NY 10271

Prepared for:
H.O.G.A.R. Inc.

Prepared by:
Equity Environmental Engineering
500 International Drive, Suite 150
Mount Olive, NJ 07828

February 9, 2023

893 Eagle Avenue Rezoning

Morrisania, Bronx, NY
Block 2620, Lots 47, 48, 49, 50, 52, 56
Bronx Community District 3

CEQR Reference No: 20DCP076X

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City Environmental Quality Review
ENVIRONMENTAL ASSESSMENT STATEMENT (EAS) SHORT FORM

FOR UNLISTED ACTIONS ONLY • *Please fill out and submit to the appropriate agency* (see instructions)

Part I: GENERAL INFORMATION

1. *Does the Action Exceed Any Type I Threshold in 6 NYCRR Part 617.4 or 43 RCNY §6-15(A) (Executive Order 91 of 1977, as amended)?* ☐ YES ☒ NO

If "yes," **STOP** and **complete the FULL EAS FORM**.

2. *Project Name* 893 Eagle Avenue

3. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
20DCP076X	
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)
220334 ZMX, N220335 ZRX, 220336 ZSX, N220393 LDX	

4a. *Lead Agency Information*			**4b. *Applicant Information***		
NAME OF LEAD AGENCY New York City Department of City Planning			NAME OF APPLICANT H.O.G.A.R. Inc.		
NAME OF LEAD AGENCY CONTACT PERSON Stephanie Shellooe, AICP, Director, Environmental Assessment and Review Division			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON Amber Kartalyan, Equity Environmental Engineering LLC		
ADDRESS 120 Broadway, 31st Floor			ADDRESS 500 International Drive, Suite 150		
CITY New York	STATE NY	ZIP 10271	CITY Mount Olive	STATE NJ	ZIP 07828
TELEPHONE 212-720-3328	EMAIL sshellooe@planning.nyc.gov		TELEPHONE 201-757-3561	EMAIL amber.kartalyan@equityenvironmental.com	

5. *Project Description*

"The Applicant," H.O.G.A.R. Inc., is seeking a Zoning Map Amendment in order to facilitate the development of four lots in the Morrisania neighborhood of Bronx, Community District 3. The Applicant seeks to rezone Block 2620, Lots 49, 50, 52, 56, 47, and 48 from R6 to R7-2. In its entirety, the proposed rezoning area would total 12,659 square feet (SF), of which 8,943 SF is applicant-owned. In addition, The Applicant is seeking a Zoning Text Amendment (Appendix F) to map the rezoning area for Mandatory Inclusionary Housing (MIH). The Applicant also seeks a special permit pursuant to Section 74-903 of the Zoning Resolution to permit a maximum Floor Area Ratio (FAR) of 6.50 for a Use Group 3 non-profit institution with sleeping accommodations. Lastly, the Applicant's Proposed Development would provide pedestrian access between Eagle Avenue and East 161st Street, two streets that are not at grade with each other, thereby facilitating pedestrian activity by creating a publicly accessible stairway (PAA) to be maintained in accordance with a restrictive declaration to provide access between Eagle Avenue and East 161st Street that would bridge the difference in elevation between the streets. The Zoning Map Amendment, Zoning Text Amendment, PAA and related restrictive declaration, and special permit constitute the Proposed Actions.

The Proposed Actions will effectuate the development of the Applicant's Proposed Project: A 14-story, 65,747 gross square foot (55,324 zoning square foot) community facility building with 83 supportive housing units.

A rezoning is a discretionary action subject to the Uniform Land Use Review Procedure (ULURP) and City Environmental Quality Review (CEQR).

Project Location

BOROUGH Bronx	COMMUNITY DISTRICT(S) 3	STREET ADDRESS 893 Eagle Avenue
TAX BLOCK(S) AND LOT(S) Block 2620, Lots 47, 48, 49, 50, 52 and 56		ZIP CODE 11238
DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS Corner of Eagle Avenue and East 161st Street. Bounded by 3rd Avenue to the west, Eagle Avenue to the east, East 163rd Street to the north, and East 161st Street to the south.		
EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY R6		ZONING SECTIONAL MAP NUMBER 6c

6. *Required Actions or Approvals* (check all that apply)

***City Planning Commission*:** ☒ YES ☐ NO ☒ UNIFORM LAND USE REVIEW PROCEDURE (ULURP)

☐ CITY MAP AMENDMENT ☐ ZONING CERTIFICATION ☐ CONCESSION
☒ ZONING MAP AMENDMENT ☐ ZONING AUTHORIZATION ☐ UDAAP
☒ ZONING TEXT AMENDMENT ☐ ACQUISITION—REAL PROPERTY ☐ REVOCABLE CONSENT
☐ SITE SELECTION—PUBLIC FACILITY ☐ DISPOSITION—REAL PROPERTY ☐ FRANCHISE
☐ HOUSING PLAN & PROJECT ☐ OTHER, explain:
☒ SPECIAL PERMIT (if appropriate, specify type: ☒ modification; ☐ renewal; ☐ other); EXPIRATION DATE:
SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION 74-903

***Board of Standards and Appeals*:** ☐ YES ☒ NO

☐ VARIANCE (use)
☐ VARIANCE (bulk)
☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:
SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

***Department of Environmental Protection*:** ☐ YES ☒ NO If "yes," specify:

Other City Approvals Subject to CEQR (check all that apply)

☐ LEGISLATION ☐ FUNDING OF CONSTRUCTION, specify:
☐ RULEMAKING ☐ POLICY OR PLAN, specify:
☐ CONSTRUCTION OF PUBLIC FACILITIES ☐ FUNDING OF PROGRAMS, specify:
☐ 384(b)(4) APPROVAL ☐ PERMITS, specify:
☐ OTHER, explain:

Other City Approvals Not Subject to CEQR (check all that apply)

☐ PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC) ☐ LANDMARKS PRESERVATION COMMISSION APPROVAL
☐ OTHER, explain:

***State or Federal Actions/Approvals/Funding*:** ☐ YES ☒ NO If "yes," specify:

7. *Site Description:* *The directly affected area consists of the project site and the area subject to any change in regulatory controls. Except where otherwise indicated, provide the following information with regard to the directly affected area.*

***Graphics*:** *The following graphics must be attached and each box must be checked off before the EAS is complete. Each map must clearly depict the boundaries of the directly affected area or areas and indicate a 400-foot radius drawn from the outer boundaries of the project site. Maps may not exceed 11 x 17 inches in size and, for paper filings, must be folded to 8.5 x 11 inches.*

☒ SITE LOCATION MAP ☒ ZONING MAP ☒ SANBORN OR OTHER LAND USE MAP
☒ TAX MAP ☐ FOR LARGE AREAS OR MULTIPLE SITES, A GIS SHAPE FILE THAT DEFINES THE PROJECT SITE(S)
☒ PHOTOGRAPHS OF THE PROJECT SITE TAKEN WITHIN 6 MONTHS OF EAS SUBMISSION AND KEYED TO THE SITE LOCATION MAP

Physical Setting (both developed and undeveloped areas)

Total directly affected area (sq. ft.): 12,659 within affected area Waterbody area (sq. ft) and type: 0
Roads, buildings, and other paved surfaces (sq. ft.): 9,052 Other, describe (sq. ft.): 0

8. *Physical Dimensions and Scale of Project* (if the project affects multiple sites, provide the total development facilitated by the action)

SIZE OF PROJECT TO BE DEVELOPED (gross square feet): 68,354
NUMBER OF BUILDINGS: 1 building GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): 68,354
HEIGHT OF EACH BUILDING (ft.): 140 NUMBER OF STORIES OF EACH BUILDING: 14

Does the proposed project involve changes in zoning on one or more sites? ☒ YES ☐ NO
If "yes," specify: The total square feet owned or controlled by the applicant: 8,943
The total square feet not owned or controlled by the applicant: 3,716

Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? ☒ YES ☐ NO
If "yes," indicate the estimated area and volume dimensions of subsurface permanent and temporary disturbance (if known):
AREA OF TEMPORARY DISTURBANCE: 8,943 sq. ft. (width x length) VOLUME OF DISTURBANCE: 89,430 cubic ft. (width x length x depth)
AREA OF PERMANENT DISTURBANCE: 8,943 sq. ft. (width x length)

Description of Proposed Uses (please complete the following information as appropriate)

	Residential	*Commercial*	*Community Facility*	*Industrial/Manufacturing*
Size (in gross sq. ft.)			68,354	

Type (*e.g.,* retail, office, school)	units		83 supportive units	

Does the proposed project increase the population of residents and/or on-site workers? ☒ YES ☐ NO

If "yes," please specify: NUMBER OF ADDITIONAL RESIDENTS: 227 NUMBER OF ADDITIONAL WORKERS: 68

Provide a brief explanation of how these numbers were determined: based on increment of 83 dwelling units and CD 3 Average household size of 2.74 persons (2020 Decennial Census Data), and 1 employee per 1,000 square feet per CF use.

Does the proposed project create new open space? ☐ YES ☒ NO If "yes," specify size of project-created open space: sq. ft.

Has a No-Action scenario been defined for this project that differs from the existing condition? ☐ YES ☒ NO

If "yes," see Chapter 2, "Establishing the Analysis Framework" and describe briefly:

9. *Analysis Year* CEQR Technical Manual Chapter 2

ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2025

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 18

WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? ☒ YES ☐ NO IF MULTIPLE PHASES, HOW MANY?

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE: Assuming standard ULURP process and an 18 month construction schedule for the project site

10. *Predominant Land Use in the Vicinity of the Project* (check all that apply)

☒ RESIDENTIAL ☒ MANUFACTURING ☒ COMMERCIAL ☐ PARK/FOREST/OPEN SPACE ☐ OTHER, specify:

Part II: TECHNICAL ANALYSIS

INSTRUCTIONS: For each of the analysis categories listed in this section, assess the proposed project's impacts based on the thresholds and criteria presented in the CEQR Technical Manual. Check each box that applies.

- If the proposed project can be demonstrated not to meet or exceed the threshold, check the "no" box.
- If the proposed project will meet or exceed the threshold, or if this cannot be determined, check the "yes" box.
- For each "yes" response, provide additional analyses (and, if needed, attach supporting information) based on guidance in the CEQR Technical Manual to determine whether the potential for significant impacts exists. Please note that a "yes" answer does not mean that an EIS must be prepared—it means that more information may be required for the lead agency to make a determination of significance.
- The lead agency, upon reviewing Part II, may require an applicant to provide additional information to support the Short EAS Form. For example, if a question is answered "no," an agency may request a short explanation for this response.

	YES	NO
1. *LAND USE, ZONING, AND PUBLIC POLICY*: CEQR Technical Manual Chapter 4		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	☒	☐
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	☒	☐
(c) Is there the potential to affect an applicable public policy?	☐	☒
(d) If "yes," to (a), (b), and/or (c), complete a preliminary assessment and attach.		
(e) Is the project a large, publicly sponsored project?	☐	☒
○ If "yes," complete a PlaNYC assessment and attach.		
(f) Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries?	☐	☒
○ If "yes," complete the Consistency Assessment Form.		
2. *SOCIOECONOMIC CONDITIONS*: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
○ Generate a net increase of 200 or more residential units?	☐	☒
○ Generate a net increase of 200,000 or more square feet of commercial space?	☐	☒
○ Directly displace more than 500 residents?	☐	☒
○ Directly displace more than 100 employees?	☐	☒
○ Affect conditions in a specific industry?	☐	☒
3. *COMMUNITY FACILITIES*: CEQR Technical Manual Chapter 6		
(a) Direct Effects		
○ Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, hospitals and other health care facilities, day care centers, police stations, or fire stations?	☐	☒
(b) Indirect Effects		
○ **Child Care Centers:** Would the project result in 20 or more eligible children under age 6, based on the number of low or low/moderate income residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ **Libraries:** Would the project result in a 5 percent or more increase in the ratio of residential units to library branches? (See Table 6-1 in Chapter 6)	☐	☒
○ **Public Schools:** Would the project result in 50 or more elementary or middle school students, or 150 or more high school students based on number of residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ **Health Care Facilities and Fire/Police Protection:** Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
4. *OPEN SPACE*: CEQR Technical Manual Chapter 7		
(a) Would the proposed project change or eliminate existing open space?	☐	☒
(b) Is the project located within an under-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☐	☒
○ If "yes," would the proposed project generate more than 50 additional residents or 125 additional employees?	☐	☐
(c) Is the project located within a well-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☐	☒
○ If "yes," would the proposed project generate more than 350 additional residents or 750 additional employees?	☐	☐
(d) If the project in located an area that is neither under-served nor well-served, would it generate more than 200 additional residents or 500 additional employees?	☒	☐

	YES	NO
5. *SHADOWS*: CEQR Technical Manual Chapter 8		
(a) Would the proposed project result in a net height increase of any structure of 50 feet or more?	☒	☐
(b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource?	☒	☐
6. *HISTORIC AND CULTURAL RESOURCES*: CEQR Technical Manual Chapter 9		
(a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; that is listed or eligible for listing on the New York State or National Register of Historic Places; or that is within a designated or eligible New York City, New York State or National Register Historic District? (See the GIS System for Archaeology and National Register to confirm)	☐	☒
(b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated?	☒	☐
(c) If "yes" to either of the above, list any identified architectural and/or archaeological resources and attach supporting information on whether the proposed project would potentially affect any architectural or archeological resources. See EAS Section 2.4		
7. *URBAN DESIGN AND VISUAL RESOURCES*: CEQR Technical Manual Chapter 10		
(a) Would the proposed project introduce a new building, a new building height, or result in any substantial physical alteration to the streetscape or public space in the vicinity of the proposed project that is not currently allowed by existing zoning?	☒	☐
(b) Would the proposed project result in obstruction of publicly accessible views to visual resources not currently allowed by existing zoning?	☐	☒
8. *NATURAL RESOURCES*: CEQR Technical Manual Chapter 11		
(a) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of Chapter 11?	☐	☒
○ If "yes," list the resources and attach supporting information on whether the proposed project would affect any of these resources.		
(b) Is any part of the directly affected area within the Jamaica Bay Watershed?	☐	☒
○ If "yes," complete the Jamaica Bay Watershed Form, and submit according to its instructions.		
9. *HAZARDOUS MATERIALS*: CEQR Technical Manual Chapter 12		
(a) Would the proposed project allow commercial or residential uses in an area that is currently, or was historically, a manufacturing area that involved hazardous materials?	☒	☐
(b) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts?	☐	☒
(c) Would the project require soil disturbance in a manufacturing area or any development on or near a manufacturing area or existing/historic facilities listed in Appendix 1 (including nonconforming uses)?	☒	☐
(d) Would the project result in the development of a site where there is reason to suspect the presence of hazardous materials, contamination, illegal dumping or fill, or fill material of unknown origin?	☐	☒
(e) Would the project result in development on or near a site that has or had underground and/or aboveground storage tanks (*e.g.*, gas stations, oil storage facilities, heating oil storage)?	☐	☒
(f) Would the project result in renovation of interior existing space on a site with the potential for compromised air quality; vapor intrusion from either on-site or off-site sources; or the presence of asbestos, PCBs, mercury or lead-based paint?	☐	☒
(g) Would the project result in development on or near a site with potential hazardous materials issues such as government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, coal gasification or gas storage sites, railroad tracks or rights-of-way, or municipal incinerators?	☐	☒
(h) Has a Phase I Environmental Site Assessment been performed for the site?	☒	☐
○ If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify:	☐	☒
10. *WATER AND SEWER INFRASTRUCTURE*: CEQR Technical Manual Chapter 13		
(a) Would the project result in water demand of more than one million gallons per day?	☐	☒
(b) If the proposed project located in a combined sewer area, would it result in at least 1,000 residential units or 250,000 square feet or more of commercial space in Manhattan, or at least 400 residential units or 150,000 square feet or more of commercial space in the Bronx, Brooklyn, Staten Island, or Queens?	☐	☒
(c) If the proposed project located in a separately sewered area, would it result in the same or greater development than the amounts listed in Table 13-1 in Chapter 13?	☐	☒
(d) Would the proposed project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase?	☐	☒
(e) If the project is located within the Jamaica Bay Watershed or in certain specific drainage areas, including Bronx River, Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek, would it involve development on a site that is 1 acre or larger where the amount of impervious surface would increase?	☐	☒

	YES	NO
(f) Would the proposed project be located in an area that is partially sewered or currently unsewered?	☐	☒
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or generate contaminated stormwater in a separate storm sewer system?	☐	☒
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	☐	☒
11. *SOLID WASTE AND SANITATION SERVICES*: CEQR Technical Manual Chapter 14		
(a) Using Table 14-1 in Chapter 14, the project's projected operational solid waste generation is estimated to be (pounds per week): 9231 = (227 residents X 17 pounds per week) + (68 employees X 79 pounds per week)		
○ Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	☐	☒
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?	☐	☒
12. *ENERGY*: CEQR Technical Manual Chapter 15		
(a) Using energy modeling or Table 15-1 in Chapter 15, the project's projected energy use is estimated to be (annual BTUs): 8,660,451.8 = 126.7 large residential X 68,354		
(b) Would the proposed project affect the transmission or generation of energy?	☐	☒
13. *TRANSPORTATION*: CEQR Technical Manual Chapter 16		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16?	☒	☐
(b) If "yes," conduct the screening analyses, attach appropriate back up data as needed for each stage and answer the following questions:		
○ Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	☒	☐
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? ***It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16 for more information.*	☐	☒
○ Would the proposed project result in more than 200 subway/rail or bus trips per project peak hour?	☐	☒
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction) or 200 subway trips per station or line?	☐	☐
○ Would the proposed project result in more than 200 pedestrian trips per project peak hour?	☒	☐
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop?	☐	☒
14. *AIR QUALITY*: CEQR Technical Manual Chapter 17		
(a) *Mobile Sources*: Would the proposed project result in the conditions outlined in Section 210 in Chapter 17?	☐	☒
(b) *Stationary Sources*: Would the proposed project result in the conditions outlined in Section 220 in Chapter 17?	☒	☐
○ If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17? (Attach graph as needed) See EAS Section 2.8	☐	☒
(c) Does the proposed project involve multiple buildings on the project site?	☐	☒
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	☐	☒
(e) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?	☐	☒
15. *GREENHOUSE GAS EMISSIONS*: CEQR Technical Manual Chapter 18		
(a) Is the proposed project a city capital project or a power generation plant?	☐	☒
(b) Would the proposed project fundamentally change the City's solid waste management system?	☐	☒
(c) If "yes" to any of the above, would the project require a GHG emissions assessment based on the guidance in Chapter 18?	☐	☐
16. *NOISE*: CEQR Technical Manual Chapter 19		
(a) Would the proposed project generate or reroute vehicular traffic?	☐	☒
(b) Would the proposed project introduce new or additional receptors (see Section 124 in Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line?	☒	☐
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	☐	☒
(d) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?	☐	☒

	YES	NO
17. *PUBLIC HEALTH*: CEQR Technical Manual Chapter 20		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality; Hazardous Materials; Noise?	☒	☐
(b) If "yes," explain why an assessment of public health is or is not warranted based on the guidance in Chapter 20, "Public Health." Attach a preliminary analysis, if necessary. No impacts were identified to any of the component elements of Public Health (See EAS Section 2.10)		
18. *NEIGHBORHOOD CHARACTER*: CEQR Technical Manual Chapter 21		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; Transportation; Noise?	☒	☐
(b) If "yes," explain why an assessment of neighborhood character is or is not warranted based on the guidance in Chapter 21, "Neighborhood Character." Attach a preliminary analysis, if necessary. No significant impacts would occur to any of the component elements of Neighborhood Character (See EAS Section 2.11)		
19. *CONSTRUCTION*: CEQR Technical Manual Chapter 22		
(a) Would the project's construction activities involve:		
○ Construction activities lasting longer than two years?	☐	☒
○ Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	☐	☒
○ Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, *etc.*)?	☐	☒
○ Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	☐	☒
○ The operation of several pieces of diesel equipment in a single location at peak construction?	☐	☒
○ Closure of a community facility or disruption in its services?	☐	☒
○ Activities within 400 feet of a historic or cultural resource?	☒	☐
○ Disturbance of a site containing or adjacent to a site containing natural resources?	☐	☒
○ Construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap or last for more than two years overall?	☐	☒
(b) If any boxes are checked "yes," explain why a preliminary construction assessment is or is not warranted based on the guidance in Chapter 22, "Construction." It should be noted that the nature and extent of any commitment to use the Best Available Technology for construction equipment or Best Management Practices for construction activities should be considered when making this determination. See EAS Section 2.12		

20. *APPLICANT'S CERTIFICATION*

I swear or affirm under oath and subject to the penalties for perjury that the information provided in this Environmental Assessment Statement (EAS) is true and accurate to the best of my knowledge and belief, based upon my personal knowledge and familiarity with the information described herein and after examination of the pertinent books and records and/or after inquiry of persons who have personal knowledge of such information or who have examined pertinent books and records.

Still under oath, I further swear or affirm that I make this statement in my capacity as the applicant or representative of the entity that seeks the permits, approvals, funding, or other governmental action(s) described in this EAS.

APPLICANT/REPRESENTATIVE NAME	DATE
Amber Kartalyan	2/9/2023

SIGNATURE Amber Kartalyan

PLEASE NOTE THAT APPLICANTS MAY BE REQUIRED TO SUBSTANTIATE RESPONSES IN THIS FORM AT THE DISCRETION OF THE LEAD AGENCY SO THAT IT MAY SUPPORT ITS DETERMINATION OF SIGNIFICANCE.

Part III: DETERMINATION OF SIGNIFICANCE (To Be Completed by Lead Agency)

INSTRUCTIONS: In completing Part III, the lead agency should consult 6 NYCRR 617.7 and 43 RCNY § 6-06 (Executive Order 91 or 1977, as amended), which contain the State and City criteria for determining significance.

1. For each of the impact categories listed below, consider whether the project may have a significant adverse effect on the environment, taking into account its (a) location; (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude.

IMPACT CATEGORY	Potentially Significant Adverse Impact YES	NO
Land Use, Zoning, and Public Policy	☐	☒
Socioeconomic Conditions	☐	☒
Community Facilities and Services	☐	☒
Open Space	☐	☒
Shadows	☐	☒
Historic and Cultural Resources	☐	☒
Urban Design/Visual Resources	☐	☒
Natural Resources	☐	☒
Hazardous Materials	☐	☒
Water and Sewer Infrastructure	☐	☒
Solid Waste and Sanitation Services	☐	☒
Energy	☐	☒
Transportation	☐	☒
Air Quality	☐	☒
Greenhouse Gas Emissions	☐	☒
Noise	☐	☒
Public Health	☐	☒
Neighborhood Character	☐	☒
Construction	☐	☒

2. Are there any aspects of the project relevant to the determination of whether the project may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials? ☐ ☒

If there are such impacts, attach an explanation stating whether, as a result of them, the project may have a significant impact on the environment.

3. Check determination to be issued by the lead agency:

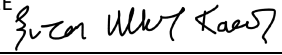
☐ **Positive Declaration**: If the lead agency has determined that the project may have a significant impact on the environment, and if a Conditional Negative Declaration is not appropriate, then the lead agency issues a *Positive Declaration* and prepares a draft Scope of Work for the Environmental Impact Statement (EIS).

☐ **Conditional Negative Declaration:** A *Conditional Negative Declaration* (CND) may be appropriate if there is a private applicant for an Unlisted action AND when conditions imposed by the lead agency will modify the proposed project so that no significant adverse environmental impacts would result. The CND is prepared as a separate document and is subject to the requirements of 6 NYCRR Part 617.

☒ **Negative Declaration:** If the lead agency has determined that the project would not result in potentially significant adverse environmental impacts, then the lead agency issues a *Negative Declaration*. The *Negative Declaration* may be prepared as a separate document (see template) or using the embedded Negative Declaration on the next page.

4. ***LEAD AGENCY'S CERTIFICATION***

TITLE	LEAD AGENCY
Deputy Director, Environmental Assessment and Review Division	Department of City Planning on behalf of the City Planning Commission
NAME	DATE
Evren Ulker-Kacar, AICP - Deputy Director	February 10, 2023

SIGNATURE 

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 this EAS. The Applicant, Housing Options and Geriatric Association Resources (H.O.G.A.R. Incorporated), is seeking a Zoning Map Amendment to rezone Bronx Block 2620, Lots 47, 48, 49, 50, 52, and 56 from an R6 to R7-2 district (the "Rezoning Area"); a Zoning Text Amendment to establish a Mandatory Inclusionary Housing area, coterminous with the Rezoning Area, with MIH Options 1 and 2; a Zoning Special Permit pursuant to Section 74-903 of the Zoning Resolution to permit a maximum Floor Area Ration (FAR) of 6.5 for a Use Group 3 non-profit institution with sleeping accommodations; and a Publicly Accessible Area (PAA) in the form of a stairway that would provide pedestrian access between Eagle Avenue and East 161st Street, two streets at different grades, in accordance with a Restrictive Declaration (the "Proposed Actions") in the Morrisania neighborhood of Bronx Community District 3. The Proposed Actions would facilitate the development of a new 14-story, 140-foot-tall, 65,747 gross square feet (gsf) mixed-use building that would contain 83 dwelling units including 50 supportive housing units for individuals living with HIV/AIDS and 33 units of affordable housing on floors 1 through 11, and a subcellar located at grade along East 161st Street that would contain a lobby, counseling offices, and multipurpose rooms for the residents of the building (the "Proposed Project") on the applicant-owned Block 2620, Lots 49, 50, 52 and 56 (the "Projected Development Site 1"). For the purpose of conducting a conservative analysis, the EAS included a second development scenario consisting entirely of community facility uses. This second scenario considers an 11-story, 135-foot-tall, 64,210 gsf community facility building containing medical office and community center uses. A significant adverse impact would occur if a proposed action would generate land uses incompatible with the surrounding area. The Proposed Actions would result in a community facility building that is residential in nature or a community facility containing medical office and community center uses to serve the surrounding residential community. The Proposed Actions would not introduce a new land use to the surrounding area under either scenario. The Proposed Actions would establish a medium density residential district that would not be incompatible with the R6, R7-2, and R8 density zoning that is presently within the surrounding area. The Proposed Actions would allow for an increase in density relative to the No-Action scenario and would be consistent with public policies including the Housing New York 2.0 plan that seek to support the construction of residential units on vacant lots. The analyses conclude that no significant adverse impacts are anticipated for Land Use, Zoning, and Public Policy, and no further analysis is warranted.

Shadows

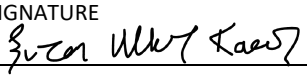
A detailed analysis related to Shadows is included in this EAS. For the purpose of a conservative CEQR analysis, the Shadows analysis was conducted based on the taller of the two development scenarios on Projected Development Site 1. The scenario measured is a 14-story, 140-foot-tall building with an additional 25-foot bulkhead. The analysis finds that incremental shadow resulting from the Proposed Project would potentially reach two sunlight-sensitive resources: the Captain Oliver Triangle and the Palmas Del Caribe Community Garden. The Captain Oliver Triangle does not contain any active or passive resources. Incremental shadows from the Proposed Project would be cast on the Captain Oliver Triangle for 15 minutes on the March 21st and September 21st analysis days, for 10 minutes on the June 21st analysis day, and for 56 minutes between 6:59 a.m. and 7:55 a.m. on the June 21st analysis day. Shadows from the Projected Development would be cast on a small portion of the southern end of the resource and would not result in a substantial reduction of available sunlight to the vegetation within the Captain Oliver Triangle, nor would shadows affect the viability or usability of this resource. The Palmas Del Caribe Community Garden would receive incremental shadow from the Proposed Project for 3 minutes between 6:27 a.m. and 6:30 a.m. on the May 6th and August 6th analysis days. Per the 2021 CEQR Technical Manual, a significant adverse shadow impact occurs when the incremental shadow added by a proposed project falls on a Sunlight-Sensitive Resource of Concern and substantially reduces or completely eliminates direct sunlight exposure, thereby significantly altering the public's use and enjoyment of the resource or threatening the viability of vegetation or other resources. While incremental shadows would reach the Captain Oliver Triangle, incremental shadows from the Proposed Project would be limited to a small segment of the resource for a limited duration on each analysis day and would not reduce the viability, usability, or the public's enjoyment of this resource, nor result in a substantial reduction in sunlight that is available to vegetation within the resource. Incremental shadows would be cast on the Palmas Del Caribe Community Garden for 3 minutes on the May 6th and August 6th analysis days and would not affect the viability or usage of this resource, nor would the incremental shadow affect the growing of food or vegetation within this resource. The Shadows assessment concludes that the Proposed Actions would not result in significant adverse shadows impacts, and no further analysis of Shadows is warranted.

Hazardous Materials and Air Quality

An (E) designation (E-667) related to Hazardous Materials and Air Quality 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 and air quality analyses conclude that with the (E) designation in place, the Proposed Actions would not result in a significant adverse impact related to hazardous materials and air quality.

Project Name: 893 Eagle Avenue Rezoning
CEQR # 20DCP076X
SEQRA Classification: Unlisted

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 Sean J. O'Rourke at +1 212-720-3425.

TITLE Deputy Director, Environmental Assessment and Review Division	LEAD AGENCY Department of City Planning on behalf of the City Planning Commission 120 Broadway, 31st Fl. New York, NY 10271 | 212.720.3493
NAME Evren Ulker-Kacar, AICP	DATE 2/10/2023
SIGNATURE 	
TITLE Chair, City Planning Commission	
NAME Daniel R. Garodnick	DATE 2/13/2023
SIGNATURE	

Project Name: 893 Eagle Avenue Rezoning
CEQR # 20DCP076X
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 2620, Lots 49, 50, 52, 56

(E) Designation Requirements

To ensure that the proposed actions would not result in significant adverse impacts related to hazardous materials, and air quality an (E) designation (**E-667**) would be established as part of approval of the proposed actions on **Projected Development Site 1** as described below:

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

Hazardous Materials

The (E) designation requirements applicable to Projected Development Site 1 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 be 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.

Project Name: 893 Eagle Avenue Rezoning
CEQR # 20DCP076X
SEQRA Classification: Unlisted

Air Quality

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

> Projected Development Site 1: Any new residential and/or community facility development on the above-referenced properties must ensure the heating, ventilating, and air conditioning (HVAC) systems and hot water equipment stack is located at least 138 feet above grade to avoid any potential significant adverse air quality impacts.

Figure 1: Project Location Map

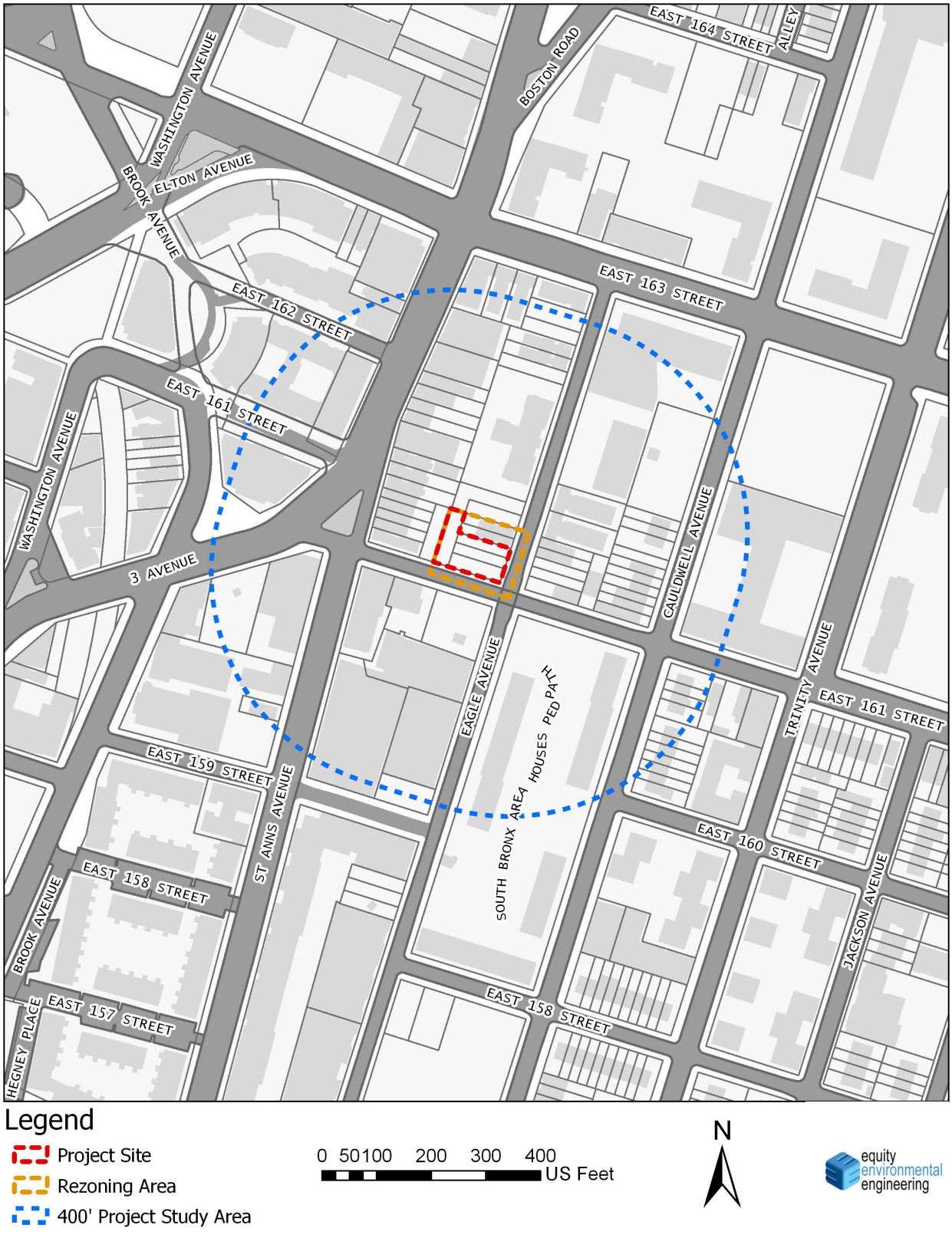


Figure 2: Land Use Map



Figure 3: Zoning Sectional Map

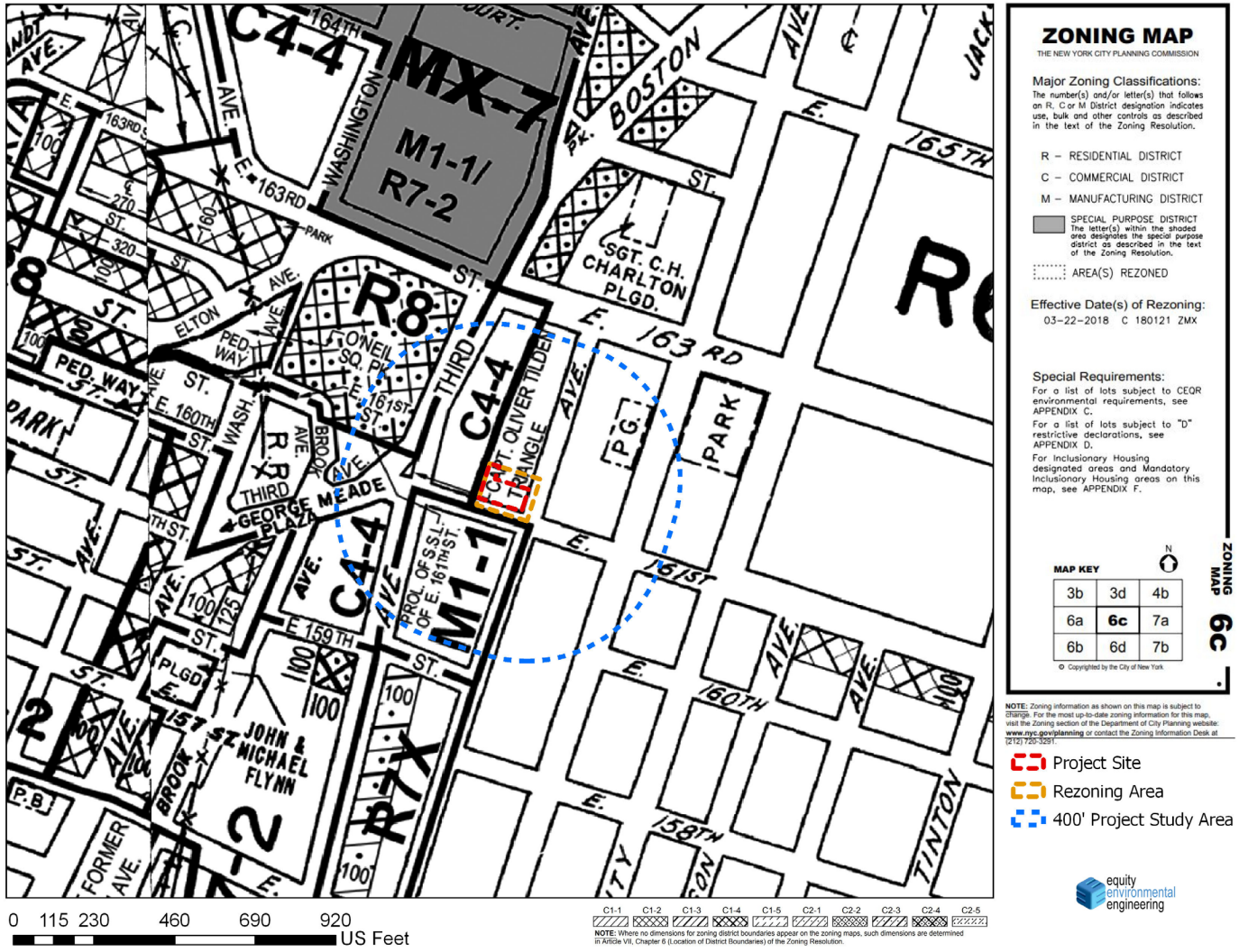
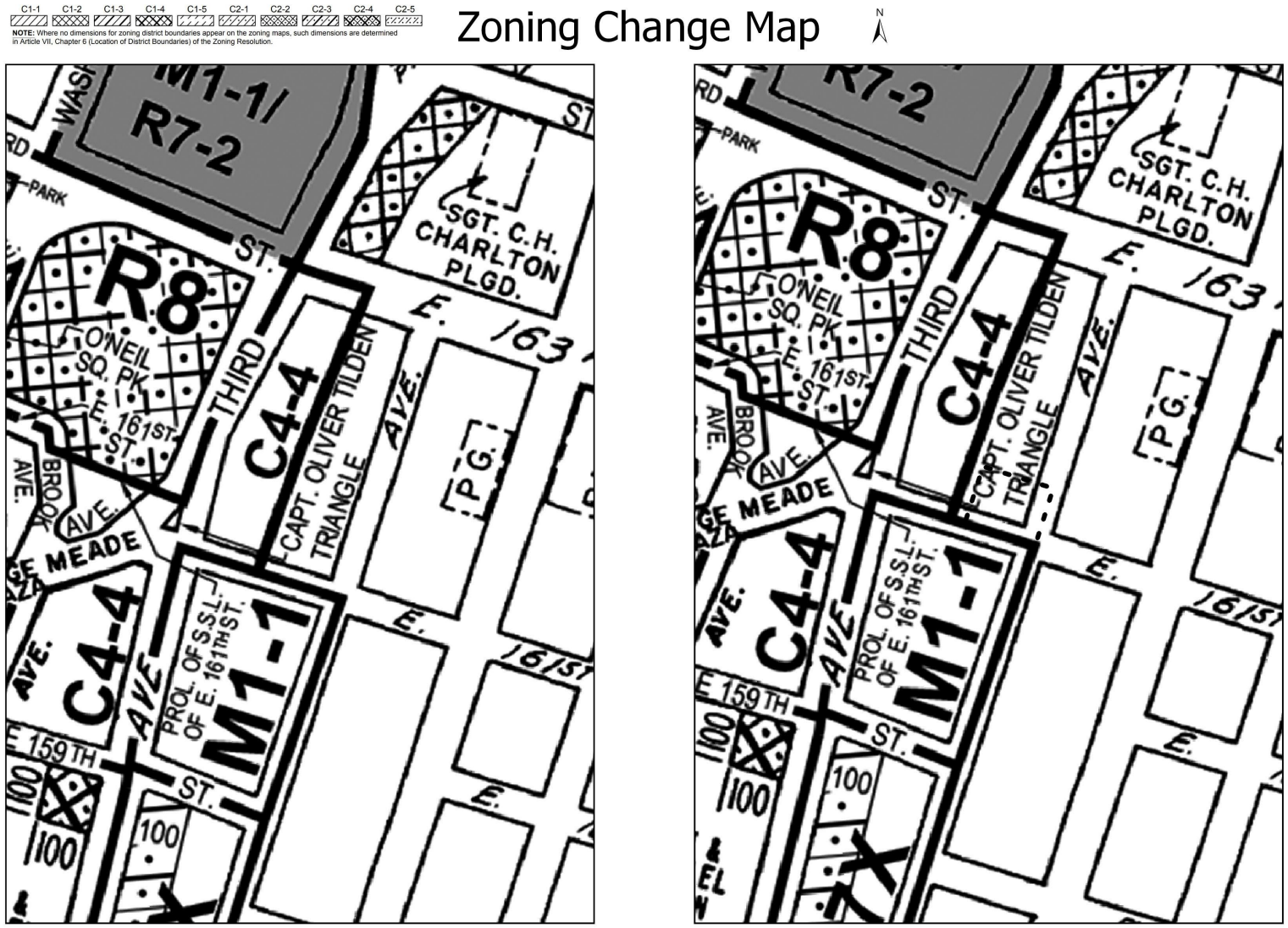


Figure 4: Zoning Change Map



Current Zoning Map

Proposed Zoning Map - Area being rezoned is outline with dotted lines
Changing a R6 district to a R7-2 district

Figure 5: Tax Map

893 Eagle Avenue (Block 2620, Lots 49, 50, 52 and 56), Bronx



Figure 6 (1 of 5): Site Photos 1-3

893 Eagle Avenue Rezoning — Photos #1-3 Captured 9/27/22

01 View of East 161st Street facing northeast towards the Site.



02 View of the Project Site looking west along East 161st Street.



03 View of the Project Site looking north along East 161st Street.



Photo Key

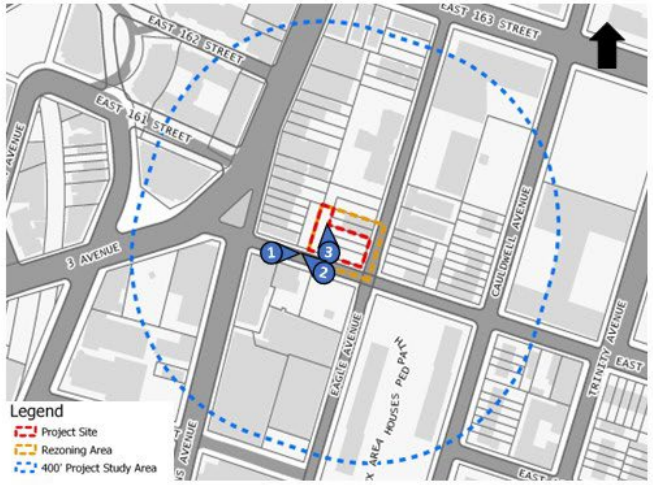


Figure 6 (2 of 5): Site Photos 4-6

893 Eagle Avenue Rezoning — Photos #4-6 Captured 9/27/22

04 View of the Project Site from East 161st Street facing northwest.



05 View west from Eagle Avenue looking down East 161st Street.



06 View of the Project Site looking northwest from Eagle Avenue.

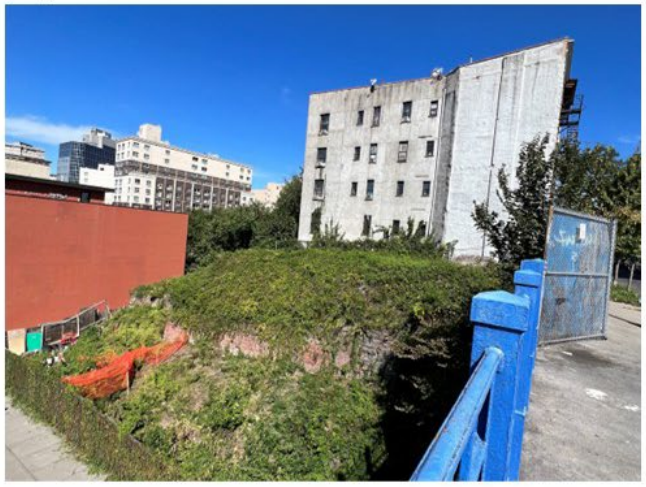


Photo Key

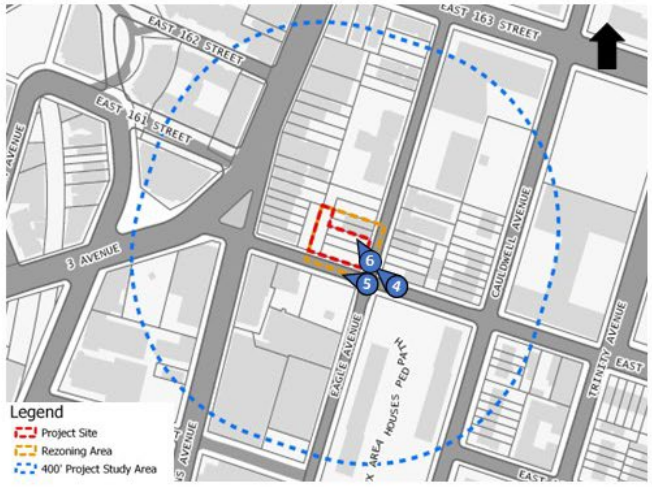


Figure 6 (3 of 5): Site Photos 7-9

893 Eagle Avenue Rezoning — Photos #7-9 Captured 9/27/22

07 View of Eagle Avenue facing north towards East 163rd Street.



08 View of the Project Site across Eagle Avenue facing west.



09 View opposite of the Project Site taken from Eagle Avenue facing east.



Photo Key

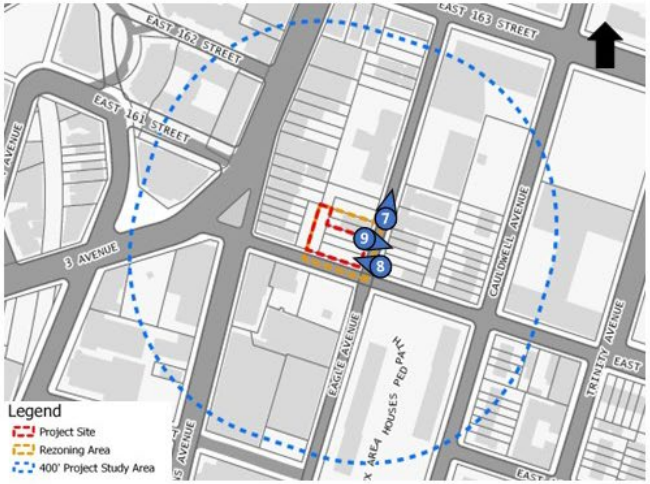


Figure 6 (4 of 5): Site Photos 10-12

893 Eagle Avenue Rezoning — Photos #10-12 Captured 9/27/22

10 View of St. Ann's Avenue facing south



11 View of 3rd Avenue from St Ann's Avenue and East 161st Street facing west.



12 View of 3rd Avenue taken from the corner of St Ann's Avenue and East 161st Street facing north.



Photo Key

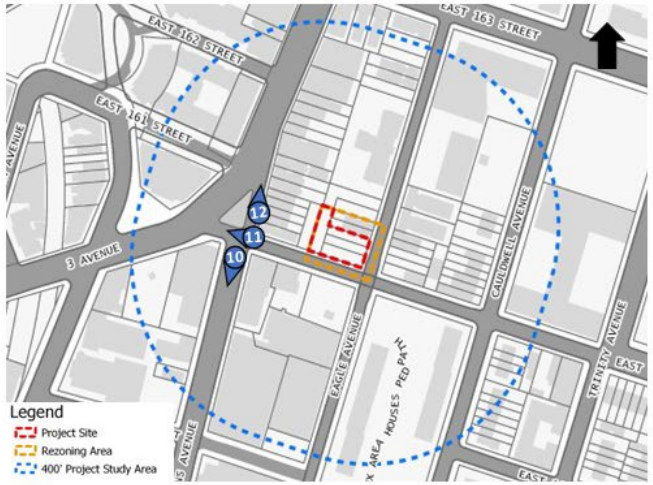


Figure 6 (5 of 5): Site Photos 13-15

893 Eagle Avenue Rezoning — Photos #13-15 Captured 9/27/22

13 View of East 161st Street facing west towards Eagle Avenue.



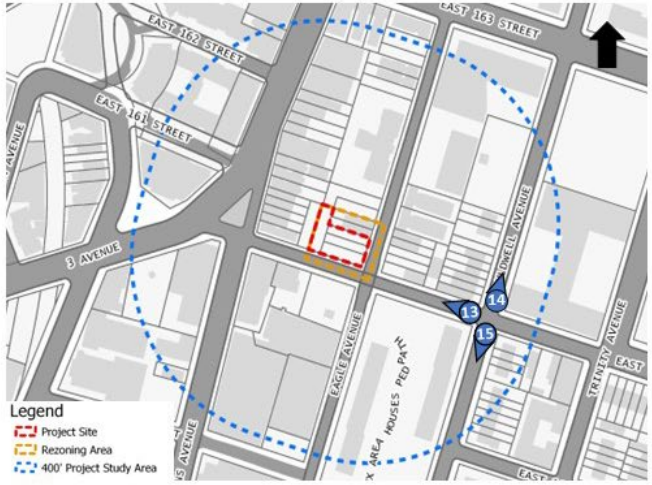
14 View of Cauldwell Avenue facing north.



15 View of Cauldwell Avenue facing south.



Photo Key



1.0 PROJECT DESCRIPTION

1.1 Introduction

"The Applicant," H.O.G.A.R. Inc., is seeking a Zoning Map Amendment in order to facilitate the development of four lots in the Morrisania neighborhood of Bronx, Community District 3. The Applicant seeks to rezone Block 2620, Lots 49, 50, 52, 56, 47, and 48 from R6 to R7-2. In its entirety, the proposed rezoning area would total 12,659 square feet (SF), of which 8,943 SF is applicant-owned. In addition, The Applicant is seeking a Zoning Text Amendment (Appendix F) to map the rezoning area for Mandatory Inclusionary Housing (MIH). The Applicant also seeks a special permit pursuant to Section 74-903 of the Zoning Resolution to permit a maximum Floor Area Ratio (FAR) of 6.50 for a Use Group 3 non-profit institution with sleeping accommodations. Lastly, the Applicant's Proposed Development would provide pedestrian access between Eagle Avenue and East 161st Street, two streets that are not at grade with each other, thereby facilitating pedestrian activity by creating a publicly accessible stairway (PAA) to be maintained in accordance with a restrictive declaration to provide access between Eagle Avenue and East 161st Street that would bridge the difference in elevation between the streets. The Zoning Map Amendment, Zoning Text Amendment, PAA and related restrictive declaration, and special permit constitute the Proposed Actions.

A rezoning is a discretionary action subject to the Uniform Land Use Review Procedure (ULURP) and City Environmental Quality Review (CEQR).

1.2 Background

Block 2620, Lots 47, 48, 49, 50, 52, and 56 (the Affected Area) are shown in **Figure 1**. Located at the southern edge of the Morrisania (Southern Bronx) neighborhood, the Affected Area is across 3rd Avenue from the Boricua Village/Melrose Commons Urban Renewal Area (amended June 15, 2007; 070276ZMX). The Urban Renewal Plan facilitated the rezoning and disposition of City-owned land for the development of 6- to 14-story mixed use buildings featuring residential, retail, community facility, parking, and open space uses.

The Affected Area has been zoned R6 since the original zoning district was created in 1961.

1.3 Description of Surrounding Area

The Affected Area is located in the Morrisania neighborhood of Bronx, Community District 3. The Affected Area is located across East 161st Street from Community District 1, and the Melrose and Woodstock neighborhoods are within the 400' surrounding area. Within the 400' surrounding area land uses include mixed commercial/residential (4-13 floors) and commercial/office buildings (1-2 floors) along 3rd Avenue, large public facilities (2-4 floors), multi-family residential (3-5 floors), several vacant lots, a park along Cauldwell Avenue, and several large NYC Housing Authority housing projects.

The Affected Area is located at the southern edge of a R6 zoning district that runs north and covers the area east of 3rd Avenue, with varying C2-4 and C1-4 overlays. Zoning to the west of the Affected Area is C4-4, creating a dense commercial hub along the highly trafficked 3rd avenue. An R8 zoning district with a C2-4 overlay along 3rd Avenue is also to the west. Immediately south of the Affected Area is a one block M1-1 district, followed by R7X.

3rd Avenue, to the west of the Affected Area, is a north-south principal arterial road with two moving lanes in each direction and curbside parking. Bounding the Affected Area to the east, Eagle Avenue is a one-way, north to south road with one moving lane and curbside parking. East 163rd Street bounds the Affected Area to the north, and is a two-way, east-west road with curbside parking and two moving lanes in each direction that is classified as a principal arterial road. The Affected Area is bounded to the south by East 161st Street, which is a one-way, west to east major collector road with one moving lane curbside parking. Eagle Avenue and East 161st Street, which both front the Affected Area, are both narrow streets, at approximately 25 feet each.

The area is well-served by transit. The Bx15 and Bx21 buses stop at the Captain Oliver Triangle, at the intersection of East 161st Street and 3rd Avenue, approximately 200 feet to the west of the Affected Area. About 500 feet north, along East 163rd Street, are stops for the Bx13 and Bx6 buses. The Prospect Avenue subway station is approximately 2,000 feet to the southeast, and provides subway service via the 2 and 5 trains.

1.4 Description of Affected Area

The Affected Area is shown in **Figure 1** and summarized in **Table 1.4-1** below. The R6 zoning district allows medium density residential development up to 2.43 FAR and community facility development at 4.8 FAR. The Affected Area, located within the southeastern portion of Block 2620, is as follows:

Applicant-Owned Sites/Projected Development Site

Lot 49 (0 Existing FAR)

893 Eagle Avenue is an 1,879 SF unimproved lot. The interior lot is rectangular in shape and has 18.79 feet of frontage on Eagle Avenue.

Lot 50 (0 Existing FAR)

589 East 161st Street is a 2,500 SF unimproved lot. The corner lot is rectangular in shape and has 25 feet of frontage on Eagle Avenue and 100 feet of frontage on East 161st Street.

Lot 52 (0 Existing FAR)

The lot has no listed address and is a 2,689 SF unimproved lot. The interior lot is rectangular in shape and has 26.89 feet of frontage on East 161st Street.

Lot 56 (0 Existing FAR)

895 Eagle Avenue is an 1,875 SF unimproved lot. The interior lot is rectangular in shape and has 18.75 feet of frontage on Eagle Avenue.

Other Lots Not Projected to Develop

Lot 47 (2.44 Existing FAR)

Located at 899 Eagle Avenue, the lot is 1,858 SF, and is improved with a 4-story, 4,532 GSF multi-family residential building. An interior lot, it is rectangular in shape, with 19 feet of frontage on Eagle Avenue. Originally constructed in 1920, the building contains 6 dwelling units.

Lot 48 (2.43 Existing FAR)

897 Eagle Avenue is an 1,858 SF lot, improved with a 4,520 GSF, 4-story multi-family residential building. The interior lot is rectangular in shape, with 19 feet of frontage on Eagle Avenue. The building features 4 dwelling units and was originally constructed in 1920 and renovated in 2004.

Table 1.4-1: Affected Area Existing Conditions

Block	Lot	Address	Lot SF	Built GSF	FAR	Use
2620	47	899 Eagle Avenue	1,858	4,532	2.44	6-unit residential
	48	897 Eagle Avenue	1,858	4,520	2.43	4-unit residential
	49	893 Eagle Avenue	1,879	0	0	Vacant
	50	589 East 161st Street	2,500	0	0	Vacant
	52	East 161st Street	2,689	0	0	Vacant
	56	895 Eagle Avenue	1,875	0	0	Vacant

1.5 Description of the Development Site

The Applicant-owned sites, also known as the Development Site, are Block 2620, Lots 49, 50, 52, and 56. When combined, the lots would create an L-shaped 8,943 SF corner lot and would have 127 feet of frontage on East 161st Street and 63 feet of frontage on Eagle Avenue. Because of elevation differences, Eagle Avenue and East 161st Street do not intersect—Eagle Avenue bridges over East 161st Street.

1.6 Description of Proposed Development

The Proposed Development is a new eleven-story plus cellar and sub-cellar (13 stories total) Use Group 3 philanthropic or non-profit institution with sleeping accommodations. The

Proposed Development would have a zoning floor area of approximately 55,324 zoning square feet (65,747 gross square feet) at 6.18 FAR, and would include 83 units including 50 supportive housing units for individuals living with HIV/AIDS and 33 units affordable housing units on floors one through eleven. The subcellar, which would be located at grade along East 161st Street, and the cellar levels will contain a lobby, counseling offices, and multipurpose rooms to serve the residents of the building.

Because of the difference in elevations between the bounding streets, the Proposed Development will have entrances at two different levels. There will be an entrance on East 161st Street, the sub-cellar level, and an entrance on Eagle Avenue, the second floor. The Proposed Development would provide pedestrian access between Eagle Avenue and East 161st Street, two streets that are not at grade with each other, thereby facilitating pedestrian activity by creating a PAA to be maintained in accordance with a restrictive declaration to provide access between Eagle Avenue and East 161st Street that would bridge the difference in elevation between the streets.

The FAR in R7-2 zoning districts for non-profit institutions with sleeping accommodations is limited to that of residential Quality Housing Buildings. Therefore, the Applicant seeks to obtain a special permit pursuant to ZR § 74-903 to utilize community facility bulk (FAR of 6.5) for the Proposed Development to be able to serve more vulnerable members of the community. In R7-2 zoning districts, parking is not required for non-profit institutions with sleeping accommodations.

1.7 Proposed Action(s)

The following actions are proposed (the "Proposed Actions"):

1. a zoning map amendment to change the existing R6 zoning district to an R7-2 zoning district;

2. a PAA and related Restrictive Declaration;

3. a text amendment of ZR Appendix F: Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas for Community District 3, Bronx to establish a Mandatory Inclusionary Housing ("MIH") Area with MIH Options 1 and 2 coincident with the Project Area; and

4. a special permit pursuant to ZR § 74-903 (Certain community facility uses in R3 to R9 zoning districts and certain Commercial Districts) to allow the Applicant to utilize the community facility Floor Area Ratio ("FAR") listed in ZR § 24-11 for a building containing philanthropic or non-profit institutions with sleeping accommodations on the Development Site.

1.8 Purpose and Need

The Applicant is proposing a zoning map amendment to map the area as an R7-2 zoning district, a zoning text amendment to map an area coterminous with the rezoning area for MIH, and a special permit to allow relief under bulk regulations stipulated in Section 24-013 regarding special provisions for certain community facility uses for buildings containing philanthropic or non-profit institutions with sleeping accommodations in non-contextual R6 through R10 Districts in accordance with Section 74-903 for certain community facility uses in R3 to R9 Districts and certain commercial districts. In addition, a publicly accessible stairway (PAA) would be required to be maintained in accordance with a restrictive declaration to provide access between Eagle Avenue and East 161st Street that would bridge the difference in elevation between the streets.

The Proposed Actions would effectuate the development of underutilized, vacant lots and introduce much-needed medical and housing uses for individuals living with HIV/AIDS and for low-income community residents in a Community District whose Board has identified health care services and unemployment as the top 2 most pressing issues and where HIV (17%) is the leading cause of death for residents. In addition, proposed the low-income housing units are needed in a Community District with an above-average rent burden (ACS 2013-2017).

The proposed special permit pursuant to ZR § 74-903 is necessary to allow for the Proposed Development, a UG 3 community facility (philanthropic or non-profit institution with sleeping accommodations) to utilize the community facility FAR and the community facility bulk provisions, which would allow a maximum FAR of 6.5 with a maximum base height of 60 feet, allowing the building to rise in accordance with the sky exposure plane requirements at a ratio of 2.7:1. Without this special permit, pursuant to ZR § 24-111(b), a UG 3 philanthropic or non-profit institution with sleeping accommodations is limited to a maximum FAR of 3.44. In addition, without the special permit the Proposed Development would be limited to Quality Housing bulk provisions. Such limitations would modify the height and setback requirements by requiring the building to comply with the contextual requirements associated with Quality Housing buildings, which would limit the building to a maximum base height of 65 feet with a maximum overall height of 75 feet. The increase in allowable FAR and modifications to the permitted building envelope facilitated by the proposed special permit will allow for the provision of additional affordable and supportive housing units within the Proposed Development.

1.9 Analysis Framework

The analysis which follows compares the incremental difference proposed and potential development under the Proposed Actions (Future With-Action Conditions) and the development which could occur under the existing R6 zoning (Future No-Action Conditions) by the build year specified below. This EAS studies the potential for individual and cumulative environmental impacts related to the proposed action occurring in a study area of approximately 400-feet around the rezoning area or (Affected Area). This environmental

assessment considers the potential effects of the Proposed Action compared to future conditions without the approvals sought by the Applicant. This analysis framework is described below:

Reasonable Worst-Case Development Scenario

Pursuant to *2021 CEQR Technical Manual* methodology, sites may be considered 'soft' if they are built to substantially less than the maximum allowable floor area ratio and are of a sufficient size or could be assembled into a parcel of sufficient size, to support a feasible development. Sites that have recently been developed or redeveloped are considered less likely to be soft, due to the significant recent investment in the current use.

Build Year

The build year is expected to be 2025, factoring the ULURP process and an 18-month construction schedule for the Project Site.

Future No-Action Conditions

Under the Project Site's existing R6 zoning district, development of residential uses at up to 2.43 FAR, depending on building height, would be permitted in the future without the Proposed Actions. Generally parking spaces must be provided for 70 percent of all dwelling units.

The lots that could be redeveloped under the no-action scenario make up Projected Development Site 1 (Lots 49, 50, 52, and 56; 8,943 SF combined). Lots 47 and 48 are currently built at 2.44 and 2.43 FAR, respectively, and are expected to remain in the future without the Proposed Actions.

The lots within Projected Development Site 1 are characterized by extremely difficult topographical challenges, including an approximately 34-foot difference in elevation from Lot 50 to Lot 56, that might preclude as-of-right development under the current zoning district and the concomitant highest and best use for these sites. Additionally, all of the lots have remained vacant dating back to 1979. Given the existing conditions on the project block and residential development within 400 feet, it is unlikely that Projected Development Site 1 would develop without the Proposed Actions. Accordingly, it is assumed that no development pressures exist that would induce development under current conditions.

Future With-Action Conditions

There are two projected development scenarios for Projected Development Site 1. The first scenario assumes the development of a building at the maximum permitted bulk allowed pursuant to a special permit under ZR § 74-90, as is sought by the Applicant, to permit a UG 3 community facility (philanthropic or non-profit institution with sleeping accommodations) to utilize the community facility FAR and the community facility bulk provisions. The special permit would permit a maximum FAR of 6.5 with a maximum base height of 60 feet, allowing the building to rise in accordance with the sky exposure plane requirements at a ratio of 2.7:1.

Scenario 1 assumes the same number of units as is proposed by the Applicant, and represents the RWCDS in terms of building height and residential units. The second scenario assumes full community facility development of the Project Site and will also be considered in order to provide the most conservative supplemental study analyses.

Projected Development Site 1, Scenario 1

Block 2620, Lots 49, 50, 52, and 56 would assemble and be developed with a 68,354 GSF (58,120 ZSF; 6.50 FAR), 14-story, 140' building. 64,210 GSF (54,135 ZSF) of residential floor area on floors 1-14 would contain 83 dwelling units at 100% affordability. 4,144 GSF (3,985 ZSF) of community facility floor area in the cellar would contain an office and meeting rooms for residents. No parking would be required under this scenario.

Projected Development Site 1, Scenario 2

Block 2620, Lots 49, 50, 52, and 56 would be developed with a 68,354 GSF (58,120 ZSF; 6.50 FAR) 13-story (11-story plus cellar and subcellar), 135' building. The entire building would be community facility (half medical and half community center) use. 72 parking spaces would be required (1 per 800 SF).

Other Sites Not Expected to Be Affected by the Proposed Actions

The remaining lots within the rezoning area, Block 2620, Lots 47 and 48, are not expected to develop. Both lots are improved with multifamily residential structures and, based on market trends in the neighborhood and the prevalence of vacant lots in the surrounding area, redevelopment is not likely. Each of the lots is 1,858 SF. Lot 47 was built prior to 1974 and has 6 or more dwelling units, and it is assumed that the residents are covered by rent stabilization. Lot 48 was recently renovated, and this substantial investment makes it less likely for redevelopment to occur. Lots 47 and 48, are currently non-conforming under height factor regulations, but would become more conforming under the proposed R7-2 zoning district.

The Projected Development Sites are shown in **Figure 1** while the RWCDS Analysis Framework described above is shown in **Table 1.9-1 and Table 1.9-2.**

The existing, no-action, and with-action conditions on the lots within the Affected Area are presented in **Table 1.9-3 and Table 1.9-4.**

Table 1.9-1: RWCDS Framework Scenario 1

Site Info				Existing/No-Action Conditions		With-Action Condition				
Site	Block	Lot	Lot Area (gsf)	Zoning	Building (gsf)	Zoning	Res. (gsf)	DU	Affordable Dwelling Units	CF (gsf)
1	2620	49	1,879	R6	0	R7-2	64,210	83	83	4,144
		50	2,500		0					
		52	2,689		0					
		56	1,875		0					
Total			**8,943**		**0**		**64,210**	**83**	**83**	**4,144**

DU = Dwelling Units
CF = Community Facility
gsf = gross square feet
Res. = Residential

Table 1.9-2: RWCDS Framework Scenario 2

Site Info				Existing/No-Action Conditions		With-Action Condition	
Site	Block	Lot	Lot Area (gsf)	Zoning	Building (gsf)	Zoning	CF (gsf)
1	2620	49	1,879	R6	0	R7-2	68,354
		50	2,500		0		
		52	2,689		0		
		56	1,875		0		
Total			**8,943**		**0**		**68,354**

DU = Dwelling Units
CF = Community Facility
gsf = gross square feet
Res. = Residential

Table 1.9-3: RWCDS Increment Scenario 1

Use	No-Action Condition	With-Action Condition	Increment
Residential[1]	0 DUs 0 gsf	83 Dus 64,210 gsf	83 Dus 64,210 gsf
Market Rate (Dus)	0	0	0
Affordable (Dus)[2]	0	83	83
Comm. Facility (gsf)	0	4,144	4,144
Commercial (gsf)	0	0	0
Residents[3]	0	227	227
Workers[4]	0	4	4

Notes: 'Dus' indicates Dwelling Units; 'gsf' indicates gross square feet

[1] Applicant's Proposed Dwelling Unit Count

[2] Applicant's Proposed Project

[3] Assumes 2.74 persons per residential dwelling unit per Bronx Community District 3 2020 Decennial Census Data

[4] Assumes 1 employee per 1,000 sf of community facility use

Table 1.9-4: RWCDS Increment Scenario 2

Use	No-Action Condition	With-Action Condition	Increment
Residential	0 Dus 0 gsf	0	0
Market Rate (Dus)	0	0	0
Affordable (Dus)	0	0	0
Comm. Facility (gsf)	0	68,354	68,354
Commercial (gsf)	0	0	0
Residents	0	0	0
Workers[1]	0	68	68

Notes: 'Dus' indicates Dwelling Units; 'gsf' indicates gross square feet

[1]Assumes 1 employee per 1,000 sf of community facility use

2.0 ENVIRONMENTAL REVIEW

2.1 Land Use, Zoning, and Public Policy

The *2021 CEQR Technical Manual* recommends procedures for analysis of land use, zoning and public policy to ascertain the impacts of a project on the surrounding area. Land use, zoning and public policy are described in detail below.

Methodology

Following *CEQR Technical Manual* guidance, a preliminary assessment, which includes a basic description of existing and future land uses and zoning, including any future changes in zoning that could cause changes in land use, should be provided for all projects that would affect land use or would change the zoning on a site, regardless of the project's anticipated effects. In addition, the preliminary assessment should include a basic description of the project facilitated by the Proposed Actions in order to determine whether a more detailed assessment of land use would be appropriate. This information is essential for conducting the other environmental analyses and provides a baseline for determining whether detailed analysis is appropriate. CEQR requires an assessment of land use conditions if a detailed assessment has been deemed appropriate for other technical areas. Additionally, an assessment of public policy should accompany the assessment which includes any public policies including formal or published plans in the study area. A preliminary assessment of land use, zoning and public policy is provided for informational purposes and to determine if a more detailed analysis is warranted. This preliminary assessment of land use, zoning, and public policy focuses on an overview of conditions in the Affected Area and a detailed review of the 400-foot radius study area.

2.1.1 Land Use

Pursuant to Chapter 4, Section 111 of the *2021 CEQR Technical Manual*, land use refers to the activity that is occurring on land and within the structures that occupy it. Types of uses include residential, retail, commercial, industrial, vacant land, and parks. DCP's Primary Land Use Tax Lot Output (PLUTO) database provides data on the following land use types: one- and two-family residential buildings, multi-family walk-up residential buildings, multi-family elevator residential buildings, mixed residential and commercial buildings, commercial and office buildings, industrial and manufacturing, transportation and utility, public facilities and institutions, open space and outdoor recreation, parking facilities, and vacant land.

Existing land use patterns of city blocks within approximately 400 feet of the rezoning area are presented in **Figure 2**. The *CEQR Technical Manual* suggests that an appropriate study area for land use and zoning is related to the type and size of the project being proposed as well as the location and neighborhood context of the area that could be affected by the project. Unless the project involves large-scale, high-density development or is a generic project, the study area should generally include at least the Project Site and the area within 400 feet of the site's boundaries.

Existing Conditions—Affected Area

The Affected Area, known as Block 2620, Lots 47, 48, 49, 50, 52, and 56 on the New York City Tax Map, is located within the Morrisania neighborhood of the Bronx on the corner of East 161st Street and Eagle Avenue.

Projected Development Site 1

The Applicant's Site consists of 4 lots (Lots 49, 50, 52, and 56) totaling 8,943 SF and is a corner lot with frontage on East 161st Street and Eagle Avenue. All 4 lots are currently vacant and unimproved.

Other Affected Sites

Lot 47 is an 1,858 SF rectangular interior lot with frontage on Eagle Avenue and is improved with a 4-story multifamily building containing 6 dwelling units at 2.44 FAR. Lot 48 is also an 1,858 SF rectangular interior lot with frontage on Eagle Avenue and is improved with a 4-story multifamily building containing 4 dwelling units at 2.43 FAR.

Existing Conditions—Surrounding Area

Within the Study Area land use is predominantly multifamily residential. Large multifamily developments surround the Affected Area, including multiple NYCHA developments. Large mixed-use residential/commercial buildings are to the north along East 163rd Street (6 stories), to the west along 3rd Avenue (8 to 13 stories), and to the south along Saint Ann's Avenue (8 stories). Several large public facilities are scattered throughout the Study Area including churches and schools. Multiple commercial and office buildings, mostly located along 3rd Avenue, are within the Study Area, along with a few corner lot buildings along East 161st Street. There are three industrial lots within the Study Area, featuring a mix of warehouses and light manufacturing uses. Including the Applicant Sites, there are approximately eight vacant lots within the Study Area, mostly concentrated midblock along Eagle Avenue.

There are three active construction projects in the 400-foot Study Area as follows:

1. 885 Cauldwell Avenue (Block 2627, Lot 50) entails the new construction of a 10,252 GSF (2.19 FAR), 5-story, 10-unit residential building.
2. 577 East 161st Street (Block 2620, Lot 53), located directly west of the Projected Development Site, entails the new construction of a 6,946 GSF, 4-story, 13-unit residential building.
3. 921 Eagle Avenue (Block 2620, Lot 32) entails the new construction of a 3.84 FAR, 6-story building with 7,483 GSF of residential use (10 units) and 2,126 GSF of ground-floor community facility use.

There are also three large-scale developments within 1,500 feet of the Study Area that have introduced within the last two years with approximately 175 new residential units and 12 story plus height structures, which indicates that the area has been undergoing significant redevelopment of comparable density.

Analysis

Future No-Action Conditions

As noted above, there are three active construction permits within the 400-foot Study Area. Besides the active construction projects referenced above, there are no other land use applications or pending projects within the Study Area. In the future without the Proposed Actions, it is presumed that no additional floor area or changes in use would occur at any site within the Affected Area. Therefore, for the purposes of this analysis, it is assumed that conditions in the No-Action scenario would be consistent with the existing conditions, and that continued as-of-right development will occur.

Future With-Action Conditions

Under the With-Action Scenario, the four Applicant-owned lots are projected to develop under two different scenarios, both of which are laid out below. Generally speaking, compared to the existing developments within the 400-foot study area, which are commonly built at approximately 2.00 FAR with building heights from 3 to 6 stories, the Proposed Development would have a larger bulk (6.50 FAR) and a higher building height (140 feet).

The proposed R7-2 zoning district allows a range of uses similar to the existing R6 district, including residential and community facility, but at a larger scale. Residential uses would be permitted up to 4.60 FAR and Community Facility uses would be permitted up to 6.50 FAR. As part of the Proposed Actions the Applicant is also proposing a Zoning Text Amendment, which would map the area for MIH, and is applying for a special permit that would allow certain community facility uses to reach 14 stories and 140’ in height. Lastly, a PAA is required to be maintained in accordance with a restrictive declaration to provide access between Eagle Avenue and East 161st Street that would bridge the difference in elevation between the streets. The two applicable scenarios for the Project Site’s RWCDS are described below.

Projected Development Site 1, Scenario 1

Block 2620, Lots 49, 50, 52, and 56 would assemble and be developed with a 68,354 GSF (58,120 ZSF; 6.50 FAR), 14-story, 140’ building. 64,210 GSF (54,135 ZSF) of residential floor area on floors 1-14 would contain 83 dwelling units at 100% affordability. 4,144 GSF (3,985 ZSF) of community facility floor area in the cellar would contain an office and meeting rooms for residents. No parking would be required under this scenario.

Projected Development Site 1, Scenario 2

Block 2620, Lots 49, 50, 52, and 56 would be developed with a 68,354 GSF (58,120 ZSF; 6.50 FAR) 13-story, 135' building. The entire building would be community facility (half medical and half community center) use. 72 parking spaces would be required (1 per 800 SF).

Other Affected Sites

In the future with the Proposed Actions, existing conditions on Lots 47 and 48 are expected to remain. No redevelopment or expansion is anticipated.

Conclusion

The Proposed Actions would result in the development of the Affected Area with a high-density non-contextual community facility building that is residential in nature. The development resulting from the Proposed Actions would be consistent with the area's on-going trend of higher-density residential development and would maintain existing land use character within the Study Area. The development would provide 83 permanently affordably units in a community district with an above-average rent burden (2016 ACS). No other changes to land use within the Affected Area or within the 400-foot Study Area are foreseen as a result of the action or resulting from other known actions in the area. Therefore, the Proposed Project would not result in any significant adverse impacts to land use.

2.1.2 Zoning

Existing Conditions

Zoning Study Area

The zoning districts within 400 feet of the Affected Area are M1-1, C4-4, R6, and R8 (with a C2-4 overlay along Third Avenue). M1-1 is a light manufacturing zone allowing industrial and most commercial uses at 1.0 FAR and certain community facility uses at 2.4 FAR. Height is controlled by sky exposure planes. R6 and R8 districts are medium density non-contextual residence districts allowing residential and community facility development. R6 has a height limit governed by the sky exposure plane and allows residential development at 2.43 FAR and community facility development at 4.80 FAR. R8 has a height limit governed by the sky exposure plane and allows residential development at 6.02 FAR and community facility development at 6.50 FAR. C4-4 districts are non-contextual general commercial districts allowing commercial development up to 3.4 FAR and an R7-2 residential district equivalent.

Table 2.1-1: Summary of Existing Zoning Regulations

Zoning District	Type and Use Group (UG)	Floor Area Ratio (FAR)	Parking (Required Spaces)
M1-1	Light Manufacturing UGs 4-14, 16, 17	1.0 FAR – Manufacturing 1.0 FAR – Commercial 2.4 FAR – Community Facility	Varies by Use
C4-4	Commercial UGs 4-14, 16	3.4 Commercial .87-3.44 Residential 6.5 Community Facility	1 per 1,000 SF
R6	Residential UGs 1-4	2.43-3.60 Residential 4.80 Community Facility	Basic—50% of DU Inclusionary—25% of IRHU
R8	Residential UGs 1-4	6.02-7.20 Residential 6.50 Community Facility	Basic—40% of DU Inclusionary—12% of IRHU
C2-4	Commercial Overlay UGs 1-9 & 14	2.0 Commercial	1 per 1,000 SF

Source: Zoning Handbook, New York City Department of City Planning, 2018

Existing zoning districts in the surrounding area include:

M1-1

M1-1 zoning districts permit nearly all industrial uses subject to M1 performance standards. Commercial offices, hotels, and most retail uses are also permitted along with certain community facility uses. In 2018, the City Council adopted a zoning text amendment proposed by the Department of City Planning to require a City Planning Commission Special Permit for new hotels within M1 districts. This M1 Hotel Text Amendment would limit the potential for conflicts between uses as well as achieve a balanced mix of uses and jobs in neighborhoods by ensuring that sufficient opportunities for industrial, commercial, and institutional growth remain. As a result of the M1 Hotel Text Amendment, transit hotels (UG 5), and motels, tourist cabins, or boatels (UG 7A) shall be subject to the special provisions of ZR Section 42-111 under the current M1-1 zoning regulations, which is known as the Citywide Hotel Special Permit. New residential use is not permitted within M1-1 districts. The maximum floor area ratio ("FAR") for permitted manufacturing and commercial uses within the M1-1 district is 1.0 and 2.4 for permitted community facility uses. The maximum base height before setback is 30 feet or two-stories. Off-street parking is required for manufacturing and commercial uses, and for most uses is calculated based on the amount of floor area. In M1-1 districts, the off-street parking requirement may be waived if fewer than 15 spaces are required.

C4-4

C4 districts are mapped in regional commercial centers, such as Flushing in Queens and the Hub in the Bronx, that are located outside of the central business districts. In these areas, specialty and department stores, theaters and other commercial and office uses serve a larger region and generate more traffic than neighborhood shopping areas. Use Groups 5, 6, 8, 9, 10 and 12, which include most retail establishments, are permitted in C4 districts. Uses that would

interrupt the desired continuous retail frontage, such as home maintenance and repair service stores listed in Use Group 7, are not allowed.
C4-4 districts are considered non-contextual, have an FAR of 3.4, and require one parking space per 1,000 SF.

R6
R6 zoning districts are widely mapped in built-up, medium-density areas in Brooklyn, Queens and the Bronx. The character of R6 districts can range from neighborhoods with a diverse mix of building types and heights to large-scale "tower in the park" developments such as Ravenswood in Queens and Homecrest in Brooklyn. Developers can choose between two sets of bulk regulations. Standard height factor regulations, introduced in 1961, produce small multi-family buildings on small zoning lots and, on larger lots, tall buildings that are set back from the street. Optional Quality Housing regulations produce high lot coverage buildings within height limits that often reflect the scale of older, pre-1961 apartment buildings in the neighborhood.

R8
Apartment buildings in R8 districts can range from mid-rise, eight- to ten-story buildings to much taller buildings set back from the street on large zoning lots. This high-density residential district is mapped along the Grand Concourse in the Bronx and on the edge of Brooklyn Heights. New buildings in R8 districts may be developed under either ***height factor*** regulations or the optional ***Quality Housing*** regulations that often reflect the older, pre-1961 neighborhood streetscape.

C2-4 Overlay
C2 districts permit a wide range of local retail and service establishments and are intended to serve a larger neighborhood footprint than a C1. C2-4 are overlay districts that have lower parking requirements in areas with easily accessible mass transit. Use Groups 1-6 are allowed under C2-4. A C2-4 commercial overlay mapped within an R7-1 district permits commercial development at a Floor Area Ratio of 2.0. Community Facility development is permitted at a Floor Area Ratio of 4.8.

Analysis

Future No-Action Conditions

Zoning Study Area

No changes to zoning are anticipated in the future without the Proposed Actions in the surrounding area. Existing zoning patterns would generally remain.

Affected Area

No changes to zoning and public policy are anticipated in the future without the Proposed Actions within the Affected Area. The Affected Area would continue to be subject to R6 zoning regulations.

Future With-Action Conditions

Zoning Study Area

No changes to zoning are anticipated in the future with the Proposed Actions. The surrounding area would still be subject to the underlying M1-1, C4-4, R6, and R8 zoning districts that currently exist.

Affected Area – R7-2

The Proposed Actions would establish an R7-2 zoning district within the Affected Area, including on the Projected Development Site, and would establish the Affected Area as a Mandatory Inclusionary Housing Area. The R7-2 zoning would be consistent with zoning districts in the surrounding areas generally west of 3rd Avenue, and would further the expansion of higher density zoning districts. Under the new R7-2 district regulations residential development to 3.44 FAR (4.6 FAR with inclusionary housing) for residential uses (Quality Housing Buildings) and community facility development up to 6.5 FAR are permitted and building height is governed by the sky exposure plane.

Conclusion

The Surrounding Area is characterized by moderate and moderate-high density zoning districts, particularly R8 and C4-4 zoning districts mapped along narrow, predominately 50' wide streets, similar to the Affected Area. The area adjacent to and west of the Affected Area is in a C4-4 zoning district that has an R7-2 residential equivalent. Furthermore, the R8 zoning district located northwest of the Affected Area enables a bulk greater than that permitted in R7-2 zoning districts. Therefore, the Proposed Actions would enable and extend a level of bulk that predominates as-of-right within the surrounding area.

The new zoning district would induce the development of either a substantial amount of affordable housing or a large community facility space. This new development would be consistent with land use in surrounding areas zoned with R6, R7-2, and R8 zoning districts and would be consistent with the Morrisania Area Rezoning (030333ZMX) and St Ann's Avenue Development (050018ZMX). The Proposed Actions would extend these residential areas and allow redevelopment of underutilized land for new market rate and affordable housing in an area that is well served by transit as well as community facility services. Accordingly, the development resulting from the Proposed Actions would not result in significant adverse impacts to zoning. Therefore, no further analysis is required.

2.1.3 Public Policy

Officially adopted and promulgated public policies describe the intended use applicable to an area or particular site(s) in the City. The Affected Area is not part of, or subject to, an Urban Renewal Plan (URP), adopted community 197-a Plan, Solid Waste Management Plan, Business Improvement District (BID), Industrial Business Zone (IBZ), or the New York City Landmarks Law. The Affected Area is not located within the Waterfront Revitalization Program boundaries or the Jamaica Bay Watershed boundaries.

Public Policies within the Affected Area

Mixed-Use & Transit-Oriented Development, and the Provision of Affordable Housing

Public policies applicable to the proposed project include the New York City Department of Housing Preservation and Development ("HPD") initiatives to develop affordable high-quality housing on underutilized public land as described in 'Housing New York.' The Proposed Actions would promote mixed-use medium density development with affordable housing along key corridors and adjacent to transit where new residential development is currently restricted to lower densities. Overall, this rezoning would meet many of the City's stated policy goals for affordable housing, supportive transit-oriented housing, and job creation.

Housing New York 2.0

Housing New York 2.0 expands on the original *Housing New York* Plan from 2020 to create more homes for seniors, help New Yorkers buy a piece of their neighborhoods, build a firewall against displacement, protect affordability at Mitchell-Lama buildings, capitalize on advances in technology and innovative design to expand modular building and micro-units, and unlock the potential of vacant lots.

Food Retail Expansion to Support Health Program (FRESH)

The Affected Area is located in a Food Retail Expansion to Support Health Program (FRESH) area. The goal of the FRESH Program is to encourage the development and retention of convenient, accessible stores that provide fresh meat, fruit and vegetables, and other perishable goods in addition to a full range of grocery products. The program offers a set of zoning incentives that provide additional floor area in mixed buildings that include a FRESH food store to reduce the amount of required parking for food stores and permit larger grocery stores as-of-right in light manufacturing districts.

Analysis

Future No-Action Conditions

There are no relevant changes to public policy expected in the study area in the future No-Action Condition.

Future With-Action Conditions

There are no relevant changes to public policy expected in the study area in the future With-Action Condition.

Conclusion

Housing New York 2.0

The Proposed Actions would change zoning designations within the rezoning area and would support the development of new permanently affordable housing, which is consistent with the policies of *Housing New York.* The Project Site is currently four vacant lots, and the Proposed Actions would lead to the development of a mixed-use building with residential and community facility use. The development of this vacant lot is also in line with the provisions of *Housing New York 2.0.*

Food Retail Expansion to Support Health Program (FRESH)

Under the RWCDS no FRESH supermarket is anticipated, but the Proposed Actions would not alter or conflict with the objectives of the FRESH program.

The Proposed Actions would not adversely affect the neighborhood, impair the appropriate use or development of adjacent property, or be detrimental to the public welfare. Additionally, the Proposed Actions would not create a conflict with stated NYC Public Policy goals but support the creation up affordable housing with close access to transit. Therefore, the Proposed Actions would not pose a potential significant adverse effect to public policy.

2.2 Open Space

Open space is defined as publicly or privately-owned land that is publicly accessible and operates, functions, or is available for leisure, play, or sport, or set aside for the protection and/or enhancement of the natural environment.

Pursuant to Chapter 7, Section 100 of the *2021 CEQR Technical Manual*, Open Space Resources are defined as active and/or passive, and may include, but is not limited to, the following:

- Parks operated or managed by the City, State, or Federal governments and include neighborhood and regional parks, beaches, pools, golf courses, boardwalks, playgrounds, ballfields, and recreation centers that are available to the public at no cost or through a nominal fee, as in the case of recreation centers and golf courses;
- Open space designated through regulatory approvals (such as zoning), including large-scale permits that prescribe publicly accessible open space, such as public plazas;
- Outdoor schoolyards if available to the public during non-school hours;
- Publicly-accessible institutional campuses;
- Esplanades;
- Designated greenways, as shown on the City's Bike Map, and defined as multi-use pathways for non-motorized recreation and transportation along natural and manmade linear spaces such as rail and highway rights-of-way, river corridors, and waterfront spaces;
- Landscaped medians with seating;
- Housing complex grounds, if publicly accessible;
- Nature preserves, if publicly accessible;
- Gardens, if publicly accessible;
- Church yards (with seating) or cemeteries, if publicly accessible on a constant and regular basis for passive recreation such as strolling; or
- Waterfront piers used for recreation.

The *CEQR Technical Manual* defines the need for an open space assessment if the Proposed Actions would have a direct or indirect effect on open space resources. Direct effects would occur if the Proposed Actions would result in the physical loss of a public open space; change of use of an open space so that it no longer serves the same user population; limit public access to an open space; or cause increased noise or air pollutant emissions, odors, or shadows on public open space that would affect its usefulness, whether temporary or permanent. Indirect effects would occur if the Proposed Actions would result in an increase of population sufficiently large enough to noticeably diminish the ability of an area's open space to serve future population.

Methodology

According to the guidelines of the *2021 CEQR Technical Manual* for analysis of residential development, census tracts with at least half of their geographic area within a one-half mile radius of the Affected Area comprise the open space study area. Using current population figures, an open space ratio is calculated for both the future no-action and future with-action conditions, expressed as the amount of open space acreage per 1,000 user population. Typically, a comparison is made to the city's planning goal of 2.50 acres per 1,000 residents. Ideally, this would comprise 0.50 acres (20 percent) of passive space and 2.0 acres (80 percent) of active open space per 1,000 residents. For nonresidents who tend to use passive open space, for example workers taking a break in a park, the optimal ratio for nonresidential populations is 0.15 acres of passive open space per 1,000 nonresidents.

Information from the NYC DCP Community District Needs Statements, NYC Parks Department website, and U.S. Census data were utilized in preparing the open space analysis.

2.2.1 Preliminary Open Space Assessment

The threshold for assessment of the potential for indirect impacts is 200 new residents or 500 additional employees.

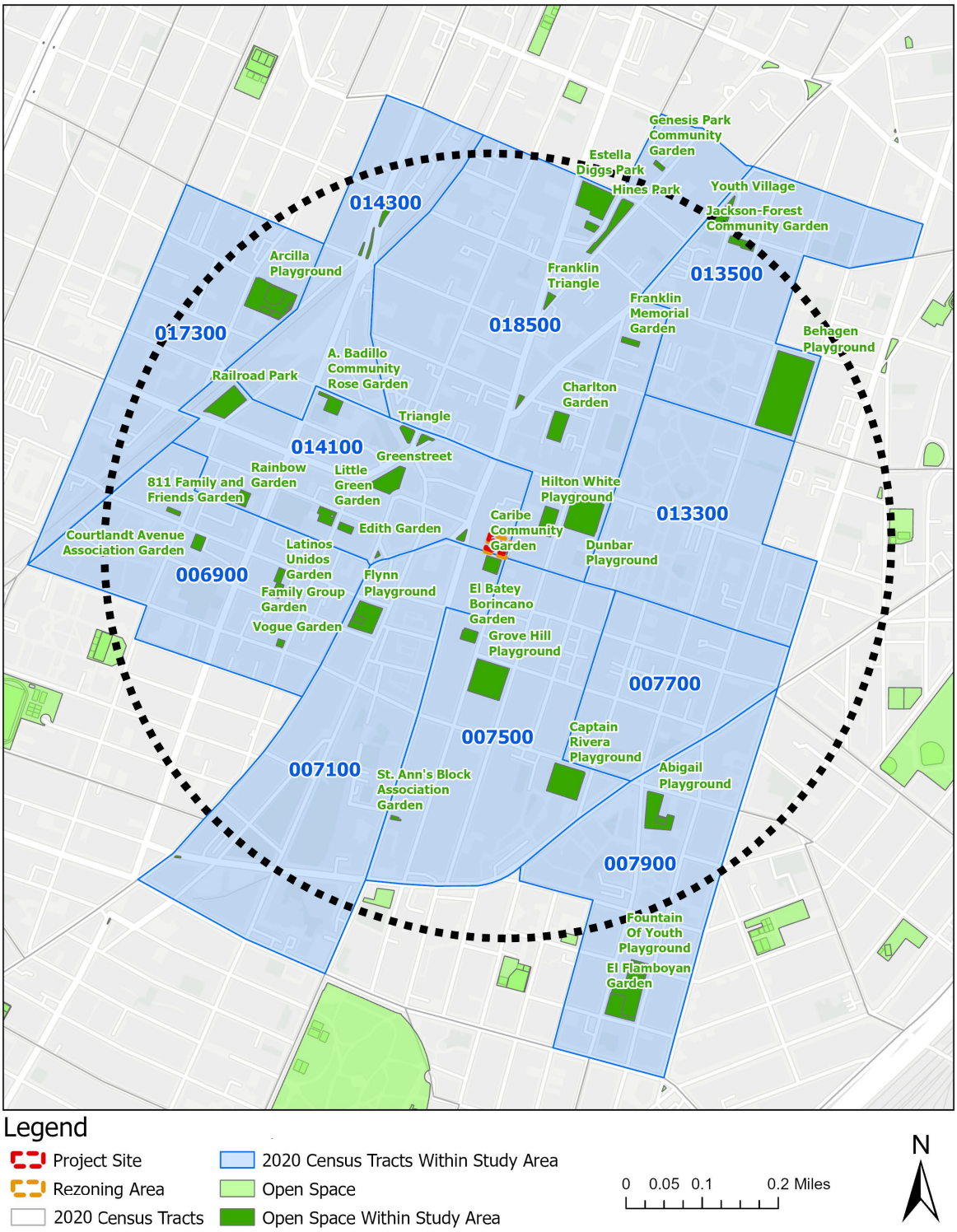
In RWCDS scenario 1, the Proposed Actions would result in a net increment of 64,210 GSF of residential floor area and 4,144 GSF of community facility floor area. Scenario 1 is projected to result in the development of 83 dwelling units within the Affected Area. Assuming an average occupancy of 2.74 persons based on the average household size within Bronx Community District 3 per 2020 Census Data, the population introduced as a result of the Proposed Actions would be approximately 227 residents. Assuming 1 worker per 1,000 sf of community facility floor area, the worker population would be 4. The residential population is above the relevant threshold size requiring assessment of open space utilization and availability.

In the RWCDS scenario 2, the Proposed Actions would result in 68,354 GSF of community facility floor area. Scenario 2 would result in approximately 68 additional workers to the area, which is below the threshold of incremental workers requiring an Open Space assessment.

Study Area Definition

In accordance with the guidelines established in the City's *2021 CEQR Technical Manual*, the open space study area is defined to analyze both the nearby open spaces and the population using those open space resources. It is generally defined by a reasonable walking distance that users would travel to reach local open spaces and recreational areas. Pursuant to the *2021 CEQR Technical Manual*, the open space study area ("The Study Area") includes all U.S. Census Tracts that have 50 percent or more of their area within a half-mile radius of the Affected Area. As shown in **Figure 2.2-1** below, the following Census Tracts that have 50% or more of their area within the ½ mile study area are 79, 77, 75, 71, 133, 135, 185, 69, 141, 173, and 143.

Figure 2.2-1: Open Space Study Area Census Tracts and Open Space Resources[1]



[1]The Community Gardens shown in the Open Space Study Area were not included in the Open Space Analysis, as these resources are not always open to the public on a consistent and regular basis.

Study Area Population

Existing Conditions

According to the 2020 Decennial Census data, the existing population within the Study Area is 60,522.

Future No-Action Conditions

A review of active major construction projects and approved BSA applications and ULURP actions was undertaken to determine known developments in within the Open Space Study Area. Based on this review, there are 1,702 additional dwelling units that will be added to the Study Area by the 2025 Project Build Year within the Open Space Study Area as shown below in **Table 2.2-1**.

With the potential addition of the 1,702 dwelling units mentioned above, and factoring in the average residents per dwelling unit of 2.69 as per 2020 Decennial Census data for the Study Area census tracts, a possible 4,578 new residents may be added to the Study Area by the build year 2025. Adding the 4,578 new residents from other proposed projects within the Study Area, the No-Action 2025 population would be 65,100.

Future With-Action Conditions

In the future with the Proposed Actions a net increment of 83 dwelling units, resulting in an additional 227 residents, would be introduced to the Affected Area. The Study Area With-Action population is the product of the No-Action population of 65,100 plus the 227 incremental residents resulting from the Proposed Actions for a total 2025 With-Action population of 65,328.

Table 2.2-1: Study Area Major Active Construction Sites

Address	Permit Type	Proposed Stories	Proposed Dwelling Units
740 Brook Avenue	New Building	9	52
600 Bergen Avenue	New Building	13	281
850 East 156th Street	New Building	1	0
600 East 156th Street	New Building	12	175
686 Courtlandt Avenue	New Building	6	9
760 East 160th Street	New Building	4	1
885 Cauldwell Avenue	New Building	5	10
370 East 158th Street	New Building	6	12
451 East 159th Street	New Building	5	24
3120 Park Avenue	New Building	5	14
1007 Union Avenue	New Building	6	95
810 East 165th Street	New Building	3	6
443 East 162nd Street	New Building	12	305
415 East 162nd Street	New Building	6	12
972 Washington Avenue	New Building	12	107
341 East 162nd Street	New Building	12	171
481 East 164th Street	New Building	8	95
1074 Washington Avenue	New Building	12	154
378 East 165th Street	New Building	6	31
3401 3rd Avenue	New Building	10	148
Total New Dwelling Units			1702

Table 2.2-2: Study Area Population

Scenario	Population
Existing	60,522
No-Action	65,100
With-Action	65,328

Open Space Resources

Excluding community gardens, there are 13 open space resources within the Study Area containing 13.84 acres of open spaces. These resources are identified in **Table 2.2-3**.

Table 2.2-3: Open Space Resources

Name	Address	Responsible Agency	Acreage	Features
Dunbar Playground	E. 161st St, Trinity Ave, E. 163rd St	NYC DPR/DOE	1.44	BC, HC, Pg
Fountain of Youth Playground	Union Ave bet. E. 150 St. & E 152 St.	NYC DPR/DOE	1.38	HC, Pg, SS
Abigail Playground	E. 156 St. bet. Tinton Ave & Union Ave	NYC DPR	0.53	BC, Ba, Pg
Captain Rivera Playground	E. 156 St bet. Jackson Ave & Forest Ave	NYC DPR	0.99	BC, Ba, FE, HC, Pg, SS
Grove Hill Playground	E 158 St. bet Eagle Ave & Cauldwell Ave	NYC DPR/DOE	1.19	BC, Ba, FE, HC, Pg, SS
Flynn Playground	Brook Ave to 3rd Ave bet E. 157 St & E. 158 St	NYC DPR	0.82	BC, Ba, HC, Pg, SS
Hines Park	Fulton Ave to Franklin Ave bet. E. 167 St & E. 166 St	NYC DPR	0.38	Pg
Youth Village	Horne St bet. Boston Rd & Jackson Ave	NYC DPR	0.27	Pg
Estella Diggs Park	3rd Ave to Fulton Ave bet. E. 167 St & E. 168 St	NYC DPR	0.9	Be, Pg
Hilton White Playground	Cauldwell Ave bet. E. 161 St & E. 163 St	NYC DPR/DOE	0.48	Ba, Pg, SS
Behagen Playground	Tinton Ave bet. E. 166 st & E. 165 St	NYC DPR	3.35	BF, BC, Ba, HC, Pg, SS
Arcilla Playground	E. 164 St bet. Teller Ave & Clay Ave at Park Ave	NYC DPR/DOE	1.38	BF, BC, Ba, HC, Pg, Ea
Railroad Park	Courtlandt Ave bet. E. 161 St & E. 162 St	NYC DPR	0.73	Pg
Total			**13.84**	

Features: BC = Basketball Court; HC = Handball Court; Pg = Playground; SS = Spray Showers; Ba = Bathrooms; FE = Fitness Equipment; Be = Benches; BF = Baseball Fields; Ea = Eateries

Analysis

Existing Condition

The Study Area has 13.84 acres of open space and an existing residential population of 60,522. The open space ratio (OSR) under existing conditions is 0.229 acres per thousand residents.

Future No-Action Conditions

In the future without the Proposed Actions, the population for the Study Area in the 2025 build year is forecasted to be 65,100 and is projected to be served by the same 13.84 acres of open space as in the existing condition. With this population, the OSR would be 0.213.

Future With-Action Conditions

The Proposed Actions would result in an increase in the No-Action population by 227 residents by the 2025 build year. The total 2025 build year With-Action population would be 65,328. With this increase in population, the OSR would be 0.212 acres per 1,000 residents, or a 0.35 percent reduction from the No-Action OSR.

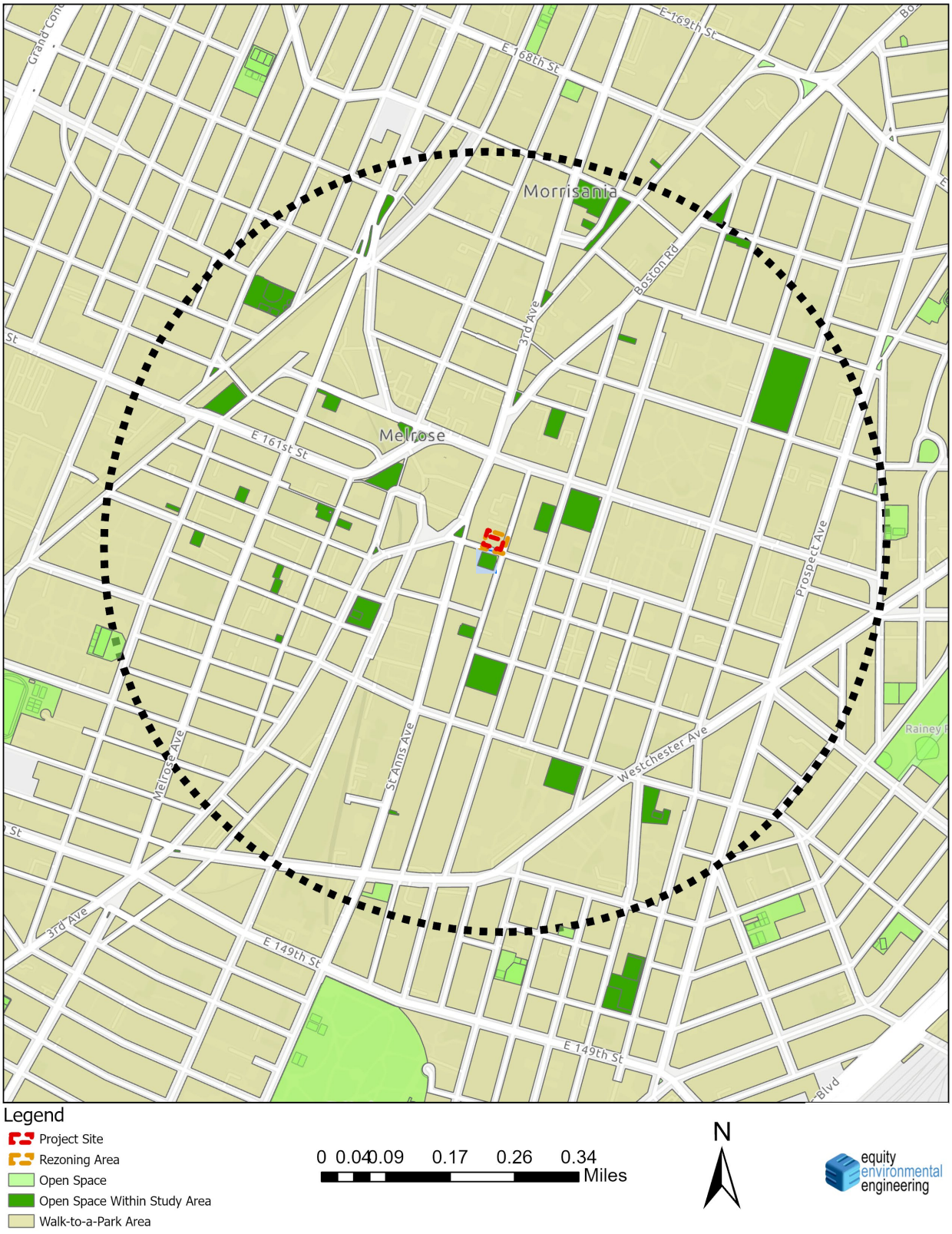
Walk to a Park Service Area Assessment

New York City, as part of the OneNYC 2050 Building a Strong and Fair City plan, has put forth a goal for 85 percent of New York City residents living within walking distance of a park by 2030. To help the City reach this goal, NYC Parks has a Walk to a Park initiative that focuses on increasing access to parks and open space in areas of the City where residents live further than walking distance to a park. Areas outside of Walk to a Park Service Areas are considered "walk gaps" – i.e., areas of the city that are not within walking distance to a park.

Per the *2021 CEQR Technical Manual*, part of the preliminary assessment for open space, a project should be reviewed to determine if it is located in an area of the city within a Walk to a Park Service Area. Project Sites that are located outside of a Walk to a Park Service Area (i.e., located in a known walk gap areas) suggests there is a need for a detailed analysis to be performed to determine if the project may further exacerbate a condition of residents living in areas of the city with inadequate park access, potentially leading to a significant impact. While the focus of the Walk to a Park initiative is on residents living within walking distance to a park, projects that create a non-residential population (e.g., new workers) should also review if the project is located within a known walk gap and assess if the project would generate a new non-residential population within areas of the City with inadequate access to open space resources. As per the *2021 CEQR Technical Manual*, when determining if a detailed open space assessment is warranted, the preliminary assessment should include a discussion of the Project Site's proximity to nearby regional parks, or other substantial open space resources located within or just outside the 1/2-mile study area boundary.

As shown below in **Figure 2.2-2**, the Affected Area is located within a Walk to a Park Service Area.

Figure 2.2-2: Walk to Park Service Area Map



2.2.2 Conclusion

Under the existing, No-Action, and With-Action conditions, the OSR in the area would be well below the city's planning goal of 2.50 acres per 1,000 residents. The change in the OSR from 0.213 in the Future No-Action Condition to 0.212 in the Future With-Action Condition constitutes a 0.35 percent decrease in the Open Space Study Area's OSR. Pursuant to Table 7-1 of the *2021 CEQR Technical Manual* (*See* **Table 2.2-4** below) OSR's between 0.50 or less can tolerate up to a 1 percent decrease in the OSR between the Future No-Action and Future With-Action Condition without warranting additional analyses.

As the projected OSR decrease under the Future With-Action Condition is less than 1 percent, no further analysis is required and no significant adverse impacts to open space utilization or availability would occur as a result of the Proposed Actions. Therefore, further assessment is not warranted.

Table 2.2-4: Preliminary Assessment Guidance for Percentage Change in Open Space Ratio

Open Space Ratio Range	Percentage Change in Open Space Ratio
2.01 to 2.50* or greater	5%
1.51 to 2.00	4%
1.01 to 1.50	3%
0.51 to 1.00	2%
0.50 or Less	1%
*2.5 OSR is the planning goal in NYC	

Source: Table 7-1 of the *2021 CEQR Technical Manual*

2.3 Shadows

The *CEQR Technical Manual* defines a shadow as the condition that results when a building or other built structure blocks the sunlight that would otherwise directly reach a certain area, space, or feature. An incremental shadow is the additional or new shadow that a building or other built structure resulting from a proposed project would cast on a sunlight-sensitive resource during the year. The sunlight-sensitive resources of concern are those resources that depend on sunlight or for which direct sunlight is necessary to maintain the resource's usability or architectural integrity, including public open space, architectural resources and natural resources. Shadows can have impacts on publicly accessible open spaces or natural features by adversely affecting their use and important landscaping and vegetation. In general, increases in shadow coverage make parks feel darker and colder, affecting the experience of park patrons. Shadows can also have impacts on historic resources whose features are sunlight-sensitive, such as stained-glass windows, by obscuring the features or details, which make the resources significant.

The duration and dimensions of Shadows are determined by the geographic location of the area from which the shadow is cast and the time of day and season. Shadows cast during the morning and evening, when the sun is low in the sky, are longer, while midday shadows are shorter in length. Shadows in winter, when the sun arcs low across the southern sky, are also longer throughout the day than at corresponding times in spring and fall seasons. In summer, the high arc of the sun casts shorter shadows than at any other time of year, and early and late shadows during the summer are cast towards the south than shadows cast in early and late winter months.

The *CEQR Technical Manual* states that a shadow assessment considers projects that result in new shadows long enough to reach a sunlight-sensitive resource. Therefore, a shadow assessment is warranted only if the project would either result in: (a) new structures (or additions to existing structures including the addition of rooftop mechanical equipment) of 50 feet or more; or, (b) be located adjacent to, or across the street from, a sunlight-sensitive resource. However, a project located adjacent to or across the street from a sunlight-sensitive open space resource (which is not a designated New York City Landmark or listed on the State/National Registers of Historic Places, or eligible for these programs) may not require a detailed shadow assessment if the project's height increase is ten feet or less.

The sunlight-sensitive resources of concern are those resources that depend on sunlight or for which direct sunlight is necessary to maintain the resource's usability or architectural integrity, including public open space, architectural resources and natural resources. In general, shadows on city streets and sidewalks or on other buildings are not considered significant. Some open spaces also contain facilities that are not sensitive to sunlight. These are usually paved such as handball or basketball courts, contain no seating areas and no vegetation, no unusual or historic plantings, or contain only unusual or historic plantings that are shade tolerant. These types of facilities do not need to be analyzed for shadow impacts. Additionally, it is generally not necessary to assess resources located to the south of Projected Development Sites, as

shadows cast by the action-generated development would not be cast in the direction of these resources. Furthermore, shadows occurring within one and one-half hour of sunrise or sunset generally are not considered significant in accordance with the *CEQR Technical Manual*.

2.3.1 Tier 1 Screening Assessment

The Proposed Actions would effectuate the development of a new building, greater than 50 feet in height. Accordingly, a preliminary assessment of shadows is warranted. The preliminary analysis of shadows follows the guidelines set forth in the *2021 CEQR Technical Manual* for a preliminary assessment (Section 310).

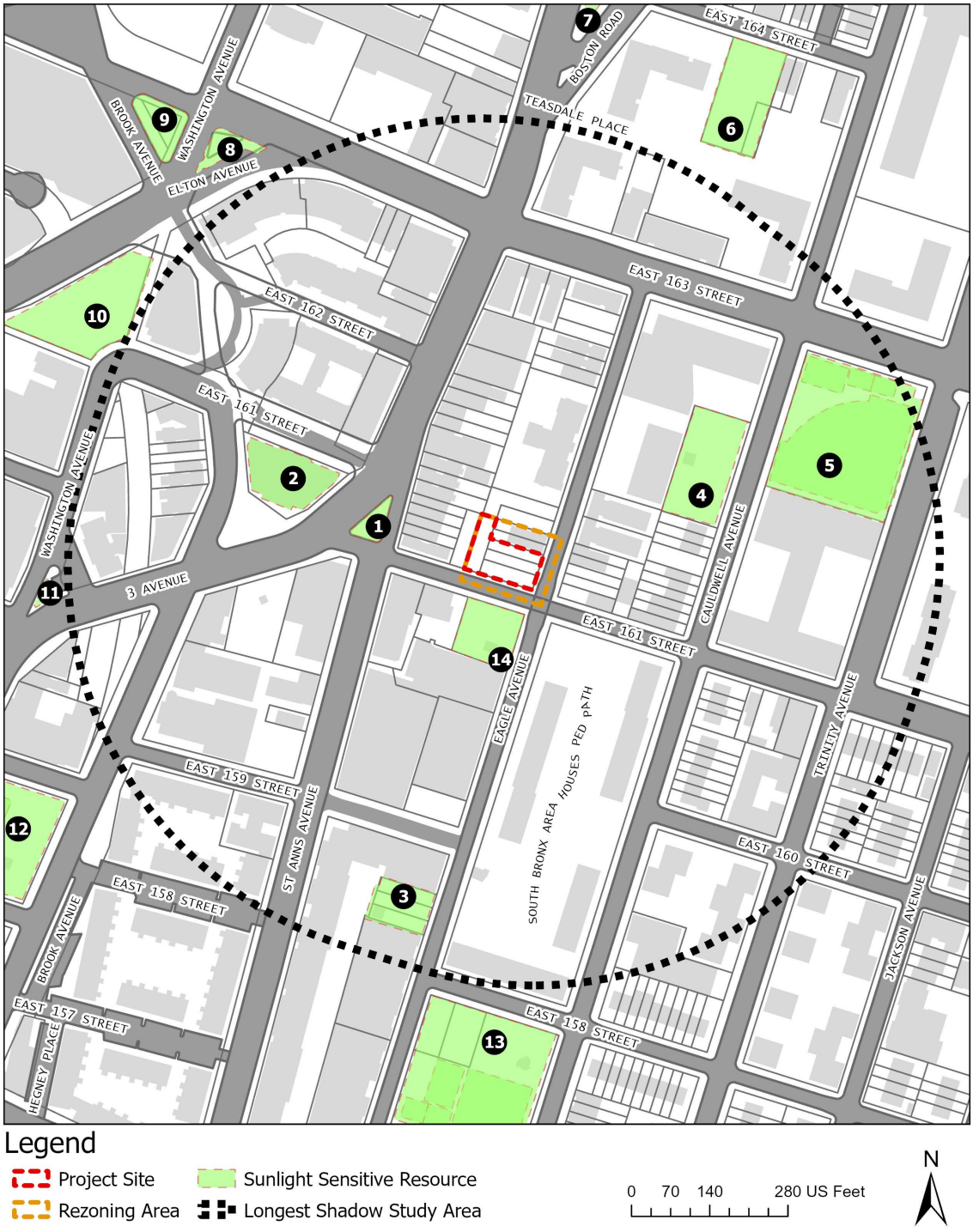
According to the *2021 CEQR Technical Manual*, a preliminary shadow assessment includes the development of a base map showing the site location in relationship to any sunlight-sensitive resources as per guidelines provided in the *2021 CEQR Technical Manual*. Following these guidelines, the longest shadow study area is determined, and a Tier 1 screening assessment is conducted to determine if any sunlight-sensitive resources fall within the study area. If no resources are found, no further analysis would be needed. If sunlight-sensitive resources lay within the longest shadow study area, the next tier of screening assessment should be conducted. This preliminary assessment includes a basic description of the proposed project that would be facilitated by the Proposed Actions in order to determine whether a more detailed assessment would be appropriate.

The shadow assessment begins with a preliminary screening assessment to ascertain whether a project's shadow may reach any sunlight-sensitive resources at any time of the year. If the screening assessment does not eliminate this possibility, a detailed shadow analysis may be warranted to determine the extent and duration of the net incremental shadow resulting from the project. The effects of shadows on a sunlight-sensitive resource are site-specific; therefore, as directed in the *CEQR Technical Manual*, the screening assessment was performed for the Projected Development Site to determine whether it falls within the range of maximum possible shadow cast on potential sunlight-sensitive resources as described above. To determine this, a Tier 1 Screening Assessment was performed in accordance with the *CEQR Technical Manual*. A base map is developed that illustrates the proposed site location in relationship to any sunlight-sensitive resources. The longest shadow study area is then determined, which encompasses the site of the proposed project(s) and a perimeter around the site's boundary with a radius equal to the longest shadow that could be cast by the proposed structure, which is 4.3 times the height of the structure that occurs on December 21st, the winter solstice.

A map as shown in **Figure 2.3-1** was prepared placing NYC Department of Parks Resources Selected Facilities and Program Sites provided on NYC.gov Department of City Planning GIS portal, park and public spaces provided from NYC.gov DOITT- GIS and Mapping Portal, and a screen of SHPO and NYC Landmark Listed Properties. After this a buffer map was prepared to display the maximum possible shadow of 709.5 feet, which could be cast from the Projected Development Site. This shadow cast was derived by multiplying the height of 165 feet (the maximum possible height under the Proposed Actions of 140' (Projected Development -

Scenario 1) with MIH bonus plus a 25-foot bulkhead) by 4.3 (the *CEQR Technical Manual* multiplier representing the maximum shadow cast from any object as being 4.3 times its height). The potentially impacted area of shadow from the Projected Site was then compared to those resources identified above to see if any fell within the shadow cast area.

Figure 2.3-1: Tier 1 Shadow Study Screening



Based on the Tier 1 analysis, it was determined that six sunlight-sensitive resources are within reach of the longest possible shadow that could be cast from the Projected Development building associated with the requested rezoning:

- Sunlight Sensitive Resource 1: Captain Oliver Triangle located at the confluence of 3rd Avenue, St. Ann's Avenue, and East 161st Street.
- Sunlight Sensitive Resource 2: Old Bronx Borough Courthouse located at 878 Brook Avenue.
- Sunlight Sensitive Resource 3: El Batey Borincano, a community botanical garden located at 811 Eagle Avenue.
- Sunlight Sensitive Resource 4: Hilton White Playground located at Cauldwell Avenue between East 161st Street and East 163rd Street.
- Sunlight Sensitive Resource 5: Dunbar Playground located at East 161st Street, Trinity Avenue, East 163rd Street, and Cauldwell Avenue.
- Sunlight Sensitive Resources 14: Palmas Del Caribe Community Garden located at 869 Eagle Avenue.

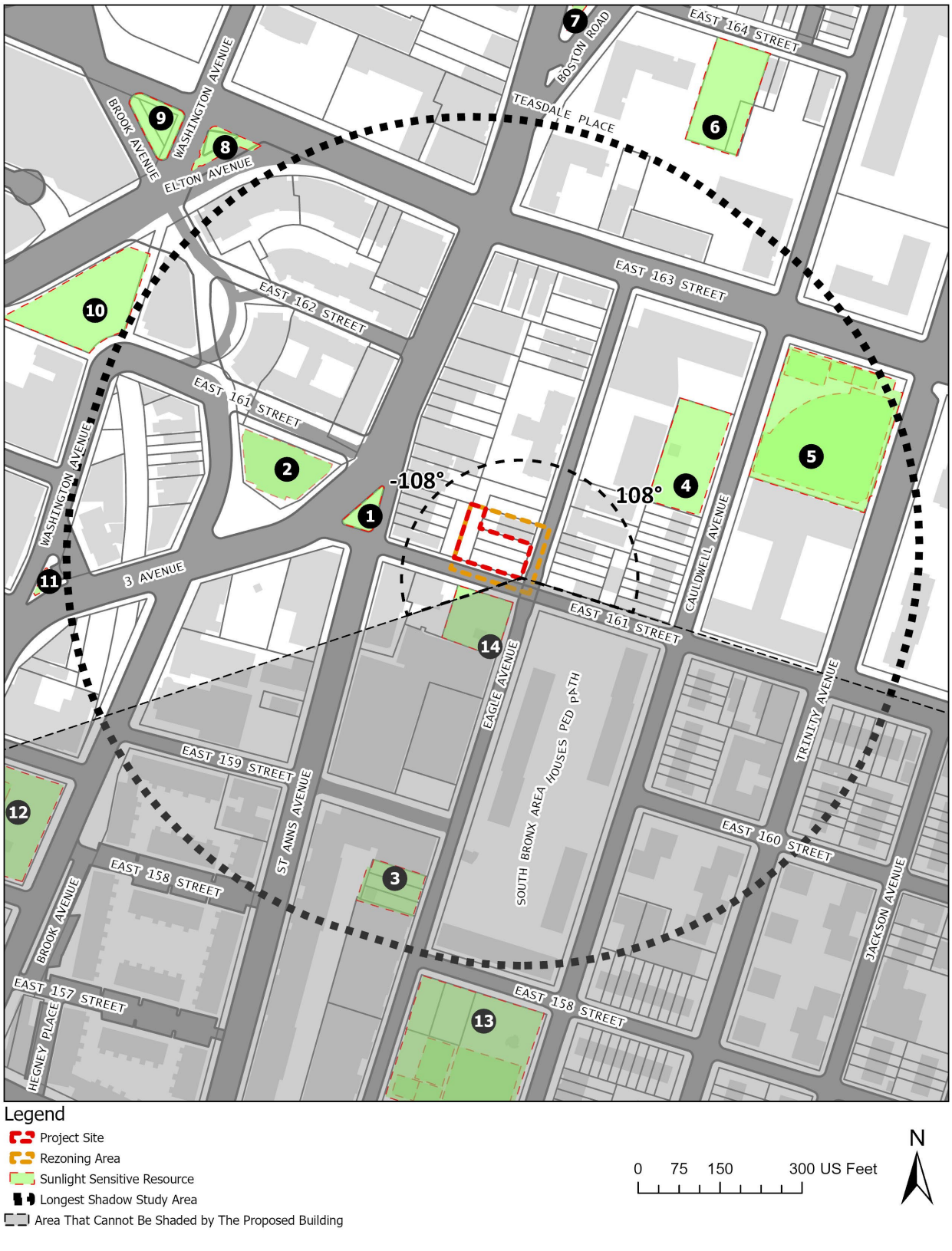
Accordingly, a Tier 2 Assessment is required.

2.3.2 Tier 2 Screening Assessment

The *CEQR Technical Manual* states that if any portion of a sunlight-sensitive resource lies within the longest shadow study area, a Tier 2 screening assessment should be performed. Because of the path the sun travels across the sky in the northern hemisphere, no shadow can be cast in a triangular area south of any given Project Site. In New York City, this area lies between -108 and +108 degrees from true north. For a Tier 2 screening assessment, sunlight-sensitive resources within the triangular area cannot be shaded by new development sites, and are screened out. The complementing portion to the north within the longest shadow study area is the area that can be shaded by the proposed project.

As shown in **Figure 2.3-2,** the Tier 2 screening assessment indicates that Sunlight Sensitive Resources 1 (Greenstreet), 2 (Old Bronx Borough Courthouse), 4 (Hilton White Playground), and 5 (Dunbar Playground), and 14 (Palmas Del Caribe Community Garden) are inside of the -108/+108 area, and therefore a Tier 3 screening would be required for these resources. Sunlight Sensitive Resource 3, El Batey Borincano, cannot be reached by a potential shadow cast by the projected building, and will not be included in the Tier 3 analysis.

Figure 2.3-2: Tier 2 Screening Assessment



2.3.3 Tier 3 Screening Assessment

The *CEQR Technical Manual* states that if any portion of a sunlight-sensitive resource is within the area that could be shaded by the Proposed Project a Tier 3 screening assessment should be performed. Because the sun rises in the east and travels across the southern part of the sky to set in the west, a project's earliest shadows would be cast almost directly westward. Throughout the day, they would shift clockwise (moving northwest, then north, then northeast) until sunset, when they would fall east. Therefore, a project's earliest shadow on a sunlight-sensitive resource would occur in a similar pattern, depending in the location of the resource in relation to the Project Site. For a Tier 3 screening assessment, if the assessment determines that no shadows from the development would reach any of the sunlight-sensitive resources on any of the representative analysis days then no further assessment for those days is needed. If, however, in the absence of intervening buildings, shadows from the proposed buildings would reach sunlight-sensitive resources on any of the representative analysis days then a detailed shadow analysis would be warranted for those days.

As shown in the **Figures 2.3-3** to **2.3-6** below, shadows from the Projected Development, in absence of intervening building shadows, would reach Sunlight Sensitive Resource 1 (Captain Oliver Triangle), Sunlight Sensitive Resource 2 (Old Bronx Borough Courthouse), Sunlight Sensitive Resource 4 (Hilton White Playground), and Sunlight Sensitive Resource 14 (Palmas De Caribe Community Garden) on one or more of the analysis days. Accordingly, a detailed shadow analysis for these four resources is required.

Figure 2.3-3: Tier 3 Screening December



Figure 2.3-4: Tier 3 Screening June

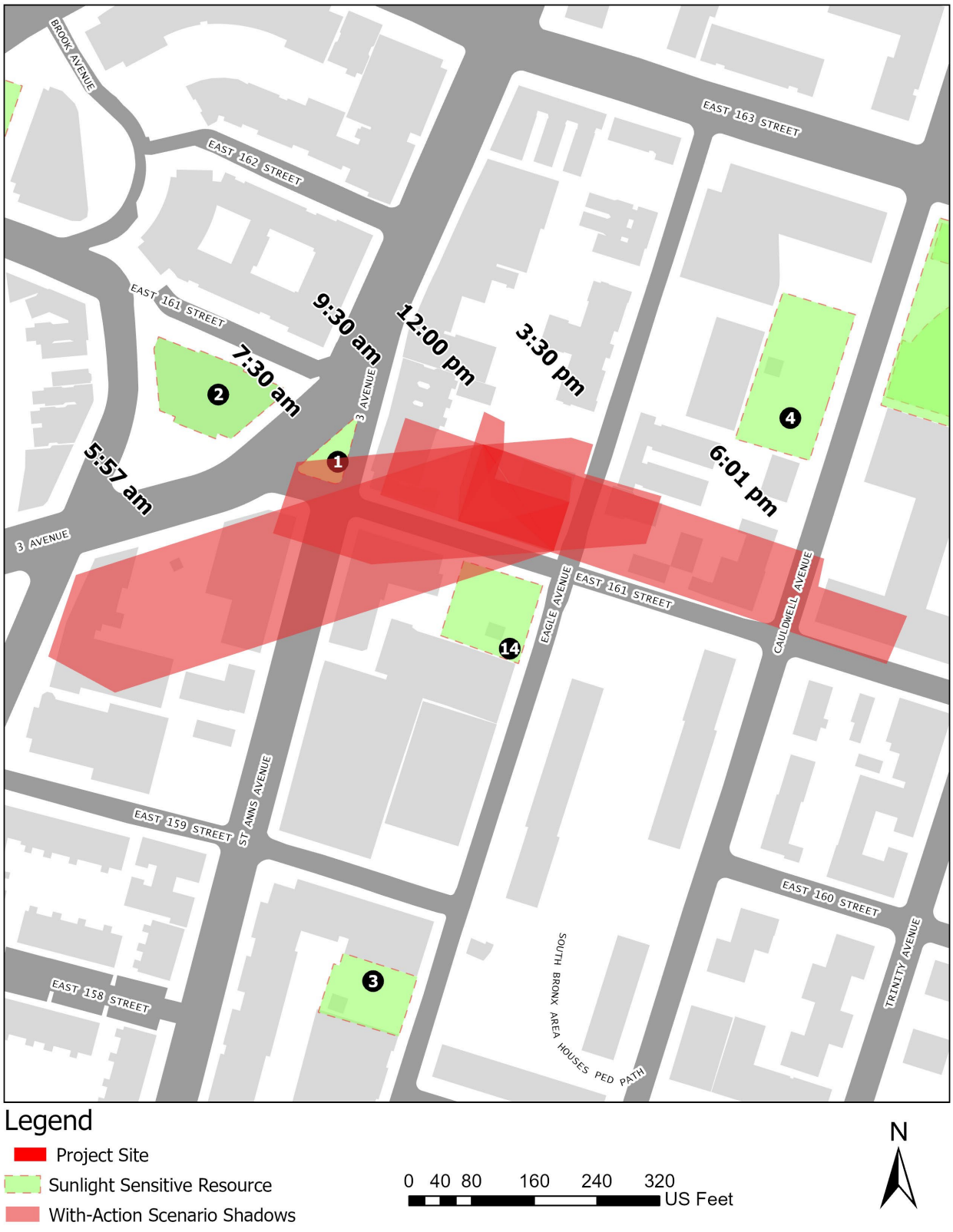


Figure 2.3-5: Tier 3 Screening March/September



Figure 2.3-6: Tier 3 Screening May/August



2.3.4 Detailed Shadow Analysis

The *CEQR Technical Manual* states that a detailed shadow analysis is warranted when the screening analyses do not rule out the possibility that project-generated shadows, in absence of shadows cast by intervening buildings, would reach any sunlight-sensitive resources. The purpose of the detailed analysis is to determine the extent and duration of new incremental shadows that fall on a sunlight-sensitive resource as a result of the proposed project. To evaluate the extent and duration of new shadows that would be cast on a sunlight-sensitive resource as a result of the proposed project, shadows that would exist in the future without the proposed project are also defined.

The shadows of intervening buildings were included in the detailed shadow analysis in order to identify the incremental shadows cast by the Projected Building, and are shown below in **Figures 2.3-7** through **2.3-12**. The results of the detailed shadow analyses on the identified sunlight-sensitive resources of concern are summarized in **Table 2.3-1**.

Based on the Findings of the Detailed Shadow Analysis, the Projected Development would cast incremental shadows on Sunlight Sensitive Resource 1 (Captain Oliver Triangle) and Sunlight Sensitive Resource 14 (Palmas De Caribe Community Garden) on one or more of the analysis days. The Projected Development would not cast incremental shadows on Sunlight Sensitive Resource 2 (Bronx Courthouse), Sunlight Sensitive Resource 4 (Hilton White Playground), or Sunlight Sensitive Resource 5 (Dunbar Playground) during any of the analysis days.

Table 2.3-1: Detailed Shadow Analysis Findings

Analysis Day	21-Dec	March 21 / September 21	May 6 / August 6	21-Jun
Timeframe Window	8:51 a.m. - 2:53 p.m.	7:36 a.m. - 4:29 p.m.	6:27 a.m. - 5:18 p.m.	5:57 a.m. - 6:01 p.m.
Sunlight Sensitive Resource 1	Captain Oliver Triangle			
Shadow enter - exit times	-	7:36 am - 7:51 am	8:13 am - 8:24 am	6:59 am - 7:55 am
Incremental Shadow Duration	-	15 Minutes	10 Minutes	56 Minutes
Sunlight Sensitive Resource 2	Bronx Courthouse			
Shadow enter - exit times	-	-	-	-
Incremental Shadow Duration	-	-	-	-
Sunlight Sensitive Resource 4	Hilton White Playground			
Shadow enter - exit times	-	-	-	-
Incremental Shadow Duration	-	-	-	-
Sunlight Sensitive Resource 5	Dunbar Playground			
Shadow enter - exit times	-	-	-	-
Incremental Shadow Duration	-	-	-	-
Sunlight Sensitive Resource 14	Palmas Del Caribe Community Garden			
Shadow enter - exit times	-	-	6:27 am - 6:30 am	-
Incremental Shadow Duration	-	-	3 Minutes	-
Note: Daylight savings time not used				

Figure 2.3-7: March/September Analysis Period (7:36 am)

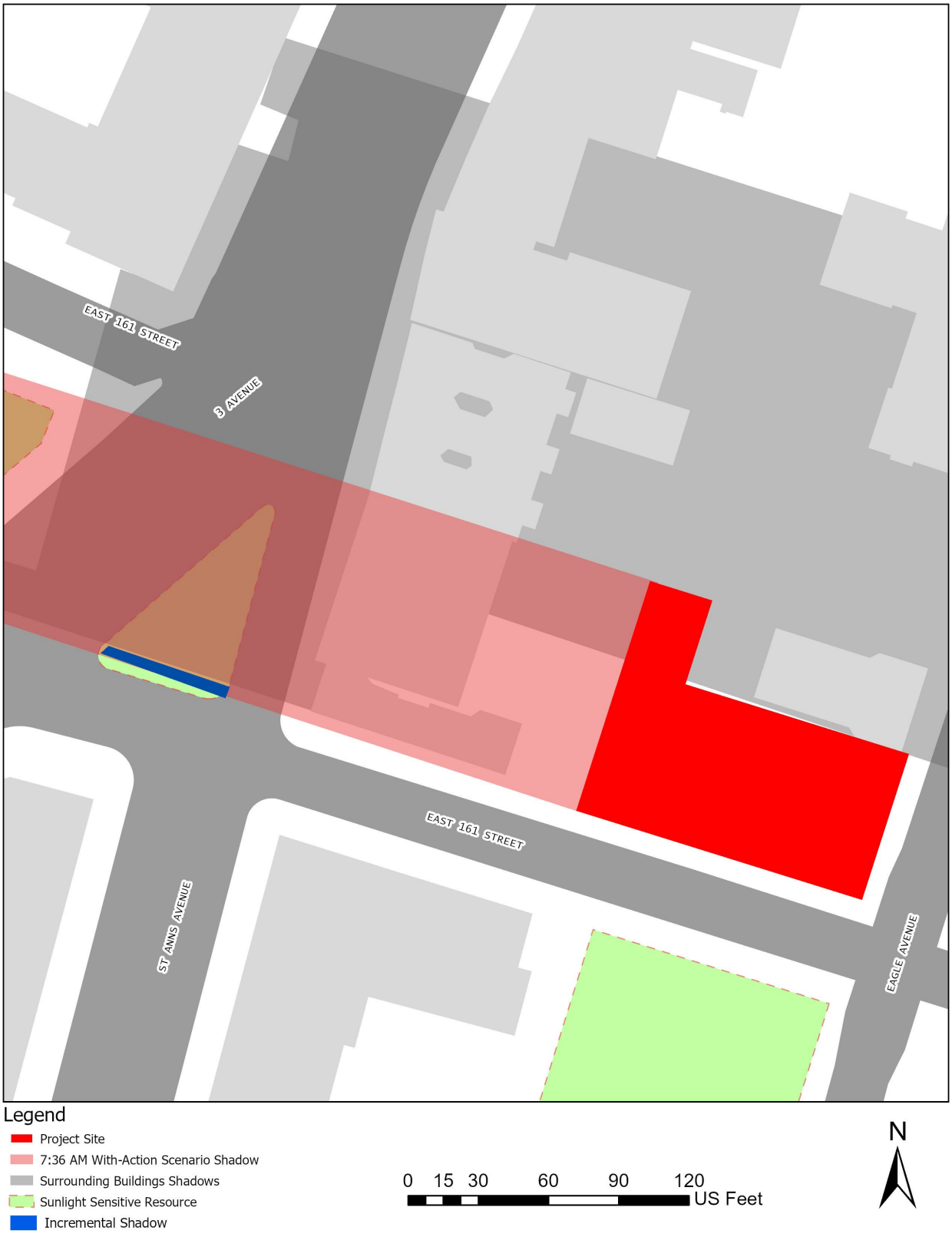


Figure 2.3-8: March/September Analysis Period (8:30 am)



Figure 2.3-9: March/September Analysis Period (4:29 pm)



Figure 2.3-10: May/August Period (6:27 am)

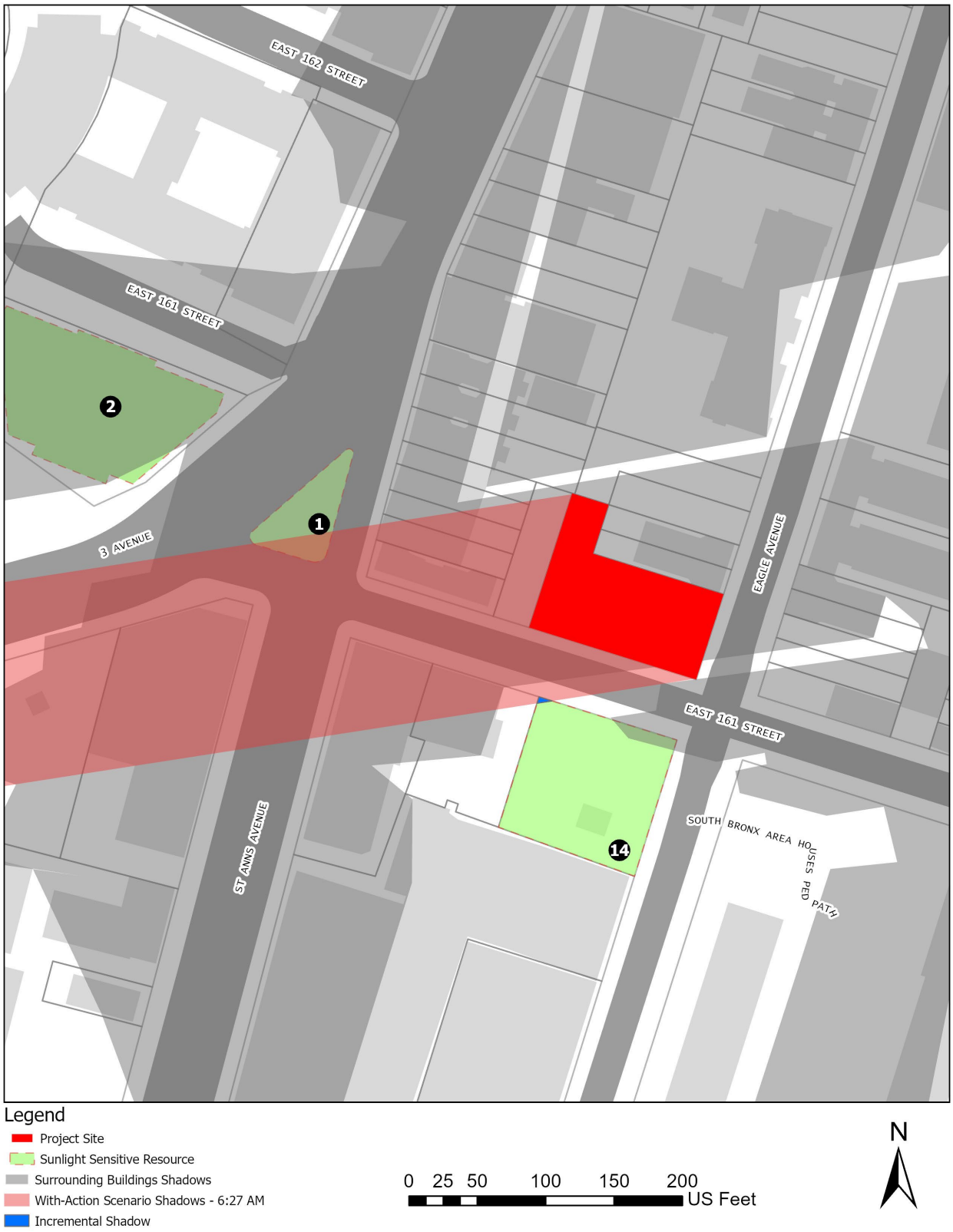


Figure 2.3-11: June Analysis Period (5:57 am)

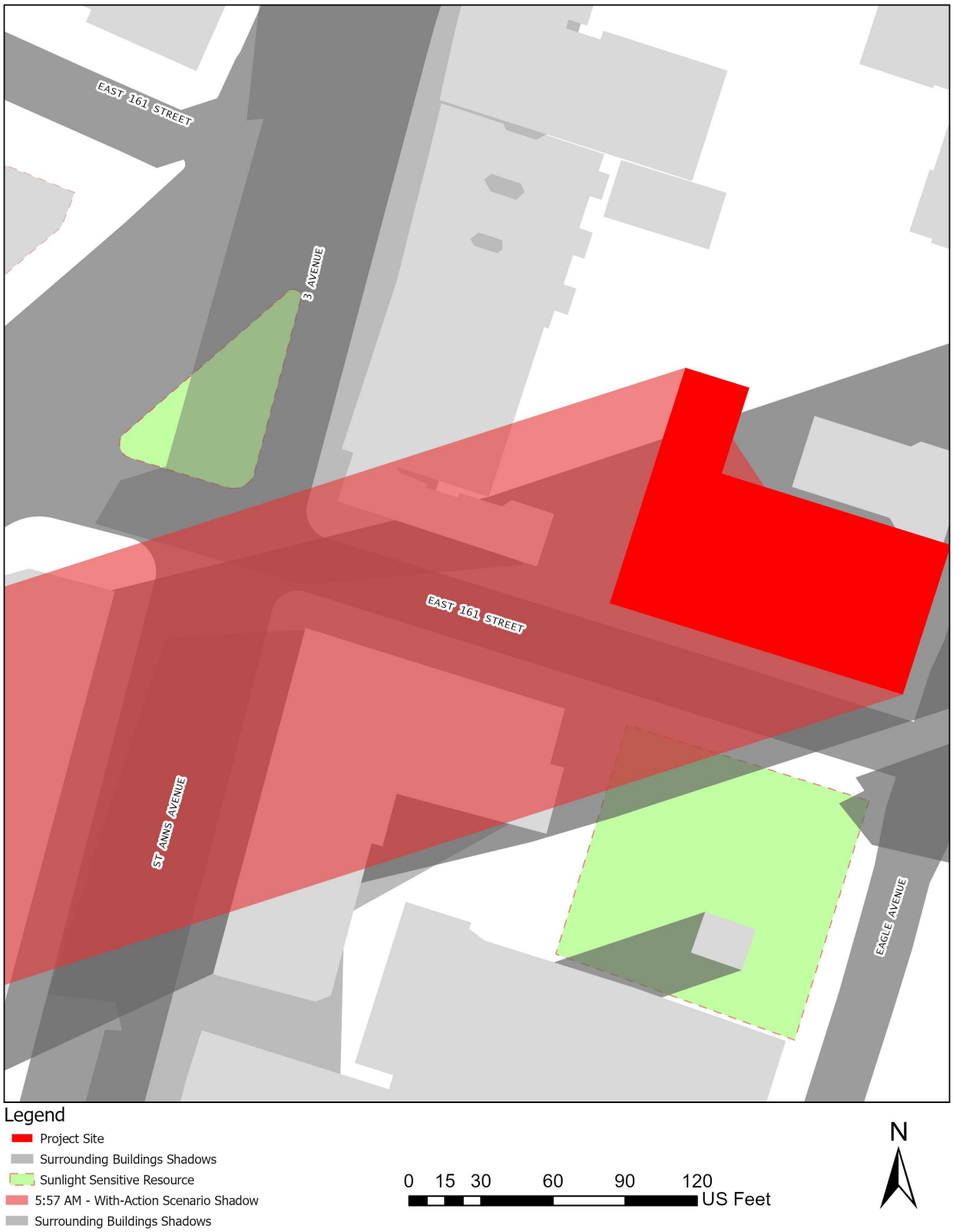
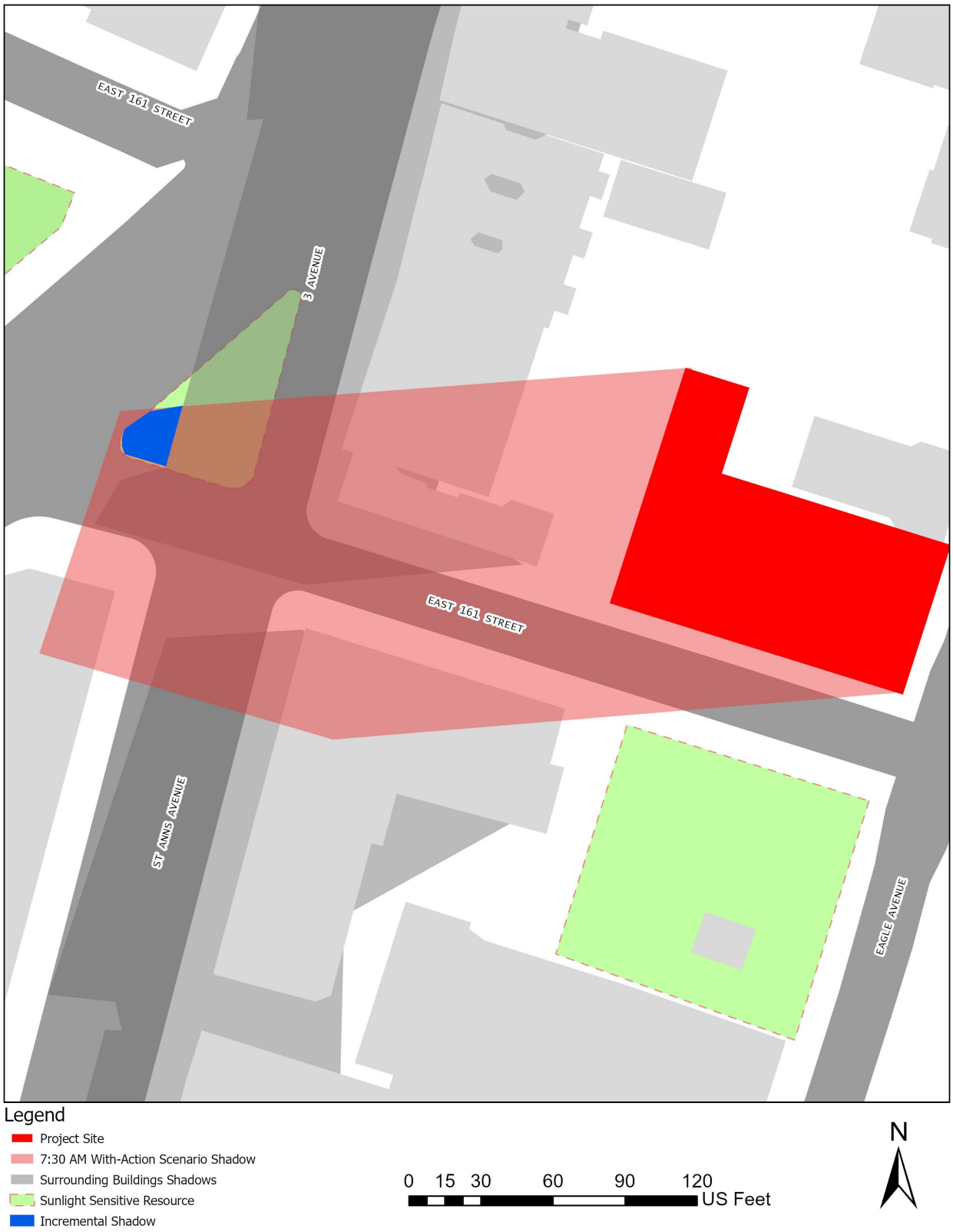


Figure 2.3-12: June Analysis Period (7:30 am)

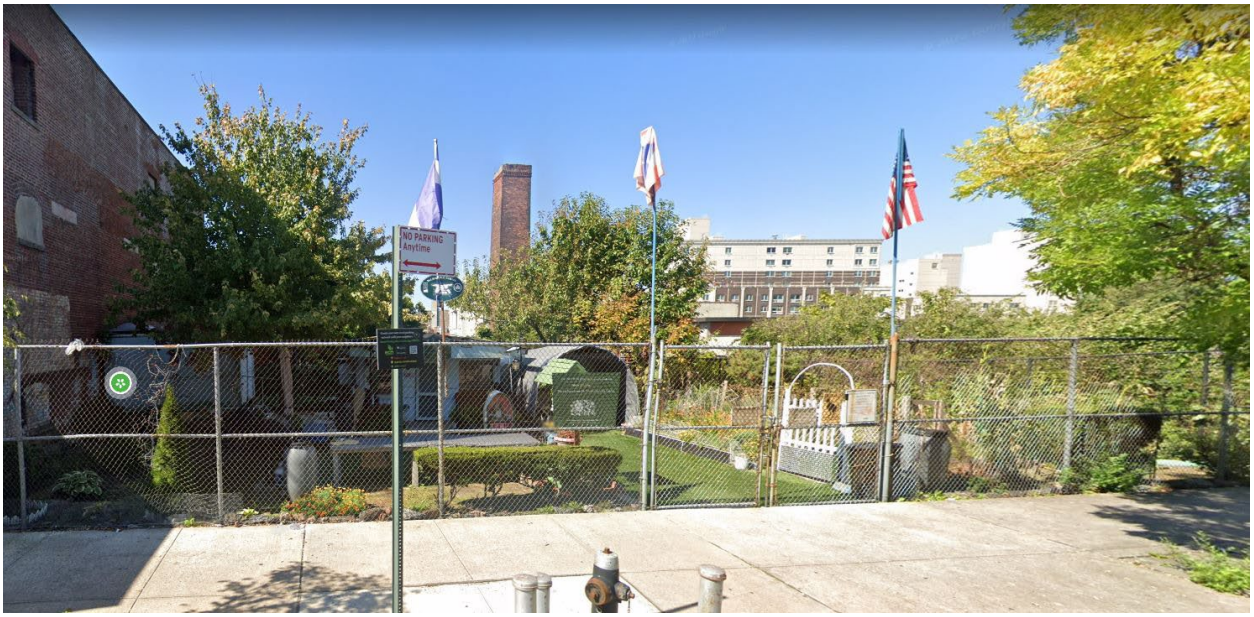


Sunlight Sensitive Resource 1 — Captain Oliver Triangle



Captain Oliver Triangle, located at the intersection of 3rd Avenue, St. Ann's Avenue, and East 161st Street is an approximately 630 SF traffic island planted with two trees and several shrubs. Captain Oliver Triangle is overseen by the NYC Department of Parks and Recreation. There are no benches or bike paths provided on the triangle, and it is not used for active or passive recreation.

Sunlight Sensitive Resource 14 — Palmas Del Caribe Community Garden



Palmas Del Caribe Community Garden is a 0.25-acre garden located at 869 Eagle Avenue, directly south of the Projected Development Site. The garden is maintained by the Bronx Land Trust, a non-profit organization.

2.3.5 Determination of Shadow Impact Significance

The *CEQR Technical Manual* states that the determination of significance of shadow impacts on a sunlight-sensitive resource is based on: (1) the information resulting from the detailed shadow analysis describing the extent and duration of incremental shadows; and (2) an analysis of the resource's sensitivity to reduced sunlight.

Where the incremental shadows from the project fall on sunlight-sensitive features or uses, the analysis assesses the loss of sunlight relative to sunlight that would be available without the project. The determination of impact under CEQR considers the extent and duration of the incremental shadows, the specific context in which the impact occurs, and the types of sunlight-sensitive features within the identified sunlight-sensitive resource(s) being analyzed, as described below.

<u>Open Space and Natural Resources</u>

For open space and natural resources, the uses and features of a resource is an indicator of its sensitivity to shadows. This sensitivity is assessed for warm-weather-dependent features such as vegetation that could be affected by a loss of sunlight during the growing season and warm-weather-dependent open space features such as pools, and sandboxes. Shadows occurring during the cold-weather months generally do not affect the growing season of outdoor vegetation. However, if an area potentially affected by shadows has evergreen trees present, it

may be warranted to assess the potential for shadow impacts during all seasons as evergreen trees photosynthesize when the environment allows, including during the winter months. In addition, the detailed shadows analysis should consider the potential impact on open space features such as benches, that could be affected by a loss of winter sunlight.

Pursuant to the *2021 CEQR Technical Manual*, plantings and vegetation such as grass lawns, planted annuals, or areas used for a relatively substantial amount of food production need six to eight hours of direct sunlight. However, some plantings and vegetation, such as established tree canopies, shrubs and perennials, can tolerate partial sun, with a reduced minimum requirement of four to six hours of direct sunlight. Direct sunlight does not need to be continuous. For example, a portion of the direct sun could be in the morning and the balance in the afternoon. However, the periods of sunlight need to be full and unobscured.

Historic Resources

The sensitivity to shadows for sunlight-sensitive features of a historic structure depends on its design and setting, and whether or not any of the characteristics or elements that make the resource historically significant depend on sunlight. The assessment focuses only on sunlight-sensitive features or portions of the historic resource that can be enjoyed by the public.

As stated in the *2021 CEQR Technical Manual*, to determine impact significance, an incremental shadow is generally not considered significant when its duration is no longer than 10 minutes at any time of year and the resource continues to receive substantial direct sunlight. A significant shadow impact generally occurs when an incremental shadow of 10 minutes or longer falls on a sunlight-sensitive resource and results in one or more of the following:

- *Vegetation*
    - A substantial reduction in sunlight available to a sunlight-sensitive feature of the resource to less than the minimum time necessary for its minimum sunlight needs (as defined above)
    - A reduction in direct sunlight exposure where the sunlight-sensitive feature of the resource is already subject to substandard sunlight
- *Open Space Utilization*
    - A substantial reduction in the usability of open space as a result of increased shadows.
- *Historic and Cultural Resources*
    - A substantial reduction in sunlight available for the enjoyment or appreciation of the sunlight-sensitive features of a historic or cultural resource.
- *For Any Sunlight-Sensitive Feature of a Resource*
    - A complete elimination of all direct sunlight on the sunlight-sensitive feature of the resource, when the complete elimination results in substantial effects on the survival, enjoyment, or, in the case of open space or natural resources, the use of the resource.

2.3.6 Conclusion

Sunlight Sensitive Resource 1— Captain Oliver Triangle

Sunlight Sensitive Resource 1, Captain Oliver Triangle, located at the intersection of St Ann's Avenue and 3rd Avenue, does not contain any active or passive resources, and therefore, any incremental shadows would not impact the Open Space Utilization of this resource. In addition, the shadows cast by the Projected Development would not result in the complete elimination of all direct sunlight on the sunlight-sensitive feature of the resource.

The incremental shadows would cast on Captain Oliver Triangle on March 21st/September 21st from 7:36 am to 7:51 am. As shown in **Figure 2.3-7**, the shadows cast from the Projected Development would only add a small area to the existing shadows, shading the southern portion of this resource for a limited 15-minute period. In addition, the shadows from the Projected Development would also cast on Captain Oliver Triangle on May 6th/August 6th for a 10-minute period from 8:13 am to 8:24 am and on June 21st for a 56-minute period from 6:59 am to 7:55 am (See **Figure 2.3-11**). The shadows cast from the Projected Development would only add a small area to the existing shadows, shading a small portion of the southern end of the resource.

Though the analysis days in the warm seasons are considered inside the growing season, the potential shadows would be limited to a small area for a limited duration on all three analysis days. As the incremental shadows would cover a small additional area of Captain Oliver Triangle for a limited period on all three analysis days, the Proposed Actions would not result in a substantial reduction in sunlight available to the vegetation within Captain Oliver Triangle and would not affect the vitality or usage of the this resource.

Sunlight Sensitive Resource 14—Palmas Del Caribe Community Garden

The garden would be covered by incremental shadows for a 3-minute period on May 6th/August 6th from 6:27 am to 6:30 AM. Accordingly, incremental shadows cast by the Projected Development would not affect the vitality or usage of this resource, nor would they impact the vegetation or food production within this resource.

Based on the analysis presented above, the Proposed Actions would not affect the vitality or usage of the sunlight-sensitive resources identified in the Study Area, and significant adverse impacts from shadows would not result from the Proposed Actions. Therefore, no further analysis is warranted.

2.4 Historic and Cultural Resources

An assessment of historic and cultural resources is usually necessary for projects that are located in close proximity to historic or landmark structures or districts, or for projects that require in-ground disturbance, unless such disturbance occurs in an area that has been formerly excavated, according to the *CEQR Technical Manual*.

The term "historic resources" defines districts, buildings, structures, sites, and objects of historical, aesthetic, cultural, architectural and archaeological importance. In assessing both historic and cultural resources, the findings of the appropriate city, state, and federal agencies are consulted. Historic resources include: the New York City Landmarks Preservation Commission (LPC) designated landmarks, interior landmarks, scenic landmarks, and historic districts; locations being considered for landmark status by the LPC; properties/districts listed on, or formally determined eligible for, inclusion on the State and/or National Register (S/NR) of Historic Places; locations recommended by the New York State Board for Listings on the State and/or National Register of Historic Places and National Historic Landmarks.

2.4.1 Architectural Resources

Methodology

Per *CEQR Technical Manual* guidelines, impacts on historic resources are considered on those sites affected by the proposed action and in the area surrounding identified development sites. The historic resources study area is therefore defined as the project site plus an approximately 400-foot radius around the Proposed Action area.

According to the *CEQR Technical Manual*, significant adverse impacts on historic and cultural resources could potentially result if a proposed action affects those characteristics that make a resource eligible for LPC designation or S/NR listing. This section assesses the potential for the Proposed Action to result in significant adverse impacts on identified historic and cultural resources. **Table 2.4-1** below provides information about possible direct, indirect and construction related impacts to historic and cultural resources. Generally, architectural resources should be surveyed and assessed if the proposed project would result in any of the following, whether or not any known historic resources are located near the site of the project:

Table 2.4-1: Possible Impacts to Historic and Cultural Resources

Construction resulting in ground disturbance, including construction of temporary roads and access facilities, grading, and landscaping.
Below-ground construction, such as excavation or installation of utilities.
Physical destruction, demolition, damage, alteration or neglect of all or part of an historic property.
Changes to the architectural resource that cause it to become a different visual entity, such as a new location, design, materials, or architectural features.
Isolation of the property from, or alteration of, its setting or visual relationship with the streetscape. This includes changes to the resource's visual prominence so that it no longer conforms to the streetscape in terms of height, footprint, or setback; is no longer part of an open setting; or can no longer be seen as part of a significant view corridor.
Introduction of incompatible visual, audible, or atmospheric elements to a resource's setting.
Replication of aspects of the resource so as to create a false historical appearance.
Elimination or screening of publicly accessible views of the resource.
Construction-related impacts such as falling objects, vibration, dewatering, flooding, subsidence, or collapse.
Introduction of significant new shadows, or significant lengthening of the duration of existing shadows, over an historic landscape or an historic structure to the extent that the architectural details that distinguish that resource as significant are obscured.

Direct Impacts

Historic resources could be directly affected by physical destruction, demolition, damage, alteration, or neglect of all or part of a historic resource. For example, alterations, such as the addition of a new wing to a historic building could result in significant adverse impacts, depending on the design. Direct impacts also include changes to an architectural resource that cause it to become a different visual entity, such as a new location, design, materials, or architectural features.

NR-listed and eligible resources are given a measure of protection from the effects and impacts of projects sponsored, assisted, or approved by federal agencies under Section 106 of the National Historic Preservation Act. Although preservation is not mandated, federal agencies must attempt to avoid adverse impacts on such resources through a notice, review, and consultation process. S/NR-listed and eligible resources are similarly protected against impacts resulting from projects sponsored, assisted, or approved by State agencies under the State Historic Preservation Act. However, private owners of S/NR-listed and eligible resources using private funds can alter or demolish their properties without such a review process. Privately owned properties that are NYCLs, in LPC-designated historic districts, or pending designation as Landmarks by LPC are protected under the New York City Landmarks Law. The law requires LPC review and approval before any alteration or demolition occurs, regardless of whether the project is publicly or privately funded. Publicly owned resources are also subject to review and advisement by LPC before project implementation.

Construction Impacts

The assessment of construction impacts on historic and cultural resources considers the possibility of physical damage to any architectural or archaeological resources identified in the project's historic and cultural resources assessment.

Pursuant to Chapter 22, Section 300 of the *2021 CEQR Technical Manual*, if a project's construction activities are located within 400 feet of a historic or cultural resource, potential hazards should be assessed, such as whether certain character-defining elements of a structure, including but not limited to rooftops or stained glass windows, could be impacted by falling objects from an adjacent construction site.

The City has two procedures for avoidance of damage to historic structures from adjacent construction.

1. All buildings are provided some protection from accidental damage through New York City Department of Buildings (DOB) controls that govern the protection of any adjacent properties from construction activities, under Building Code Section 27-166 (C26-112.4). For all construction work, Building Code section 27-166 (C26-112.4) serves to protect buildings by requiring that all lots, buildings, and service facilities adjacent to foundation and earthwork areas be protected and supported in accordance with the code requirements.
2. The second protective measure applies only to designated NYCL and S/NR listed historic buildings that are located within 90 linear feet of a proposed construction site. For these structures, the DOB's Technical Policy and Procedure Notice (TPPN) #10/88 is applicable. The DOB's TPPN 10/88 supplements the standard building protections afforded by the Building Code C26-112.4 by requiring, among other things, a monitoring program to reduce the likelihood of construction damage to adjacent LPC-designated or S/NR-listed resources (within 90 feet), and to detect at an early stage the beginnings of damage so that construction procedures can be changed.

If the project is not located within 90 feet of a historic or cultural resource that is NYC-landmark eligible, eligible for the State and National Register of Historic Places, or within an eligible New York City Historic District, then no special protections apply. Therefore, the potential for physical disturbance and adverse impacts to those historic and cultural resources should be disclosed.

Indirect Impacts

As per the *CEQR Technical Manual*, visual and contextual impacts on historic resources can include: isolation of a property from or alteration of its setting or visual relationship with the streetscape; introduction of incompatible visual, audible, or atmospheric elements to a resource's setting; elimination or screening of publicly accessible views of a resource; or introduction of significant new shadows, over a historic landscape or on a historic structure (if

the features that make the resource significant depend on sunlight) to the extent that the architectural details that distinguish that resource as significant are obscured.

Preliminary Assessment

Existing Conditions

To determine whether the Projected Development has the potential to affect nearby off-site historic or architectural resources, the Study Area was screened for historic and architectural resources. The LPC was contacted for their initial review of the project's potential to impact nearby historic and cultural resources, and by letter dated October 17, 2018 indicated that the Affected Area does not contain any sites of buildings of known architectural or archeological significance (see **Appendix A**). However, LPC noted that Bronx County Courthouse, located at 878 Brook Avenue (Block 2365, Lot 35), is within the Study Area and is an LPC and Nationally Registered listed resource.

The Old Bronx Borough Courthouse was built between 1905 and 1914 and was in operation until 1977 when it was officially closed. The structure is built in the Beaux-Arts style, featuring stone granite, stained glass windows, and an exterior adorned with various sculptures representing law and justice.

Future No-Action Conditions

In the future without the Proposed Actions, it is presumed that no additional floor area or changes in use would occur at any site within the Affected Area. Therefore, for the purposes of this analysis, it is assumed that conditions absent the Proposed Actions would be consistent with the existing conditions. Accordingly, significant adverse impacts on architectural resources are not expected under Future No-Action Conditions.

Future With-Action Conditions

The Proposed Actions would not introduce incompatible visual, audible, or atmospheric elements to the settings of historic resources. In addition, there would be no significant adverse impacts to the building's sunlight-dependent features (*See* Section 2.3: Shadows). Bronx County Courthouse is approximately 270 feet west of the Projected Development Site, and is buffered by adjacent intervening buildings located along the west side of Block 2620 (Lots 1-5). Bronx County Courthouse is further buffered from the Projected Development Site by Saint Ann's Avenue, located approximately 150 feet west of the nearest edge of the Projected Development Site, and Third Avenue, located approximately 210 feet west of the nearest edge of the Projected Development Site. Accordingly, the Proposed Actions would not introduce adverse construction-related impacts to Bronx County Courthouse from ground-borne construction period vibrations, falling debris, and/or collapse. Therefore, significant adverse impacts on architectural resources are not expected because of the Proposed Actions, and further analysis is not warranted.

2.4.2 Cultural and Archaeological Resources

Unlike the architectural evaluation of a study area that extends beyond the footprint of a project's block and lot lines, the analysis of potential and/or projected impacts to archaeological resources is controlled by the actual footprint of the limits of soil disturbance. Archeological resources are physical remains, usually subsurface, of the prehistoric and historic periods such as burials, foundations, artifacts, wells and privies. The *CEQR Technical Manual* requires a detailed evaluation of a project's potential effect on the archeological resources if it would potentially result in an in-ground disturbance to an area not previously excavated.

Existing Conditions

The Proposed Actions would result in new in-ground construction on the Projected Development Site. As noted, the LPC was contacted for their initial review of the project's potential to impact nearby historic and cultural resources, and a response was received on October 17, 2018 (see **Appendix A**). The LPC has indicated that no cultural resource, architectural or archaeological significance is associated with the Study Area.

Future No-Action Conditions

Under Future No-Action Conditions, there would be no new in-ground disturbance. In addition, there are no sites within the Affected Area identified as archeologically significant. Therefore, significant adverse impacts to archaeological resources are not expected under future conditions absent the Proposed Actions.

Future With-Action Conditions

Under future With-Action Conditions, there would be new in-ground disturbance on Projected Development Site 1 (Block 2620, Lots 49, 50, 52, and 56). However, no sites within the Affected Area are identified as archeologically significant. Therefore, significant adverse impacts to archaeological resources are not expected because of the Proposed Actions, and further analysis is not warranted.

2.4.3 Conclusion

There are no sites within the Affected Area identified as archeologically significant. One architectural resource falls within the Study Area. However, the Proposed Actions would not impact the identified historic resource with respect to shadows or contextual impacts. In addition, the Proposed Actions would not have the potential to result in significant adverse direct impacts on the identified resource. Therefore, the Proposed Actions would not result in significant adverse impacts to historic and cultural resources.

2.5 Urban Design and Visual Resources

According to the *CEQR Technical Manual*, urban design is the totality of components that may affect a pedestrian's experience of public space. Elements that play an important role in the pedestrian's experience include streets, buildings, visual resources, open space, and natural features, as well as wind as it relates to channelization and downwash pressure from tall buildings. Pursuant to the *2021 CEQR Technical Manual*, an assessment of Urban Design may be warranted when a Proposed Action may affect one or more of the elements that contribute to the pedestrian experience of an area, specifically the arrangement, appearance, and functionality of the built environment.

The proposed rezoning of the Affected Area from R6 to R7-2 (with MIH) would alter bulk and height within the Affected Area. Therefore, further analysis is warranted. The differences between existing and proposed zoning, with regards to those aspects of zoning affecting urban design, are presented in the following **Table 2.5-1**.

Table 2.5-1: No-Action and With-Action Zoning

	No-Action	**With-Action**
Zoning	R6	R7-2
Permitted Uses	Residential and community facility	Residential and community facility
Maximum FAR	2.43 residential 4.80 community facility	4.60 residential (with MIH) 6.50 community facility
Maximum Height	Max. height controlled by sky exposure plane starting at 60' above street line	135' max. height with qualifying ground floor
Lot Coverage	27.50-37.50 Open Space Ratio	100% corner 65% other

2.5.1 Urban Design Assessment

Existing Conditions

The Affected Area is located in the Morrisania neighborhood of the Bronx and is bound by Eagle Avenue to the east, East 161st Street to the south, East 163rd Street to the north, and 3rd Avenue to the west. East of Third Avenue the street grid is regular. Third Avenue turns north at its intersection with East 161st Street, creating irregular block fronts to the west and disjointed through-streets. 3rd Avenue, is a north-south principal arterial road with two moving lanes in

each direction and curbside parking. Eagle Avenue is a one-way, north to south road with one moving lane and curbside parking. East 163rd Street is a two-way, east-west road with curbside parking and two moving lanes in each direction that is classified as a principal arterial road. East 161st Street is a one-way, west to east major collector road with one moving lane curbside parking. The Affected Area has frontage on Eagle Avenue and East 161st Street, respectively, both of which are narrow streets, at approximately 25 feet each.

There are a few streetscape elements within the study area. The streets in the immediate vicinity of the Affected Area contain a few scattered trees on a decayed streetscape with erupted and uneven sidewalks, scattered non-pedestrian oriented lighting, and fenced-in dilapidated buildings, with little in the way of visual interest.

There is a significant elevation difference between the lots that are divided by Eagle Avenue. The intersection of Eagle Avenue and East 161st Street is disjointed, as Eagle Avenue is elevated over East 161st Street. The Project Site would be improved at the lower elevation and would present different views from the east and west of Eagle Avenue.

The area's predominant land uses are low- and mid-rise buildings; low-, medium-, and high-density residential; commercial, and undeveloped. Most buildings are arranged regular (parallel) with respect to their lot placement, and are generally not built out to their lot lines. Large multifamily developments surround the Affected Area, including multiple NYCHA developments. Large mixed-use residential/commercial buildings are to the north along East 163rd Street (6 stories), to the west along 3rd Avenue (8 to 13 stories), and to the south along Saint Ann's Avenue (8 stories). Several large public facilities are scattered throughout the Study Area including churches and schools. Multiple commercial and office buildings, mostly located along 3rd Avenue, are within the Study Area, along with a few corner lot buildings along East 161st Street. There are three industrial lots within the Study Area, featuring a mix of warehouses and light manufacturing uses. Including the Applicant Sites, there are approximately eight vacant lots within the Study Area, mostly concentrated midblock along Eagle Avenue.

There are three active construction projects in the 400-foot Study Area as follows:

1. 885 Cauldwell Avenue (Block 2627, Lot 50) entails the new construction of a 10,252 GSF (2.19 FAR), 5-story, 10-unit residential building.
2. 577 East 161st Street (Block 2620, Lot 53), located directly west of the Projected Development Site, entails the new construction of a 6,946 GSF, 4-story, 13-unit residential building.
3. 921 Eagle Avenue (Block 2620, Lot 32) entails the new construction of a 3.84 FAR, 6-story building with 7,483 GSF of residential use (10 units) and 2,126 GSF of ground-floor community facility use.

A photograph map key is provided in **Figure 2.5-2** below with ground-level photographs of the Projected Development Site and the immediate surrounding area.

Future No-Action Conditions

As noted above, there are three active construction permits within the 400-foot Study Area. Besides the active construction projects referenced above, there are no other land use applications or pending projects within the Study Area. In the future without the Proposed Actions, it is presumed that no additional floor area or changes in use would occur at any site within the Affected Area. Therefore, for the purposes of this analysis, it is assumed that conditions in the No-Action scenario would be consistent with the existing conditions, and that continued as-of-right development will occur.

Future With-Action Conditions

The four Applicant-owned lots are projected to develop under two different scenarios. The proposed R7-2 zoning district allows a range of uses similar to the existing R6 district, including residential and community facility, but at a larger scale. Residential uses would be permitted up to 4.60 FAR and Community Facility uses would be permitted up to 6.50 FAR. As part of the Proposed Actions the Applicant is also proposing a Zoning Text Amendment, which would map the area for MIH, and is applying for a special permit that would allow certain community facility uses to reach 14 stories and 140’ in height. Because Scenario 1 would result in a greater maximum building height than Scenario 2, Scenario 1 is considered the RWCDS for Urban Design analysis. The two applicable scenarios for the Project Site’s RWCDS are described below.

Projected Development Site 1, Scenario 1

Scenario 1 assumes Block 2620, Lots 49, 50, 52, and 56 would assemble and be developed with a 68,354 GSF (58,120 ZSF; 6.50 FAR), 14-story, 140’ building. 64,210 GSF (54,135 ZSF) of residential floor area on floors 1-14 would contain 83 dwelling units at 100% affordability. 4,144 GSF (3,985 ZSF) of community facility floor area in the cellar would contain an office and meeting rooms for residents. No parking would be required under this scenario.

Projected Development Site 1, Scenario 2

Scenario 2 assumes Block 2620, Lots 49, 50, 52, and 56 would be developed with a 64,210 GSF (58,120 ZSF; 6.50 FAR) 13-story, 135’ building. The entire building would be community facility (half medical and half community center) use. 72 parking spaces would be required (1 per 800 SF).

Other Affected Sites

In the future With-Action Scenario existing conditions on Lots 47 and 48 are expected to continue. No redevelopment or expansion is anticipated.

Figure 2.5-3 below shows the viewsheds of the reasonable worst-case development building massings, compared to existing/future no action conditions provided in **Figure 2.5-4** through **2.5-9**.

2.5.2 Conclusion

The development that would occur under the Proposed Actions would not have an adverse impact on the area's urban design elements. It would allow development of a new multi-story building on the Projected Development Site at a height of 14 stories and 140 feet in height. This new development would be consistent with the surrounding area's built form although at a greater height and scale. It would not result in buildings which are substantially different in height, bulk, scale and/or use than the component of the area's built form consisting of multi-story residential buildings, and would be consistent with the adjacent R8 zoning district across Third Avenue and the Morrisania Area Rezoning which mapped the area with a mixed use M1-1/R7-2 zoning district. The rezoning would not affect street hierarchy, streetwall, curb cuts or pedestrian activity.

Figure 2.5-1: Aerial Map



Figure 2.5-2 (1 of 5): Photos 1 through 3

893 Eagle Avenue Rezoning — Photos #1-3 Captured 9/27/22

01 View of East 161st Street facing northeast towards the Site.



02 View of the Project Site looking west along East 161st Street.



03 View of the Project Site looking north along East 161st Street.



Photo Key

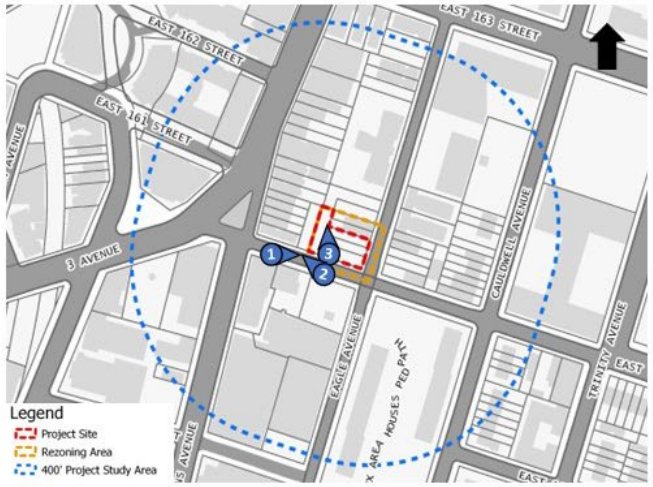


Figure 2.5-2 (2 of 5): Photos 4 through 6

893 Eagle Avenue Rezoning — Photos #4-6 Captured 9/27/22

04 View of the Project Site from East 161st Street facing northwest.



05 View west from Eagle Avenue looking down East 161st Street.



06 View of the Project Site looking northwest from Eagle Avenue.

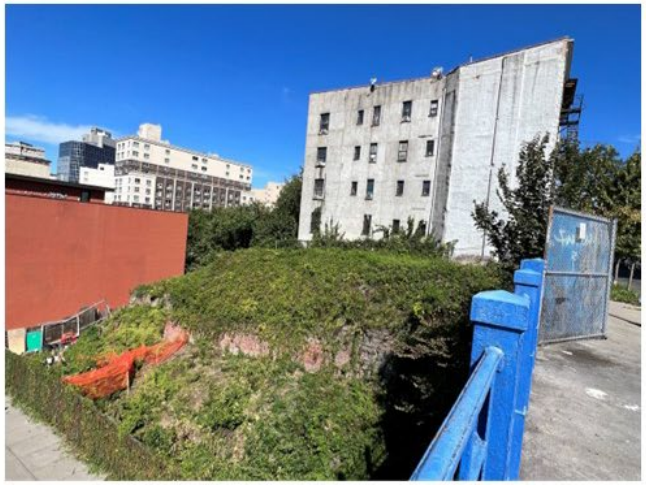


Photo Key

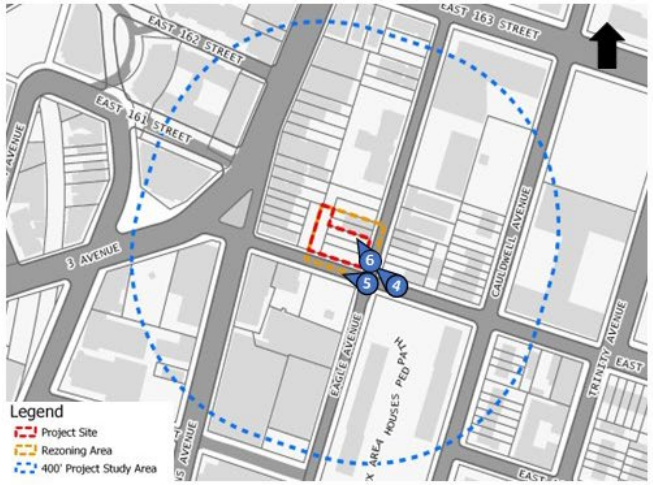


Figure 2.5-2 (3 of 5): Photos 7 through 9

893 Eagle Avenue Rezoning — Photos #7-9 Captured 9/27/22

07 View of Eagle Avenue facing north towards East 163rd Street.



08 View of the Project Site across Eagle Avenue facing west.



09 View opposite of the Project Site taken from Eagle Avenue facing east.



Photo Key

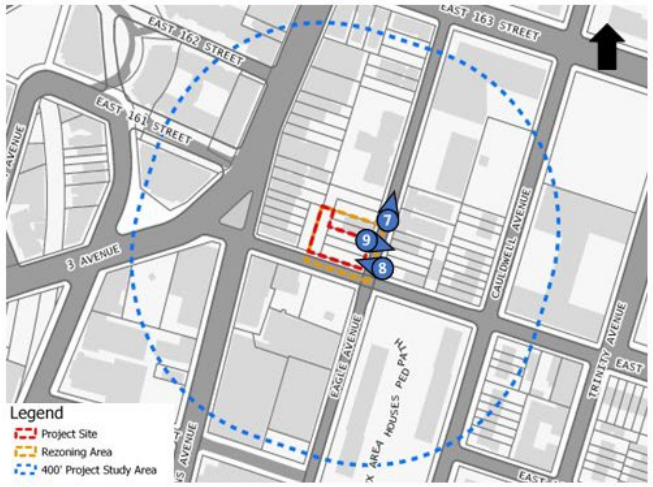


Figure 2.5-2 (4 of 5): Photos 10 through 12

893 Eagle Avenue Rezoning — Photos #10-12 Captured 9/27/22

10 View of St. Ann's Avenue facing south



11 View of 3rd Avenue from St Ann's Avenue and East 161st Street facing west.



12 View of 3rd Avenue taken from the corner of St Ann's Avenue and East 161st Street facing north.



Photo Key

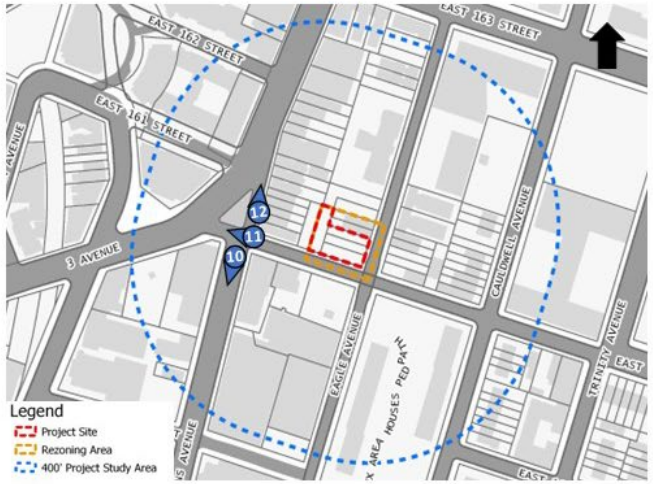


Figure 2.5-2 (5 of 5): Photos 13 through 15

893 Eagle Avenue Rezoning — Photos #13-15 Captured 9/27/22

13 View of East 161st Street facing west towards Eagle Avenue.



14 View of Cauldwell Avenue facing north.



15 View of Cauldwell Avenue facing south.



Photo Key

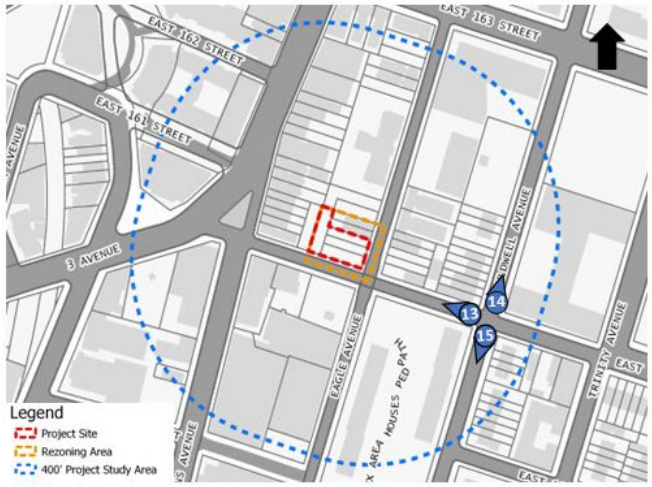


Figure 2.5-3: Urban Design Massing Views

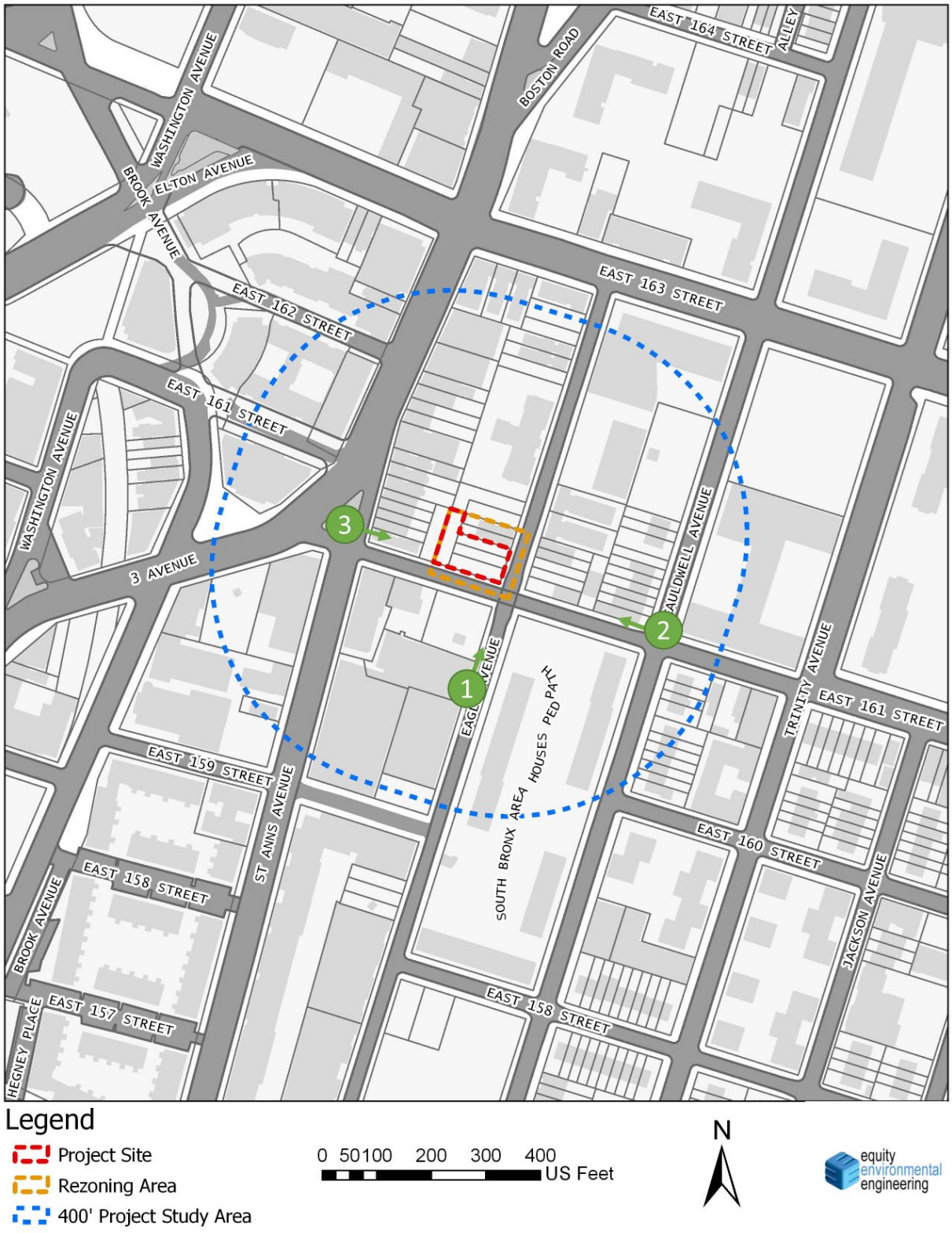


Figure 2.5-4: View 1 Looking north from Eagle Avenue
Existing/No-Action Conditions



Figure 2.5-5: View 1 Looking north from Eagle Avenue
With-Action Conditions



Figure 2.5-6: View 2 Looking west from 161st Street & Cauldwell Avenue Existing/No-Action Conditions



Figure 2.5-7: View 2 Looking west from 161st Street & Cauldwell Avenue With-Action Conditions



Figure 2.5-8: View 3 Looking east from 161st Street & Saint Anns Avenue Existing/No-Action Conditions



Figure 2.5-9: View 3 Looking east from 161st Street & Saint Anns Avenue With-Action Conditions



2.6 Hazardous Materials

According to the *CEQR Technical Manual*, the potential for significant impacts from hazardous materials can occur when: (a) hazardous material exists on a site, and (b) an action would increase pathways to their exposure, or (c) an action would introduce new activities or processes using hazardous materials.

Methodology

The hazardous materials assessment begins with a Phase I Environmental Site Assessment (ESA), which is a qualitative evaluation of the environmental conditions present at a site, based on a review of available information site observations, and interviews. Pursuant to the *2021 CEQR Technical Manual*, the Phase I ESA is conducted in accordance with the standards established by the current ASTM Phase I ESA Standard and includes research and field observations to determine whether the site may contain contamination from either past or present activities on the site or as a result of activities on adjacent or nearby properties. If a potential REC is identified during this assessment, then building any subsurface investigations are usually conducted as part of a Phase II ESA to confirm the presence and extent of the contamination.

2.6.1 Phase I Environmental Assessment Summary

The Projected Development Site, Block 2620 Lots 49, 50, 52, and 56, is occupied by undeveloped vacant land. The Proposed Development would be the construction of a new 13-story (11-story plus cellar and sub-cellar) community facility with sleeping accommodations. The building would include 83 units for individuals living with HIV/AIDS and low-income community residents on floors 1 through 11. The subcellar, which would be located at grade along East 161st Street, and the cellar levels will contain a lobby, counseling offices, and multipurpose rooms to serve the residents of the building. Entrances would be provided on both East 161st Street and Eagle Avenue. Accordingly, a Phase I ESA was conducted for the Project Site by Equity Environmental Engineering (EEE) on May 14, 2019. A copy of this report is included as an appendix to the EAS (See **Appendix C**).

The purpose of a Phase I ESA is to determine whether any type of environmental hazard exists within or adjacent to the Project Site. Environmental hazards may include, but are not be limited to, hazardous/toxic wastes or raw chemicals stored, dumped, or spilled on the site, underground and above ground storage of petroleum or hazardous materials; asbestos within the building materials/structures; and identification of potential off-site sources of hazardous waste contamination, such as industrial facilities adjacent to the subject property.

Recognized Environmental Conditions (RECs) are defined as the presence or likely presence of any hazardous substances or petroleum products under conditions that indicate an existing release, past release, or a material threat of a release into structures on the property or into the ground, groundwater or surface waters of the property. De minimis RECs are those that do not

present a threat to health or the environment and would not be the subject of an enforcement action by a government agency. All RECs, excluding de minimis RECs will be considered in the Phase I.

EEE has performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E 1527-13. The following conditions were observed:

- The subject property is comprised of 8,943 sq. ft of land and is currently undeveloped.
- RECs - Equity found no RECs associated with the property.
- HRECs - Equity found no HRECs associated with the property.
- CRECs - Equity found no CRECs associated with this property.
- VECs - The EDR Vapor Encroachment database identified two VECs (Vapor Encroachment Conditions) within 1/10 of a mile of the Subject Property that are related to 100-gallon tank overfill of number two fuel oil, and a historic automobile garage. Based on these findings, a possible vapor encroachment cannot be ruled out.

2.6.2 Conclusion

Based on the findings of the Phase I ESA, no RECs, HRECs, CRECs were identified, however two VECs (Vapor Encroachment Conditions) within 1/10 of a mile of the Subject Property that are related to 100-gallon tank overfill of number two fuel oil, and a historic automobile garage were identified. The Phase I was submitted to NYC DEP, and by letter dated February 20, 2020, concurred with the findings of the Phase I ESA and requested a Phase II be completed and submitted prior to construction activities. Because the Applicant is a non-profit organization, they must wait for the rezoning and ULURP processes to be completed and construction loans secured prior to commencing the site investigation work. Therefore, an E-Designation will be placed on the site to ensure that the Phase II work is completed.

E-Designation (E-667)

<u>Projected Development Site 1 (Block 2620, Lots 49, 50, 52, and 56)</u>

An E-Designation should be placed on the site to assure that mitigation will be performed, as necessary, before any future development and/or soil disturbance. Further hazardous materials assessments should be coordinated through the Mayor's Office of Environmental Remediation (OER).

Task 1-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 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.

With this (E) designation in place, no significant adverse impacts related to hazardous materials are expected, and no further analysis is warranted.

2.7 Transportation

Pursuant to *CEQR Technical Manual* methodology, a transportation assessment may be necessary when a Proposed Action would alter the transportation network by closing, opening, or realigning an element of the transportation system such as a roadway, pedestrian way, or transit route, or if it would generate new trips on the transportation network. The objective of the transportation analyses is to determine whether a proposed project may have a potential significant impact on traffic operations and mobility, public transportation facilities and services, pedestrian elements and flow, safety of all roadway users (pedestrians, bicyclists and vehicles), on- and off-street parking, or goods movement.

Methodology

The *CEQR Technical Manual* states that if an analysis is warranted, a preliminary trip generation assessment should be prepared to determine whether a quantified analysis of any technical areas of the transportation system is necessary. Except in unusual circumstances, a further quantified analysis would typically not be needed for a technical area if the proposed development would result in fewer than the following increments:

- 50 peak hour vehicle trips;
- 200 peak hour subway/rail or bus transit riders; or
- 200 peak hour pedestrian trips.

The *CEQR Technical Manual* also states that if the threshold for traffic is surpassed, a parking assessment may also be warranted. This chapter assesses the potential for project-generated vehicle, transit, and pedestrian trips to affect the local transportation network, as well as an assessment of transportation safety in the study area.

Analysis

Existing Conditions

The area is well-served by transit. The Bx15 and Bx21 buses stop at the Captain Oliver Triangle, at the intersection of East 161st Street and 3rd Avenue, approximately 200 feet to the west of the Affected Area. About 500 feet north, along East 163rd Street, are stops for the Bx13 and Bx6 buses. The Prospect Avenue subway station is approximately 2,000 feet to the southeast, and provides subway service via the 2 and 5 trains.

3rd Avenue, to the west of the Affected Area, is a north-south principal arterial road with two moving lanes in each direction and curbside parking. Bounding the Affected Area to the east, Eagle Avenue is a one-way, north to south road with one moving lane and curbside parking. East 163rd Street bounds the Affected Area to the north, and is a two-way, east-west road with curbside parking and two moving lanes in each direction that is classified as a principal arterial road. The Affected Area is bounded to the south by East 161st Street, which is a one-way, west to east major collector road with one moving lane curbside parking. Eagle Avenue and East

161st Street, which both front the Affected Area, are both narrow streets, at approximately 25 feet each.

Future No-Action Scenario

In the future without the Proposed Actions existing conditions would continue.

Future With-Action Scenario

In the future with the Proposed Actions two scenarios will be analyzed:

- Scenario 1—An 83-dwelling-unit building would be constructed and no parking spaces would be provided.
- Scenario 2—A 68,354 GSF community facility building would be constructed with half medical and half community center uses. 72 parking spaces would be provided.

Preliminary Assessment

The Affected Area is located in CEQR traffic zone two. Pursuant to Table 16-1 of the *2021 CEQR Technical Manual*, a development that exceeds 200 dwelling units, 85 parking spaces, or 25,000 GSF of community facilities, or a weighted average exceeding 1.00 of any of the above, would exceed the threshold for warranting further analysis of potential transportation impacts.

The Incremental Development, as assessed under the RWCDS, that could be effectuated by the Proposed Actions is as follows:

RWCDS Scenario 1

Residential Dwelling Units: +83 dwelling units

A Tier 1 Trip Generation Assessment is not required for Scenario 1.

RWCDS Scenario 2

Community Facility: +68,354 GSF
Off-Street Parking: 72 spaces

The weighted average for the Proposed Actions is 3.16. Accordingly, a Tier 1 Trip Generation Assessment is required.

2.7.1 Tier 1 Trip Generation Screening Assessment

The following Transportation Study assesses the incremental difference between the With-Action and the No-Action Scenarios in order to determine the potential effects of the Proposed Actions on traffic conditions. To assess the trip generation characteristics of the 68,354 GSF community facility space, as the space does not have a specified tenant, medical office uses and

community center uses were used. Data sources include information provided by the *2021 CEQR Technical Manual*, DCP, DOT and factors developed for recent environmental reviews. These factors form the basis for the travel demand forecast (Tier 1: Trip Generation Screening Assessment). All Trip Generation Planning Factors are shown in **Table 2.7-1**.

The trip generation analysis provides the estimated number of person trip-ends expected to be generated by the proposed project over the course of the entire day, as well as during the peak analysis hours. The classification of a proposed project's daily trip-ends by hour of the day is also referred to as its temporal distribution. Modal split refers to the travel modes likely to be used by persons going to and from the proposed project, including autos, taxis and delivery services, subways, buses, ferries, commuter rail, bicycles, and walking. These modes are considered in terms of percentages—i.e., what percent of the total number of people traveling to and from the site would travel by that particular mode. The modal split percentages are then applied to the hourly trip generation estimates to determine the number of persons traveling to and from the site by each mode for each of the analysis peak hours.

Table 2.7-1: Transportation Planning Factors

	Medical		Community Center	
Trip Generation	(3)		(2)	
Weekday	66.626x+141.77		48	
Saturday			19	
	x=gsf/1000 gsf		per 1,000 gsf	
Temporal Distribution	(3)		(2)	
AM	11.00%		7.10%	
MD	13.00%		10.00%	
PM	9.00%		7.20%	
Sat MD	17.00%		14.20%	
Modal Splits	(3)		(2)	
Auto	26.00%		5.00%	
Taxi	10.00%		1.00%	
Bus	23.00%		6.00%	
Subway	14.00%		3.00%	
Walk/Other	26.00%		85.00%	
Bike	1%		0%	
Total	100.00%		100.00%	
In/Out Splits	In (3)	Out (3)	In (2)	Out (2)
AM	62%	38%	61.00%	39.00%
MD	47%	53%	55.00%	45.00%
PM	35%	65%	29.00%	71.00%
Sat MD	49%	51%	49.00%	51.00%
Vehicle Occupancy	Weekday (3)	Sat (3)	(2)	
Auto	1.60	1.60	1.65	
Taxi	1.60	1.60	1.40	
Truck Trip Generation	(1)		(2)	
Weekday	0.29		0.29	
Saturday	0.29		0.01	
	per 1000 gsf		per 1,000 gsf	
Temporal Distribution	(1)		(2)	
AM	3.00%		9.60%	
MD	11.00%		11.00%	
PM	1.00%		1.00%	
Saturday	0%		11.00%	
In/Out Splits	In (2)	Out (2)	In (2)	Out (2)
AM/MD/PM/Sat	50.00%	50.00%	50.00%	50.00%

1 = CEQR Technical Manual; 2 = Jerome Avenue Environmental Impact Statement; 3 = DCP/DOT Provided Information

Table 2.7-2: Estimated Person/Vehicular Trips

Size/Units	Medical Office 34,117 gsf		Community Center 34,177 gsf				
Peak Hour Trips							
AM	266		116				
MD	314		164				
PM	218		118				
Sat MD	411		92				
Person Trips							
AM	In	Out	In	Out	Total In	Total Out	Total In/Out
Auto	43	26	4	2	46	29	75
Taxi	16	10	1	0	17	11	28
Bus	38	23	4	3	42	26	68
Subway	23	14	2	1	25	16	41
Walk	43	26	60	39	103	65	168
Bike	2	1	0	0	2	1	3
Total	165	101	71	45	236	147	383
MD	In	Out	In	Out	Total In	Total Out	Total In/Out
Auto	38	43	5	4	43	47	90
Taxi	15	17	1	1	16	17	33
Bus	34	38	5	4	39	43	82
Subway	21	23	3	2	23	26	49
Walk	38	43	77	63	115	106	221
Bike	1	2	0	0	1	2	3
Total	148	167	90	74	238	240	478
PM	In	Out	In	Out	Total In	Total Out	Total In/Out
Auto	20	37	2	4	22	41	63
Taxi	8	14	0	1	8	15	23
Bus	18	33	2	5	20	38	57
Subway	11	20	1	3	12	22	34
Walk	20	37	29	71	49	108	157
Bike	1	1	0	0	1	1	2
Total	76	142	34	84	110	225	336
Saturday	In	Out	In	Out	Total In	Total Out	Total In/Out
Auto	52	55	2	2	55	57	112
Taxi	20	21	0	0	21	21	42
Bus	46	48	3	3	49	51	100
Subway	28	29	1	1	30	31	60
Walk	52	55	38	40	91	94	185
Bike	2	2	0	0	2	2	4
Total	201	210	45	47	247	257	503
Vehicle Trips							
AM	In	Out	In	Out	Total In	Total Out	Total In/Out
Auto	27	16	2	1	29	18	47
Taxi	9	10	1	1	10	11	21
Taxi Balanced	20	20	1	1	21	21	42
Truck	0	0	0	0	1	1	1
Total	47	36	4	3	50	39	90
MD	In	Out	In	Out	Total In	Total Out	Total In/Out
Auto	24	27	3	2	27	29	56
Taxi	9	10	1	1	10	11	21
Taxi Balanced	20	20	1	1	21	21	42
Truck	1	1	1	1	1	1	2
Total	44	47	5	4	49	51	100
PM	In	Out	In	Out	Total In	Total Out	Total In/Out
Auto	12	23	1	3	13	26	39
Taxi	5	9	0	1	5	9	14
Taxi Balanced	14	14	1	1	14	14	29
Truck	0	0	0	0	0	0	0
Total	26	37	2	3	28	40	63
Saturday	In	Out	In	Out	Total In	Total Out	Total In/Out
Auto	33	34	1	1	34	36	70
Taxi	13	13	0	0	13	13	26
Taxi Balanced	26	26	1	1	26	26	53
Truck	0	0	0	0	0	0	0
Total	58	60	2	2	60	62	122

Table 2.7-3: Estimated Pedestrian Trips

	Medical Office		Community Center		Total		
Pedestrian Trips							
AM	In	Out	In	Out	Total In	Total Out	Total In/Out
Bus	38	23	4	3	42	26	68
Subway	23	14	2	1	25	16	41
Walk	43	26	60	39	103	65	168
Bike	2	1	0	0	2	1	3
Total	106	65	67	43	172	107	280
MD	In	Out	In	Out	Total In	Total Out	Total In/Out
Bus	34	38	5	4	39	43	82
Subway	21	23	3	2	23	26	49
Walk	38	43	77	63	115	106	221
Bike	1	2	0	0	1	2	3
Total	95	107	85	69	179	176	355
PM	In	Out	In	Out	Total In	Total Out	Total In/Out
Bus	18	33	2	5	20	38	57
Subway	11	20	1	3	12	22	34
Walk	20	37	29	71	49	108	157
Bike	1	1	0	0	1	1	2
Total	49	91	32	79	81	169	250
Saturday	In	Out	In	Out	Total In	Total Out	Total In/Out
Bus	46	48	3	3	49	51	100
Subway	28	29	1	1	30	31	60
Walk	52	55	38	40	91	94	185
Bike	2	2	0	0	2	2	4
Total	129	134	42	44	171	178	350

Conclusion

Based on the findings shown in **Table 2.7-4** below, the Proposed Actions would not exceed the 200-trip subway threshold or the 200-trip MTA bus threshold for any of the peak hours. The Proposed Actions would exceed the total pedestrian and vehicular trip-ends for all peak hours of analysis. Therefore, a Level 2 Screening Assessment is required for pedestrian and vehicular trips.

Table 2.7-4: Tier 1 Trip Generation Findings

Peak Hour	AM Peak Hour	Midday Peak Hour	PM Peak Hour	Saturday Peak Hour
Total Walk Only Trip-Ends	168	221	157	185
Total Subway Trip-Ends	41	49	34	60
Subway Threshold	**200**	**200**	**200**	**200**
Total MTA Bus Trip-Ends	68	82	57	100
MTA Bus Threshold	**200**	**200**	**200**	**200**
Total Pedestrian Trip-Ends	280	355	250	350
Pedestrian Threshold	**200**	**200**	**200**	**200**
Vehicular Trip-Ends	90	100	68	122
Vehicular Threshold	**50**	**50**	**50**	**50**

2.7.2 Level 2 Project Generated Trip Assignment

Pursuant to Section 320 of the *CEQR Technical Manual*, when a proposed project exceeds 50 peak hour vehicle trip-ends, or 200 peak hour pedestrian trips as determined by the Level 1 Trip Generation Screening Assessment, a Level 2 Project Generated Trip Assignment should be

prepared to determine whether a detailed assessment of any technical areas is warranted. Accordingly, based on the Level 1 Trip Generation Screening Assessment, project generated vehicle, and pedestrian trips-ends were assigned to the traffic network for all peak hours in which exceedances to the above thresholds are projected.

Assignment Assumptions

The Projected Development would provide pedestrian ingress/egress on both 161st Street and Eagle Avenue. The Level 2 Pedestrian Assignment assumptions are based on the transit access points identified in **Figure 2.7-2** below and population distribution based on the 2013-2017 5-year American Community Survey (ACS) Data for the subject census tracts and all bounding census tracts shown in **Figure 2.7-1** below. The Level 2 Vehicular Assignment assumptions are based on 2012-2016 ACS Reverse Journey to Work origin and destination flows for the Census Tract Study Area.

Figure 2.7-1: Transportation Census Tract Study Area - Population Distribution

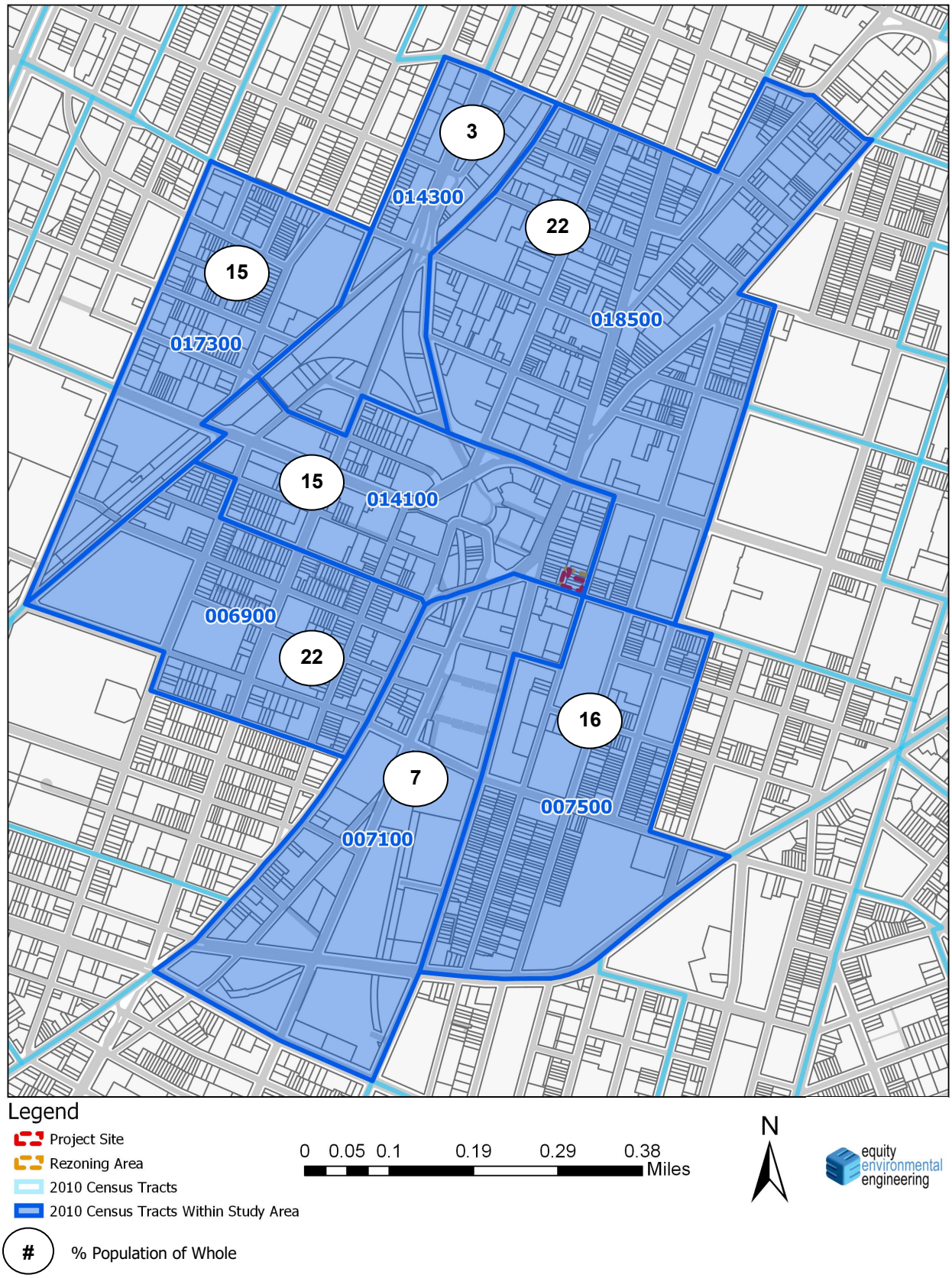
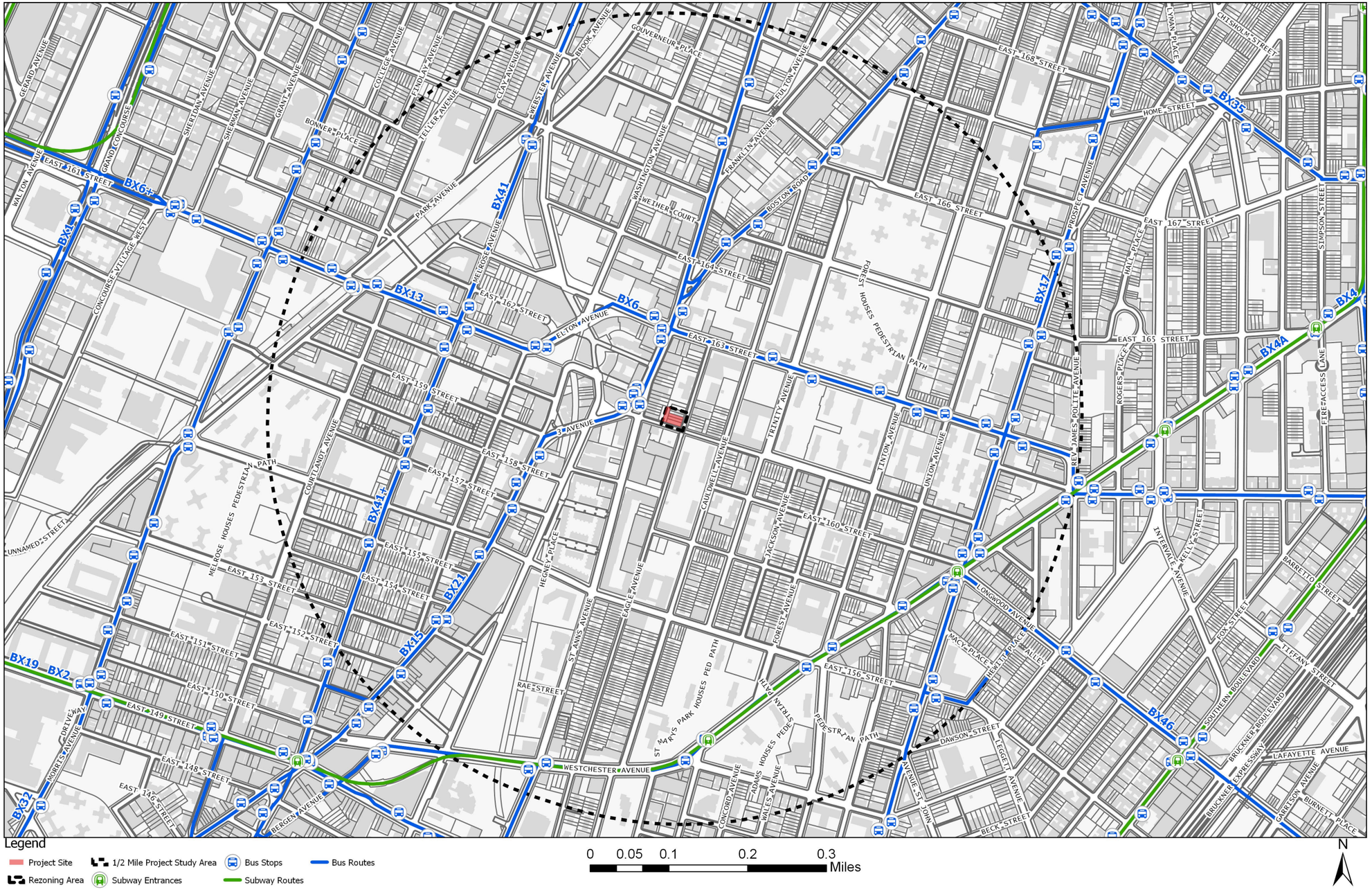
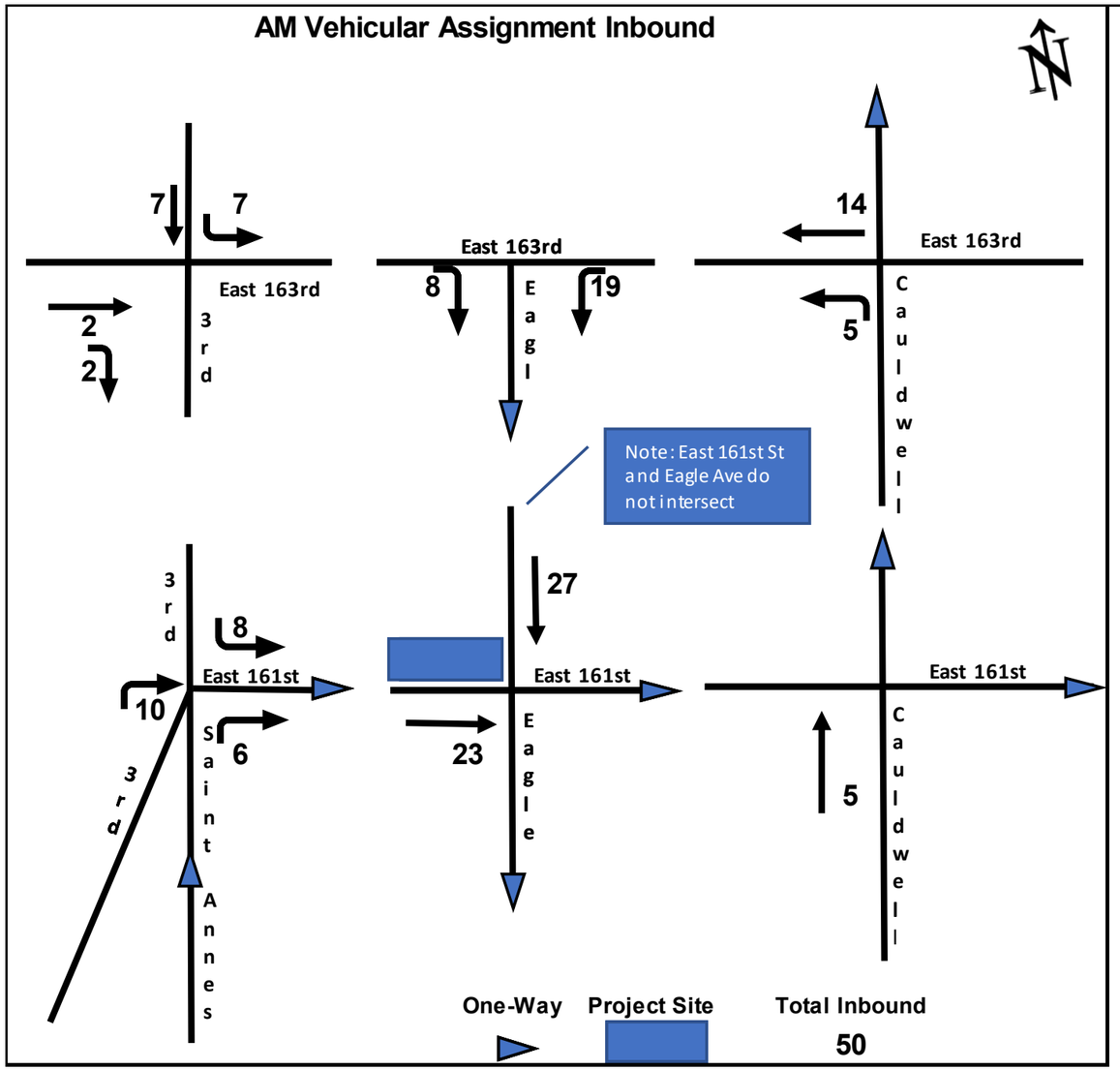
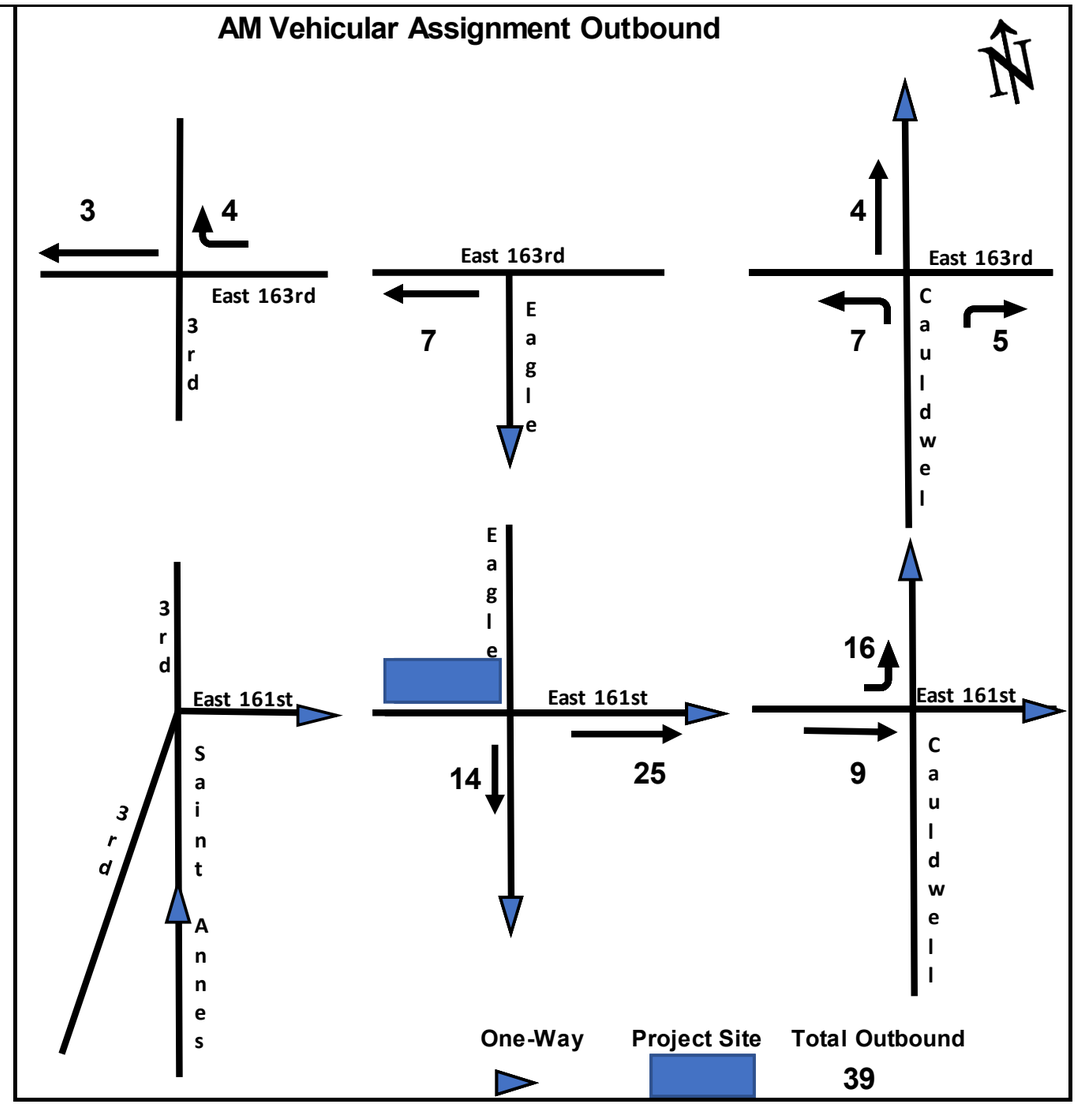


Figure 2.7-2: Transportation Study Area



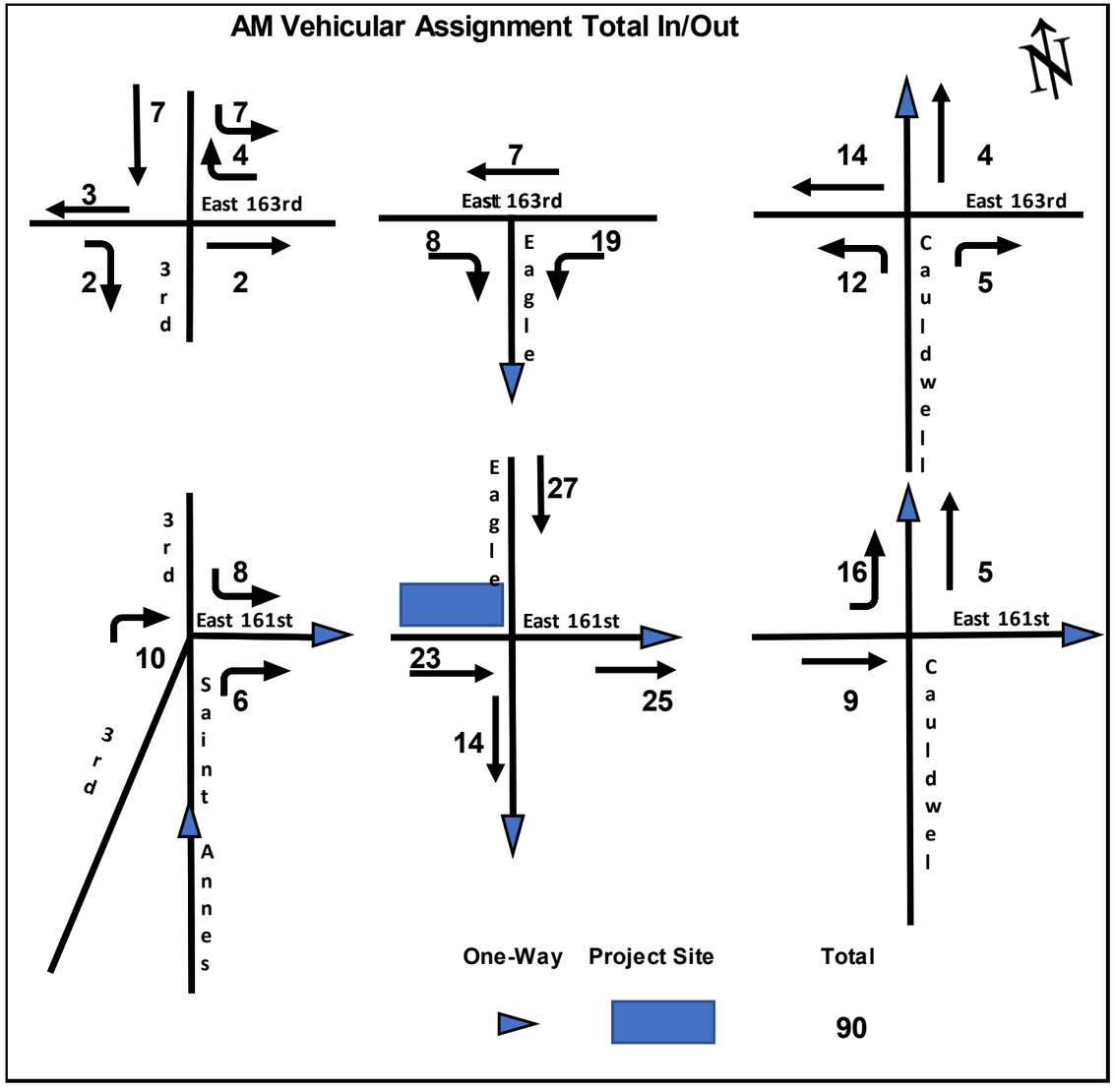
2.7-3: AM Vehicular Assignment (1 of 2) Inbound/Outbound Vehicular Trips

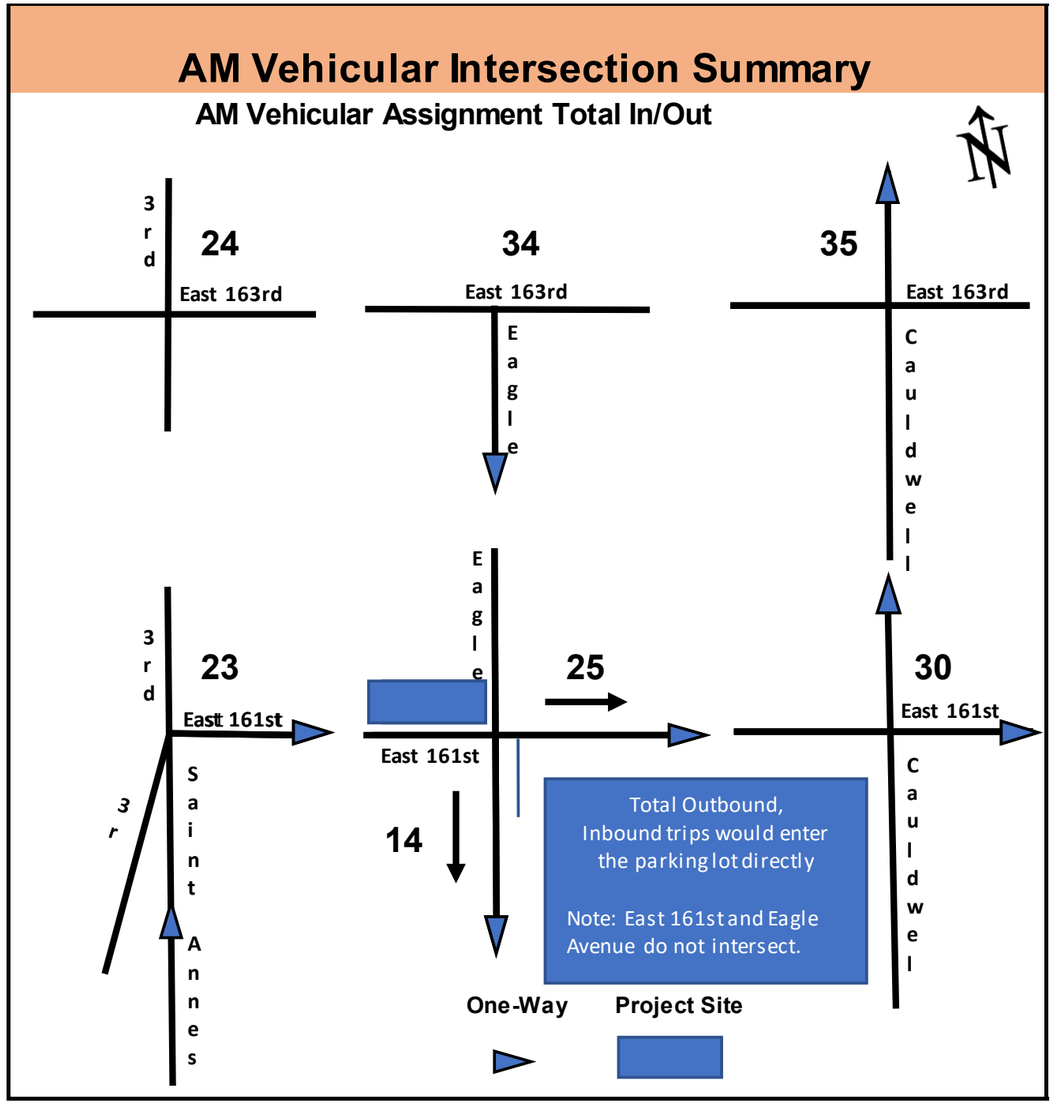




Note: All Trips Rounded to the Nearest Whole

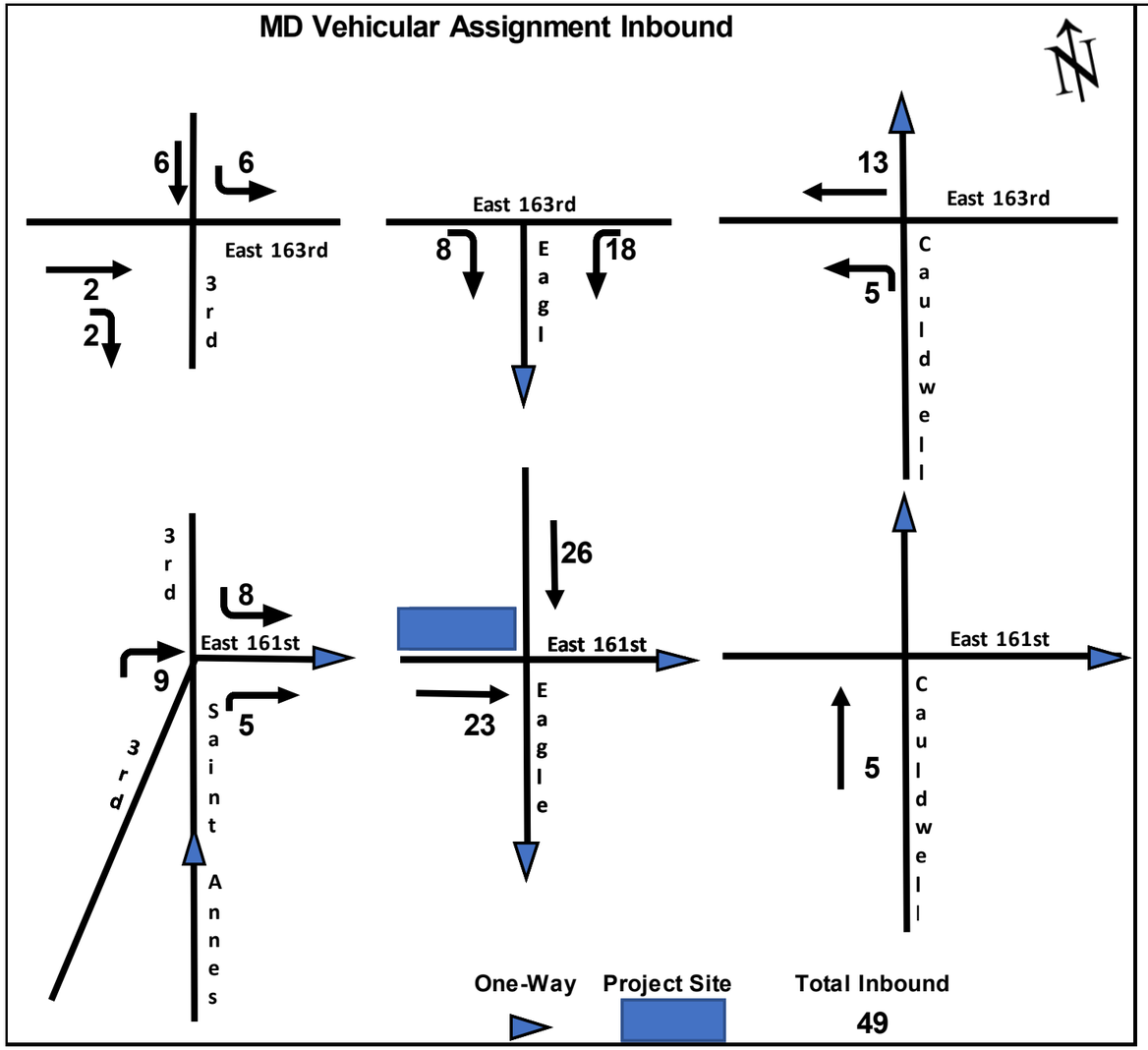
2.7-3: AM Vehicular Assignment (2 of 2) Total Vehicular Trips

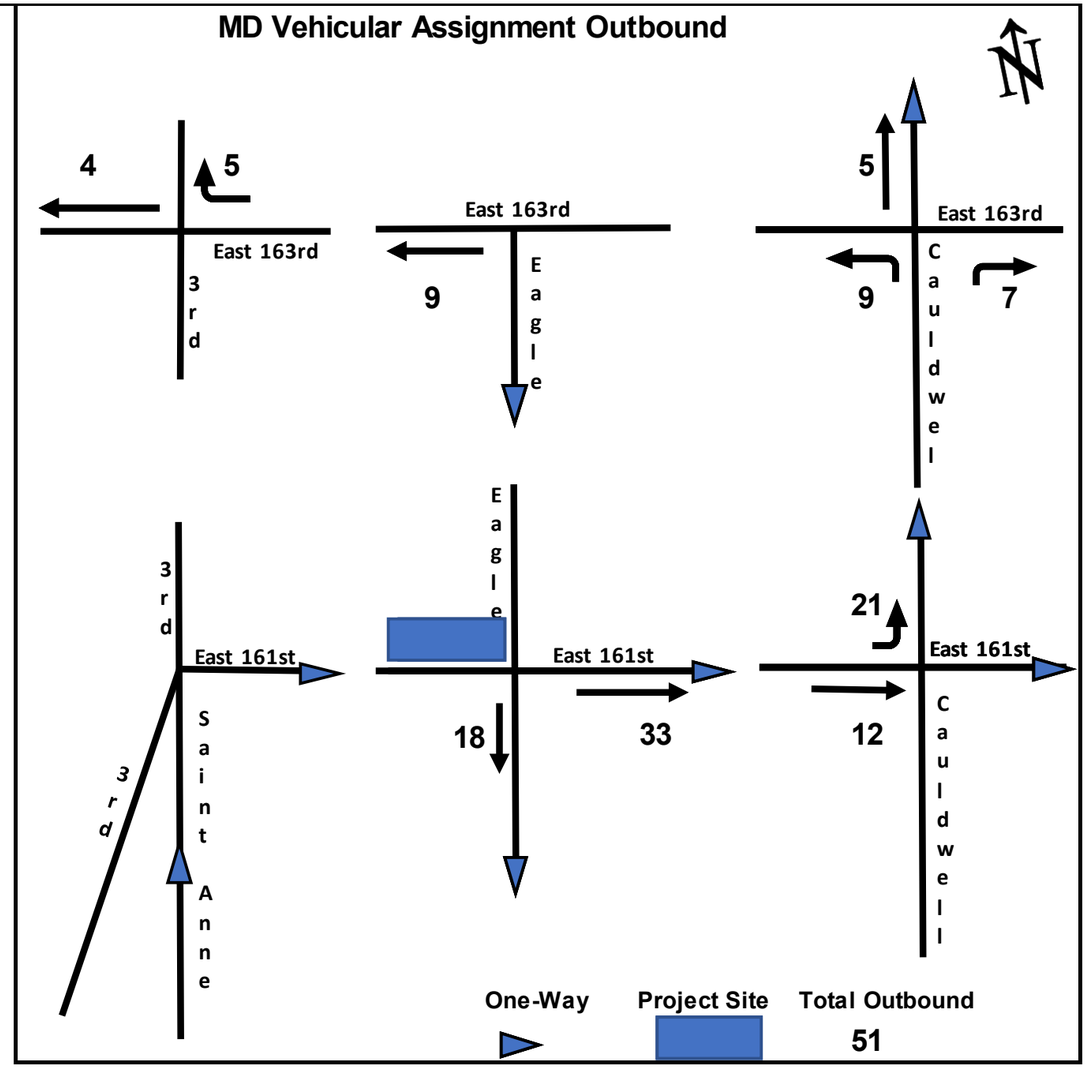




Note: All Trips Rounded to the Nearest Whole

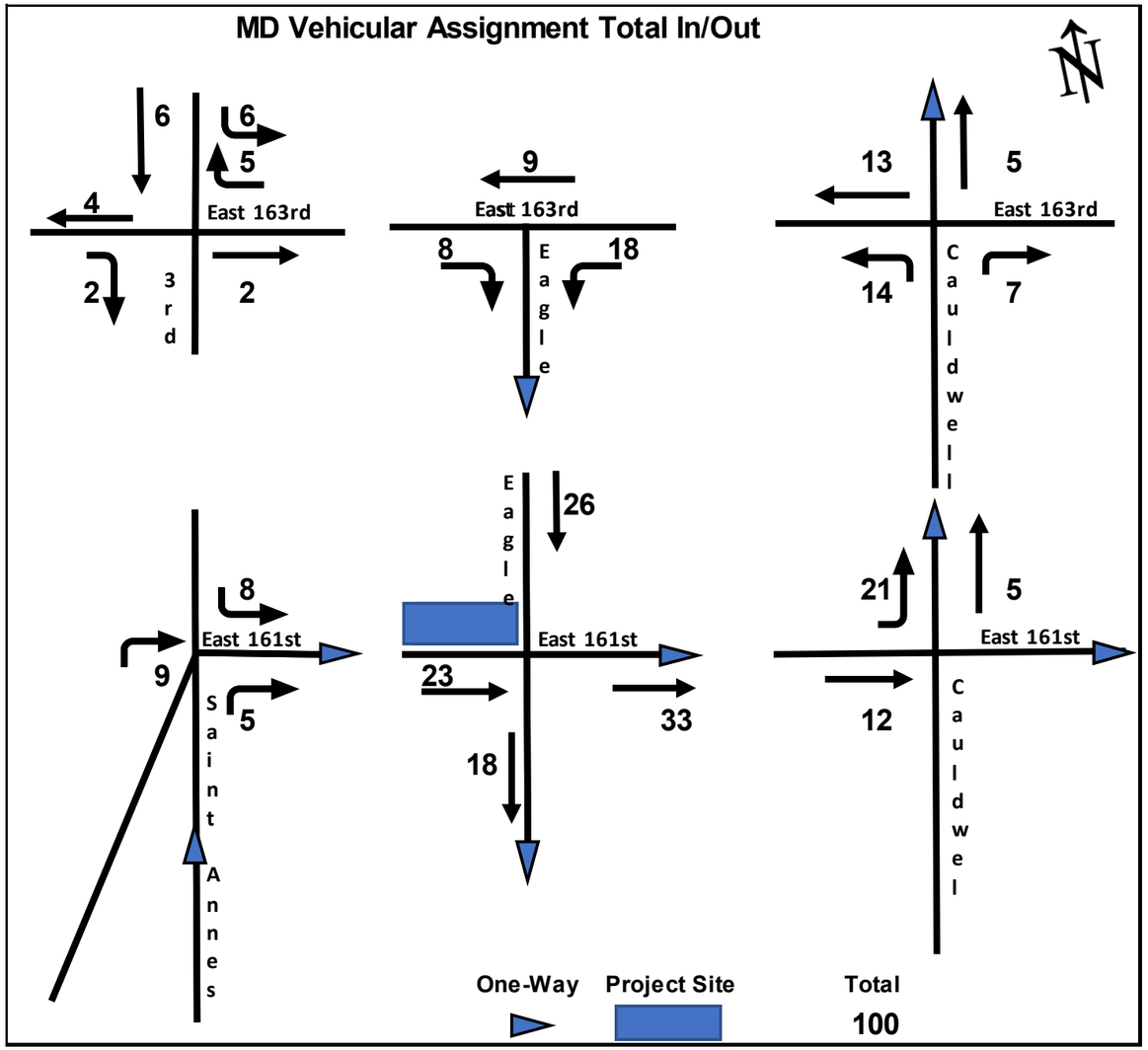
2.7-4: MD Vehicular Assignment (1 of 2) Inbound/Outbound Vehicular Trips

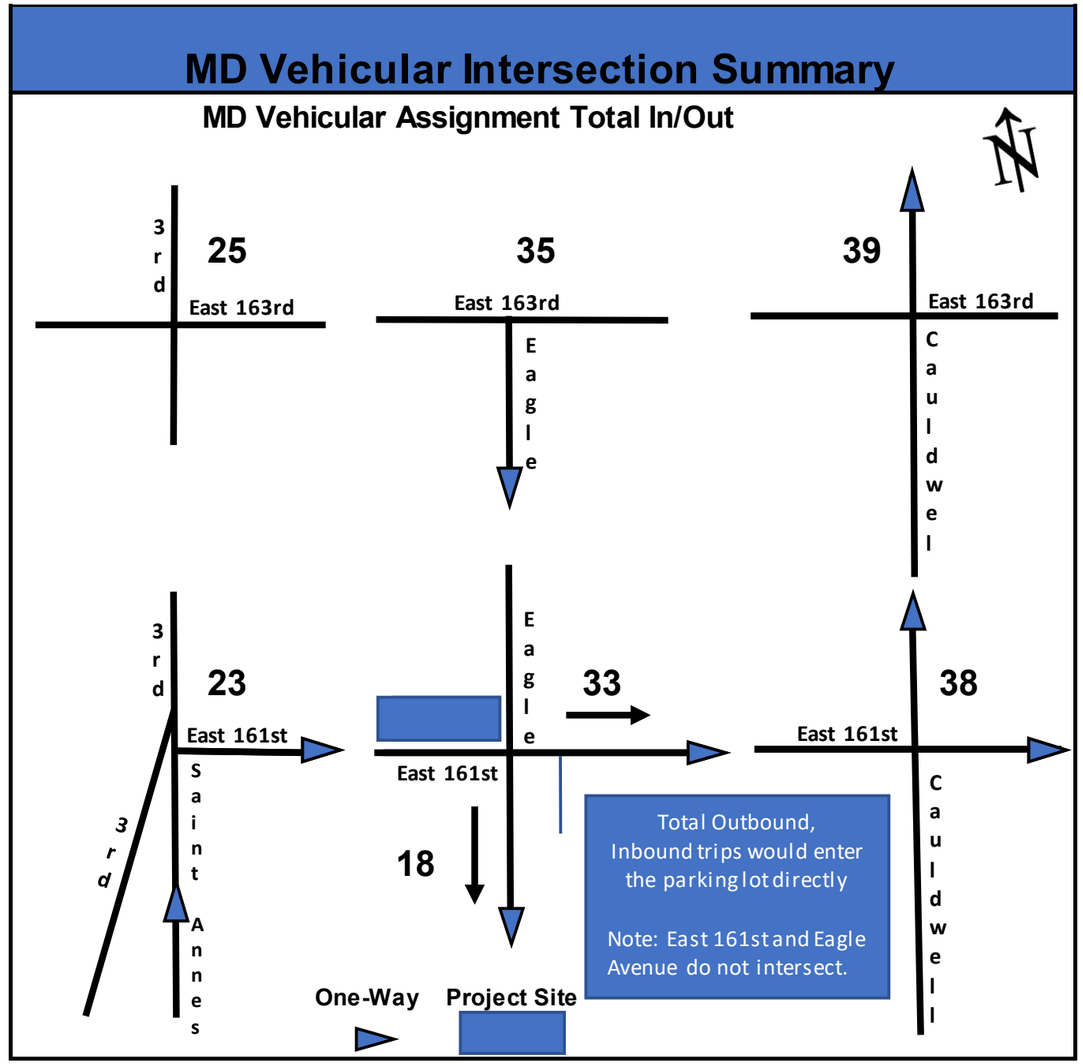




Note: All Trips Rounded to the Nearest Whole

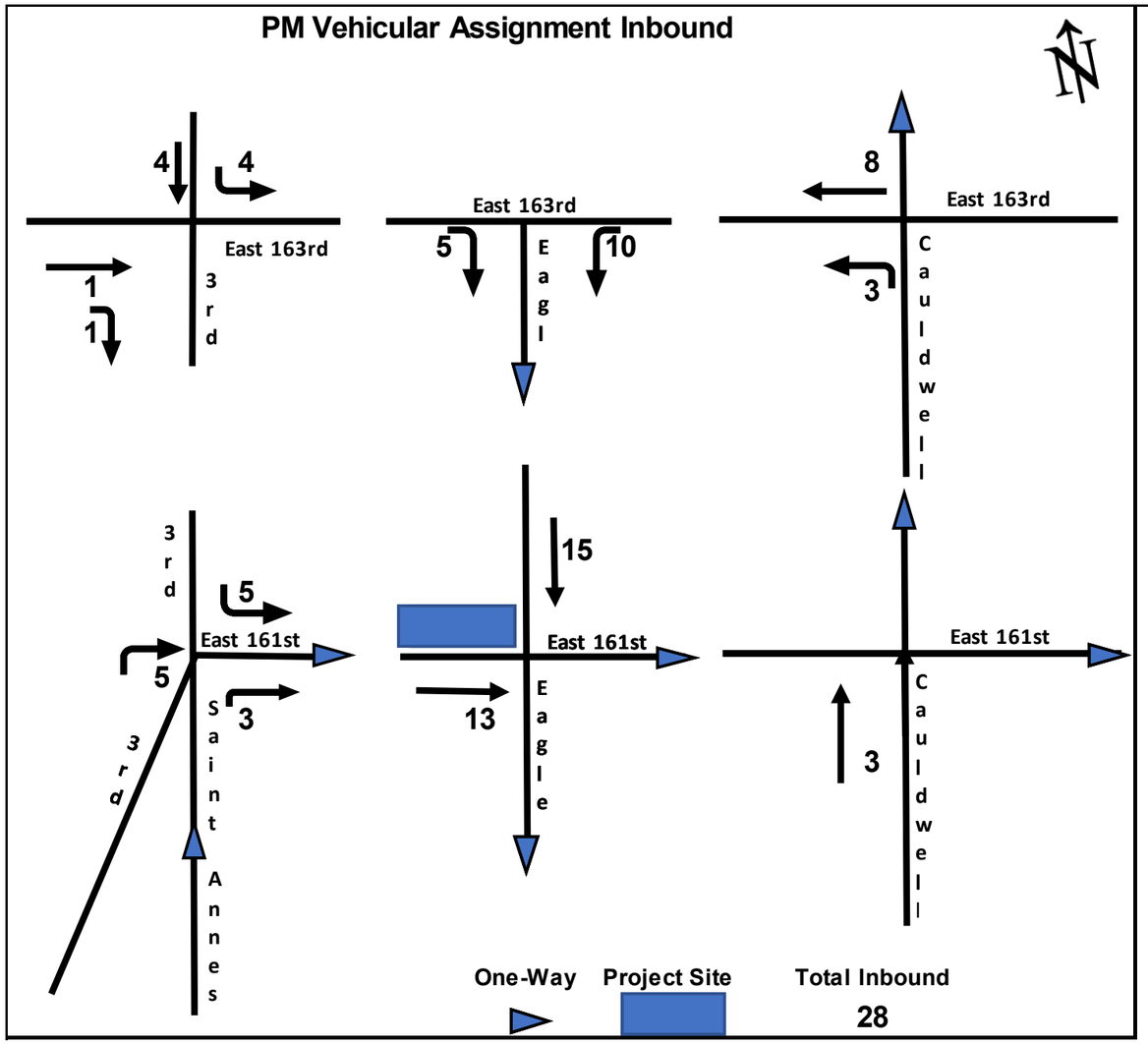
2.7-4: MD Vehicular Assignment (2 of 2) Total Vehicular Trips

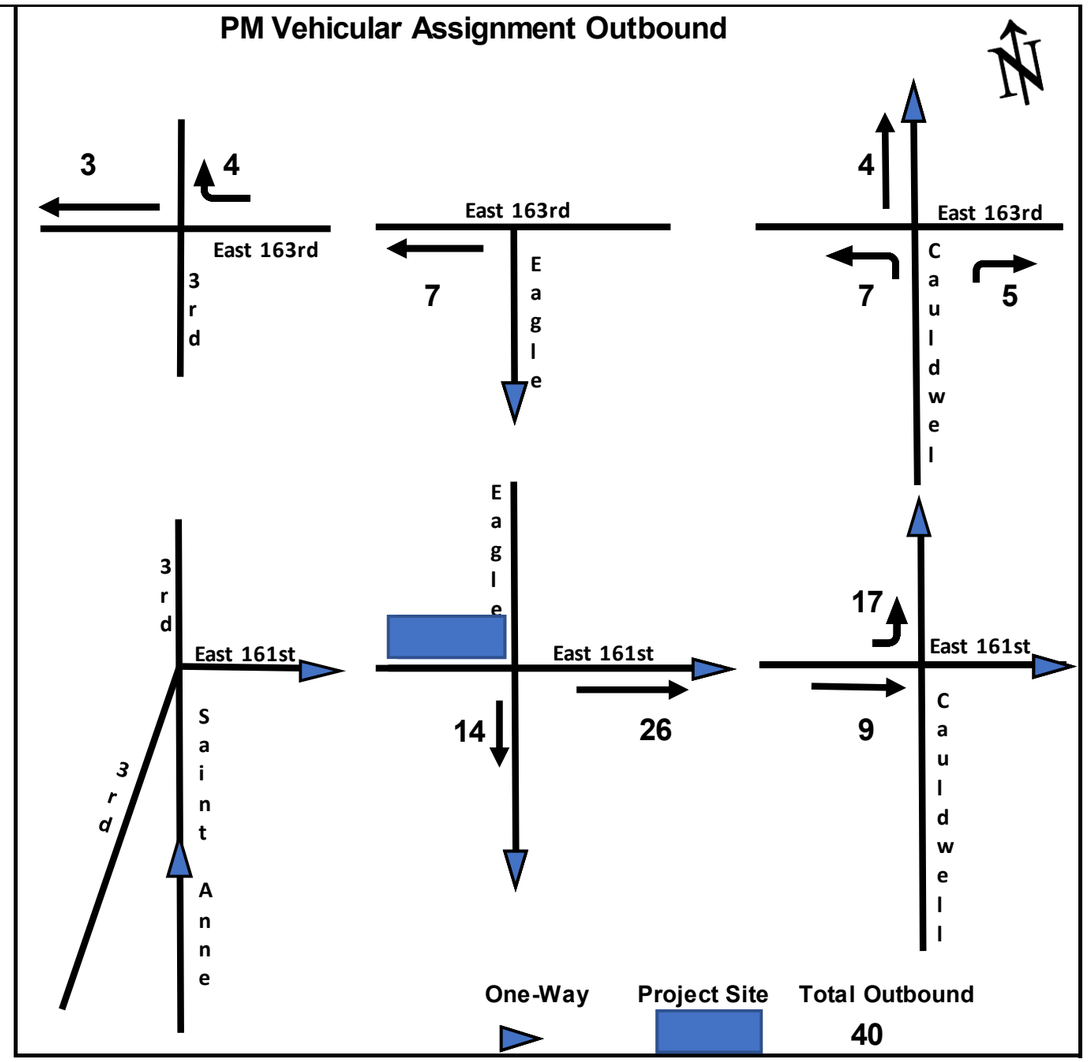




Note: All Trips Rounded to the Nearest Whole

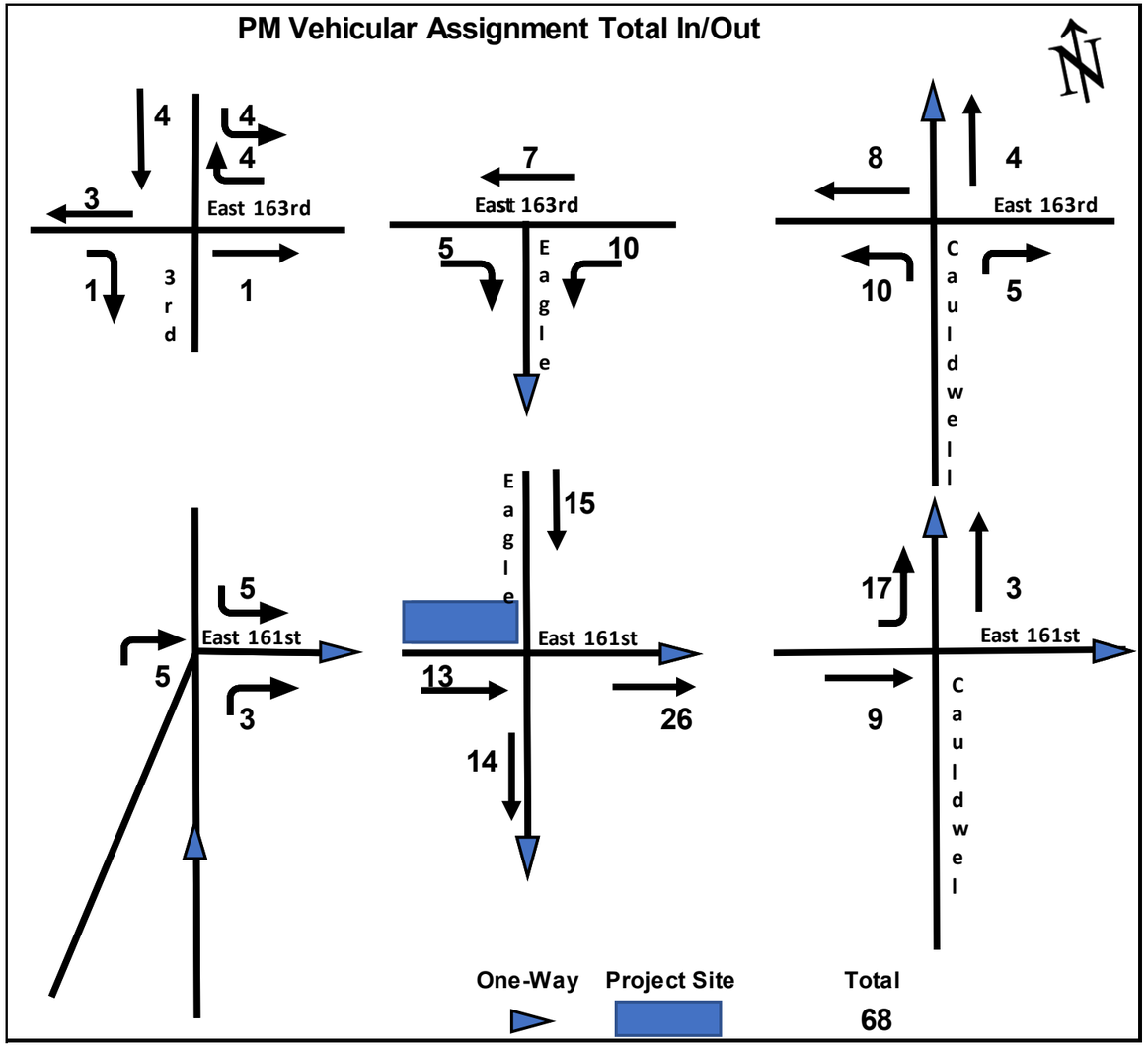
2.7-5: PM Vehicular Assignment (1 of 2) Inbound/Outbound Vehicular Trips

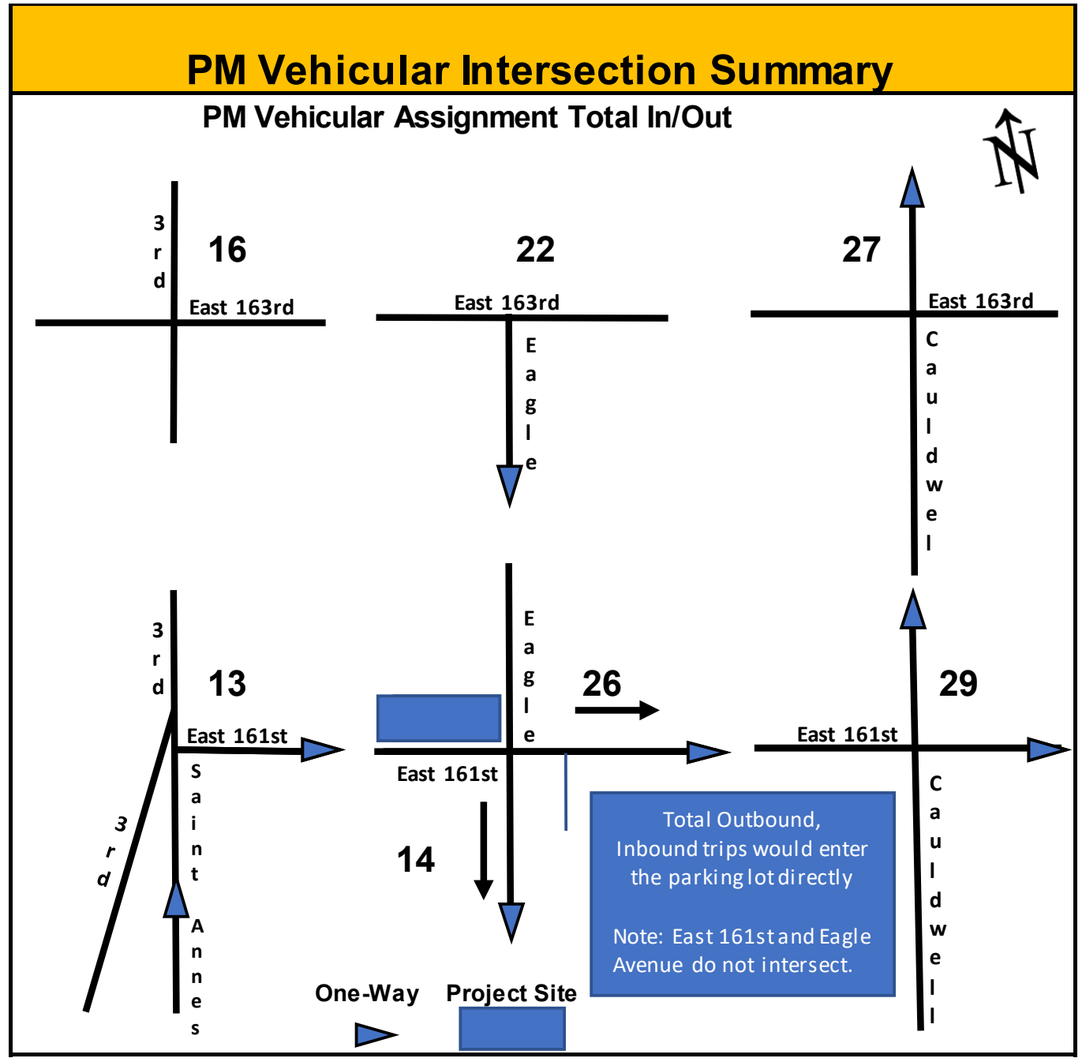




Note: All Trips Rounded to the Nearest Whole

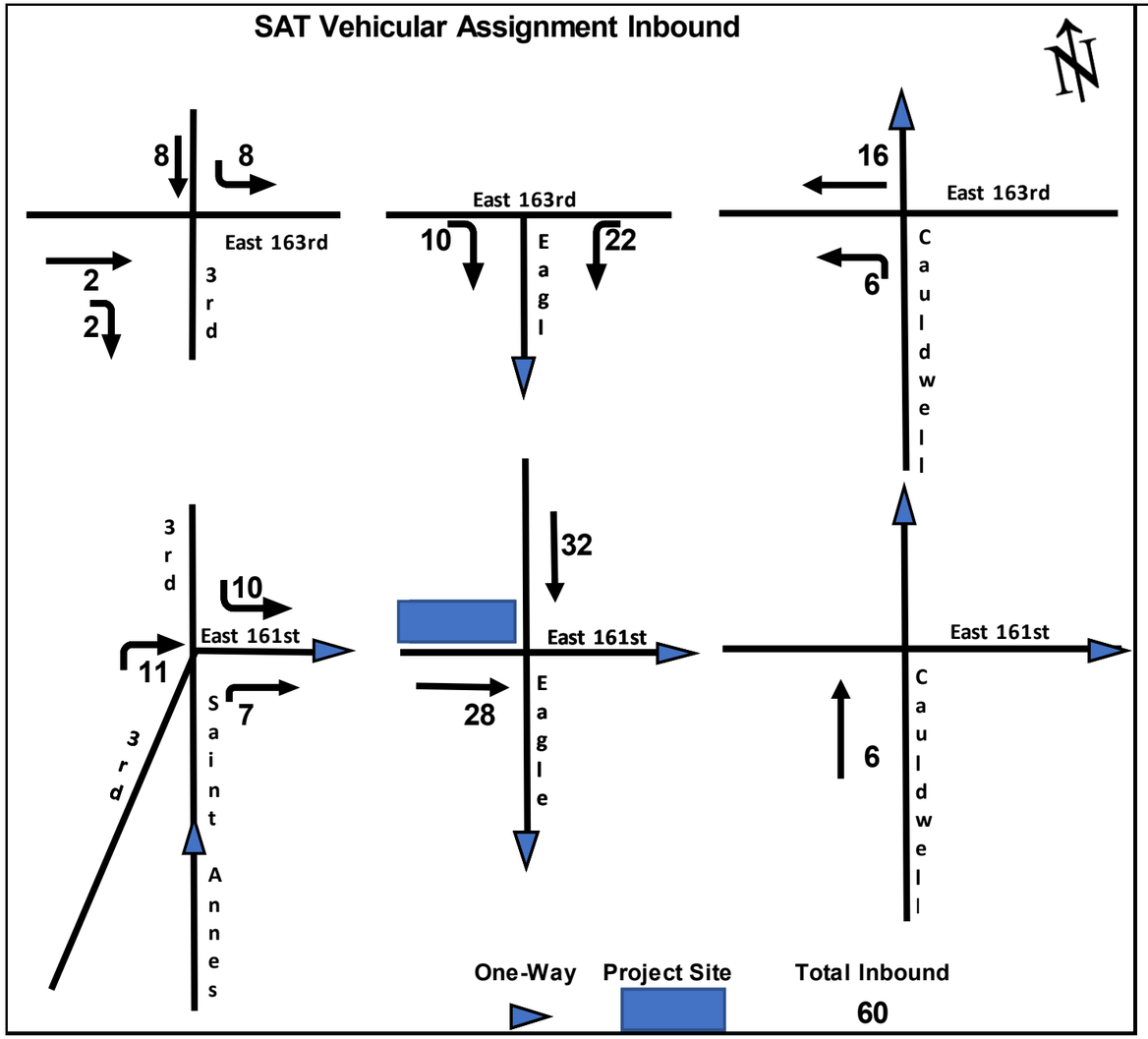
2.7-5: PM Vehicular Assignment (2 of 2) Total Vehicular Trips

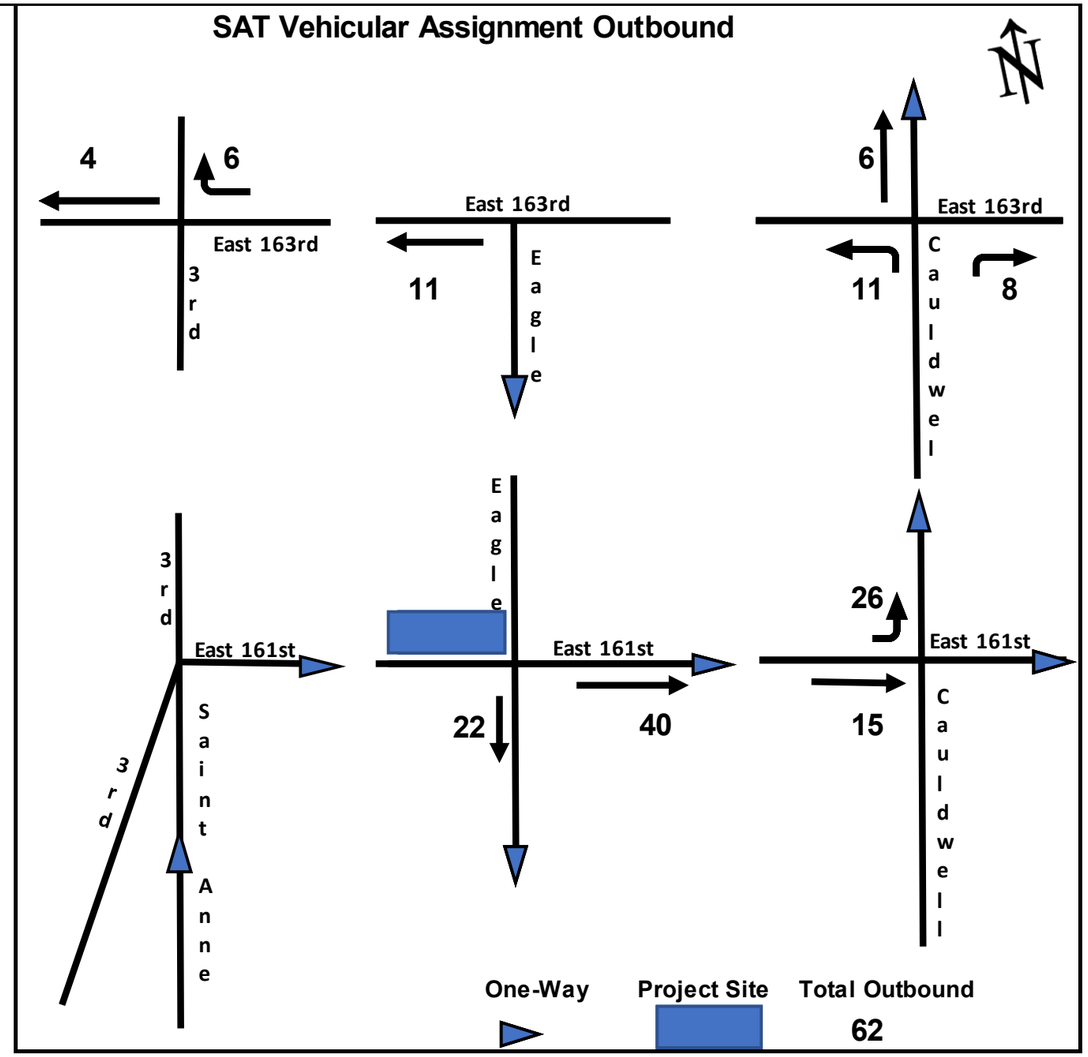




Note: All Trips Rounded to the Nearest Whole

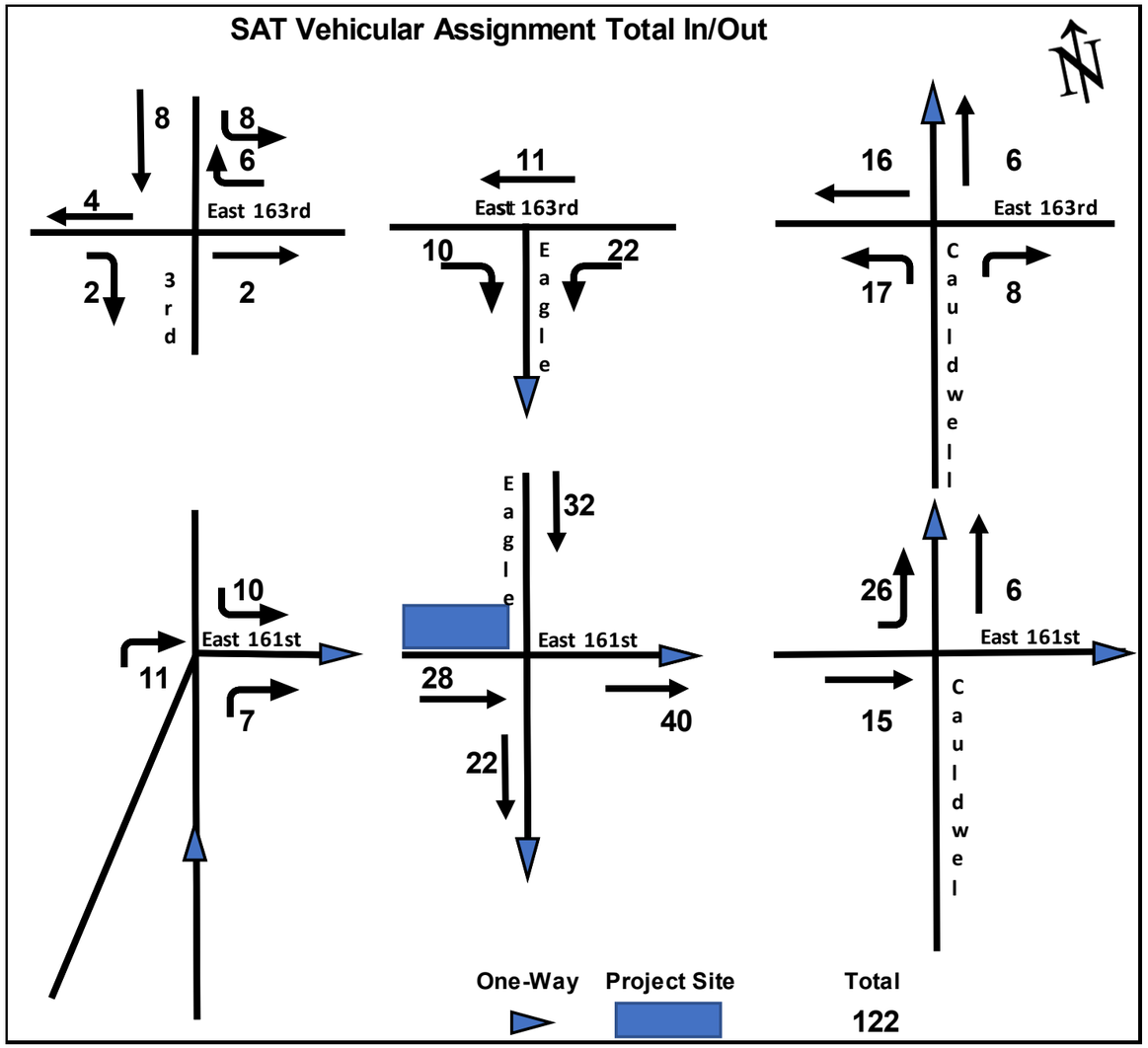
2.7-6: SAT MD Vehicular Assignment (1 of 2) Inbound/Outbound Vehicular Trips

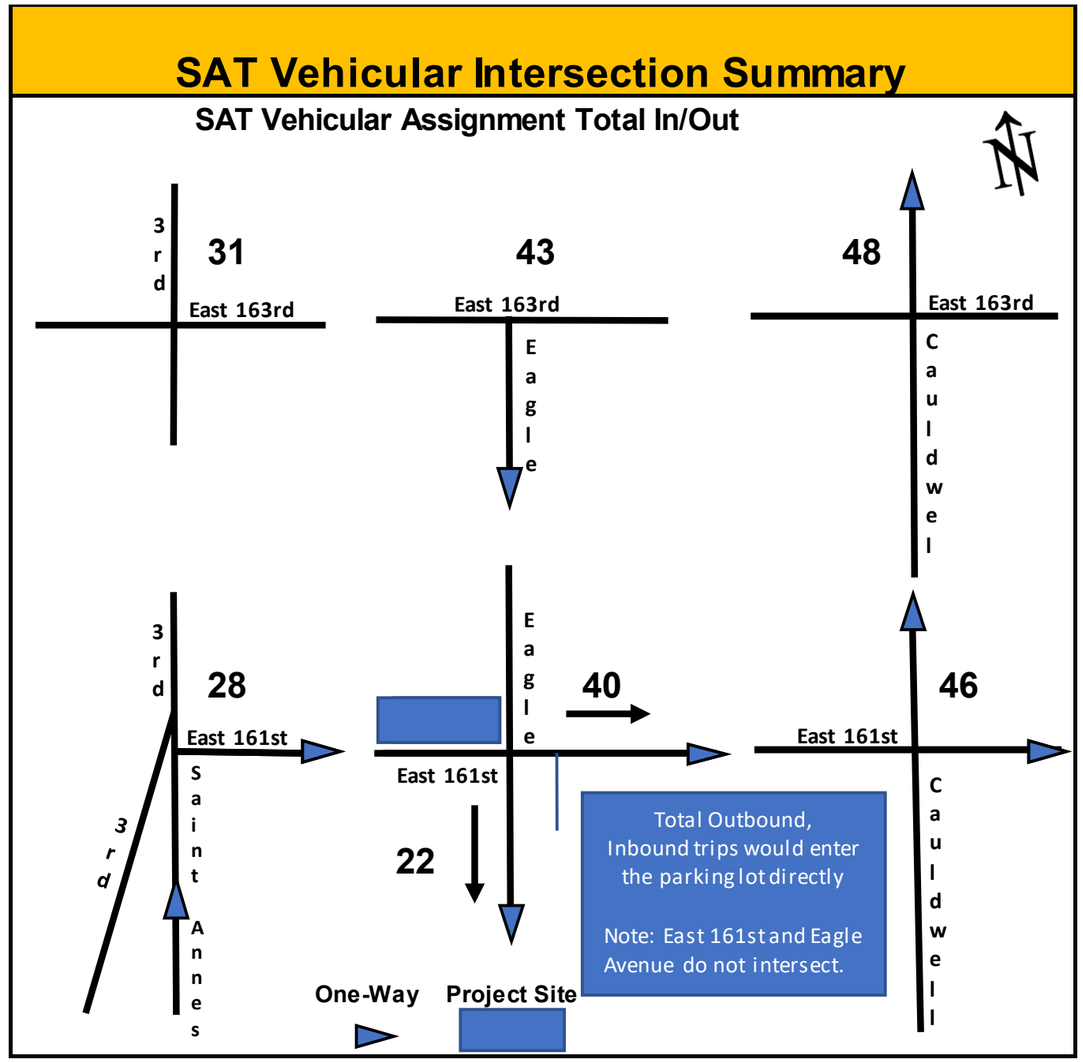




Note: All Trips Rounded to the Nearest Whole

2.7-6: SAT MD Vehicular Assignment (2 of 2) Total Vehicular Trips

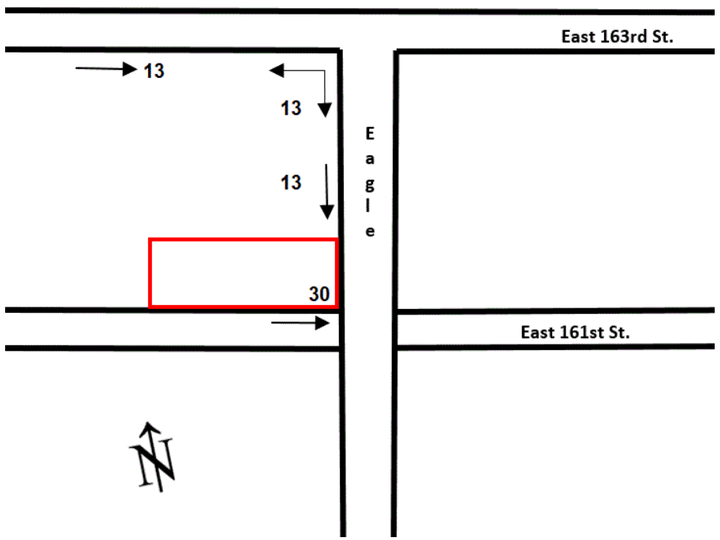




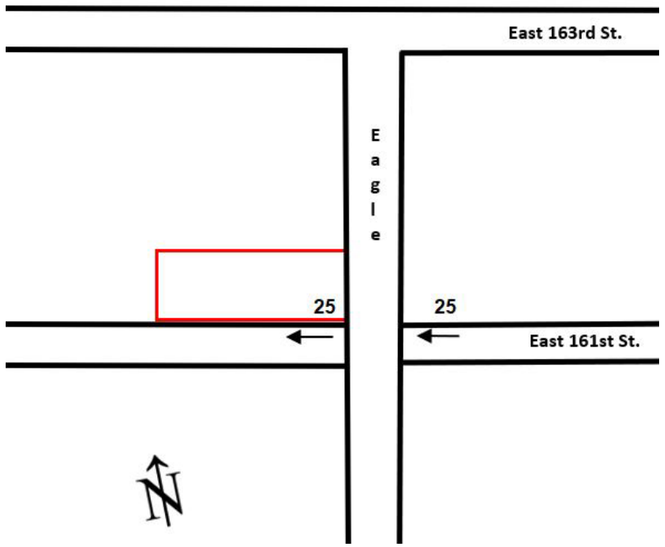
Note: All Trips Rounded to the Nearest Whole

2.7-7: AM Pedestrian Assignment (1 of 2)

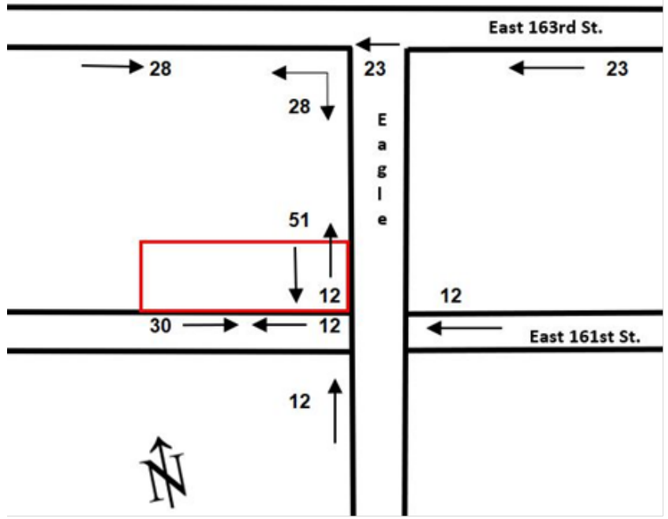
AM Inbound MTA BUS Trips



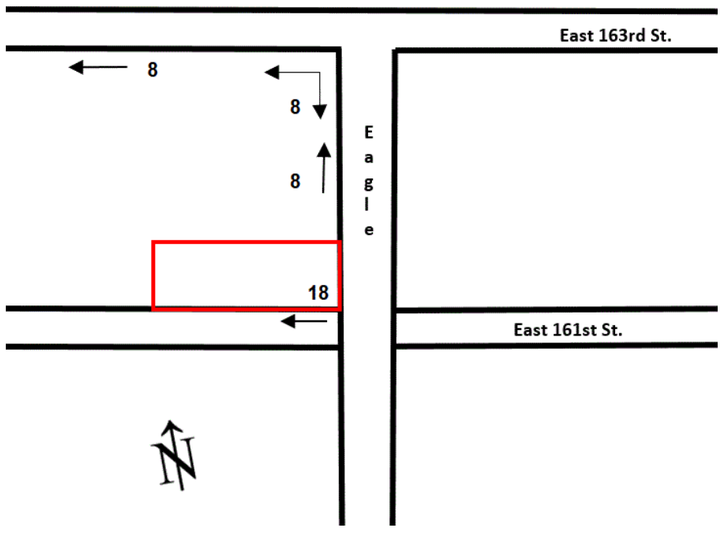
AM Inbound Subway Trips



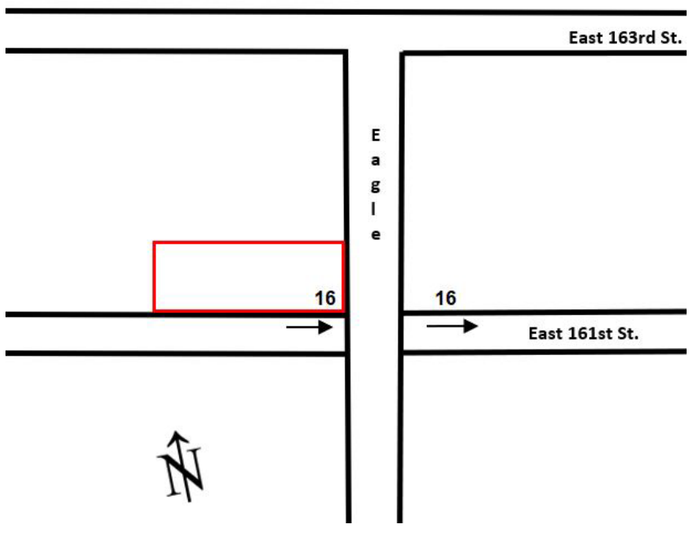
AM Inbound Walk/Bike



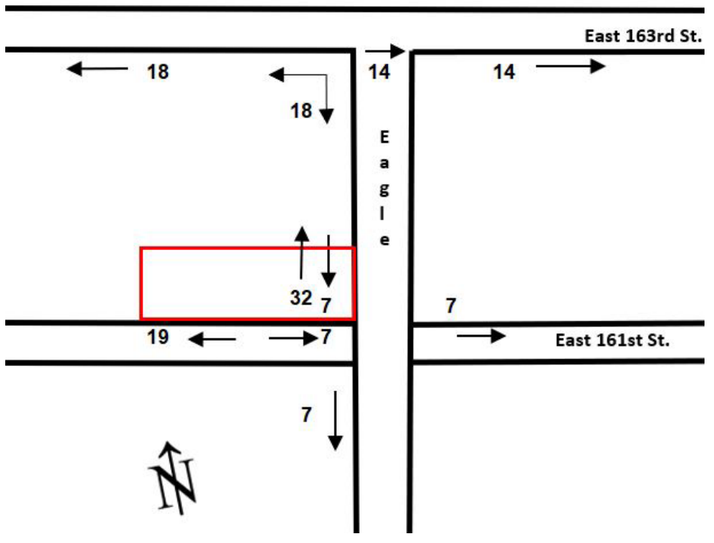
AM Outbound MTA BUS Trips



AM Outbound Subway Trips

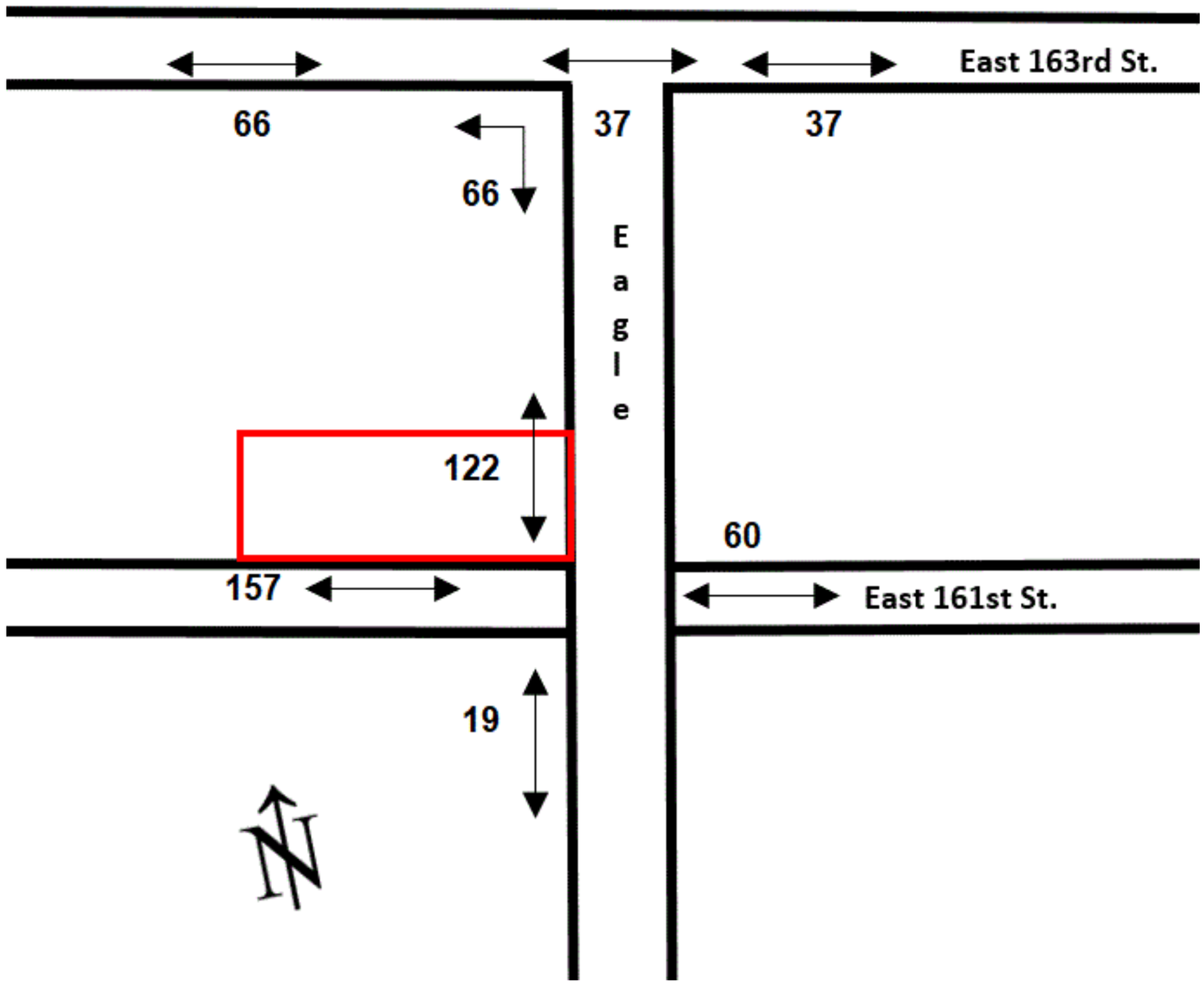


AM Outbound Walk/Bike



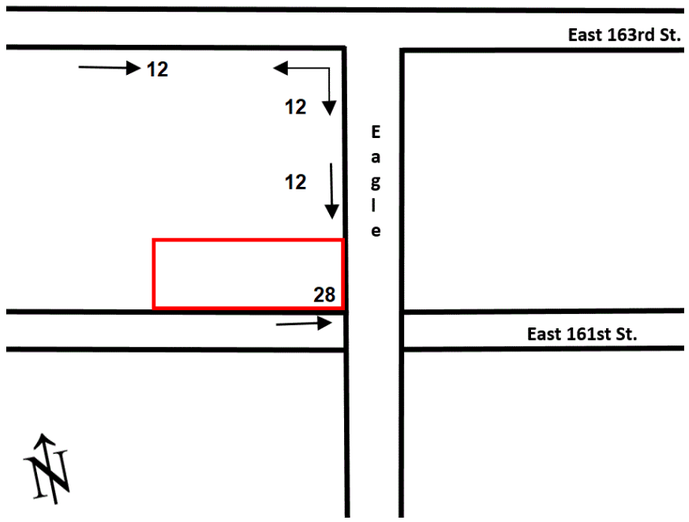
2.7-7: AM Pedestrian Assignment (2 of 2)

AM Peak Hour - Total Pedestrian Trip-Ends

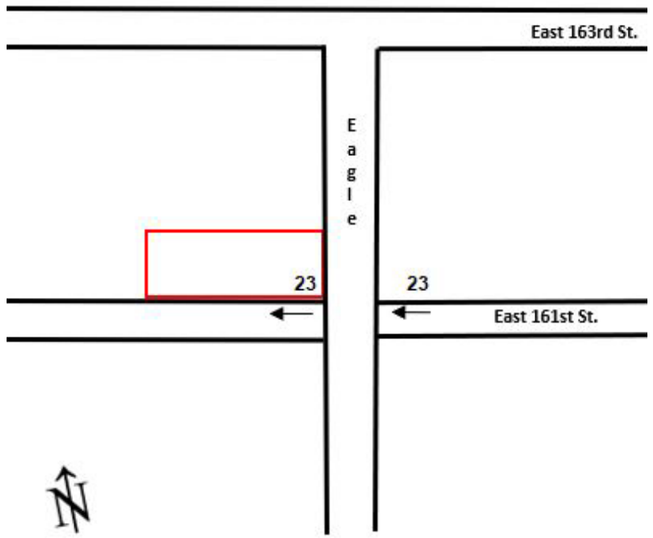


2.7-8: MD Pedestrian Assignment (1 of 2)

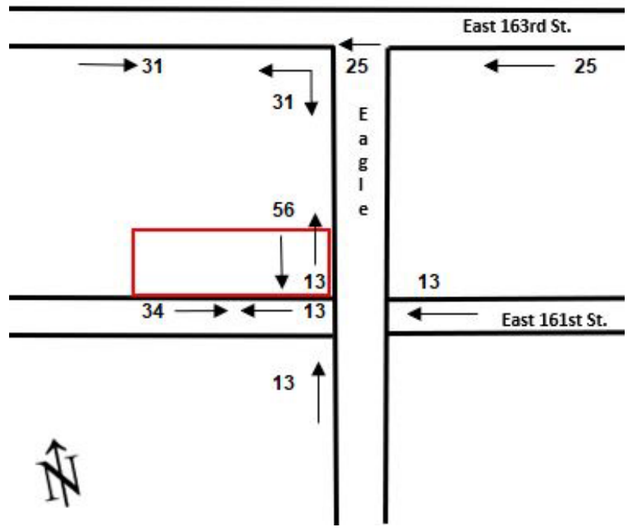
MD Inbound MTA BUS Trips



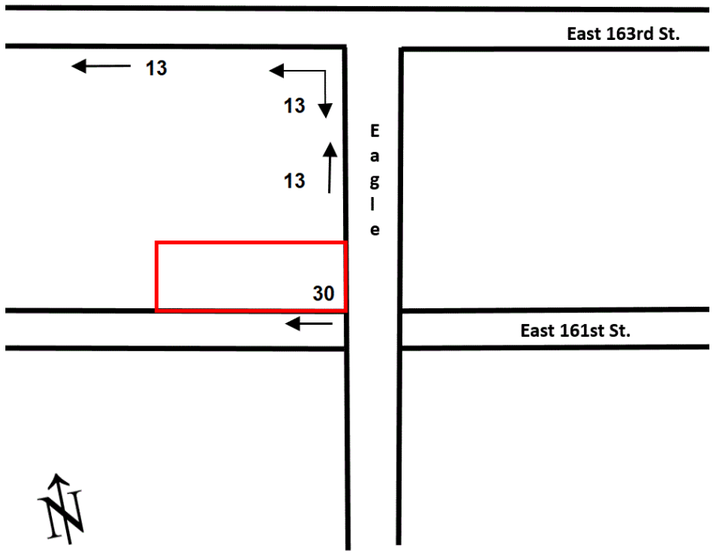
MD Inbound Subway Trips



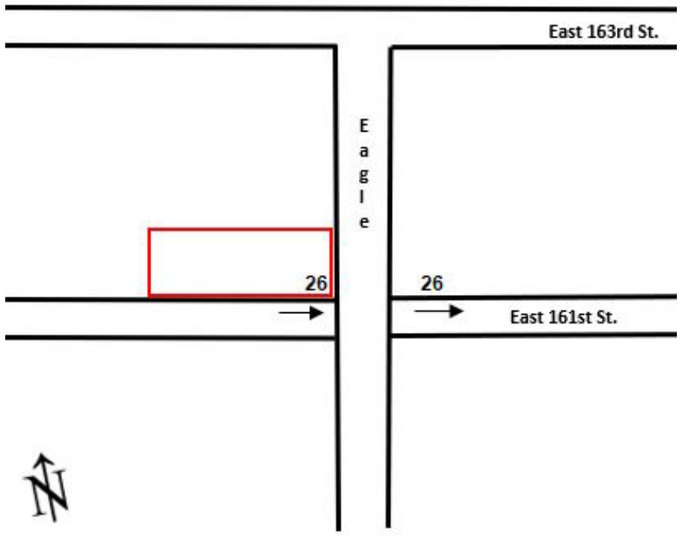
MD Inbound Walk/Bike



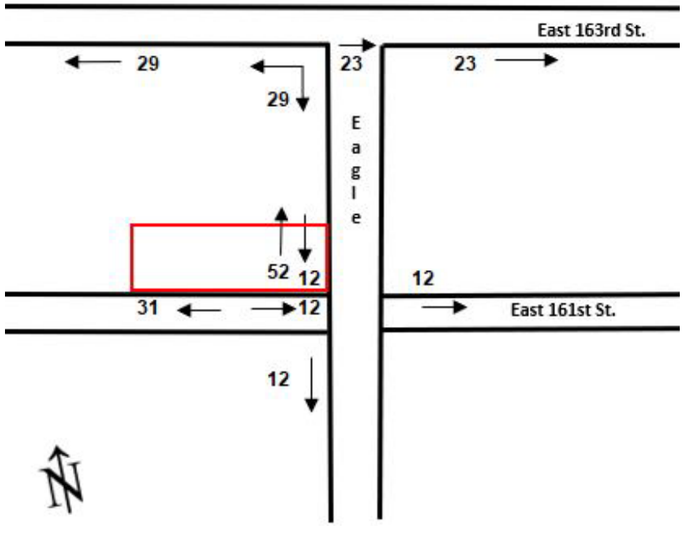
MD Outbound MTA BUS Trips



MD Outbound Subway Trips

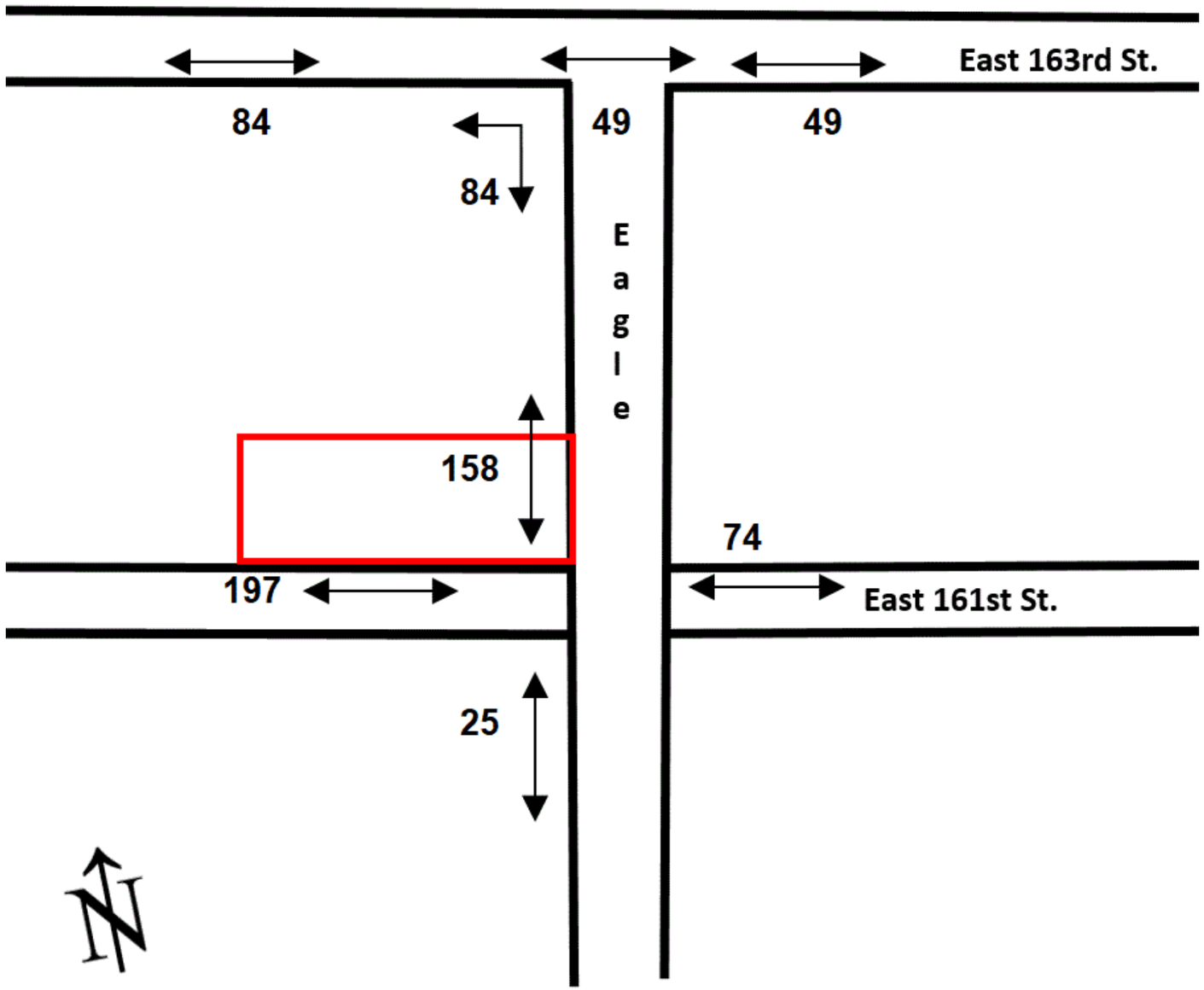


MD Outbound Walk/Bike



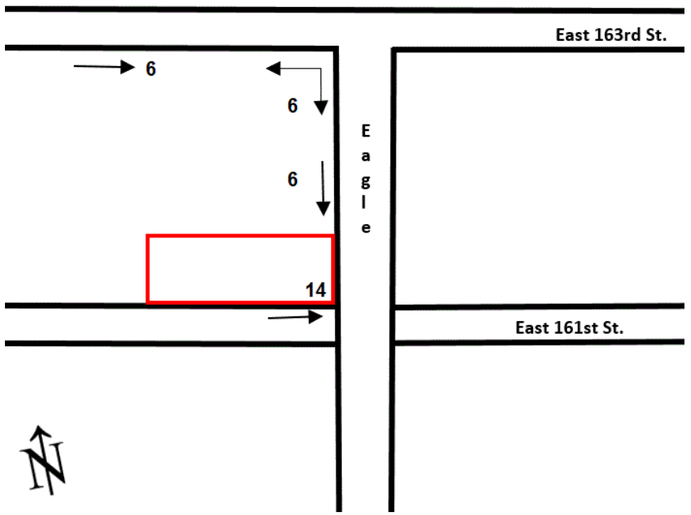
2.7-8: MD Pedestrian Assignment (2 of 2)

MD Peak Hour Total Pedestrian Trip-Ends

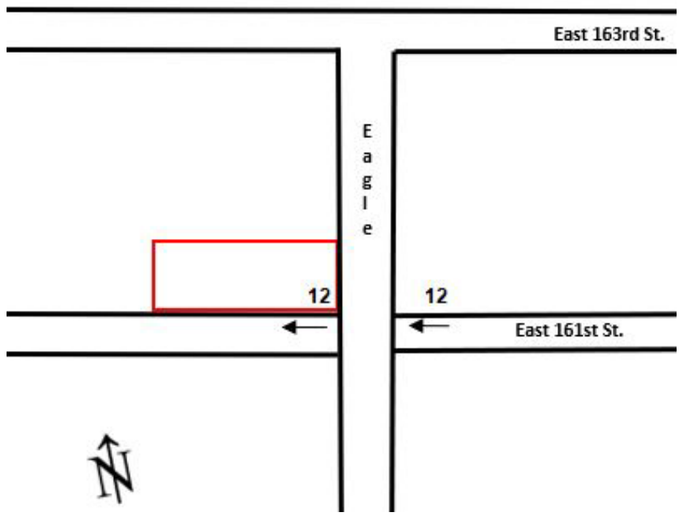


2.7-9: PM Pedestrian Assignment (1 of 2)

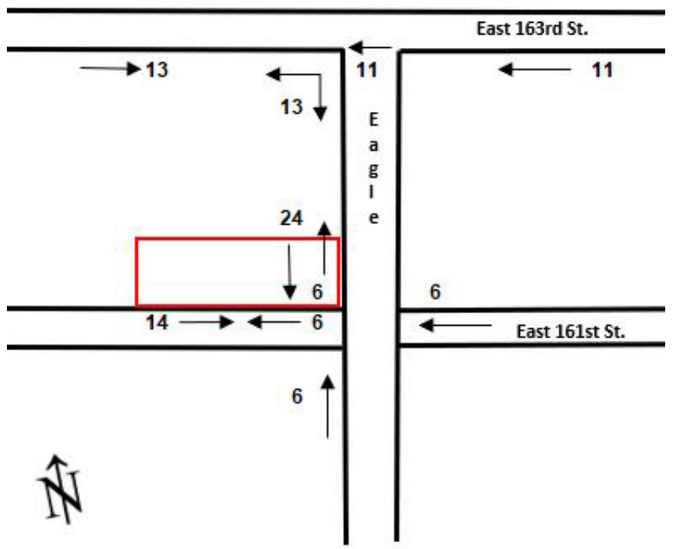
PM Inbound MTA BUS Trips



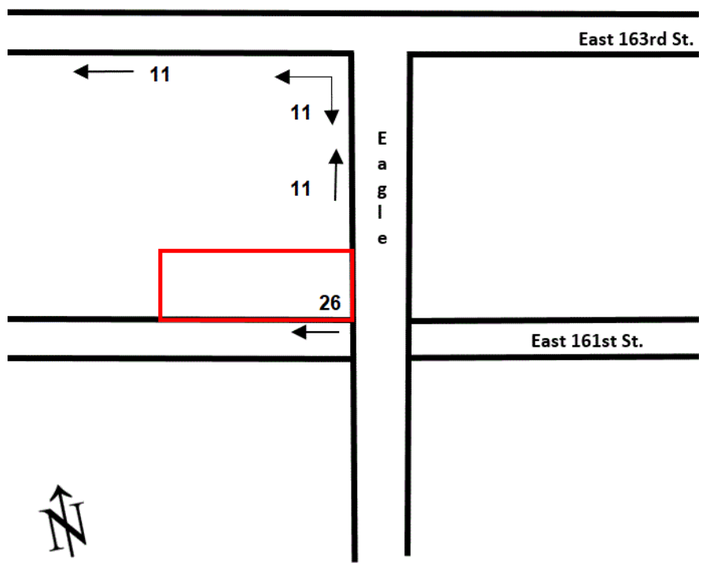
PM Inbound Subway Trips



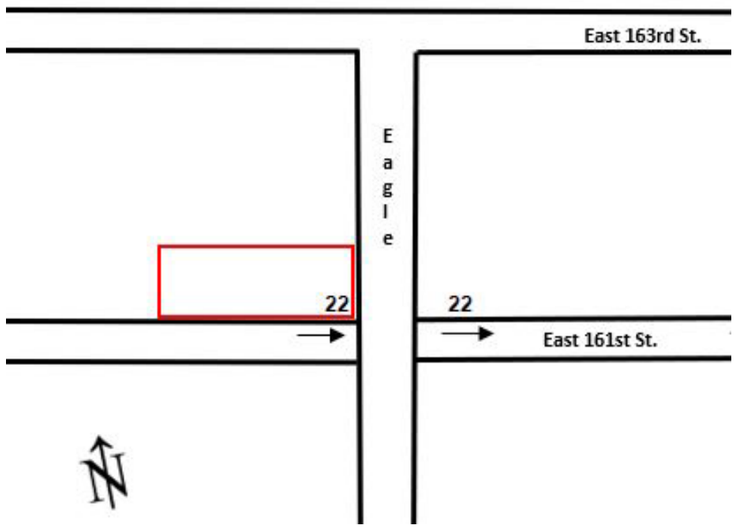
PM Inbound Walk/Bike



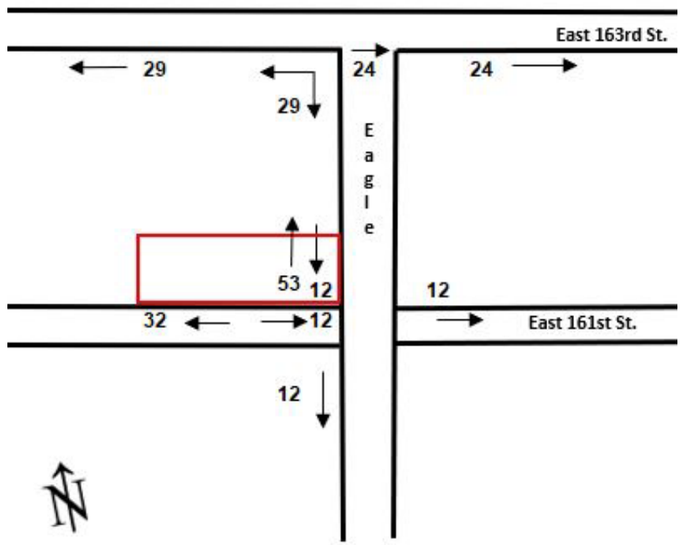
PM Outbound MTA BUS Trips



PM Outbound Subway Trips

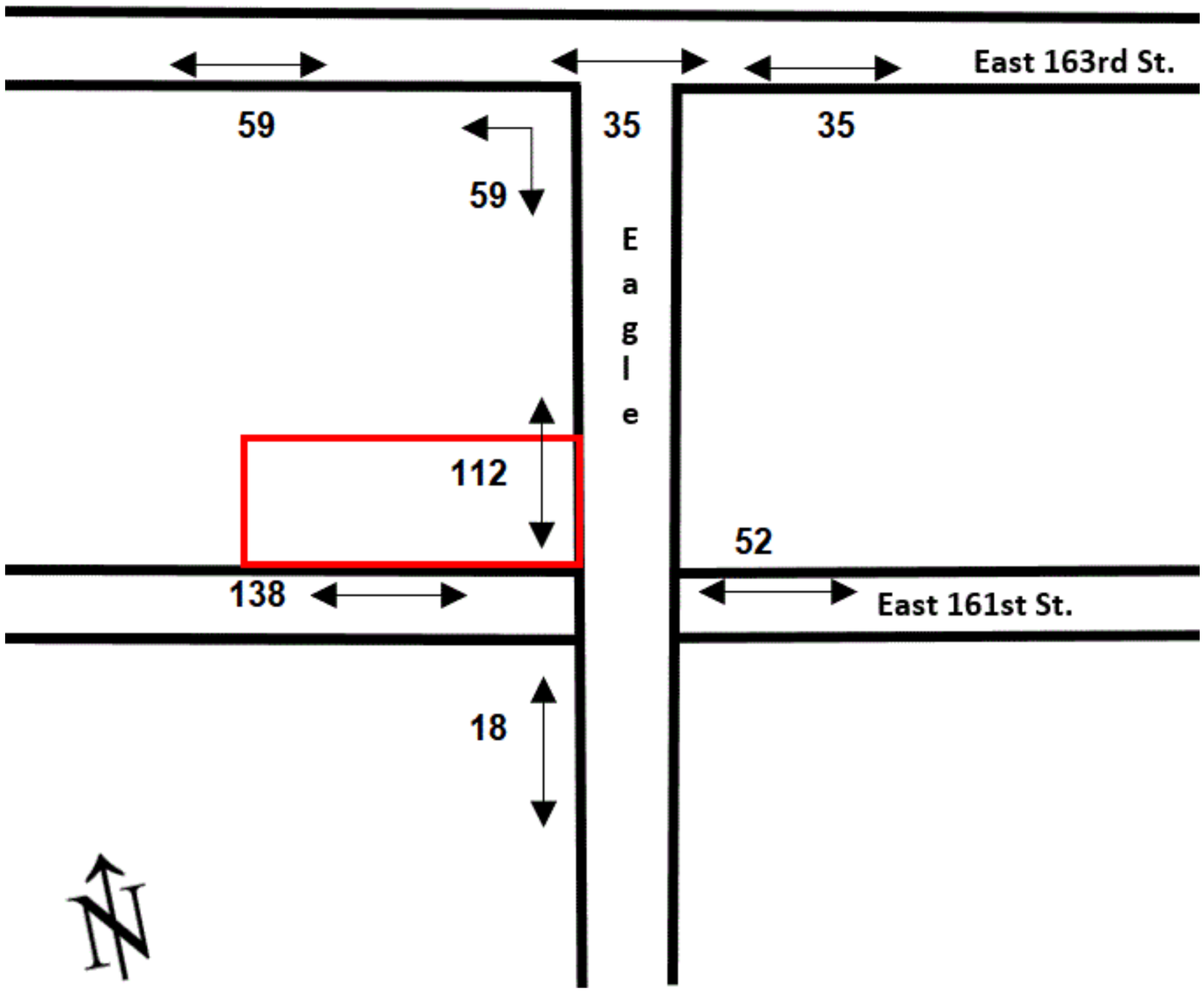


PM Outbound Walk/Bike



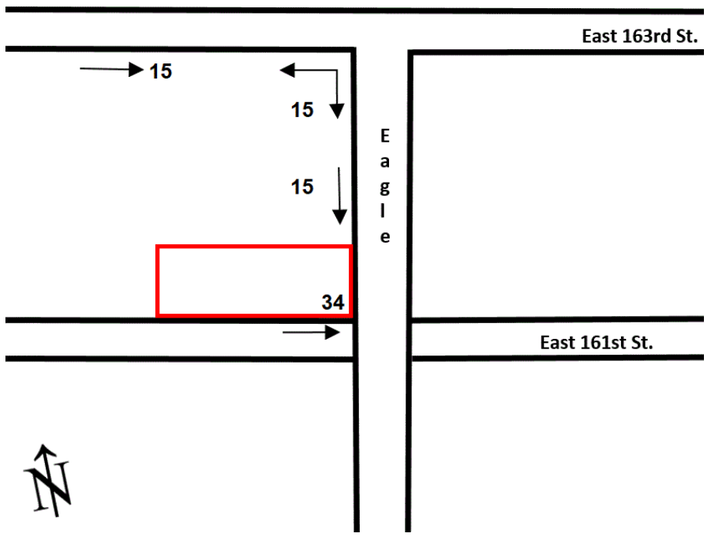
2.7-9: PM Pedestrian Assignment (2 of 2)

PM Peak Hour Total Pedestrian Trip-Ends

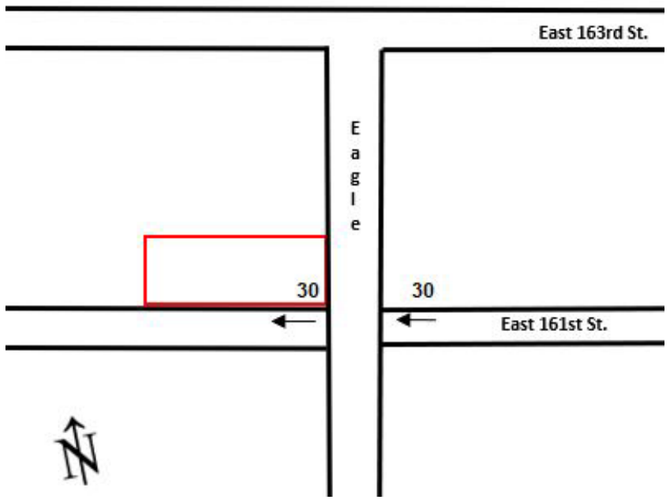


2.7-10: SAT MD Pedestrian Assignment (1 of 2)

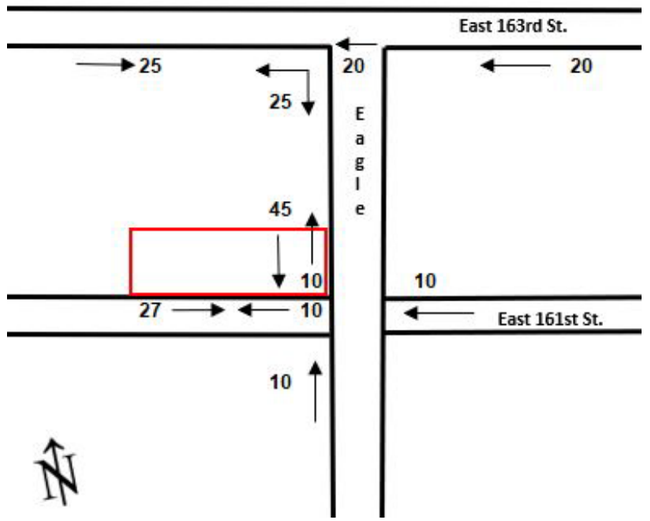
SAT Inbound MTA BUS Trips



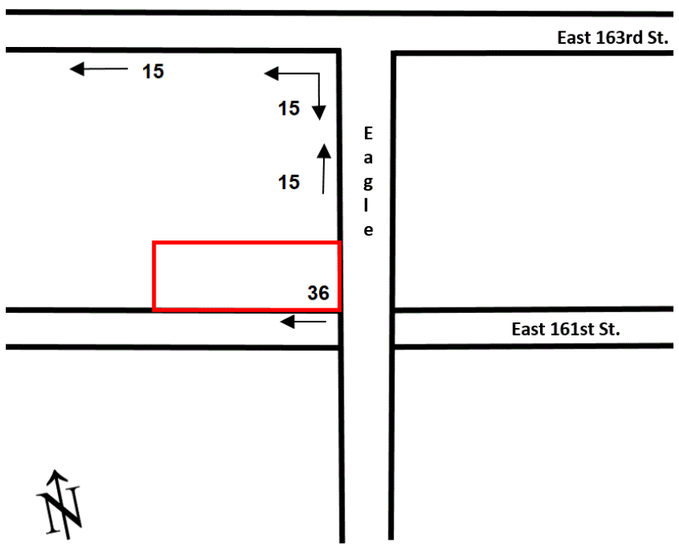
SAT Inbound Subway Trips



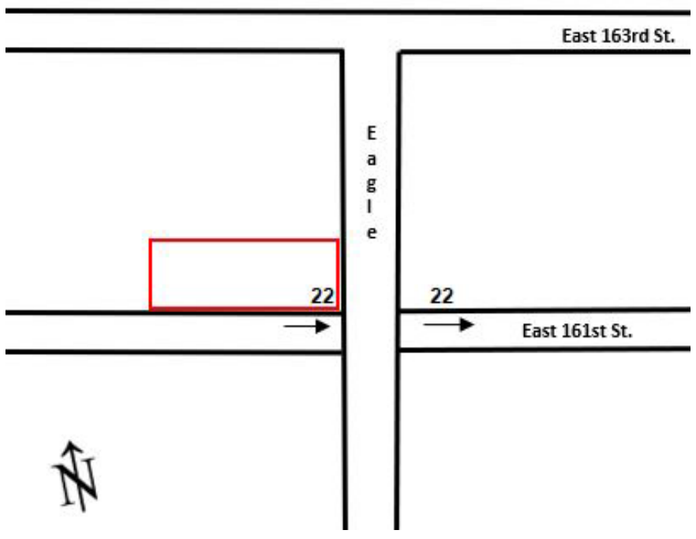
SAT Inbound Walk/Bike



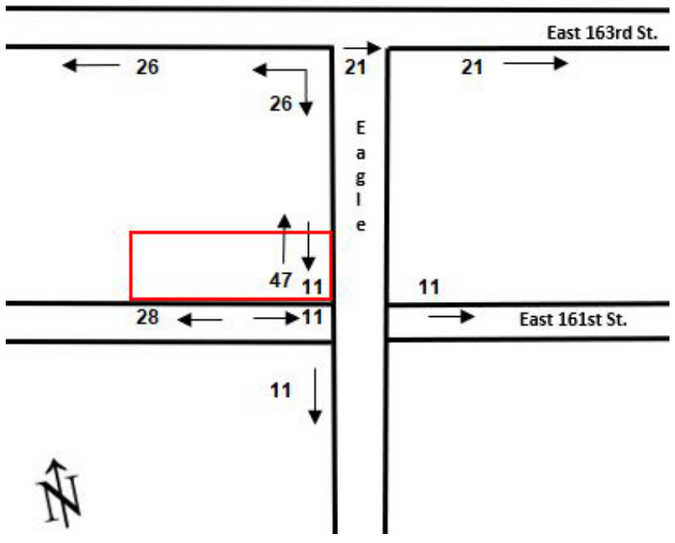
SAT Outbound MTA BUS Trips



SAT Outbound Subway Trips

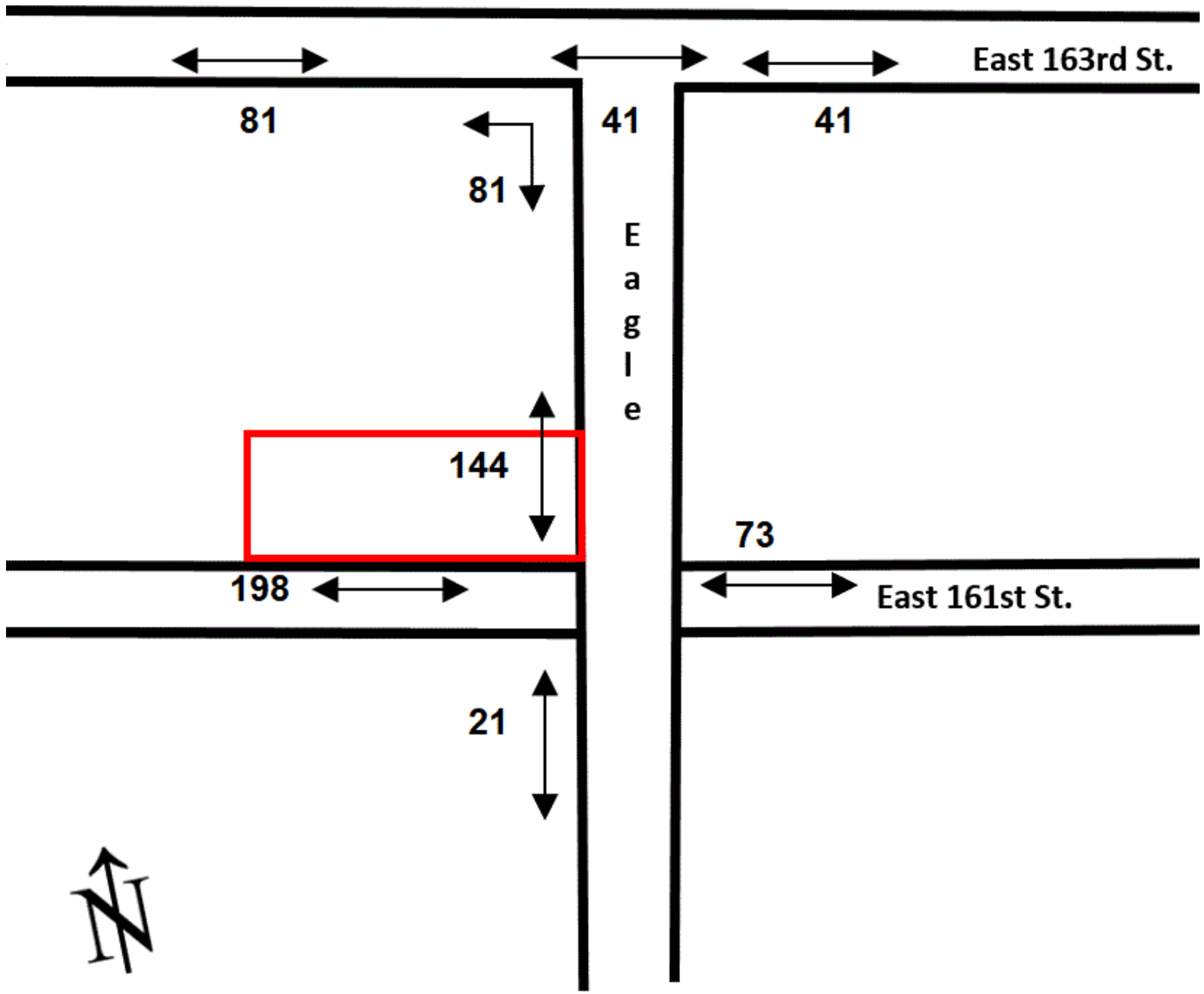


SAT Outbound Walk/Bike



2.7-10: SAT MD Pedestrian Assignment (2 of 2)

Saturday MD Peak Hour Total Pedestrian Trip-Ends



Conclusion

Based on the *Level 2 Project Generated Trip Assignment,* this section identifies where exceedances to the applicable *Level 2 CEQR thresholds* occur and concludes where further assessment or mitigation is warranted.

Level 2: Vehicular Trip Assignment Findings

The preliminary screening thresholds in the March 2021 CEQR Technical Manual suggest that any project which generates 50 or more peak hour incremental vehicle trip-ends through a single intersection in any given peak hour is likely to warrant a detailed traffic operations analysis. Conversely, projects that are anticipated to generate fewer than 50 peak hour incremental vehicle trip-ends through a single intersection generally do not warrant detailed traffic assessments, and potential traffic impacts are not expected.

Based on the Vehicular Trip Assignments shown above, the Proposed Actions would not result in greater than 50 vehicle trip-ends at any of the project Study Intersections. Accordingly, potential traffic impacts are not anticipated pursuant to the Proposed Actions.

Level 2: Pedestrian Trip Assignment Findings

The 2021 CEQR Technical Manual indicates that a detailed pedestrian analysis be performed for projects that are likely to generate 200 or more incremental pedestrian trips during any peak hour on any singular pedestrian element (i.e., a crosswalk, street corner, or sidewalk).

Based on the Pedestrian Trip Assignments shown above, The Proposed Actions would not result in greater than 200 pedestrian-trip ends to any single pedestrian element. Accordingly, potential pedestrian traffic impacts are not anticipated and no further analysis is warranted.

2.8 Air Quality

Ambient air quality describes pollutant levels in the surrounding environment to which the public has access. To assess potential health hazards due to ambient air quality, the impact of air pollutants emitted by motor vehicles (mobile source) and by fixed facilities (stationary source) are analyzed, where the effects of both the proposed project on ambient air quality and the ambient air quality effect on the proposed project are considered. The analysis frame work, as mandated by the State Environmental Review Act, follows the *New York City Environmental Quality Review 2021 Technical Manual (CEQR TM)*. The potential air quality impacts of the following emissions are estimated following the procedures and methodologies prescribed in the *CEQR TM*:

- The potential for changes in vehicular travel associated with proposed development activities to result in significant mobile source (vehicular related) air quality impacts.
- The potential for an atypical (*e.g.*, not at-grade) source of vehicular pollutants to significantly impact the proposed development.
- The potential for emissions from the heating, ventilation and air conditioning (HVAC) systems of the proposed development to significantly impact nearby planned and/or existing land uses.
- The potential for air toxic emissions released from existing industrial facilities to significantly impact the proposed development.
- The potential for significant air quality impacts from the emissions of facilities that require Prevention of Significant Deterioration permits (Title V), and facilities which require a state facility permit to significantly impact the proposed development.
- The potential for facilities' malodorous emissions to unreasonably interfere with the proposed project's occupant's comfortable enjoyment of life or their property.

The Development Sites

The proposed rezoning would facilitate the development of Block 2620, Lots 49, 50, 52, and 56. The Development Site Reasonable Worst-Case Development Scenarios were considered for the air quality analysis. The RWCDS would facilitate the construction of either a 14-story, 135-foot-tall building or a 14-story 140-foot-tall building. **Table 2.8-1** summarizes the Projected Development Site scenarios.

Table 2.8-1: RWCDS Buildings

Site ID	Building Height (ft.)	Gross Floor Area (gsf)	No. of Parking Spaces
Projected Development Site 1, Scenario 1	140	68,354	0
Projected Development Site 1, Scenario 2	135	68,354	72

For the purpose of the air quality analysis, the Development Site's boilers' heat inputs assumed residential uses as a conservative measure (residential use consumes more fuel per floor area than other uses).

2.8.1 Methodology & Standards

Air Pollutants and Applicable Standards/Guidelines

National Air Quality Standards

The U.S. Environmental Protection Agency (EPA) has identified six pollutants, known as criteria pollutants which are being of concern nationwide, and established threshold concentration based upon adverse effect on human health. The six pollutants and their characteristics are:

- Carbon Monoxide (CO) is mainly produced by motor vehicles from the incomplete combustion of gasoline. The impact of CO on the ambient air is analyzed next to roadways, intersections, parking lots, and parking garages vents as these locations are the most affected.
- Nitrogen Dioxide (NO_2) is a main concern related to the burning of natural gas. Emitted NOx from the burning of fossil fuel gradually convert to NO_2 in a chemical reaction that is affected by ozone concentration and the presence of sunlight. In a micro scale analysis, buildings HVAC systems are analyzed for NO_2 impact.
- Ozone (O_3) is formed by chemical reaction between hydrocarbons and nitrogen oxides and its impact is analyzed on a regional scale by monitoring stations.
- Lead (Pb) in the ambient air is monitored on a regional level. In a project scale analysis, impact due to Lead concentration levels are analyzed if a new source, such as lead smelters, is introduced into the environment or if a project is located next to a lead emitter.
- Particulate Matter emissions are associated with both stationary sources and mobile sources. Two sizes of particulate matters are analyzed: Inhalable Particles (PM_{10}) and Fine Particulate Matter ($PM_{2.5}$), where the subscript number refers to the diameter of the particulate matter in micrometers.
- Sulfur Dioxide (SO_2) emission is principally associated with stationary sources that use oil or coal as the fossil fuel for the equipment. These fuels contain sulfur that bond to oxygen atoms in the burning process.

As required by the Clean Air Act, National Ambient Air Quality Standards (NAAQS) have been established for the criteria pollutants by EPA, and New York State has adopted the NAAQS as the State ambient air quality standards. The NO_2, $PM_{2.5}$, and SO_2 standards— the criteria pollutants of main concern for HVAC systems fueled by natural gas—together with their health-related averaging periods are presented in **Table 2.8-2**.

Table 2.8-2: National And New York States Ambient Air Quality

Pollutant	Averaging Period	National and State Standards
NO_2	Maximum 1-Hour Concentration	0.10 ppm (188 μg/m^3)
	Annual Arithmetic Average	0.053 ppm (100 μg/m^3)
$PM_{2.5}$	24-Hour Concentration	35 μg/m^3
	Average of 3 Consecutive Annual Means	12 μg/m^3
SO_2	Maximum 1-Hour Concentration	75 ppb (196 μg/m^3)
	Annual Arithmetic Mean	30 ppb (80 μg/m^3)

NO_2 NAAQS

Nitrogen oxide (NO_x) emissions from gas combustion consist predominantly of nitric oxide (NO) at the source. The NO_x in these emissions are then gradually converted to NO_2, which is the pollutant of concern, in the atmosphere (in the presence of ozone and sunlight as these emissions travel downwind of a source).

The 1-hour NO_2 NAAQS standard of 0.100 ppm (188 ug/m^3) is the 3-year average of the 98th percentile of daily maximum 1-hour average concentrations in a year. For determining compliance with this standard, the EPA has developed a modeling approach for estimating 1-hour NO_2 concentrations that is comprised of three tiers: Tier 1, the most conservative approach, assumes a full (100%) conversion of NO_x to NO_2; Tier 2 applies a conservative ambient NOx/NO_2 ratio of 80% to the NO_x estimated concentrations; and Tier 3, which is the most precise approach, employs AERMOD's PVMRM module. The PVMRM accounts for the chemical transformation of NO emitted from the stack to NO_2 within the source plume using hourly ozone background concentrations. When Tier 3 is utilized, AERMOD generates 8th highest daily maximum 1-hour NO_2 concentrations or total 1-hour NO_2 concentrations if hourly NO_2 background concentrations are added within the model.

Per the *CEQR TM*, a Tier 1 approach is initially applied, followed by a Tier 2 application of NOx/NO_2 ratio of 80% to the NOx modeled concentration to determine whether violation of the NAAQS is likely to occur. A less conservative Tier 3 approach is then applied if exceedances of the 1-hour NO_2 NAAQS were estimated.

New York State Standards

As mentioned, New York State has adopted the national standard, NAAQS. In addition, the New York State Department of Environmental Conservation (NYSDEC) has established guidelines for maximum allowable concentration of "noncriteria pollutants," which are potentially toxic or carcinogenic pollutants. The maximum allowable guidelines set a maximum 1-hour and annual averaging time concentrations and are published in the DAR-1 AGC/SGC Table, where AGC/SGC refers to Annual and Short-term Guideline Concentrations. The most recent DAR-1 guidelines were created on February 12, 2021.

NYSDEC also regulates pollutants that produce discomfort due to odors, where significant discomfort is evaluated on quantity, characteristic or duration.

NYC Interim Guidelines

In addition to the NAAQS, the *CEQR TM* requires that projects subject to CEQR apply a $PM_{2.5}$ significant impact criteria (based on concentration increments). These criteria are named *de minimis* and they are more stringent than the NAAQS, as the *de minimis* concentrations set a maximum increase of pollutant concentration that is below the national standard. If the estimated impacts of a proposed project are less than the *de minimis* criteria, the impacts are not considered to be significant. As outlined in the *CEQR TM,* $PM_{2.5}$ significant impacts are evaluated as follow:

- Predicted 24-hour maximum $PM_{2.5}$ concentration increase of more than half the difference between the 24-hour background concentration and the 24-hour standard; or
- Predicted annual average $PM_{2.5}$ concentration increments greater than 0.3 $\mu g/m^3$ at any receptor location for stationary sources.

Background Concentrations

Determination of significant impact criteria is evaluated by adding the background concentrations at the nearest NYSDEC monitoring station to the concentrations of criteria pollutants in the ambient air of the Development Sites.

Background concentrations of NO_2, SO_2, and $PM_{2.5}$—the criteria pollutants relevant for HVAC system fueled by natural gas or fuel oil #2 analysis—were obtained from the NYSDEC's annual report for 2018 at the nearest monitoring stations. **Table 2.8-3** shows the background concentrations.

Table 2.8-3: Background Concentrations at the Nearest Monitoring Stations (NYSDEC 2018 Report)

Pollutant	Averaging Period	Background Concentration	Monitoring Station
NO_2	1-Hour Concentration	59.6 ppb (112.08 $\mu g/m^3$)	IS #52
	Annual Arithmetic Average	17.46 ppb (32.83 $\mu g/m^3$)	
$PM_{2.5}$	24-Hour Concentration	17.3 $\mu g/m^3$	IS #52
	Average of 3 Consecutive Annual Means	7.6 $\mu g/m^3$	
SO_2	1-Hour Concentration	6.23 ppb (16.3 $\mu g/m^3$)	IS #52
	Annual Arithmetic Mean	0.57 ppb (1.49 $\mu g/m^3$)	

The *de minimis* criteria for $PM_{2.5}$ was evaluated as described in the NYC Interim Guidelines. The concentrations increments are presented below:

- 24-hour $PM_{2.5}$ 8.85 µg/m^3
- Annual $PM_{2.5}$ 0.3 µg/m^3

2.8.2 Analysis

Mobile Sources

Projects may result in significant mobile source impacts when they create mobile sources of pollutants, change traffic patterns, or add new uses near mobile sources of pollutants. Per CEQR guidelines, a detailed analysis is conducted to predict whether the Proposed Actions could potentially have a significant adverse air quality impact if certain threshold criteria are met or exceeded, while proposed projects that do not meet or exceed the threshold criteria (screen out) are not expected to have a mobile source impact. Projects that require a detailed analysis model the ambient air CO and PM_{10}/$PM_{2.5}$ concentrations—the mobile source pollutants of concern—and compare the modeled concentrations with the applicable air quality standard.

Project-Generated Traffic

Per the *CEQR TM*, mobile source impacts may occur for CO if 170 or more auto trips are generated by the Proposed Actions. As indicated in **Section 2.7**, the maximum development induced vehicular trips would be 122 during the Saturday peak hour. Accordingly, the CO the threshold would not be exceeded and further analysis is not required.

$PM_{2.5}$ impacts may occur if a project would generate HDDV equivalent traffic volume of more than 12 – 23 per hour depending on the road types.

As per the vehicular assignment provided in the Transportation chapter, the worst case of maximum incremental trip-ends generated by the project is 32 on Eagle Ave between East 163rd Street and East 161st Street, and 32 on Cauldwell Street between East 163rd Street and East 161st Street. Under the guidance with DCP in consultation with DEP, since two of the cross streets are principal arterial road and major collector road, it is not expected that the proposed project would create any potential significant adverse air quality impact. As such, detailed mobile source impact analysis is not warranted.

Parking Garage

Based on CEQR recommendations, the maximum capacities of parking garages are evaluated with a threshold criterion to predict whether the potential impacts associated with mobile source emissions are significant. The threshold criteria level, per CEQR guidelines, is 85 off-street parking spaces. If the threshold is met or exceeded, a detailed analysis is warranted. As seen in **Table 2.8-1**, the Proposed Actions would not exceed the threshold criterion. Therefore, no detailed air quality analysis is required, and no significant mobile source air quality impacts are expected as a result of the parking facilities.

Stationary Sources

According to CEQR, an action can result in stationary source air quality impacts when it creates new stationary sources of pollutants-such as emission stacks for industrial plants, hospitals, or other large institutional uses, or even building boilers- that can affect surrounding uses, or when they introduce sensitive uses near existing (or planned future) emissions stacks, and the new uses might be affected by the emissions from the stack.

Project HVAC Systems Analysis

The HVAC analysis considers the potential for emissions from the HVAC systems of the proposed developments to significantly impact existing land uses (project-on-existing) within 400 feet.

As outlined in the *CEQR TM*, the analysis of buildings' HVAC systems follows stationary sources methodology, and based on CEQR guidelines, a preliminary screening analysis is to be conducted as a first step to predict whether the potential impacts of the heat and hot water system boiler emissions can be significant. This CEQR screening procedure is applicable to buildings that are not less than 30 feet from the nearest building of similar or greater height. Otherwise, a detailed dispersion analysis is required.

The anticipated development within the proposed rezoning area would consist of one building with two separate scenarios. In each scenario the building would be equipped with its own separate gas fueled heat and hot water system.

As previously mentioned, the screening analysis is only applicable to a single smokestack, and this CEQR screening procedure is applicable to buildings that are not less than 30 feet from the nearest building of similar or greater height. **Table 2.8-4** shows the screening analyses framework and results. Neither Projected Development Site Scenario requires further analysis because a receiving building is not located within the distance indicated by the screening nomograph.

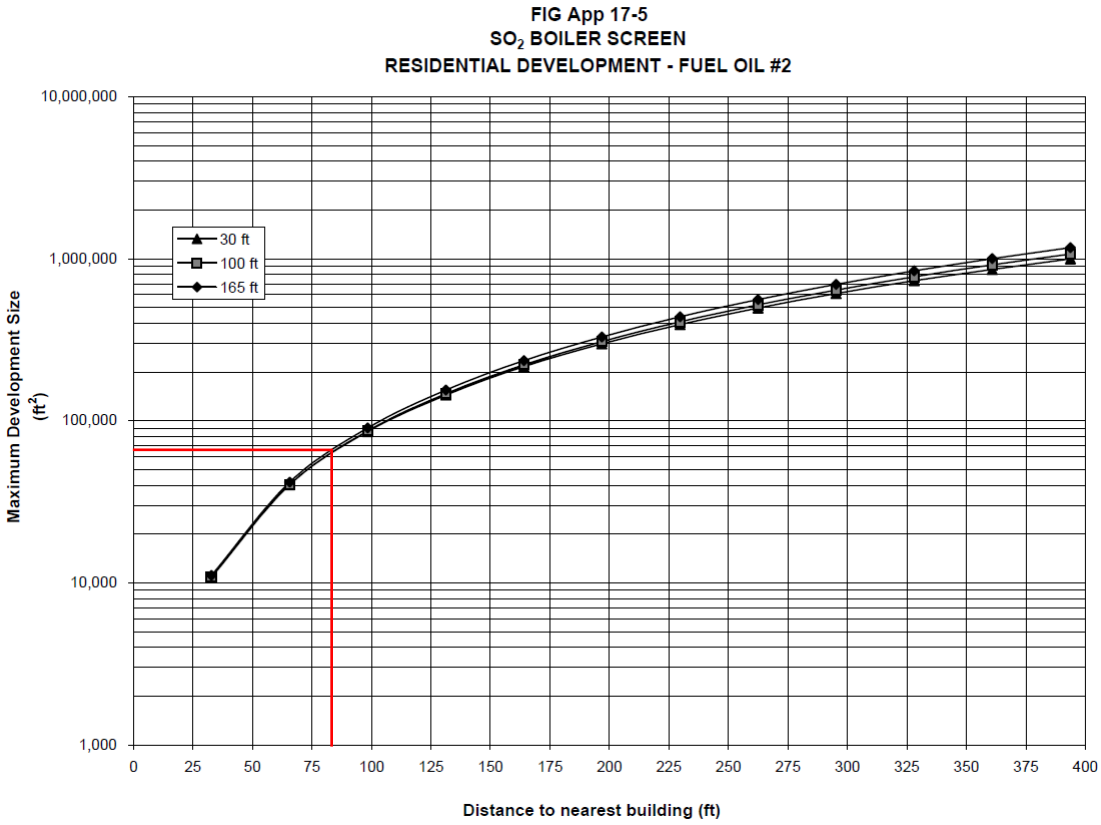
Table 2.8-4: Screening Analysis Results

Source Building Site ID	Heated Area (sq. ft.)	Screen Distance (ft.)	Receiving Building (Address and Block/Lot)	Receiving Building Distance (ft.)	Pass/ Fail
Projected Development Site 1, Scenario 1	68,354	115	872 Trinity Avenue (Block 2638, Lot 1)	679	Pass
Projected Development Site 1, Scenario 2	68,354	115	872 Trinity Avenue (Block 2638, Lot 1)	679	Pass

Per *CEQR TM*, the CEQR nomograph depicted on Figure 17-5 for a 100-foot stack height was applied (as the 100 feet curve height is closest to but not higher than any of the proposed stack heights, as the CEQR screening procedure requires). The Stationary Source Screen Figure 17-5 referenced in the *Appendices* of the *CEQR Technical manual* is a generic screen assuming the HVAC system is fueled by Fuel Oil #2. This nomograph depicts the size of the development versus distance below which the potential impact can occur and provides a conservative estimate of the threshold distance. **Figure 2.8-1** (*CEQR Figure 17-5*) shows the screening analysis.

Figure 2.8-1: The Development Sites Minimum Distance

HVAC Screen Nomograph Fuel Oil #2



Red = Scenario 1 & 2

The screening analysis nomograph shows that a detailed analysis would be required for any existing land uses that are 135 feet or taller and at a distance of less than 80 feet from the Development Site. A review of existing land uses within 400 feet of the Development Sites shows that the nearest building of similar or greater height is the 18-story, building located at 882 Trinity Avenue (Block 2638, Lot 1), which is approximately 679 feet east of the Projected Development Site.

Therefore, the Proposed Actions pass the screening analysis regarding the potential impact on existing land uses that are at least 135 feet or taller.

Industrial Emissions

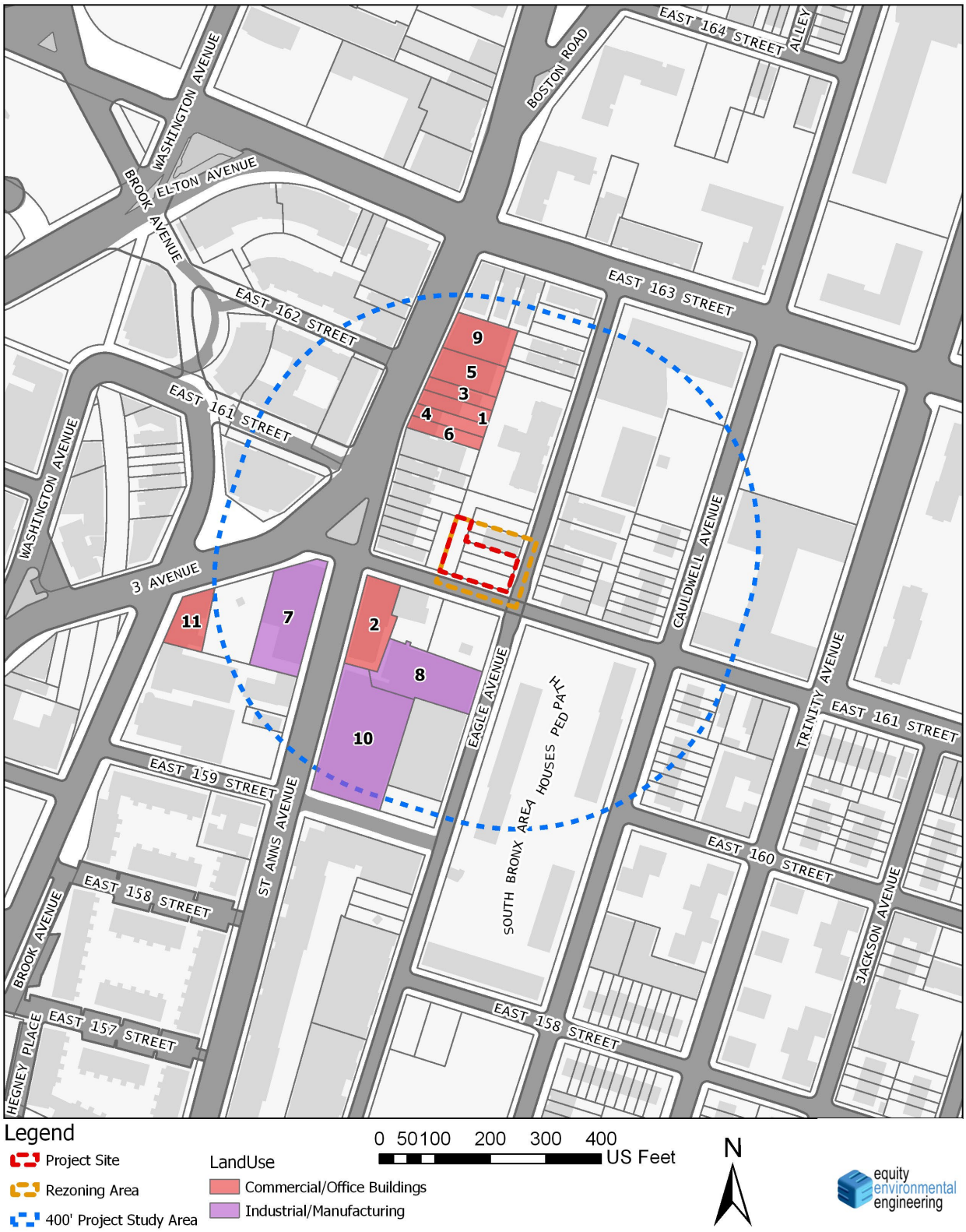
A search of potential industrial sites was performed to identify any NYC DEP and USEPA1 Air Quality Permits issued within 400 feet of the Affected Area. This Study Area and uses preliminarily identified as manufacturing or industrial based on NYCDCP MAPPLUTO database are identified in **Figure 2.8-2**. This search was performed to determine if hazardous air toxics would have the potential to impact the proposed development.

While 11 sites were identified as potentially manufacturing or industrial in nature, these uses were screened further using Google and in field assessment on multiple occasions. **Table 2.8-5** shows the 11 properties within approximately 400 feet that were screened as potentially industrial or manufacturing sites – these sites were further reviewed for permit activity and the actual use currently present at the site. As shown in **Table 2.8-5**, three sites were determined to have industrial or manufacturing type uses and none has an active DEP industrial permit.

Table 2.8-5: Industrial Sites within 400 feet of Affected Area

Key	Block	Lot	Address	Current Use	Permit Search Results
1	2620	13	3216 3 AVENUE	Commercial	No Record Found
2	2619	10	844 ST ANNS AVENUE	Industrial/Manufacturing	No Record Found
3	2620	14	3218 3 AVENUE	Commercial	No Record Found
4	2620	12	3214 3 AVENUE	Commercial	No Record Found
5	2620	15	3220 3 AVENUE	Commercial	No Record Found
6	2620	11	3212 3 AVENUE	Commercial	No Record Found
7	2360	97	3172 3 AVENUE	Commercial	No Record Found
8	2619	17	861 EAGLE AVENUE	Industrial/Manufacturing	No Record Found
9	2620	18	3230 3 AVENUE	Commercial	Expired Boiler Permit
10	2619	1	842 ST ANNS AVENUE	Commercial	No Record Found
11	2360	89	3146 3 AVENUE	Industrial/Manufacturing	No Record Found

Figure 2.8-2: Potential Industrial and Manufacturing Uses within the 400-Foot Study Area



Based on reconnaissance of the area and research of each potential industrial or manufacturing use in the Study Area, there is no evidence present to conclude there are illegal unpermitted air emissions present in the Study Area. Based on the above research there does not appear to be any potentially significant impact in terms of air toxics to the Proposed Rezoning Area.

2.8.3 Conclusion

The air quality analyses addressed mobile sources, stationary HVAC systems, and air toxics. The results of the analyses are summarized below.

- Emissions from project-related vehicle trips would not cause significant air quality impacts to receptors at the local or neighborhood scale;
- Emissions from project-related heating, ventilation, and air conditioning systems (HVACs) would not cause significant air quality impacts to receptors at the local scale;
- No significant air quality impacts to the proposed project are anticipated from air toxics; and
- As no existing large or major sources are located within 1,000 feet of the Development Sites, emissions from existing stationary sources would not cause a significant air quality impact to the proposed project.

Based on the air quality analyses results, an E-Designation restricted on minimum stack height will be placed on the Projected Development Site to prevent any potential significant adverse air quality impacts of the Proposed Development in the future.

The text of the E-Designation would be as follows:

[E] Designation (E-667)

Block 2620, Lots 49, 50, 52, 56 (Projected Development Site 1):
Any new residential and/or community facility development on the above-referenced properties must ensure the heating, ventilating, and air conditioning (HVAC) systems and hot water equipment stack is located at least 138 feet above grade to avoid any potential significant adverse air quality impacts.

2.9 Noise

According to the *2021 CEQR Technical Manual,* a Noise Analysis may be required if the project would (1) generate any mobile or stationary sources of noise; and/or (2) be located in an area with existing high ambient noise levels. If the proposed project is located in areas with high ambient noise levels, which typically include those near highly-trafficked thoroughfares, airports, rail, or other loud activities, further noise analysis may be warranted to determine the attenuation measures that are appropriate for the proposed project.

Methodology

Noise is defined as any unwanted sound, and sound is defined as any air pressure variation that the human ear can detect. Human beings can detect a large range of sound pressures ranging from 20 to 20 million micropascals, but only those air-pressure variations occurring within a set of frequencies are experienced as sound. Air-pressure changes that occur between 20 and 20,000 times a second, stated as units of Hertz (Hz), are registered as sound.

In terms of hearing, humans are less sensitive to low frequencies (<250 Hz) than mid-frequencies (500-1,000 Hz). Humans are most sensitive to frequencies in the 1,000 to 5,000 Hz range. Since ambient noise contains many different frequencies all mixed together, measures of human response to noise assign more weight to frequencies in this range. This is known as the A- weighted sound level.

Noise is measured in sound pressure level (SPL), which is converted to a decibel scale. The decibel is a relative measure of the sound level pressure with respect to a standardized reference quantity. Decibels on the A-weighted scale are termed “dB(A).” The A-weighted scale is used for evaluating the effects of noise in the environment because it most closely approximates the response of the human ear. On this scale, the threshold of discomfort is 120 dB(A), and the threshold of pain is about 140 dB(A). **Table 2.9-1** shows the range of noise levels for common sources.

Because the scale is logarithmic, a relative increase of 10 decibels represents acoustic energy that is 10 times higher. However, humans do not perceive a 10 dB(A) increase as 10 times louder. Instead, they perceive it as twice as loud.

The following are typical human perceptions of dB(A) relative to changes in noise level:

- 3 dB(A) change is the threshold of change detectable by the human ear;
- 5 dB(A) change is readily noticeable; and
- 10 dB(A) increase is perceived as a doubling of the noise level.

The SPL that humans experience typically varies from moment to moment. Therefore, various descriptors are used to evaluate noise levels over time. Some typical descriptors are defined below.

- L_{eq} is the continuous equivalent sound level. The sound energy from the fluctuating SPLs is averaged over time to create a single number to describe the mean energy, or intensity level. High noise levels during a measurement period will have a greater effect on the L_{eq} than low noise levels. L_{eq} has an advantage over other descriptors because L_{eq} values from various noise sources can be added and subtracted to determine cumulative noise levels.
- $L_{eq(24)}$ is the continuous equivalent sound level over a 24-hour time period.
- Lmax is the highest SPL measured during a given period of time. It is useful in evaluating Leqs for time periods that have an especially wide range of noise levels.
- L_{dn} is the day-night equivalent sound level, defined as a 24-hour continuous Leq with a 10 dB adjustment added to all hourly noise levels recorded between the hours of 10 PM and 7 AM. This 10 dB addition accounts for the extra sensitivity people have to noise during typical sleeping hours.
- DNL is the annual average day-night average sound level. Aircraft noise around airports is usually mapped out in terms of DNL, which are normally depicted as noise contours on a map.

The sound level exceeded during a given percentage of a measurement period is the percentile-exceeded sound level (L_X). Examples include L_{10}, L_{50}, and L_{90}. L_{10} is the A-weighted sound level that is exceeded 10% of the measurement period.

The *CEQR Technical Manual* provides noise exposure guidelines in terms of L_{eq} and L_{10} for the maximum amount of allowable noise under existing regulations. For the purposes of the Proposed Actions, the L_{eq} descriptor has been selected as the noise descriptor to be used in this noise impact evaluation. The L_{10} and L_{dn} are the noise descriptors (depending on noise sources) used in the *CEQR Technical Manual* noise exposure guidelines to determine the required attenuation values to achieve acceptable interior noise levels. Conservatively, both L_{eq} and L_{10} were used to determine attenuation requirement for dominant traffic noise for this project.

Table 2.9-1: Noise Levels of Common Sources

Sound Source	SPL (dB(A))
Air Raid Siren at 50 feet	120
Maximum Levels at Rock Concerts (Rear Seats)	110
On Platform by Passing Subway Train	100
On Sidewalk by Passing Heavy Truck or Bus	90
On Sidewalk by Typical Highway	80
On Sidewalk by Passing Automobiles with Mufflers	70
Typical Urban Area	60-70
Typical Suburban Area	50-60
Quiet Suburban Area at Night	40-50
Typical Rural Area at Night	30-40
Isolated Broadcast Studio	20
Audiometric (Hearing Testing) Booth	10
Threshold of Hearing	0
Notes: A change in 3dB(A) is a just noticeable change in SPL. A change in 10 dB(A)Is perceived as a doubling or halving in SPL.	
Source: 2021 CEQR Technical Manual	

Assessment Basis

Based on the reasonable worst-case development scenario, the proposed project would result in a new development at the Project Site of residential and community facility under With-Action Scenario 1 and of a new community facility development under With-Action Scenario 2. With-Action Scenario 2 was assumed for mobile source noise analysis to project more conservative assessment and to be consistent with Transportation analysis. Without the Proposed Action, the site would likely not be redeveloped.

The *CEQR Technical Manual* recommends an analysis of two principal types of noise sources: mobile sources; and stationary sources. Both types of noise sources are examined in the following sections.

As demonstrated below, development under the Proposed Actions would not result in a doubling of existing noise Passenger Car Equivalents (Noise PCEs) on surrounding roadways. Additionally, the proposed uses are not significant stationary noise generation sources. Therefore, the Proposed Actions would not likely cause significant adverse impact to existing receptors and no further assessment is required.

As discussed in the *CEQR Technical Manual*, if the proposed project is located in areas with high ambient noise levels, which typically include those near heavily-traveled thoroughfares, airports, exposed rail, or other loud activities, further noise analysis may be warranted to

determine the attenuation measures for the project. As the Proposed Actions would create new noise-sensitive uses within the Project Area, an assessment of the potential for ambient noise levels to result in adverse impacts on building occupants was performed. Accordingly, ambient noise levels were measured at the proposed development site to provide an assessment of the potential for ambient noise to have a significant adverse effect on future residents of the proposed development.

2.9.1 Analysis

Measurement Location and Equipment

Because the predominant noise source in the area of the proposed project is vehicular traffic, noise monitoring was conducted during peak vehicular travel periods on weekday, 07:30 am - 09:00 am, 12:00 pm - 1:30 pm, and 4:30 pm - 6:00 pm. Saturday peak hours were not included for noise measurement because the existing traffic condition in the area is the heaviest during weekdays. Given that the objective of the noise measurement is to assess the potential for ambient noise levels to result in adverse impacts on the building occupants, it is reasonable to assume that the peak vehicular travel periods on weekday is sufficient in assessing the noise impact on the proposed building occupants.

Noise monitoring was conducted using a Type 1 Casella CEL-63X sound meter, with wind screen. The monitor was placed on a tripod at a height of approximately three feet above the ground, away from any other surfaces. The monitor was calibrated prior to and following each monitoring session. Heavy commercial truck and passenger vehicle traffic constitute a worst-case condition for noise at the Project Site.

Noise monitoring was performed to document ambient noise levels at the Projected Development Site at two locations adjacent to the Project Site: along Eagle Avenue (Location 1) and along East 161st Street (Location 2). Eagle Avenue is an elevated road while East 161st Street is built below it. Therefore, Location 1 is at a higher elevation level than Location 2. Measurements for the project were performed at two different locations, all on September 26, 2018. The weather was mostly dry, and wind speeds were moderate throughout the day. There were no significant impacts to noise from vehicular traffic observed. Traffic volumes and vehicle classification were documented during the noise monitoring. The sound meter was calibrated before and after each monitoring session.

Figure 2.9-1 maps the noise monitoring locations above and **Figures 2.9-2** through **2.9-3** show pictures of the monitoring locations.

Figure 2.9-1: Noise Monitoring Locations

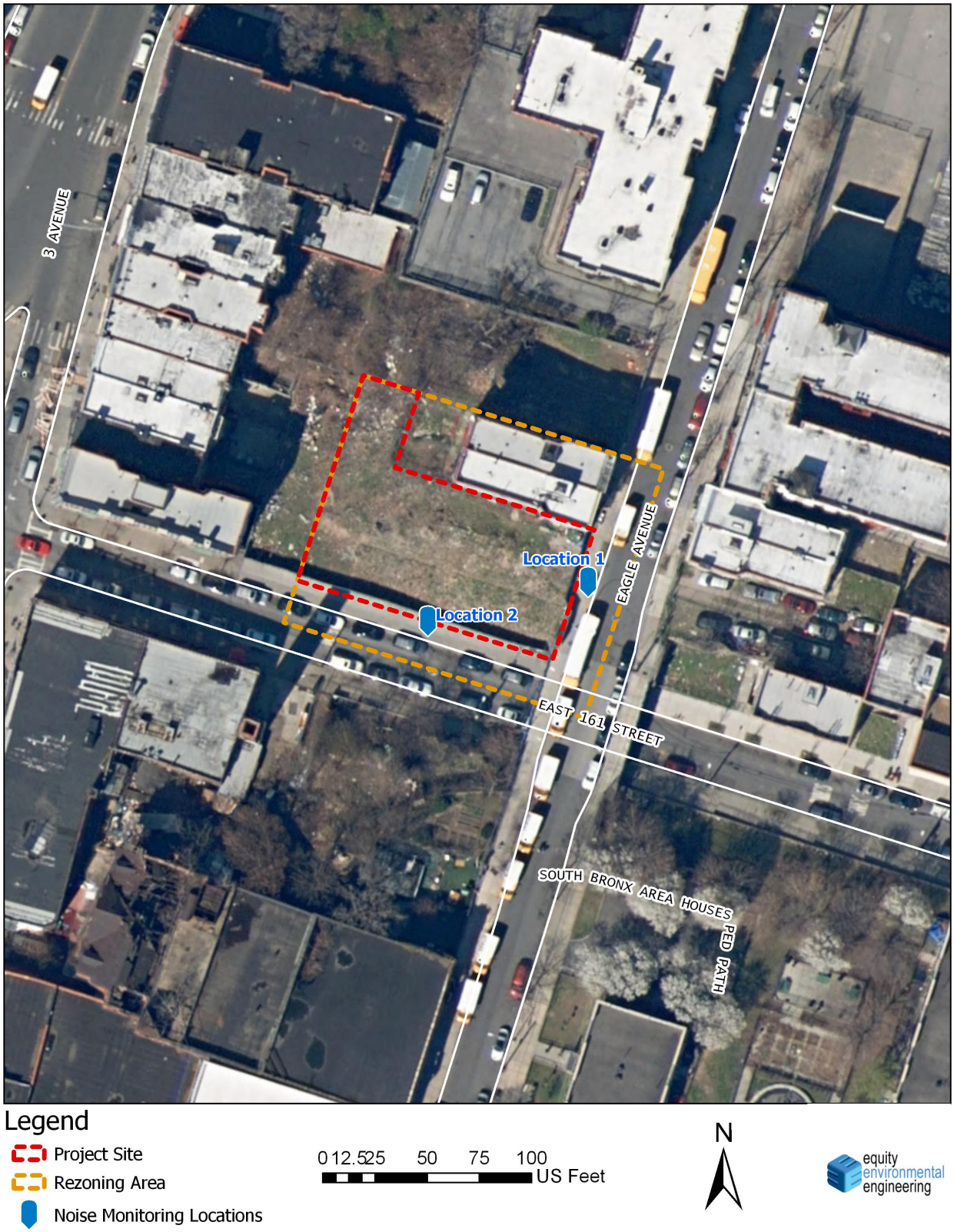


Figure 2.9-2: Eagle Avenue (noise monitoring location #1)



Figure 2.9-3: East 161st Street (noise monitoring location #2)



Existing Conditions

Based on the noise measurements taken at the Projected Development Site, the predominant sources of noise in the area are commercial vehicular traffic and bus traffic. The volume of vehicular traffic, and its corresponding level of noise, is moderate on both Eagle Avenue and East 161st Street. **Table 2.9-2** and **Table 2.9-3** contain the results for the measurements taken at the monitoring locations (See **Appendix D** for noise back-up materials).

Table 2.9-2: Noise Levels at Monitoring Location 1 (20-Minute Periods)

	Wednesday, September 26, 2018		
	7:46 – 8:06 am	12:34 – 12:54 pm	4:33 – 4:54 pm
Lmax (dB)	82.3 dB	75.4 dB	88.4 dB
L10 (dB)	65.5 dB	61.5 dB	**66.0 dB**
Leq (dB)	63.0 dB	59.3 dB	63.6 dB
L50 (dB)	57.5 dB	55.5 dB	57.5 dB
L90 (dB)	53.0 dB	54.0 dB	54.5 dB
Lmin (dB)	50.9 dB	52.2 dB	52.9 dB

Table 2.9-3: Noise Levels at Monitoring Location 2 (20-Minute Periods)

	Wednesday, September 26, 2018		
	8:17 – 8:38 am	12:06 – 12:26 pm	4:59 – 5:19 pm
Lmax (dB)	90.2 dB	80.9 dB	92.6 dB
L10 (dB)	62.5 dB	59.0 dB	63.5 dB
Leq (dB)	61.7 dB	59.8 dB	**65.2 dB**[2]
L50 (dB)	55.5 dB	53.0 dB	55.5 dB
L90 (dB)	52.0 dB	50.0 dB	51.0 dB
Lmin (dB)	47.2 dB	48.3 dB	48.2 dB

Table 2.9-4: Traffic Volumes and Vehicle Classifications Location 1

	7:46 am – 8:06 am	**12:34 pm – 12:54 pm**	**4:33 pm – 4:54 pm**
Car/ Taxi	48	36	75
Van/Light Truck/SUV	55	48	92
Motorcycle	0	0	0
Heavy Truck	2	8	7
Bus	1	3	1
Train	0	0	0

[2] The highest recorded L_{10} was lower than the highest recorded Leq at Noise Monitoring Location 2. Accordingly, the highest L_{eq} was referenced for this location instead of the L_{10} for a more conservative assessment.

Table 2.9-5: Traffic Volumes and Vehicle Classifications Location 2

	8:17 am – 8:38 am	12:06 pm – 12:26 pm	4:59 pm – 5:19 pm
Car/ Taxi	39	29	63
Van/Light Truck/SUV	50	35	87
Motorcycle	0	0	0
Heavy Truck	4	11	6
Bus	2	4	5
Train	0	0	0

Mobile Sources

Pursuant to Section 111 of the *2021 CEQR Technical Manual*, mobile sources are those noise sources that move in relation to a noise-sensitive receptor—principally automobiles, buses, trucks, aircraft, and trains. Each has its own distinctive noise character, and, consequently, an associated set of noise assessment descriptors. This Mobile Source screening analysis addresses potential noise impacts associated with vehicular traffic generated by the Proposed Actions.

For Mobile Sources associated with vehicular traffic, an initial noise assessment may be appropriate if a Proposed Action would generate or reroute vehicle traffic or introduce a new receptor near a heavily trafficked thoroughfare. A noise-sensitive location (known as a "receptor") is usually defined as an area where human activity may be adversely affected when noise levels exceed predefined thresholds of acceptability or when noise levels increase by an amount exceeding predefined thresholds of change.

Automobile noise is a function of vehicle speed and engine noise. With changing gears, the noise levels tend to increase in a sawtooth kind of pattern as vehicular speed increases. The interaction of the road surface with the tires generates noise that increases with vehicle speed. At vehicular speeds below 30 miles per hour, the typical automobile noise spectrum is dominated by engine noise. At speeds higher than 30 miles per hour, the automobile noise signature is composed of a combination of lower frequency engine noise and higher frequency tire noise. The engine and tire noise for vehicular speeds above 30 miles per hour are comparable in noise level. Noise generated by buses and heavy trucks is also composed of engine and tire noise, but tire noise tends to dominate the noise signature at vehicular speeds above 30 miles per hour in trucks and buses. Cargo load normally does not significantly affect noise levels because increased load usually results in decreased vehicular speed, and the effects cancel each other out. Because individual trucks and buses are noisier than individual automobiles, the concept of noise PCEs is used.

Pursuant to Section 332.1 of the *2021 CEQR Technical Manual*, the below values can be used to calculate vehicular noise using projections:

- Each Automobile or Light Truck: 1 Noise PCE
- Each Medium Truck: 13 Noise PCEs

- Each Bus: 18 Noise PCEs
- Each Heavy Truck: 47 Noise PCEs

A preliminary Noise PCE screening was conducted to assesses the Noise PCE values of the incremental peak hour vehicular trip-ends projected pursuant to the Proposed Actions, compared to the Noise PCE values of existing background traffic recorded during noise monitoring at Noise Monitoring Location 1 and 2.

Pursuant to Section 311.1 of the *2021 CEQR Technical Manual*, if existing noise PCE values are not increased by 100 percent or more (which is equivalent to an increase of 3 dB(A) or more) pursuant to a Proposed Action, it is likely that the proposed project would not result in a significant adverse vehicular noise impact. As indicated below in **Table 2.9-6 and Table 2.9-7**, the Proposed Action(s) would not increase existing Noise PCE values by greater than 100 percent at either Noise Monitoring Location. Accordingly, no further analysis is warranted.

Table 2.9-6: Location 1 Noise PCE Screen

Location 1 Existing Noise PCEs						
	AM Peak Hour Existing Vehicle Counts	**AM Peak Hour Existing Noise PCE Value**	**Midday Peak Hour Existing Vehicle Counts**	**Midday Peak Hour Existing Noise PCE Value**	**PM Peak Hour Existing Vehicle Counts**	**PM Peak Hour Existing Noise PCE Value**
Car/ Taxi	144	144	108	108	225	225
Van/Light Truck/SUV	165	165	144	144	276	276
Medium Truck	0	0	0	0	0	0
Heavy Truck	6	282	24	1128	21	987
Bus	3	54	9	162	3	54
Total Noise PCE	-	**645**	-	**1542**	-	**1542**
Location 1 With-Action Noise PCEs						
	AM Peak Hour With Action Vehicle Counts	**AM Peak Hour With Action Noise PCE Value**	**Midday Peak Hour With Action Vehicle Counts**	**Midday Peak Hour With Action Noise PCE Value**	**PM Peak Hour With-Action Vehicle Counts**	**PM Peak Hour With Action Noise PCE Value**
Car/ Taxi	232	232	206	206	293	293
Van/Light Truck/SUV	165	165	144	144	276	276
Medium Truck	0	0	0	0	0	0
Heavy Truck	7	341	26	1230	21	996
Bus	3	54	9	162	3	54
Total Noise PCE	-	**792**	-	**1742**	-	**1619**

Location 1 Noise PCE Screen Results			
	AM Peak Hour	**Midday Peak Hour**	**PM Peak Hour**
Existing	645	1542	1542
With Action	792	1742	1619
Increment	147	200	77
% Increase	23%	13%	5%

Table 2.9-7: Location 2 Noise PCE Screen

Location 2 Existing Noise PCEs						
	AM Peak Hour Existing Vehicle Counts	**AM Peak Hour Existing Noise PCE Value**	**Midday Peak Hour Existing Vehicle Counts**	**Midday Peak Hour Existing Noise PCE Value**	**PM Peak Hour Existing Vehicle Counts**	**PM Peak Hour Existing Noise PCE Value**
Car/ Taxi	117	117	87	87	189	189
Van/Light Truck/SUV	150	150	105	105	261	261
Medium Truck	0	0	0	0	0	0
Heavy Truck	12	564	33	1551	18	846
Bus	6	108	12	216	15	270
Total Noise PCE	-	**939**	-	**1959**	-	**1566**
Location 2 With-Action Noise PCEs						
	AM Peak Hour With Action Vehicle Counts	**AM Peak Hour With Action Noise PCE Value**	**Midday Peak Hour With Action Vehicle Counts**	**Midday Peak Hour With Action Noise PCE Value**	**PM Peak Hour With-Action Vehicle Counts**	**PM Peak Hour With Action Noise PCE Value**
Car/ Taxi	205	205	185	185	257	257
Van/Light Truck/SUV	150	150	105	105	261	261
Medium Truck	0	0	0	0	0	0
Heavy Truck	13	623	35	1653	18	855
Bus	6	108	12	216	15	270
Total Noise PCE	-	**1086**	-	**2159**	-	**1643**

Location 2 Noise PCE Screen Results			
	AM Peak Hour	**Midday Peak Hour**	**PM Peak Hour**
Existing	939	1959	1566
With Action	1086	2159	1643
Increment	147	200	77
% Increase	16%	10%	5%

Stationary Sources

It is assumed that the building mechanical systems (i.e., HVAC systems) would be designed to meet all applicable noise regulations and standards (i.e., Subchapter 5, §24-227 of the New York City Noise Control Code, the New York City Department of Buildings Code) and to avoid producing levels that would result in any significant increase in ambient noise levels. Therefore, the Proposed Actions would not result in any significant adverse noise impacts related to building mechanical equipment.

2.9.2 Conclusion

The *2021 CEQR Technical Manual* Table 19-2 contains noise exposure guidelines. For a proposed residential and community facility mixed-use development, an L_{10} of between 65 and 70 dB(A) is identified as marginally acceptable general external exposure.

The highest recorded L_{10} at the Eagle Avenue frontage of the Project Site (monitoring location #1) was **66.0** during the evening twenty-minute period. The highest recorded L_{10} was lower than the highest recorded L_{eq} at the East 161st Street frontage (monitoring location #2). Accordingly, the highest L_{eq} was referenced at this location instead of the L_{10} for a more conservative assessment. The highest L_{eq} at monitoring location #2 was **65.2** during the evening twenty-minute period. Therefore, because the readings during these noise monitoring sessions did not exceed 70 dB(A) at any time, no window-wall noise attenuation would be required for either the East 161st Street frontage of the Development Site or the Eagle Avenue frontage of the Development Site.

2.10 Public Health

According to the *2021 CEQR Technical Manual*, Public health is the organized effort of society to protect and improve the health and well-being of the population through monitoring; assessment and surveillance; health promotion; prevention of disease, injury, disorder, disability and premature death; and reducing inequalities in health status. The goal of CEQR with respect to public health is to determine whether adverse impacts on public health may occur as a result of a proposed project, and if so, to identify measures to mitigate such effects.

Pursuant to *2021 CEQR Technical Manual* methodology, for most proposed projects, a public health analysis is not necessary. Where no significant unmitigated adverse impact is found in other CEQR analysis areas, such as air quality, water quality, hazardous materials, or noise, no public health analysis is warranted. If, however, an unmitigated significant adverse impact is identified in other CEQR analysis areas, such as air quality, water quality, hazardous materials, or noise, the lead agency may determine that a public health assessment is warranted for that specific technical area.

Based on the analyses presented in this report, the Proposed Action does not have the potential for significant unmitigated impacts to any of the constituent elements of public health. Therefore, no further analysis of public health is warranted.

2.11 Neighborhood Character

According to the *2021 CEQR Technical Manual*, in a neighborhood character assessment under CEQR, one considers how elements of the environment combine to create the context and feeling of a neighborhood and how a project may affect that context and feeling. An assessment of neighborhood character is generally needed when a proposed project has the potential to result in significant adverse impacts in any technical area presented below, or when the project may have moderate effects on several of the elements that define a neighborhood's character.

A Neighborhood Character assessment is appropriate when a project has the potential to result in any significant impacts in the following areas:

A. Land Use, Zoning, and Public Policy;

B. Socioeconomic Conditions;

C. Open Space;

D. Historic and Cultural Resources;

E. Urban Design and Visual Resources;

F. Shadows;

G. Transportation; or

H. Noise.

Based on the analyses conducted previously, the Proposed Actions would not result in significant impacts to any of the constituent elements of neighborhood character. Therefore, no further analysis is warranted and no impacts related to neighborhood character are anticipated.

2.12 Construction

According to the *2021 CEQR Technical Manual*, construction impacts may be analyzed for any project that involves construction or could induce construction. For construction activities not related to in-ground disturbance, short-term construction generally does not warrant a detailed construction analysis. For example, the use of a property for construction staging activities is likely to only warrant analysis if this activity continues for a period of several years. Consideration of several factors, including the location and setting of the project in relation to other uses and intensity of construction activities are used to determine if a project's construction activities warrant analysis in one or more of the following technical areas:

- Transportation
- Air Quality or Noise
- Historic and Cultural Resources
- Hazardous Materials
- Natural Resources
- Open Space
- Socioeconomic Conditions
- Community Facilities
- Land Use and Public Policy
- Neighborhood Character
- Infrastructure

A preliminary construction analysis may be required because the proposed development would result in the following:

- Construction activities are considered long-term (Last longer than two years); or
- Short term construction activities would directly affect a technical area, such as impeding the operation of a community facility.
- Result in the closing, narrowing, impeding of traffic, transit, or obstruction of pedestrian or vehicular routes in proximity to critical land uses.
- Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out.
- The operation of several pieces of diesel equipment in a single location at peak construction.
- Closure of a community facility or disruption in its services.
- Disturbance of a site containing or adjacent to a site containing natural or historic resources.
- Construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap or last for more than two years overall.

Analysis

Future No-Action Scenario

As noted in Section 2.1.1 above, there are three active construction permits within the 400-foot Study Area. Besides the active construction projects referenced above, there are no other land use applications or pending projects within the Study Area. In the future without the Proposed Actions, it is presumed that no additional floor area or changes in use would occur at any site within the Affected Area. Therefore, for the purposes of this analysis, it is assumed that conditions in the No-Action scenario would be consistent with the existing conditions, and that continued as-of-right development will occur.

Future With-Action Scenario

There are two projected development scenarios for Projected Development Site 1 as follows:

Projected Development Site 1, Scenario 1

Block 2620, Lots 49, 50, 52, and 56 would assemble and be developed with a 68,354 GSF (58,120 ZSF; 6.50 FAR), 14-story, 140' building. 64,210 GSF (54,135 ZSF) of residential floor area on floors 1-14 would contain 83 dwelling units at 100% affordability. 4,144 GSF (3,985 ZSF) of community facility floor area in the cellar would contain an office and meeting rooms for residents. No parking would be required under this scenario.

Projected Development Site 1, Scenario 2

Block 2620, Lots 49, 50, 52, and 56 would be developed with a 68,354 GSF (58,120 ZSF; 6.50 FAR) 13-story, 135' building. The entire building would be community facility (half medical and half community center) use. 72 parking spaces would be required (1 per 800 SF).

Build Year

The build year is expected to be 2025, factoring the ULURP process and an 18-month construction schedule for the Projected Development Site.

2.12.1 Construction Impact Screening Assessment

Transportation

According to the *CEQR Technical Manual*, a number of factors should be considered before determining whether a preliminary assessment of the effect of construction on transportation is needed including:

- Whether the project's construction would be located in a Central Business District (CBD) or along an arterial or major thoroughfare;
- Whether the project's construction activities would require closing, narrowing, or otherwise impeding moving lanes, roadways, key pedestrian facilities, parking lanes

and/or parking spaces, bicycle routes and facilities, bus lanes or routes, or access points to transit; and

- Whether the project would involve construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap, and last for more than two years overall.

Construction at the Projected Development Site would be considered short term, with fewer than 24 months of construction activities. Accordingly, construction of the Projected Development would not be expected to result in significant adverse impacts on transportation.

Air Quality and Noise

According to the *CEQR Technical Manual*, an assessment of air quality and noise for construction activities is likely not warranted if the project's construction activities:

- Are considered short-term (less than two years);
- Are not located near sensitive receptors; and
- Do not involve construction of multiple buildings where there is a potential for on-site receptors on buildings to be completed before the final build-out.

Air Quality

The Proposed Actions would facilitate the development of one building with a total construction duration of approximately 18 months. Based on the project size and the construction work involved, construction activities effectuated by the Proposed Actions would not be considered out of the ordinary or exceptional in terms of intensity and would be of a relatively short duration (less than 2 years). Therefore, with the implementation of emissions control measures that are required by local law, the construction of the development site would not result in any significant adverse impacts on air quality.

Noise

Construction noise is regulated by the NYC Noise Control Code and by EPA's noise emission standards for construction equipment. These local and federal requirements mandate that certain classifications of construction equipment and motor vehicles meet specified noise emission standards; that construction activities be limited to weekdays between the hours of 7AM and 6PM; and that construction materials be handled and transported in such a manner as not to create unnecessary noise. If weekend or after hour work is necessary, permits would be required to be obtained, as specified in the NYC Noise Control Code.

The total construction duration for the Projected Development Site is less than 24 months which is considered short-term. As such, the construction of the proposed project is not expected to result in a significant adverse construction noise impact.

Historic and Cultural Resources

The assessment of construction impacts on historic and cultural resources considers the possibility of physical damage to any architectural or archaeological resources identified in the project's historic and cultural resources assessment.

Pursuant to Chapter 22, Section 300 of the *2021 CEQR Technical Manual*, if a project's construction activities are located within 400 feet of a historic or cultural resource, potential hazards should be assessed, such as whether certain character-defining elements of a structure, including but not limited to rooftops or stained glass windows, could be impacted by falling objects from an adjacent construction site.

As discussed in Section 2.4: Historic and Cultural Resources, the Affected Area is within the 400-foot radius of Bronx County Court House, located at 878 Brook Avenue (Block 2365, Lot 35). Bronx County Court House is an LPC and Nationally Registered listed resource.

The City has two procedures for avoidance of damage to historic structures from adjacent construction.

1. All buildings are provided some protection from accidental damage through New York City Department of Buildings (DOB) controls that govern the protection of any adjacent properties from construction activities, under Building Code Section 27-166 (C26-112.4). For all construction work, Building Code section 27-166 (C26-112.4) serves to protect buildings by requiring that all lots, buildings, and service facilities adjacent to foundation and earthwork areas be protected and supported in accordance with the code requirements.

2. The second protective measure applies only to designated NYCL and S/NR listed historic buildings that are located within 90 linear feet of a proposed construction site. For these structures, the DOB's Technical Policy and Procedure Notice (TPPN) #10/88 is applicable. The DOB's TPPN 10/88 supplements the standard building protections afforded by the Building Code C26-112.4 by requiring, among other things, a monitoring program to reduce the likelihood of construction damage to adjacent LPC-designated or S/NR-listed resources (within 90 feet), and to detect at an early stage the beginnings of damage so that construction procedures can be changed.

The two regulatory mechanisms listed above are not applicable to the Proposed Project as Bronx County Courthouse is not located adjacent to or within 90 feet of the Projected Development Site. Pursuant to the 2*021 CEQR Technical Manual*, if the project is not located within 90 feet of a historic or cultural resource that is NYC-landmark eligible, eligible for the State and National Register of Historic Places, or within an eligible New York City Historic District, then no special protections apply. Therefore, the potential for physical disturbance and adverse impacts to those historic and cultural resources should be disclosed.

Bronx County Courthouse is approximately 270 feet west of the Projected Development Site, and is buffered by adjacent intervening buildings located along the west side of Block 2620 (Lots 1-5). The Courthouse is further buffered from the Projected Development Site by Saint Ann's Avenue, located approximately 150 feet west of the nearest edge of the Projected Development Site, and Third Avenue, located approximately 210 feet west of the nearest edge of the Projected Development Site. Accordingly, the Proposed Actions would not introduce adverse construction-related impacts to Bronx County Courthouse from ground-borne construction period vibrations, falling debris, and/or collapse. Therefore, significant adverse impacts on architectural resources are not expected because of the Proposed Actions, and further analysis is not warranted.

2.12.2 Conclusion

Construction activities at the Projected Development Site would be short-term, and would be performed in compliance with the relevant EPA, DEP, DOT and DOB codes and regulations to ensure minimal construction impacts. Based on the preliminary screening provided above, no impacts on transportation, air quality, noise, or historic resources would occur pursuant to the Proposed Actions. On the basis of the above analysis, the Proposed Actions would not have any significant adverse construction impacts, and further analysis is not required.

APPENDIX A

AGENCY CORRESPONDENCE

Landmarks Preservation Commission

1 Centre Street
9th Floor North
New York, NY 10007

Voice (212)-669-7700
Fax (212)-669-7960
http://nyc.gov/landmarks

ENVIRONMENTAL REVIEW

Project number: DEPARTMENT OF CITY PLANNING / LA-CEQR-X
Project: HOGAR EAGLE GARDENS
Date received: 10/3/2018

Properties with no Architectural or Archaeological significance:

1) ADDRESS: 895 EAGLE AVENUE, BBL: 2026200056
2) ADDRESS: 893 EAGLE AVENUE, BBL: 2026200049
3) ADDRESS: 589 EAST 161 STREET, BBL: 2026200050
4) ADDRESS: EAST 161 STREET, BBL: 2026200052

Comments:

In radius: Bronx County Court House, East 161st Street and Third Avenue: LPC and NR listed.

Gina Santucci 10/17/2018

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 33712_FSO_DNP_10042018.doc

Landmarks Preservation Commission

1 Centre Street
9th Floor North
New York, NY 10007

Voice (212)-669-7700
Fax (212)-669-7960
http://nyc.gov/landmarks

ENVIRONMENTAL REVIEW

Project number: DEPARTMENT OF CITY PLANNING / 20DCP076X
Project: HOGAR EAGLE GARDENS
Date Received: 3/9/2020

Comments: The LPC is in receipt of the EAS of 12/20/19. Regarding the Shadows Chapter, LPC has no concerns.

Gina Santucci 3/13/2020

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 33712_FSO_GS_03132020.docx

APPENDIX B

ILLUSTRATIVE ARCHITECTURAL DRAWINGS



#	DRAWING LIST	
1	T-000.00	COVER SHEET
2	Z-001.00	ZONING ANALYSIS
3	Z-002.00	SITE PLAN
4	Z-003.00	SECTIONS - LONGITUDINAL - HEIGHT AND SETBACK DIAGRAM I
5	Z-004.00	SECTIONS - TRANSVERSE - HEIGHT AND SETBACK DIAGRAMS II
6	Z-005.00	SECTIONS - TRANSVERSE - HEIGHT AND SETBACK DIAGRAM III
7	Z-006.00	SECTIONS - TRANSVERSE - HEIGHT AND SETBACK DIAGRAM IV
8	Z-007.00	SECTIONS - LONGITUDINAL - HEIGHT AND SETBACK DIAGRAM V
9	Z-008.00	ELEVATIONS - ALONG STREET FRONTAGES
10	Z-009.00	NEIGHBORHOOD CHARACTER DIAGRAM
11	SK-001.00	EAST 161st STREET - GROUND FLOOR PLAN - SUB-CELLAR
12	SK-002.00	EAGLE AVENUE - GROUND FLOOR PLAN - SECOND FLOOR

Project:

HOGAR EAGLE GARDENS
893 EAGLE AVENUE, BRONX, NEW YORK 10456

Owner:

H.O.G.A.R. INC.
HOUSING OPTIONS AND GERIATRIC ASSOCIATION RESOURCES, INC.
787 EAST 156TH STREET
BRONX, NEW YORK 10455

Housing Consultant:

COMMUNITY REVIVAL
66 TRILLIUM ROAD
FAIRFIELD, CT 06824

Architect:

URBAN ARCHITECTURAL INITIATIVES, RA, PC
The Woolworth Bldg / 233 Broadway, Ste. 2150 / NY, NY, 10279 T 212.979.1510 uai-ny.com

Consultants:

STRUCTURAL ENGINEER:

MECHANICAL ENGINEER:

CODE CONSULTANT:

Plot Plan:

Issuance Schedule

No.	Date	Description

Drawing Title:

COVER SHEET

Sign & Seal:

REGISTERED ARCHITECT
ANTHONY K. SMITH, JR.
022365
STATE OF NEW YORK

Drawing No.

T-000.00

date	drawn by	job no.
01/10/22	RWF	P-15.07
sheet scale	**checked by**	**DOB sheet**
As Indicated	TS	1 OF 12

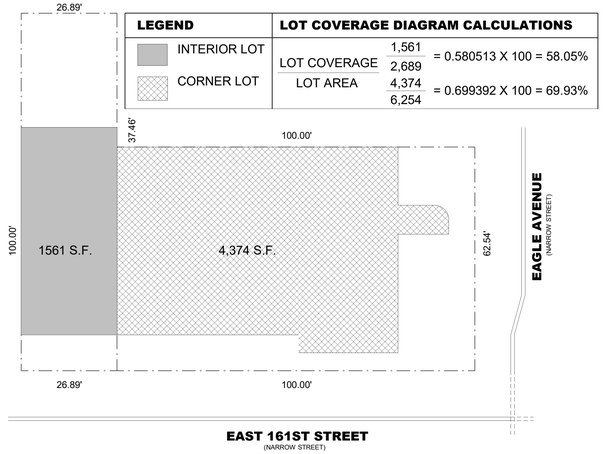
DOB NUMBER

ZONING SUMMARY

ADDRESS:	893 EAGLE AVENUE, BRONX, NEW YORK 10456
COMMUNITY BOARD:	203
BLOCK/LOT:	2620/49, 50, 52 & 56
LOT AREA:	CORNER LOT PORTION: 6,254 S.F.
	INTERIOR LOT PORTION: 2,689 S.F.
	TOTAL: 8,943 S.F.
ZONING DISTRICT:	(MAP #6c) R7-2
USE:	USE GROUP 3 COMMUNITY FACILITY - NON-PROFIT INSTITUTION WITH SLEEPING ACCOMMODATIONS.

LIST OF ACTIONS

- ZONING MAP AMENDMENT TO CHANGE THE EXISTING R6 ZONING DISTRICT TO AN R7-2 ZONING DISTRICT.
- TEXT AMENDMENT OF ZR APPENDIX F: INCLUSIONARY HOUSING DESIGNATED AREAS AND MANDATORY INCLUSIONARY HOUSING AREAS FOR COMMUNITY DISTRICT 3, BRONX TO ESTABLISH A MANDATORY INCLUSIONARY HOUSING ("MIH") AREA WITH MIH OPTIONS 1 AND 2 COINCIDENT WITH THE PROJECT AREA.
- SPECIAL PERMIT PURSUANT TO ZR §74-903 (CERTAIN COMMUNITY FACILITY USES IN R3 TO R9 ZONING DISTRICTS AND CERTAIN COMMERCIAL DISTRICTS) TO ALLOW THE APPLICANT TO UTILIZE THE COMMUNITY FACILITY FLOOR AREA RATIO ("FAR") LISTED IN ZR § 24-11 FOR A BUILDING CONTAINING PHILANTHROPIC OR NON-PROFIT INSTITUTIONS WITH SLEEPING ACCOMMODATIONS ON THE DEVELOPMENT SITE.



3 LOT COVERAGE
NOT TO SCALE

LEGEND	
INTERIOR LOT	
CORNER LOT	

LOT COVERAGE DIAGRAM CALCULATIONS

LOT COVERAGE: 1,561 / 2,689 = 0.580513 X 100 = 58.05%

LOT AREA: 4,374 / 6,254 = 0.699392 X 100 = 69.93%

AVERAGE CURB LEVEL CALCULATIONS

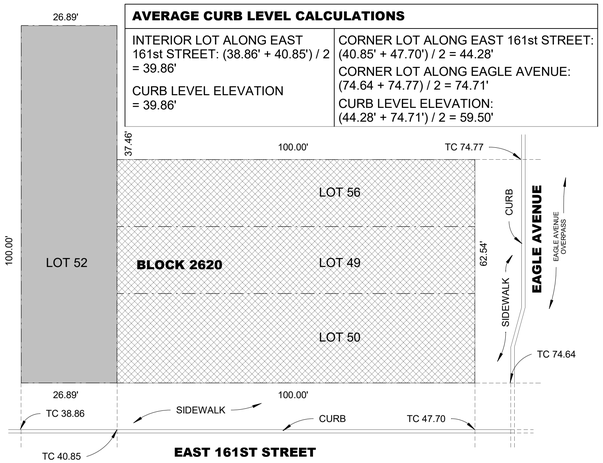
INTERIOR LOT ALONG EAST 161st STREET: (38.86' + 40.85') / 2 = 39.86'

CURB LEVEL ELEVATION = 39.86'

CORNER LOT ALONG EAST 161st STREET: (40.85' + 47.70') / 2 = 44.28'

CORNER LOT ALONG EAGLE AVENUE: (74.64 + 74.77) / 2 = 74.71'

CURB LEVEL ELEVATION: (44.28' + 74.71') / 2 = 59.50'



2 AVERAGE CURB LEVEL DIAGRAM
NOT TO SCALE

LOT COVERAGE DIAGRAM CALCULATIONS

LOT COVERAGE AT TOWER / INTERIOR LOT + CORNER LOT = LOT AREA =

1,144 / 6,254 + 2,689 = 8,943 = 0.127921 X 100 = 12.79%

LEGEND
INTERIOR LOT
CORNER LOT
LOT COVERAGE AT TOWER



1 LOT COVERAGE AT TOWER DIAGRAM
NOT TO SCALE

ZONING INFORMATION

ZR SECTION	TITLE	DESCRIPTION	PERMITTED/REQUIRED	PROPOSED	COMPLIANCE
ZR 22-00 & 22-13	**USE:**		USE GROUPS 1, 2, 3 & 4	USE GROUP 3: NONPROFIT INSTITUTION WITH SLEEPING	COMPLIES
ZR 24-111b	**FLOOR AREA:**	**F.A.R.:**	3.44	6.18*	*CPC SPECIAL PERMIT REQUESTED PURSUANT TO ZR 74-903.
		FLOOR AREA (SF):	30,764 S.F.	55,324.10 S.F.*	*CPC SPECIAL PERMIT REQUESTED PURSUANT TO ZR 74-903.
ZR 24-34	**YARDS:**	**FRONT YARD REQUIREMENT:**	NO REQUIREMENT	NONE PROVIDED	COMPLIES
ZR 24-35		**SIDE YARD REQUIREMENT:**	0' TO 8'	NONE PROVIDED	COMPLIES
ZR 24-36		**REAR YARD REQUIREMENT:**	30'	30'-11 1/2"	COMPLIES
ZR 23-85	**COURTS:**	**WIDE OUTER COURT:**	DEPTH AT LEAST EQUAL TO WIDTH IF WIDTH LESS THAN 20'.	NONE PROVIDED	COMPLIES
ZR 24-522	**HEIGHT AND SETBACK REQUIREMENTS:** EAGLE AVENUE @ CORNER LOT	**BASE HEIGHT - MINIMUM:**	N/A	N/A	COMPLIES
		BASE HEIGHT - MAXIMUM:	60' OR SIX STORIES, WHATEVER IS LESS.	60'-0"	COMPLIES
		FRONT WALL HEIGHT - MAXIMUM:	60' OR SIX STORIES, WHATEVER IS LESS.	60'-0"	COMPLIES
		SETBACK - MINIMUN-NARROW STREET:	20'	20'	COMPLIES
		SKY EXPOSURE PLANE - MAXIMUM:	2.7:1	2.7:1	COMPLIES
		BUILDING HEIGHT - MAXIMUM:	NO LIMIT FOR "TOWER" PORTIONS	108'-2 1/2"	COMPLIES
	EAST 161st STREET @ CORNER LOT	**BASE HEIGHT - MINIMUM:**	N/A	N/A	COMPLIES
		BASE HEIGHT - MAXIMUM:	60' OR SIX STORIES, WHATEVER IS LESS.	60'-0"	COMPLIES
		FRONT WALL HEIGHT - MAXIMUM:	60' OR SIX STORIES, WHATEVER IS LESS.	60'-0"	COMPLIES
		SETBACK - MINIMUM-NARROW STREET:	20'	20'	COMPLIES
		SKY EXPOSURE PLANE - MAXIMUM:	2.7:1	2.7:1	COMPLIES
		BUILDING HEIGHT - MAXIMUM:	NO LIMIT FOR "TOWER" PORTIONS	108'-2 1/2"	COMPLIES
	EAST 161st STREET @ INTERIOR LOT	**BASE HEIGHT - MINIMUM:**	N/A	N/A	COMPLIES
		BASE HEIGHT - MAXIMUM:	60' OR SIX STORIES, WHATEVER IS LESS.	60'-0"	COMPLIES
		FRONT WALL HEIGHT - MAXIMUM:	60' OR SIX STORIES, WHATEVER IS LESS.	60'-0"	COMPLIES
		SETBACK - MINIMUM-NARROW STREET:	20'	20'	COMPLIES
		SKY EXPOSURE PLANE - MAXIMUM:	2.7:1	2.7:1	COMPLIES
		BUILDING HEIGHT - MAXIMUM:	NO LIMIT FOR "TOWER" PORTIONS	127'-0"	COMPLIES
ZR 24-54a	**TOWER REGULATIONS**	**PORTIONS OF BUILDINGS WHICH OCCUPY NOT MORE THAN 50% OF THE LOT AREA (FOR LOTS LESS THAN 20,000 S.F.) MAY PENETRATE THE SKY EXPOSURE PLANE.**	12.79% LOT COVERAGE	COMPLIES	
		A TOWER SHALL BE LOCATED NOT LESS THAN 20' FROM THE STREET LINE OF A NARROW STREET.	20' SETBACKS BOTH STREETS	COMPLIES	
ZR 26-41	**STREET TREE PLANTING**	**LENGTH OF SIDEWALK:**	1 TREE EVERY 25'-0" OF SIDEWALK		
	EAGLE AVENUE	62'-6 1/2"	3 TREES	3 TREES	0 TREES PROVIDED ON-SITE. 3 TREES TO BE PAID INTO A FUND OR PROVIDED OFF-SITE AS APPROVED BY DPR PURSUANT TO ZR-26-41.
	EAST 161st STREET	126'-10 11/16"	5 TREES	5 TREES	3 TREES PROVIDED ON-SITE. 2 TREES TO BE PAID INTO A FUND OR PROVIDED OFF-SITE AS APPROVED BY DPR PURSUANT TO ZR-26-41.
			8 TREES (TOTAL)	8 TREES (TOTAL)	COMPLIES
ZR 25-31 ZR 25-811	**PARKING:**	**AUTOMOBILE:**	NONE REQUIRED FOR NONPROFIT WITH SLEEPING IN R7-2.	NONE	COMPLIES
		BICYCLE:	1 SPACE PER 10,000 S.F. REQUIRED. FOR 55,324.10 S.F., 6 SPACES REQUIRED.	12 SPACES	

FLOOR	USE GROUP	GROSS S.F.	NET ZONING FLOOR AREA - ALL USE GROUPS
SUB-CELLAR	UG 3	4,838.23 S.F.	- - - - - - -
CELLAR	UG 3	5,585.13 S.F.	- - - - - - -
1st FLOOR	UG 3	5,557.04 S.F.	5,557.04 S.F.
2nd FLOOR	UG 3	5,538.62 S.F.	5,538.62 S.F.
3rd FLOOR	UG 3	5,427.81 S.F.	5,427.81 S.F.
4th FLOOR	UG 3	5,427.81 S.F.	5,427.81 S.F.
5th FLOOR	UG 3	5,427.81 S.F.	5,427.81 S.F.
6th FLOOR	UG 3	5,427.81 S.F.	5,427.81 S.F.
7th FLOOR	UG 3	4,503.44 S.F.	4,503.44 S.F.
8th FLOOR	UG 3	4,503.44 S.F.	4,503.44 S.F.
9th FLOOR	UG 3	4,503.44 S.F.	4,503.44 S.F.
10th FLOOR	UG 3	4,503.44 S.F.	4,503.44 S.F.
11th FLOOR	UG 3	4,503.44 S.F.	4,503.44 S.F.
TOTAL		**65,747.46 S.F.**	**55,324.10 S.F.**

Project:

HOGAR EAGLE GARDENS
893 EAGLE AVENUE, BRONX, NEW YORK 10456

Owner:

H.O.G.A.R. INC.
HOUSING OPTIONS AND GERIATRIC ASSOCIATION RESOURCES, INC.
787 EAST 156TH STREET
BRONX, NEW YORK 10455

Housing Consultant:

COMMUNITY REVIVAL
66 TRILLIUM ROAD
FAIRFIELD, CT 06824

Architect:

URBAN ARCHITECTURAL INITIATIVES, RA, PC
The Woolworth Bldg / 233 Broadway, Ste. 2150 / NY, NY, 10279 T 212.979.1510 uai-ny.com

Consultants:

STRUCTURAL ENGINEER:

MECHANICAL ENGINEER:

CODE CONSULTANT:

Plot Plan:

Issuance Schedule

No.	Date	Description

Drawing Title:

ZONING ANALYSIS

Sign & Seal:

REGISTERED ARCHITECT ANTHONY K. SHITEMI 022365 STATE OF NEW YORK

Drawing No.

Z-001.00

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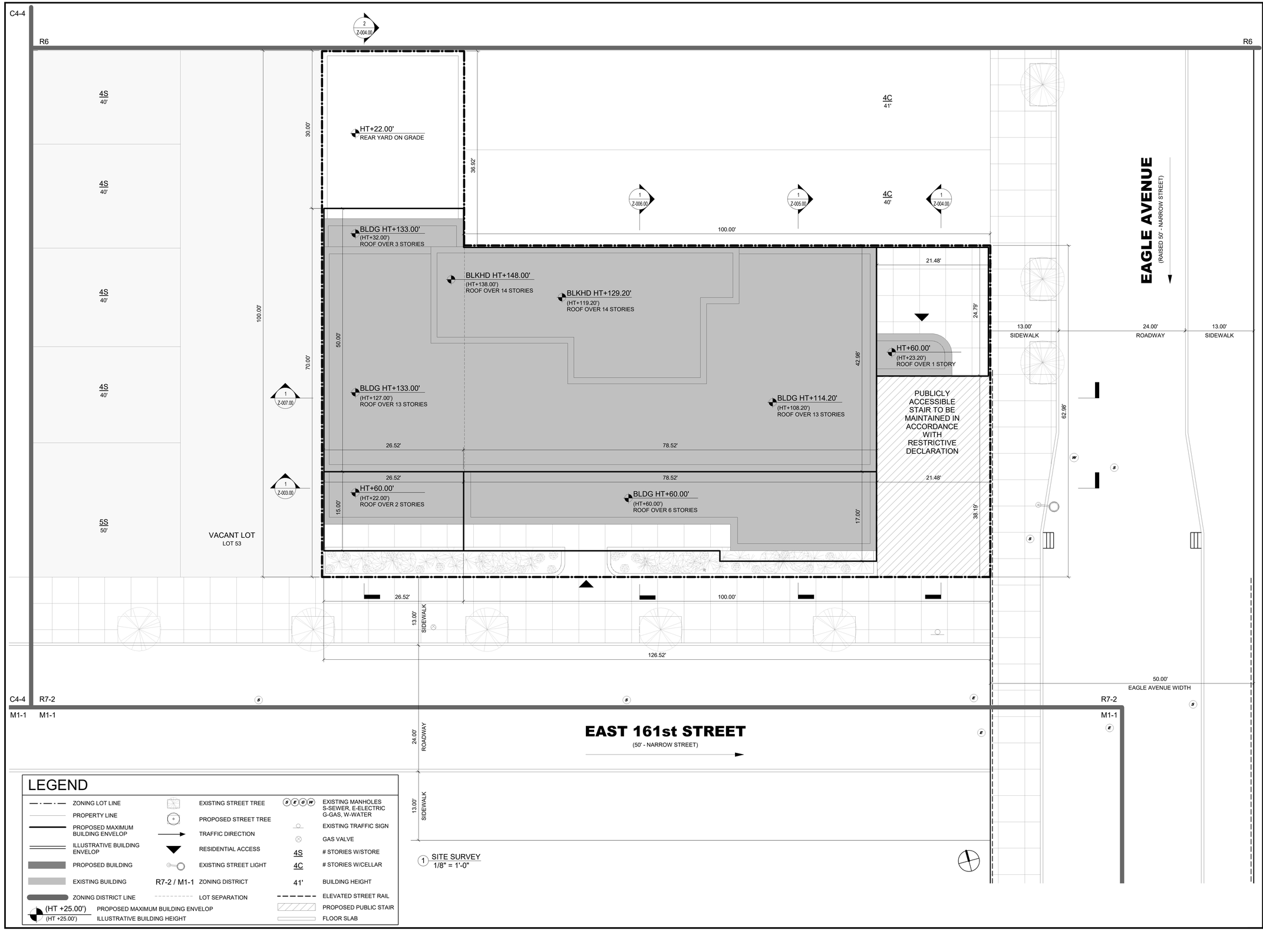

1 SITE SURVEY
1/8" = 1'-0"

LEGEND

ZONING LOT LINE	EXISTING STREET TREE	S E G W	EXISTING MANHOLES S-SEWER, E-ELECTRIC G-GAS, W-WATER
PROPERTY LINE	PROPOSED STREET TREE		EXISTING TRAFFIC SIGN
PROPOSED MAXIMUM BUILDING ENVELOP	TRAFFIC DIRECTION		GAS VALVE
ILLUSTRATIVE BUILDING ENVELOP	RESIDENTIAL ACCESS	4S	# STORIES W/STORE
PROPOSED BUILDING	EXISTING STREET LIGHT	4C	# STORIES W/CELLAR
EXISTING BUILDING	R7-2 / M1-1 ZONING DISTRICT	41'	BUILDING HEIGHT
ZONING DISTRICT LINE	LOT SEPARATION		ELEVATED STREET RAIL
(HT +25.00') PROPOSED MAXIMUM BUILDING ENVELOP			PROPOSED PUBLIC STAIR
(HT +25.00') ILLUSTRATIVE BUILDING HEIGHT			FLOOR SLAB

Project:

HOGAR EAGLE GARDENS
893 EAGLE AVENUE, BRONX, NEW YORK 10456

Owner:

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Consultants:

STRUCTURAL ENGINEER:

MECHANICAL ENGINEER:

CODE CONSULTANT:

Plot Plan:

Issuance Schedule

No.	Date	Description

Drawing Title:

SITE PLAN

Sign & Seal:

REGISTERED ARCHITECT
ANTHONY K. SMITH
022365
STATE OF NEW YORK

Drawing No.

Z-002.00

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01/10/22	RWF	P-15.07
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DOB NUMBER

KEY PLAN

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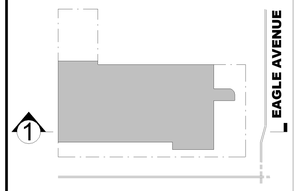

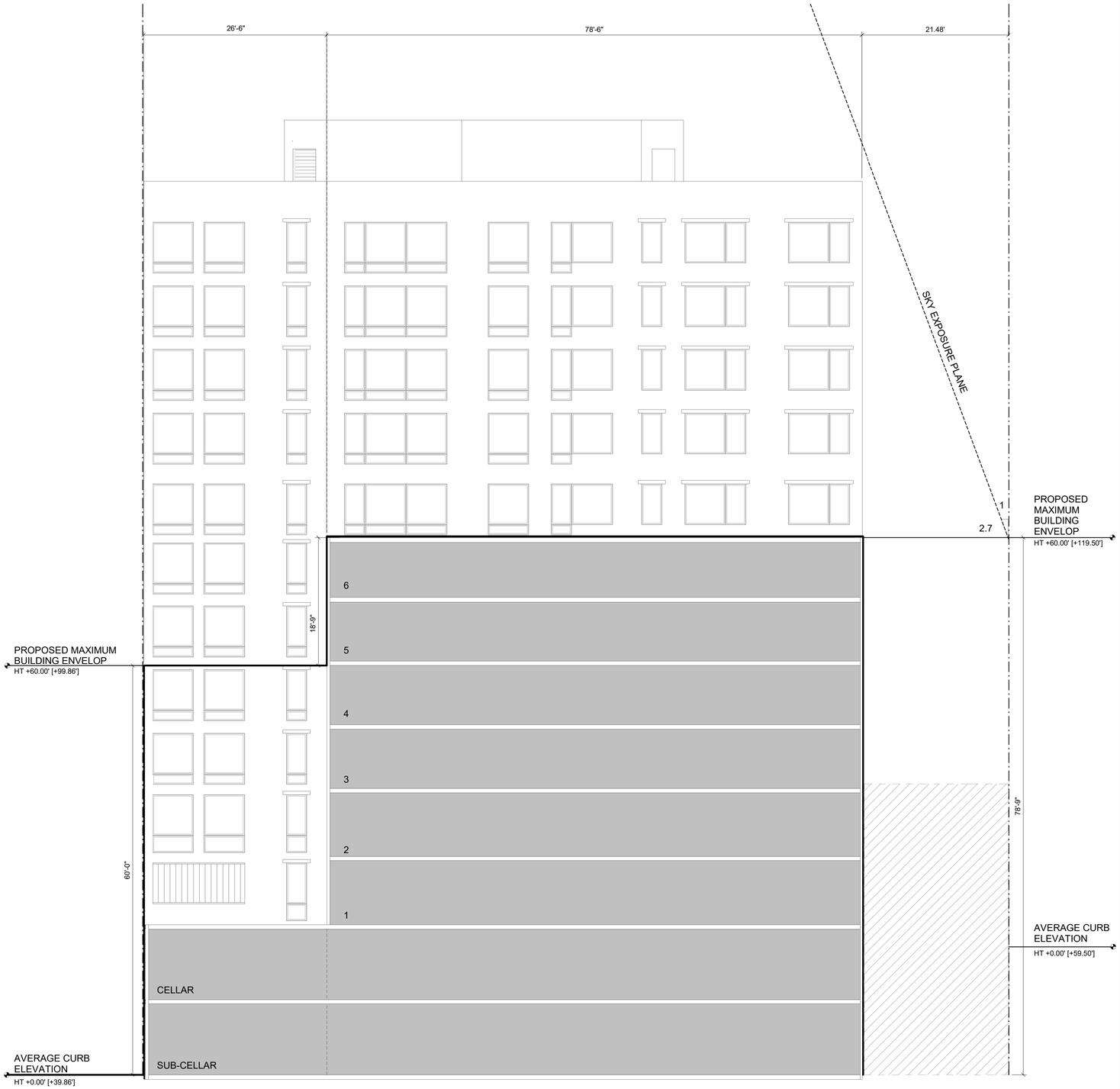

1 INTERIOR LOT & CORNER LOT - LONGITUDINAL BUILDING SECTION - 1
1/8" = 1'-0"

LEGEND

ZONING LOT LINE	EXISTING STREET TREE	(S)(E)(G)(W)	EXISTING MANHOLES S-SEWER, E-ELECTRIC G-GAS, W-WATER
PROPERTY LINE	PROPOSED STREET TREE		
PROPOSED MAXIMUM BUILDING ENVELOP	TRAFFIC DIRECTION		EXISTING TRAFFIC SIGN
ILLUSTRATIVE BUILDING ENVELOP	RESIDENTIAL ACCESS		GAS VALVE
PROPOSED BUILDING	EXISTING STREET LIGHT	4S	# STORIES W/STORE
EXISTING BUILDING	R7-2 / M1-1 ZONING DISTRICT	4C	# STORIES W/CELLAR
ZONING DISTRICT LINE	LOT SEPARATION	41'	BUILDING HEIGHT
(HT +25.00') PROPOSED MAXIMUM BUILDING ENVELOP			ELEVATED STREET RAIL
(HT +25.00') ILLUSTRATIVE BUILDING HEIGHT			PROPOSED PUBLIC STAIR
			FLOOR SLAB

Project:

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Consultants:

STRUCTURAL ENGINEER:

MECHANICAL ENGINEER:

CODE CONSULTANT:

Plot Plan:

Issuance Schedule

No.	Date	Description

Drawing Title:

SECTIONS - LONGITUDINAL - HEIGHT AND SETBACK DIAGRAM I

Sign & Seal:

REGISTERED ARCHITECT ANTHONY K. SHITEN 022365 STATE OF NEW YORK

Drawing No.

Z-003.00

date	drawn by	job no.
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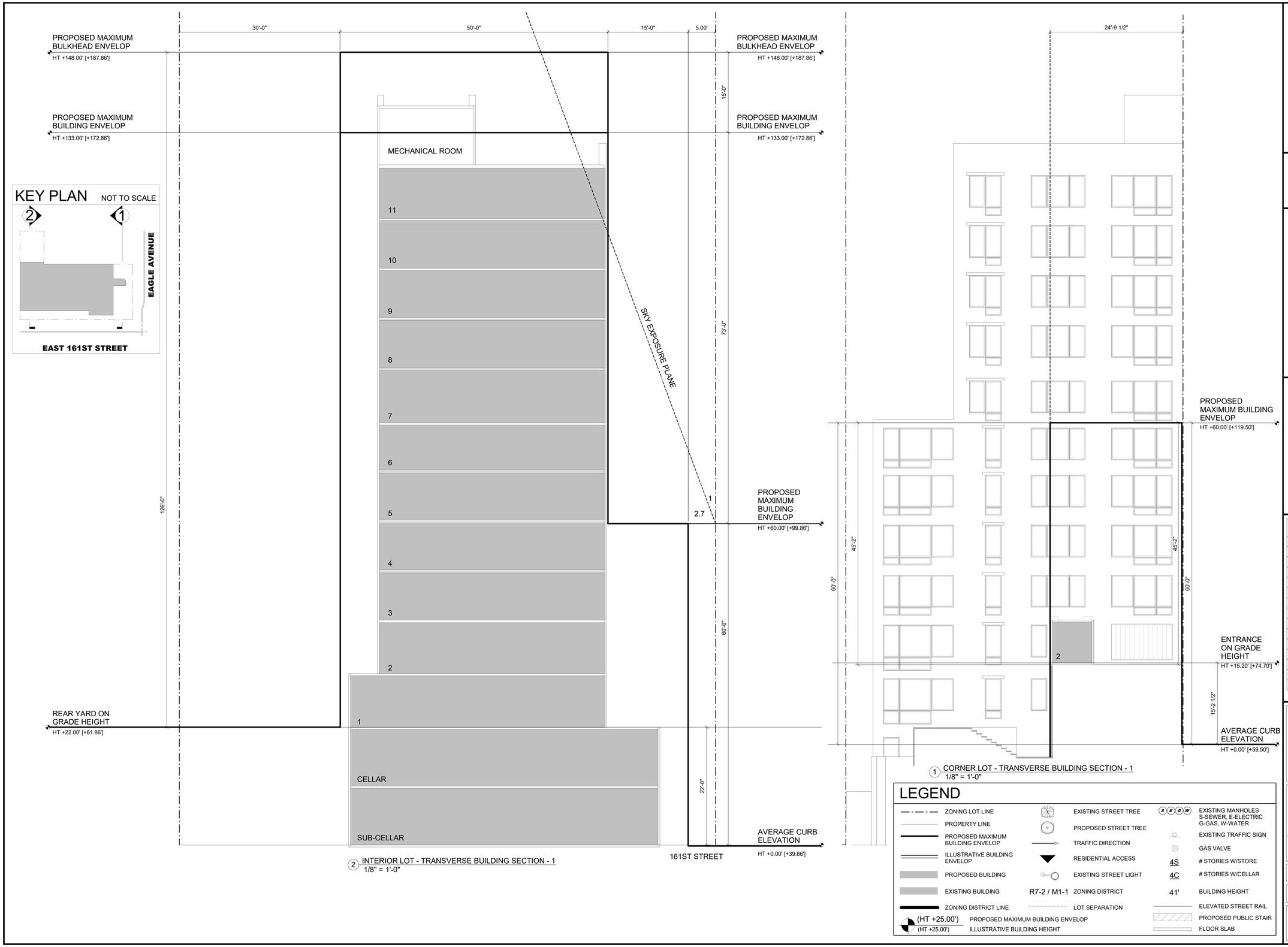

2 INTERIOR LOT - TRANSVERSE BUILDING SECTION - 1
1/8" = 1'-0"

1 CORNER LOT - TRANSVERSE BUILDING SECTION - 1
1/8" = 1'-0"

LEGEND

ZONING LOT LINE	EXISTING STREET TREE	S E G W	EXISTING MANHOLES S-SEWER, E-ELECTRIC G-GAS, W-WATER
PROPERTY LINE	PROPOSED STREET TREE		EXISTING TRAFFIC SIGN
PROPOSED MAXIMUM BUILDING ENVELOP	TRAFFIC DIRECTION		GAS VALVE
ILLUSTRATIVE BUILDING ENVELOP	RESIDENTIAL ACCESS	4S	# STORIES W/STORE
PROPOSED BUILDING	EXISTING STREET LIGHT	4C	# STORIES W/CELLAR
EXISTING BUILDING	R7-2 / M1-1 ZONING DISTRICT	41'	BUILDING HEIGHT
ZONING DISTRICT LINE	LOT SEPARATION		ELEVATED STREET RAIL
(HT +25.00') / (HT +25.00') PROPOSED MAXIMUM BUILDING ENVELOP / ILLUSTRATIVE BUILDING HEIGHT			PROPOSED PUBLIC STAIR
			FLOOR SLAB

Project:

HOGAR EAGLE GARDENS
893 EAGLE AVENUE, BRONX, NEW YORK 10456

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Consultants:

STRUCTURAL ENGINEER:

MECHANICAL ENGINEER:

CODE CONSULTANT:

Plot Plan:

Issuance Schedule

No.	Date	Description

Drawing Title:

SECTIONS - TRANSVERSE - HEIGHT AND SETBACK DIAGRAMS II

Sign & Seal:

REGISTERED ARCHITECT ANTHONY K. SNITKER 022365 STATE OF NEW YORK

Drawing No.

Z-004.00

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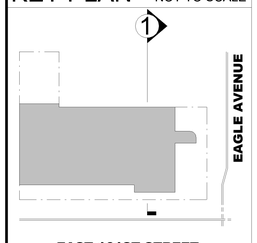
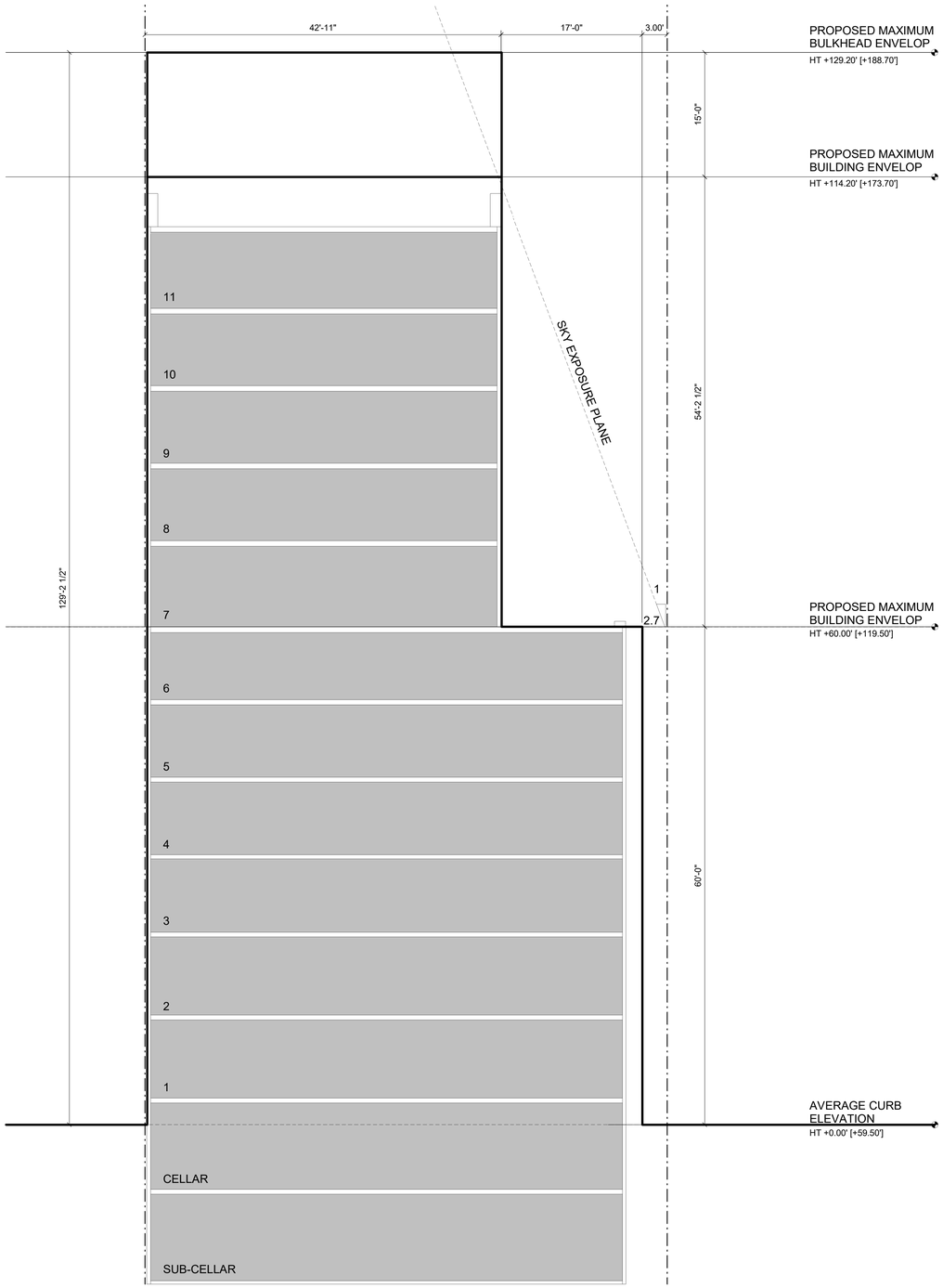
KEY PLAN NOT TO SCALE





1 CORNER LOT - TRANSVERSE BUILDING SECTION - 2
1/8" = 1'-0"

LEGEND

	ZONING LOT LINE		EXISTING STREET TREE	S E G W	EXISTING MANHOLES S-SEWER, E-ELECTRIC G-GAS, W-WATER
	PROPERTY LINE		PROPOSED STREET TREE		EXISTING TRAFFIC SIGN
	PROPOSED MAXIMUM BUILDING ENVELOP		TRAFFIC DIRECTION		GAS VALVE
	ILLUSTRATIVE BUILDING ENVELOP		RESIDENTIAL ACCESS	4S	# STORIES W/STORE
	PROPOSED BUILDING		EXISTING STREET LIGHT	4C	# STORIES W/CELLAR
	EXISTING BUILDING	R7-2 / M1-1	ZONING DISTRICT	41'	BUILDING HEIGHT
	ZONING DISTRICT LINE		LOT SEPARATION		ELEVATED STREET RAIL
(HT +25.00') / (HT +25.00')	PROPOSED MAXIMUM BUILDING ENVELOP / ILLUSTRATIVE BUILDING HEIGHT				PROPOSED PUBLIC STAIR
					FLOOR SLAB

Project:

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Consultants:

STRUCTURAL ENGINEER:

MECHANICAL ENGINEER:

CODE CONSULTANT:

Plot Plan:

Issuance Schedule

No.	Date	Description

Drawing Title:

SECTIONS - TRANSVERSE - HEIGHT AND SETBACK DIAGRAM III

Sign & Seal:

REGISTERED ARCHITECT ANTHONY K. SPITERI STATE OF NEW YORK 022365

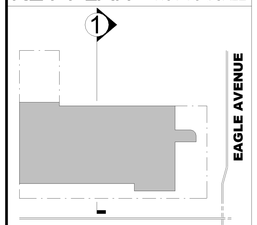
Drawing No.

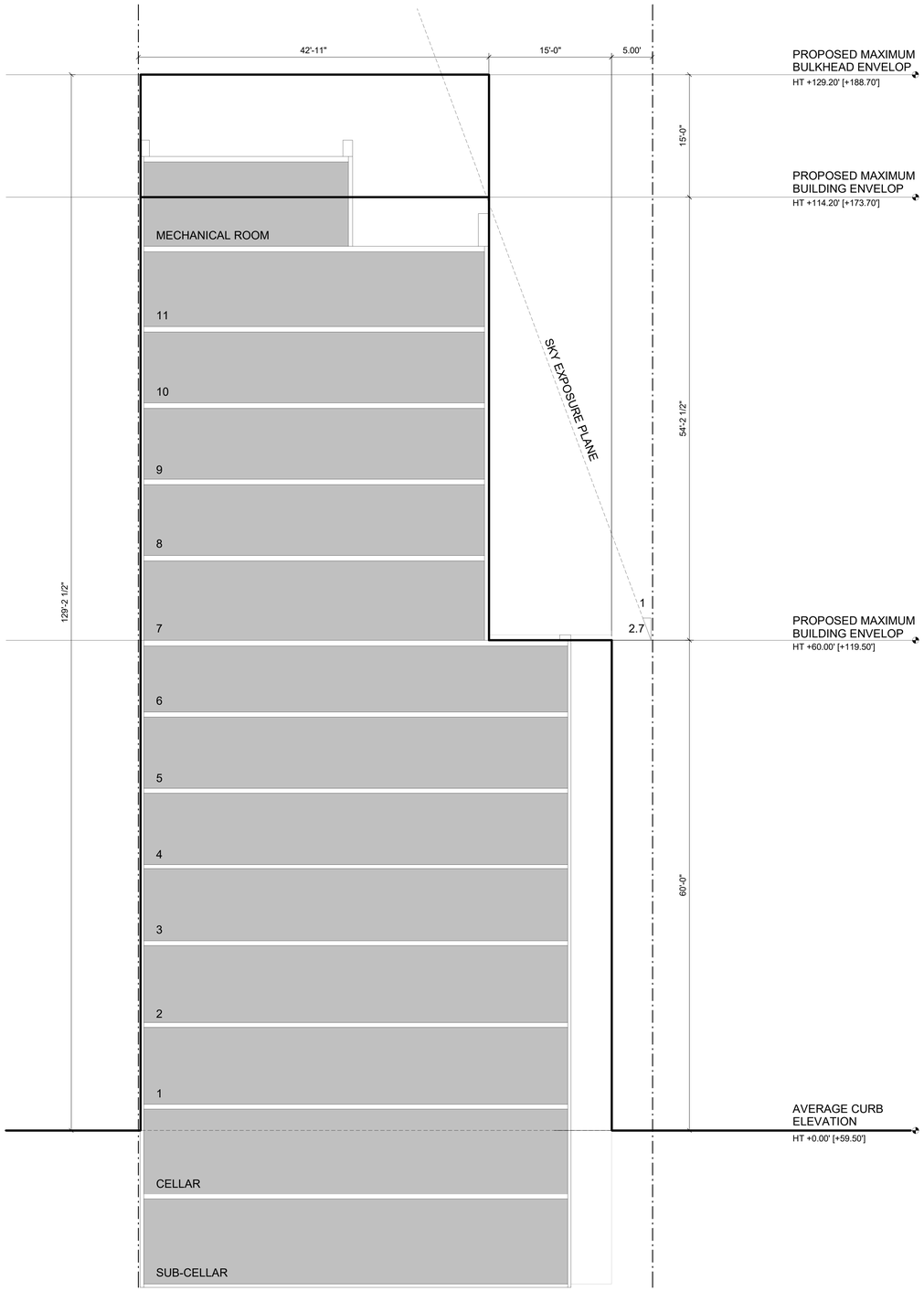
Z-005.00

date	drawn by	job no.
01/10/22	RWF	P-15.07
sheet scale	**checked by**	**DOB sheet**
As Indicated	TS	6 OF 12

DOB NUMBER

KEY PLAN NOT TO SCALE





1 CORNER LOT - TRANSVERSE BUILDING SECTION - 3
1/8" = 1'-0"

LEGEND

ZONING LOT LINE	EXISTING STREET TREE	E E G W	EXISTING MANHOLES S-SEWER, E-ELECTRIC G-GAS, W-WATER
PROPERTY LINE	PROPOSED STREET TREE		EXISTING TRAFFIC SIGN
PROPOSED MAXIMUM BUILDING ENVELOP	TRAFFIC DIRECTION		GAS VALVE
ILLUSTRATIVE BUILDING ENVELOP	RESIDENTIAL ACCESS	4S	# STORIES W/STORE
PROPOSED BUILDING	EXISTING STREET LIGHT	4C	# STORIES W/CELLAR
EXISTING BUILDING	R7-2 / M1-1 ZONING DISTRICT	41'	BUILDING HEIGHT
ZONING DISTRICT LINE	LOT SEPARATION		ELEVATED STREET RAIL
(HT +25.00') / (HT +25.00') PROPOSED MAXIMUM BUILDING ENVELOP / ILLUSTRATIVE BUILDING HEIGHT			PROPOSED PUBLIC STAIR
			FLOOR SLAB

Project:

HOGAR EAGLE GARDENS
893 EAGLE AVENUE, BRONX, NEW YORK 10456

Owner:

H.O.G.A.R. INC.
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Architect:

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Consultants:

STRUCTURAL ENGINEER:

MECHANICAL ENGINEER:

CODE CONSULTANT:

Plot Plan:

Issuance Schedule

No.	Date	Description

Drawing Title:

SECTIONS - TRANSVERSE - HEIGHT AND SETBACK DIAGRAM IV

Sign & Seal:

REGISTERED ARCHITECT ANTHONY K. SNITKER 022365 STATE OF NEW YORK

Drawing No.

Z-006.00

date	drawn by	job no.
01/10/22	RWF	P-15.07

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As Indicated	TS	7 OF 12

DOB NUMBER

KEY PLAN

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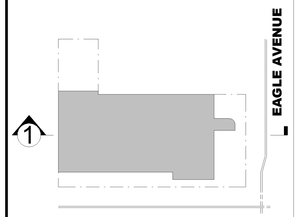
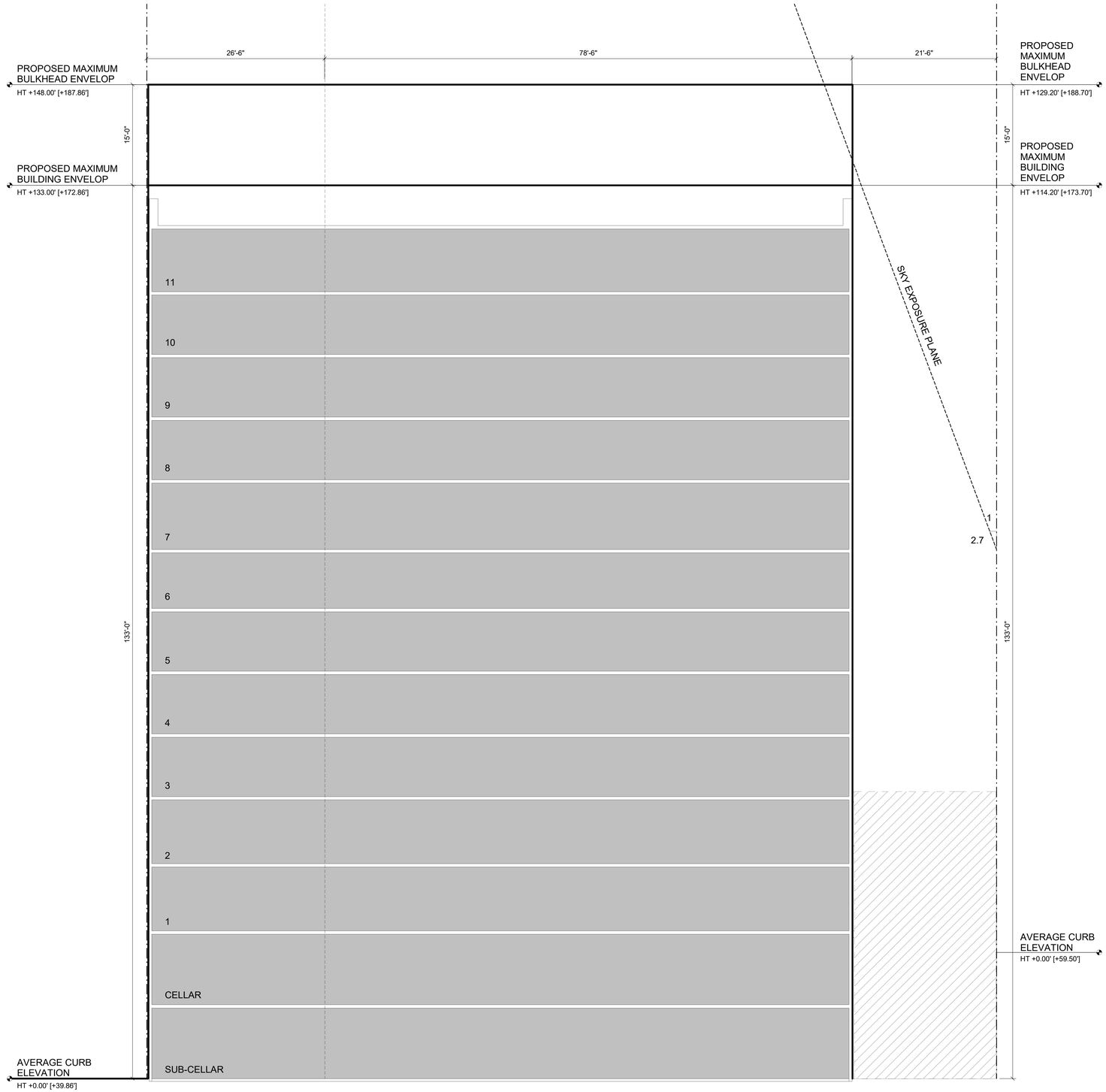




1 INTERIOR LOT & CORNER LOT - LONGITUDINAL BUILDING SECTION - 2
1/8" = 1'-0"

LEGEND

	ZONING LOT LINE		EXISTING STREET TREE	S E G W	EXISTING MANHOLES S-SEWER, E-ELECTRIC G-GAS, W-WATER
	PROPERTY LINE		PROPOSED STREET TREE		
	PROPOSED MAXIMUM BUILDING ENVELOP		TRAFFIC DIRECTION		EXISTING TRAFFIC SIGN
	ILLUSTRATIVE BUILDING ENVELOP		RESIDENTIAL ACCESS		GAS VALVE
	PROPOSED BUILDING		EXISTING STREET LIGHT	4S	# STORIES W/STORE
	EXISTING BUILDING	R7-2 / M1-1	ZONING DISTRICT	4C	# STORIES W/CELLAR
	ZONING DISTRICT LINE		LOT SEPARATION	41'	BUILDING HEIGHT
(HT +25.00')	PROPOSED MAXIMUM BUILDING ENVELOP				ELEVATED STREET RAIL
(HT +25.00')	ILLUSTRATIVE BUILDING HEIGHT				PROPOSED PUBLIC STAIR
					FLOOR SLAB

Project:

HOGAR EAGLE GARDENS
893 EAGLE AVENUE, BRONX, NEW YORK 10456

Owner:

H.O.G.A.R. INC.
HOUSING OPTIONS AND GERIATRIC ASSOCIATION RESOURCES, INC.
787 EAST 156TH STREET
BRONX, NEW YORK 10455

Housing Consultant:

COMMUNITY REVIVAL
66 TRILLIUM ROAD
FAIRFIELD, CT 06824

Architect:

URBAN ARCHITECTURAL INITIATIVES, RA, PC
The Woolworth Bldg / 233 Broadway, Ste. 2150 / NY, NY, 10279 T 212.979.1510 uai-ny.com

Consultants:

STRUCTURAL ENGINEER:

MECHANICAL ENGINEER:

CODE CONSULTANT:

Plot Plan:

Issuance Schedule

No.	Date	Description

Drawing Title:

SECTIONS - LONGITUDINAL - HEIGHT AND SETBACK DIAGRAM V

Sign & Seal:

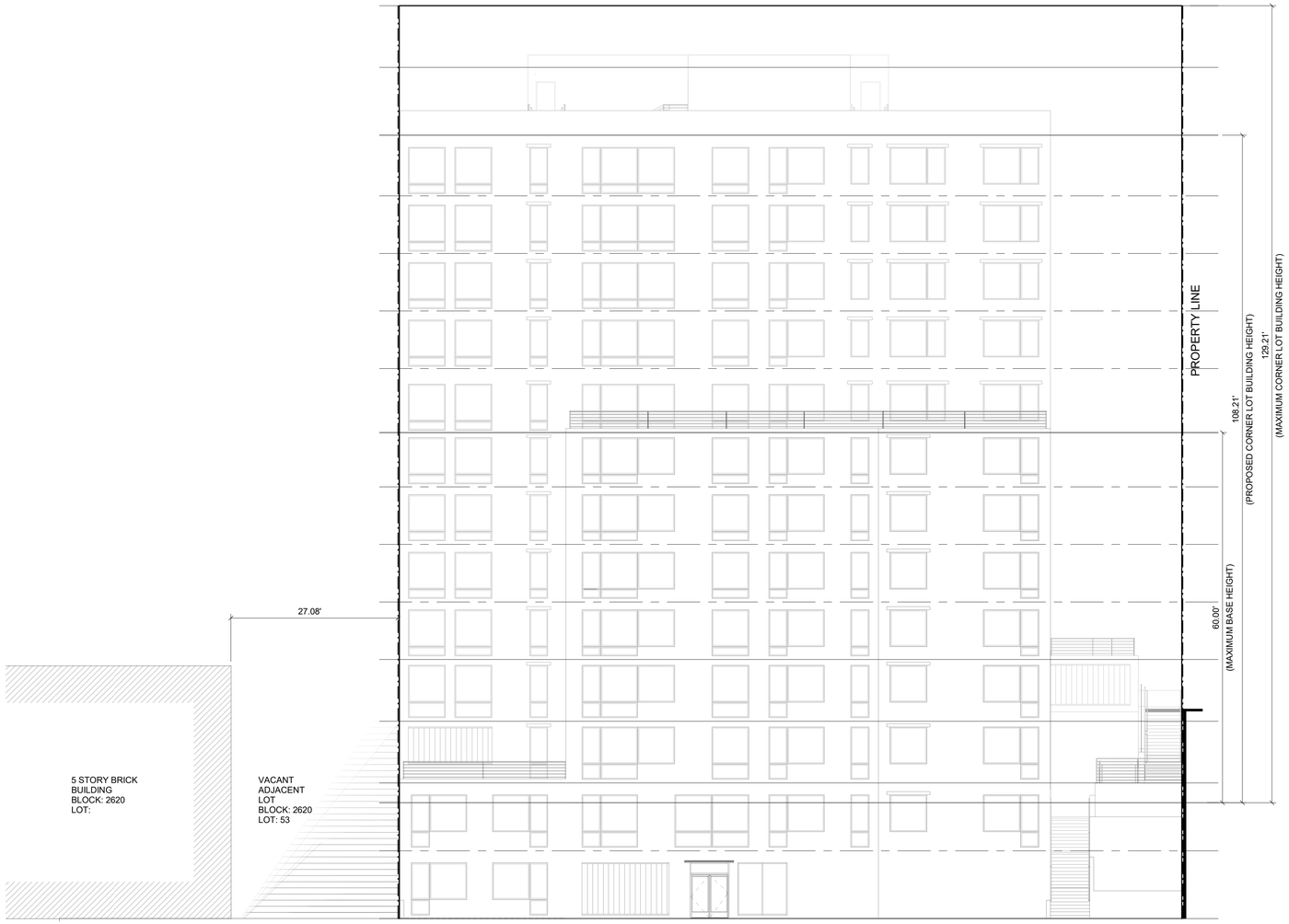
REGISTERED ARCHITECT ANTHONY K. SHITAM 022365 STATE OF NEW YORK

Drawing No.

Z-007.00

date	drawn by	job no.
01/10/22	RWF	P-15.07
sheet scale	checked by	DOB sheet
As Indicated	TS	8 OF 12

DOB NUMBER



2 BUILDING ENVELOPE - NORTH ELEVATION
3/32" = 1'-0"



1 BUILDING ENVELOPE - WEST ELEVATION
3/32" = 1'-0"

Project:

HOGAR EAGLE GARDENS
893 EAGLE AVENUE, BRONX, NEW YORK 10456

Owner:

H.O.G.A.R. INC.
HOUSING OPTIONS AND GERIATRIC ASSOCIATION RESOURCES, INC.
787 EAST 156TH STREET
BRONX, NEW YORK 10455

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The Woolworth Bldg / 233 Broadway, Ste. 2150 / NY, NY, 10279 T 212.979.1510 uai-ny.com

Consultants:

STRUCTURAL ENGINEER:

MECHANICAL ENGINEER:

CODE CONSULTANT:

Plot Plan:

Issuance Schedule

No.	Date	Description

Drawing Title:

ELEVATIONS - ALONG STREET FRONTAGES

Sign & Seal:

REGISTERED ARCHITECT ANTHONY K. SNITKER 022365 STATE OF NEW YORK

Drawing No.

Z-008.00

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01/10/22	RWF	P-15.07
sheet scale	checked by	DOB sheet
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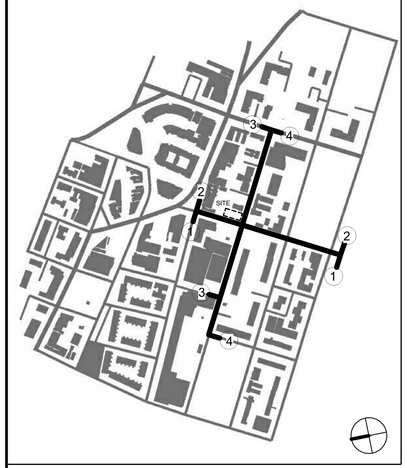
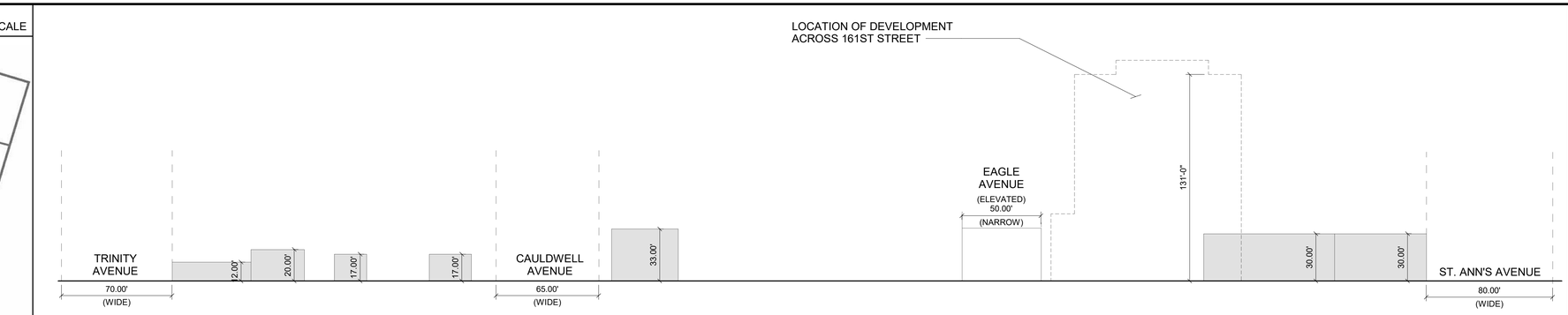
DOB NUMBER

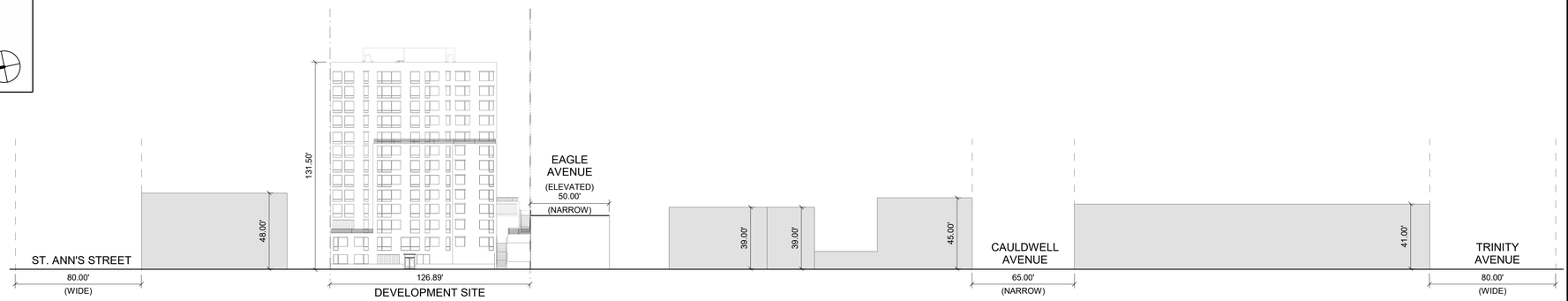
LEGEND

NOT TO SCALE

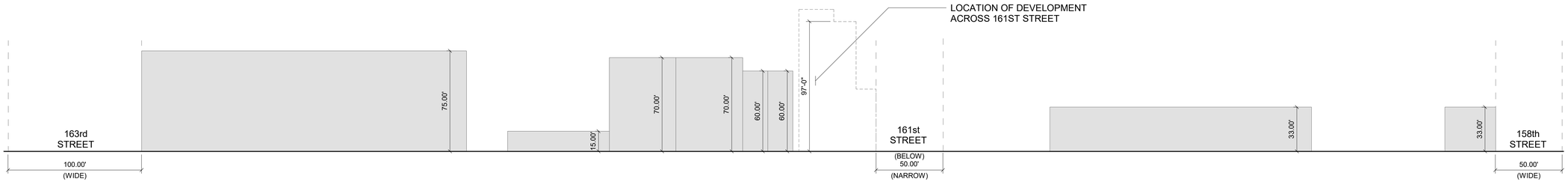




4 STREETSCAPE SOUTH SIDE OF 161st STREET
NOT TO SCALE



3 STREETSCAPE NORTH SIDE OF 161st STREET
NOT TO SCALE



2 STREETSCAPE EAST SIDE OF EAGLE AVENUE
NOT TO SCALE



1 STREETSCAPE WEST SIDE OF EAGLE AVENUE
NOT TO SCALE

NOTE: INFORMATION OUTSIDE OF THE BOUNDARIES OF THE ZONING LOT IS FOR ILLUSTRATIVE PURPOSES ONLY, AND MAY NOT BE EXACT. THE ARCHITECT BEARS NO RESPONSIBILITY FOR INEXACT INFORMATION ON SURROUNDING PROPERTIES.

Project:

HOGAR EAGLE GARDENS
893 EAGLE AVENUE, BRONX, NEW YORK 10456

Owner:

H.O.G.A.R. INC.
HOUSING OPTIONS AND GERIATRIC ASSOCIATION RESOURCES, INC.
787 EAST 156TH STREET
BRONX, NEW YORK 10455

Housing Consultant:

COMMUNITY REVIVAL
66 TRILLIUM ROAD
FAIRFIELD, CT 06824

Architect:

URBAN ARCHITECTURAL INITIATIVES, RA, PC
The Woolworth Bldg / 233 Broadway, Ste. 2150 / NY, NY, 10279 T 212.979.1510 uai-ny.com

Consultants:

STRUCTURAL ENGINEER:

MECHANICAL ENGINEER:

CODE CONSULTANT:

Plot Plan:

Issuance Schedule

No.	Date	Description

Drawing Title:

NEIGHBORHOOD CHARACTER DIAGRAM

Sign & Seal:

REGISTERED ARCHITECT
ANTHONY K. SMITHIN
022365
STATE OF NEW YORK

Drawing No.

Z-009.00

date	drawn by	job no.
01/10/22	RWF	P-15.07
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DOB NUMBER



LEGEND

ZONING LOT LINE	EXISTING STREET TREE	S E G W	EXISTING MANHOLES S-SEWER, E-ELECTRIC G-GAS, W-WATER
PROPERTY LINE	PROPOSED STREET TREE		EXISTING TRAFFIC SIGN
PROPOSED MAXIMUM BUILDING ENVELOPE	TRAFFIC DIRECTION		GAS VALVE
ILLUSTRATIVE BUILDING ENVELOPE	RESIDENTIAL ACCESS	4S	# STORIES W/STORE
PROPOSED BUILDING	EXISTING STREET LIGHT	4C	# STORIES W/CELLAR
EXISTING BUILDING	R7-2 / M1-1 ZONING DISTRICT	41'	BUILDING HEIGHT
ZONING DISTRICT LINE	LOT SEPARATION		ELEVATED STREET RAIL
(HT +25.00') PROPERTY MAXIMUM BUILDING ENVELOPE			PROPOSED PUBLIC STAIR
(HT +25.00') ILLUSTRATIVE BUILDING HEIGHT			FLOOR SLAB

Project:

HOGAR EAGLE GARDENS
893 EAGLE AVENUE, BRONX, NEW YORK 10456

Owner:

H.O.G.A.R. INC.
HOUSING OPTIONS AND GERIATRIC ASSOCIATION RESOURCES, INC.
787 EAST 156TH STREET
BRONX, NEW YORK 10455

Housing Consultant:

COMMUNITY REVIVAL
66 TRILLIUM ROAD
FAIRFIELD, CT 06824

Architect:

URBAN ARCHITECTURAL INITIATIVES, RA, PC
The Woolworth Bldg / 233 Broadway, Ste. 2150 / NY, NY, 10279 T 212.979.1510 uai-ny.com

Consultants:

STRUCTURAL ENGINEER:

MECHANICAL ENGINEER:

CODE CONSULTANT:

Plot Plan:

Issuance Schedule

No.	Date	Description

Drawing Title:

EAST 161st STREET - GROUND FLOOR PLAN - SUB-CELLAR

Sign & Seal:

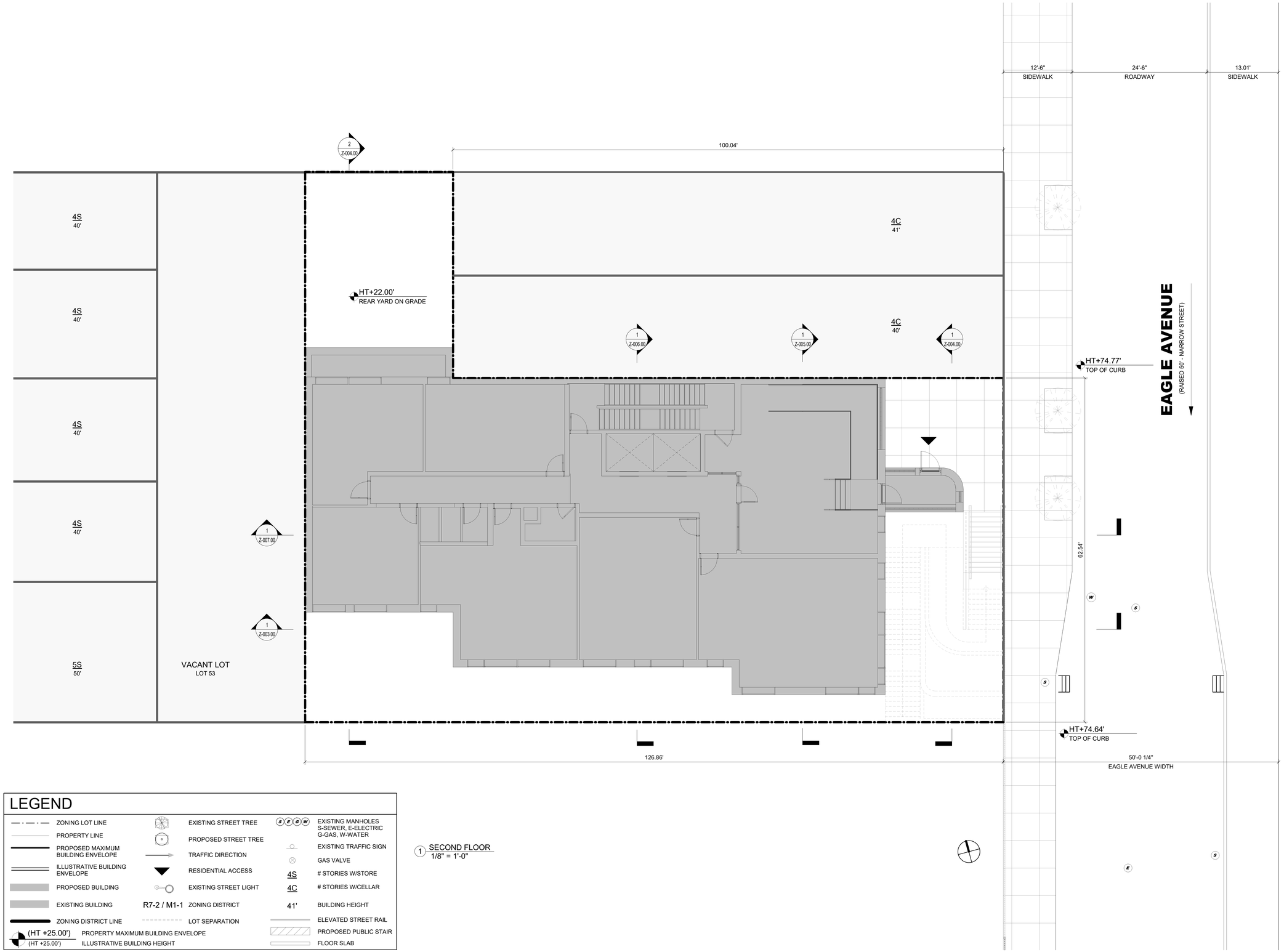
REGISTERED ARCHITECT
ANTHONY K. SNITKER
022365
STATE OF NEW YORK

Drawing No.

SK-001.00

date	drawn by	job no.
01/10/22	RWF	P-15.07
sheet scale	checked by	DOB sheet
As Indicated	TS	11 OF 12

DOB NUMBER



LEGEND

ZONING LOT LINE	EXISTING STREET TREE	(S)(E)(G)(W)	EXISTING MANHOLES S-SEWER, E-ELECTRIC G-GAS, W-WATER
PROPERTY LINE	PROPOSED STREET TREE		EXISTING TRAFFIC SIGN
PROPOSED MAXIMUM BUILDING ENVELOPE	TRAFFIC DIRECTION		GAS VALVE
ILLUSTRATIVE BUILDING ENVELOPE	RESIDENTIAL ACCESS	4S	# STORIES W/STORE
PROPOSED BUILDING	EXISTING STREET LIGHT	4C	# STORIES W/CELLAR
EXISTING BUILDING	R7-2 / M1-1 ZONING DISTRICT	41'	BUILDING HEIGHT
ZONING DISTRICT LINE	LOT SEPARATION		ELEVATED STREET RAIL
(HT +25.00') / (HT +25.00') PROPERTY MAXIMUM BUILDING ENVELOPE / ILLUSTRATIVE BUILDING HEIGHT			PROPOSED PUBLIC STAIR
			FLOOR SLAB

1 SECOND FLOOR
1/8" = 1'-0"

Project:

HOGAR EAGLE GARDENS
893 EAGLE AVENUE, BRONX, NEW YORK 10456

Owner:

H.O.G.A.R. INC.
HOUSING OPTIONS AND GERIATRIC ASSOCIATION RESOURCES, INC.
787 EAST 156TH STREET
BRONX, NEW YORK 10455

Housing Consultant:

COMMUNITY REVIVAL
66 TRILLIUM ROAD
FAIRFIELD, CT 06824

Architect:

URBAN ARCHITECTURAL INITIATIVES, RA, PC
The Woolworth Bldg / 233 Broadway, Ste. 2150 / NY, NY, 10279 T 212.979.1510 uai-ny.com

Consultants:

STRUCTURAL ENGINEER:

MECHANICAL ENGINEER:

CODE CONSULTANT:

Plot Plan:

Issuance Schedule

No.	Date	Description

Drawing Title:

EAGLE AVENUE - GROUND FLOOR PLAN - SECOND FLOOR

Sign & Seal:

REGISTERED ARCHITECT ANTHONY K. SMITH NEW YORK 022365 STATE OF NEW YORK

Drawing No.

SK-002.00

date	drawn by	job no.
01/10/22	RWF	P-15.07
sheet scale: As Indicated	checked by: TS	DOB sheet: 12 OF 12

DOB NUMBER

APPENDIX C

HAZARDOUS MATERIALS

Phase I Environmental Site Assessment Report

Eagle Avenue
577-589 East 161st Street
Bronx, NY 10456

Prepared for

H.O.G.A.R. Inc.
787 East 156th Street
The Bronx, New York 10455

Prepared by

Equity Environmental Engineering
500 International Drive
Mount Olive, NJ 07828
Phone: 973-527-7451

Job Number: 2018088
06/12/2019

Powered By PARCEL

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1.0 GENERAL INFORMATION

Project Information:
Eagle Avenue
Project Number:
2018088

Consultant Information:
Equity Environmental Engineering
500 International Drive
Mount Olive, NJ 07828
Phone: 973-527-7451
Fax: 973-858-0280
E-mail Address: bob.jackson@equityenvironmental.com
Inspection Date: 05/14/2019
Report Date: 06/12/2019

Site Information:
Eagle Avenue
577-589 East 161st Street
Bronx, NY 10456
Latitude, Longitude: 40.822342, -73.908660
Site Access Contact:

Client Information:
H.O.G.A.R. Inc.
Bill Tsim
787 East 156th Street
The Bronx, New York 10455

Site Assessor

John Vrabel
Project Scientist

Senior Reviewer

Robert L. Jackson
Managing Director

Certification:

I declare that, to the best of my professional knowledge and belief, I meet the definition of Environmental Professional as defined in 40 CFR Part 312. I have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. I have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.

Robert L. Jackson - Managing Director

2.0 EXECUTIVE SUMMARY

2.1 Subject Property Description

The Subject Property, is located at 577-589 East 161st Street, 893-895 Eagle Avenue, Bronx New York City, and consists of Block 2620, tax lots 49, 50, 52, and 56, and is within Community District 3. The Subject Property is 8,923 square feet and is currently undeveloped. The Site Location Map is located in Appendix A and Site Photographs are located in Appendix B.

2.2 Data Gaps

Equity did not identify any significant data gaps that would affect its ability to identify Recognized Environmental Conditions (RECs) associated with the Subject Property.

2.3 Environmental Report Summary

Report Section		No Further Action	REC	HREC	CREC	Issue/Further Investigation	Comments
4.4	**Current Use of Property**	X					
4.6	**Adjoining Property Information**	X					
6.1	**Standard Environmental Records Sources**	X					
6.4.1	**Historical Summary**	X					
6.4.7	**Other Environmental Reports**	X					
7.3.1	**Hazardous Substances**	X					
7.3.2	**Petroleum Products**	X					One empty five gallon gasoline container was observed on the Subject Property. No signs of leakage or staining were observed around the gasoline container.
7.3.3	**USTs**	X					
7.3.4	**ASTs**	X					
7.3.5	**Other Suspect Containers**	X					One empty twenty pound propane tank was observed on the Subject Property.
7.3.6	**Equipment Likely to Contain PCBs**	X					
7.3.7	**Interior Staining/Corrosion**	X					
7.3.8	**Discharge Features**	X					
7.3.9	**Pits, Ponds, And Lagoons**	X					
7.3.10	**Solid Waste Dumping/Landfills**	X					
7.3.11	**Stained Soil/Stressed Vegetation**	X					
7.3.12	**Wells**	X					

2.4 Recommendations

Recognized Environmental Conditions (RECs) are defined as the presence or likely presence of any hazardous substances or petroleum products under conditions that indicate an existing release, past release or a material threat of a release into structures on the properties or into the ground, groundwater, or surface waters of the properties. Historic Recognized Environmental Conditions (HRECs) are RECs previously remediated to government standards. De minimis RECs are those that do not present a threat to health or the environment and would not be the subject of an enforcement action by a government agency. Controlled Recognized Environmental Conditions (CRECs) are RECs that are under some form of institutional and/or engineering control. A Vapor Encroachment Condition (VEC) is the presence or likely

2.4 Recommendations (continued)

presence of chemical of concern vapors in the subsurface of the target property caused by the release of vapors from contaminated soil and/or groundwater either on or near the target property. All RECs and VECs are discussed below.

Equity performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E 1527-13 at the Subject Property. Any exceptions to, or deviations from, this practice are described in Section 3.5 of this report. This assessment has revealed the following information in connection with the Subject Property:

RECs:

There are no RECs associated with the Subject Property.

HRECs:

There are no HRECs associated with the Subject Property.

CRECs:

There are no CRECs associated with the Subject Property.

VECs:

The EDR Vapor Encroachment database identified two VECs (Vapor Encroachment Conditions) within 1/10 of a mile of the Subject Property that are related to 100 gallon tank overfill of number two fuel oil, and a historic automobile garage. Based on these findings, a possible vapor encroachment cannot be ruled out. Details on the VECs can be found in Appendix F.

3.0 INTRODUCTION

3.1 Purpose

The purpose of the Phase I Environmental Site Assessment (ESA) was to evaluate the current and historical conditions of the Subject Property in an effort to identify recognized environmental conditions in connection with the Subject Property.

A recognized environmental condition is defined by ASTM as:

Recognized Environmental Condition - The presence or likely presence of any hazardous substances or petroleum products in, on, or at a property due to release to the environment; under conditions indicative of a release to the environment; or conditions that pose a material threat of a future release to the environment. De minimis conditions are not recognized environmental conditions.

The identification of Recognized Environmental Conditions in connection with the Subject Property may impose an environmental liability on owners or operators of the site, reduce the value of the site, or restrict the use or marketability of the site, and therefore, further investigation may be warranted to evaluate the scope and extent of potential environmental liabilities.

3.2 Scope of Work

The Phase I ESA conducted at the Subject Property was in general accordance with ASTM Standard E 1527-13 and included the following:

- Review of previous environmental site assessments;
- Records review;
- Interviews with regulatory officials and personnel associated with the subject and adjoining properties;
- A site visit; and
- Evaluation of information and preparation of the report provided herein.

Typically, a Phase I ESA does not include sampling or testing of air, soil, groundwater, surface water, or building materials. These activities would be carried out in a Phase II ESA, if required. For this Phase I ESA, no additions to the ASTM E 1527-13 standard were made.

3.3 Significant Assumptions

Equity has prepared this Phase IESA report in accordance with the contractual scope of work, using reasonable efforts to attempt to identify RECs. The conclusions presented in this report are based solely on visual observations, readily available records, interviews, and other secondary sources, which are assumed accurate unless otherwise noted. Equity does not warrant the accuracy or completeness of the information provided by secondary sources. Equity does not warrant that contamination that may exist on the site has been discovered, that the site is suitable for any particular purpose, or that the site is clear and free of liability. This report is intended for use in its entirety. No excerpts may be taken to be representative of the findings of this assessment. Opinions and recommendations presented in this report apply to the site conditions and features, as they existed at the time of the site visit, and those reasonably foreseeable. They cannot necessarily apply to conditions and features of which Equity is unaware and has not had an opportunity to evaluate.

3.4 Limitations and Exceptions

Along with all of the limitations set forth in various sections of the ASTM E 1527-13 protocol, the accuracy and completeness of this report may be limited by the following: access limitations, physical obstructions to observations, outstanding information requests, and historical data source failure.

It should be noted that this assessment did not include a review or audit of operational environmental compliance issues, or of any environmental management systems (EMS) that may exist on the property. Where required, the documents listed in Appendices A and E were used as reference material for the completion of the Phase I ESA. Some of the information presented in this report was provided through existing documents and interviews. Although attempts were made, whenever possible, to obtain a minimum of two confirmatory sources of information, Equity Environmental Engineering LLC (Equity) in certain instances has been required to assume that the information provided is accurate.

3.4 Limitations and Exceptions (continued)

The information and conclusions contained in this report are based upon work undertaken by trained professional and technical staff in accordance with generally accepted engineering and scientific practices current at the time the work was performed. The conclusions and recommendations presented represent the best judgment of Equity based on the data obtained from the work. Due to the nature of investigation and the limited data available, Equity cannot warrant against undiscovered environmental liabilities. Conclusions and recommendations presented in this report should not be construed as legal advice.

Should additional information become available which differs significantly from our understanding of conditions presented in this report, we request that this information be brought to our attention so that we may reassess the conclusions provided herein.

3.5 Deviations

There were no deviations made during this Phase I ESA.

3.6 Special Terms and Conditions

Authorization to perform this assessment was given by H.O.G.A.R. Inc. on May 14, 2019. Instructions as to the location of the property, access, and an explanation of the Subject Property and facilities to be assessed were provided by H.O.G.A.R. Inc.

3.7 Reliance

This report has been prepared for the sole benefit of H.O.G.A.R. Inc.. The report may not be relied upon by any other person or entity without the express written consent of H.O.G.A.R. Inc.

4.0 SITE DESCRIPTION

4.1 Location and Legal Description

The Subject Property is known as Eagle Avenue and is located at 577-589 East 161st Street, 893-895 Eagle Avenue, Bronx New York City. The Subject Property is 8,923 square feet and is currently undeveloped.

4.2 Activity/Use Limitations

Equity has performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E 1527-13 of the property located at 577-589 East 161st Street, 893-895 Eagle Avenue, Bronx New York City 10456. Any exceptions to or deletions from this practice are described in Section 2.5 of this report. This assessment has revealed no evidence of Recognized Environmental Conditions in connection with the Subject Property.

The EDR Vapor Encroachment database identified seven VECs (Vapor Encroachment Conditions) within 1/10 of a mile of the Subject Property that are related to a leaking UST, two historic dry cleaners, and four historic automobile garages. Based on these findings, a possible vapor encroachment cannot be ruled out. Details on the VECs can be found in Appendix F.

4.3 Site and Vicinity Description

The Subject Property consists of approximately 8,923 square feet and is currently undeveloped. The ground surface at the site slopes from the northeast at 72 feet above mean sea level (AMSL) to the southwest at 41 feet AMSL. Groundcover consists primarily of overgrow vegetation and an old brick and stone foundation. The Subject Property can be accessed from Eagle Avenue and 161st Street.

The site is zoned as vacant land. The area surrounding the site is primarily residential and commercial.

4.4 Current Use of Property

At the present time, the Subject Property is undeveloped and is not part of a larger development. The Subject Property is zoned residential.

4.5 Description of Structures and Other Improvements

No buildings exist on the Subject Property.

4.6 Adjoining Property Information

During the site reconnaissance, Equity observed that the land in the immediate vicinity of the Subject Property is mixed use with residential units and commercial store fronts. During the vicinity reconnaissance, Equity observed the following land use on properties in the immediate vicinity of the Subject Property:

North: Residential and Commercial buildings, vacant land
South: Commercial, residential, commercial, vacant land
East: Residential buildings, vacant land
West: Mixed residential and commercial buildings

5.0 USER PROVIDED INFORMATION

5.1 Specialized Knowledge

Equity has no specialized knowledge of the Subject Property outside of the research which was conducted and reported as part of this report. The property ownership as well as all individuals who were interviewed as part of this investigation, have not reported any specialized knowledge of this Subject Property outside of what is contained in this report.

5.2 Valuation Reduction for Environmental Issues

Equity has not been provided with an appraisal for the Subject Property. However, this property is to be refinanced rather than sold. No environmental issues were identified by the client that could result in property value reduction.

5.3 Owner, Property Manager, and Occupant Information

No written or verbal communication with the property owner revealed any information which suggested that there are currently or historically been any Recognized Environmental Conditions associated with the Subject Property.

5.4 Reason For Performing Phase I ESA

The purpose of this Phase I Environmental Site Assessment (ESA) was to identify existing or potential Recognized Environmental Conditions (as defined by ASTM Standard E 1527-13) in connection with the Subject Property.

The Phase I ESA is being conducted as part of environmental due diligence prior to soil disturbance related to the proposed construction at the Subject Property.

6.0 RECORDS REVIEW

6.1 Standard Environmental Records Sources

Equity contracted Environmental Data Resources, Inc. (EDR) to conduct a search of Federal and State databases containing known and suspected sites of environmental contamination. The number of listed sites identified within the approximate minimum search distance (AMSD) from the Federal and State environmental records database listings specified in ASTM Standard E 1527-13 are summarized in the following table. Detailed information for sites identified within the AMSDs is provided below, along with an opinion about the significance of the listing to the analysis of recognized environmental conditions in connection with the Subject Property. Copies of the EDR research data and a description of the databases are included in Appendix D of this report.

The Target Property (TP) for this database search was 577-589 East 161st Street, 893-895 Eagle Avenue, Bronx New York City Block 2620, Tax Lots 49, 50, 52, and 56. The NR designation on the table stands for "Not Requested" at this search distance. The TP is not listed in this database.

Map Findings Summary

Database	Target Property	Search Distance (Miles)	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
CORRACTS		1	0	0	0	1	NR	1
RCRA-LQG		0.25	0	4	NR	NR	NR	4
RCRA-SQG		0.25	1	1	NR	NR	NR	2
RCRA-CESQG		0.25	0	1	NR	NR	NR	1
US BROWNFIELDS		0.5	0	2	2	NR	NR	4
EDR Hist Auto		0.125	1	NR	NR	NR	NR	1
RCRA NonGen / NLR		0.25	16	57	NR	NR	NR	73
EDR Hist Cleaner		0.125	1	NR	NR	NR	NR	1
NY MANIFEST		0.25	20	76	NR	NR	NR	96
NY LTANKS		0.5	4	5	28	NR	NR	37
NY SPILLS		0.125	14	NR	NR	NR	NR	14
NY VCP		0.5	0	2	10	NR	NR	12
NJ MANIFEST		0.25	6	26	NR	NR	NR	32
NY SWF/LF		0.5	0	0	1	NR	NR	1
NY AST		0.25	20	27	NR	NR	NR	47
NY UST		0.25	3	13	NR	NR	NR	16
NY ERP		0.5	2	1	8	NR	NR	11
NY E DESIGNATION		0.125	8	NR	NR	NR	NR	8
NY BROWNFIELDS		0.5	0	5	6	NR	NR	11
NY SHWS		1	0	0	1	3	NR	4
NY INST CONTROL		0.5	0	2	4	NR	NR	6
NY ENG CONTROLS		0.5	0	2	4	NR	NR	6
PA MANIFEST		0.25	0	1	NR	NR	NR	1

6.2 Additional Environmental Record Sources

No additional environmental record sources were researched for this Phase I investigation.

6.3 General Site Setting

The Subject Property is located in the Brooklyn (Borough 3) and surrounded by residential, open space, and commercial land use. The ground surface at the Subject Property slopes steeply from the northeast to the southwest. The general area surrounding the Subject Property slopes down from the northeast to the southwest.

6.3.1 Topography

Based on a review of the USGS 1.5' 2013 topographic map for the site area, groundwater is inferred to flow to the east toward the East River.

6.3.2 Surface Water Bodies

The nearest surface water in the vicinity of the Subject Property is the Harlem River located approximately 1.2 miles to the east of the Subject Property. No surface water is located on the Subject Property.

6.3.3 Geology and Hydrology

Based on the soil survey maps published by the USDA Soil Conservation Service (1994) and information provided in the EDR Report, the subsurface soils expected at the site include Urban Land, which is variable in texture and does not qualify as hydric soil. Urban land soils are those which have lost original characteristics due to human activity (construction, development, demolition, debris, etc.). The geologic age identification of the rock at the Subject Property is the Stratified Sequence, and the rock-stratigraphic units are made up of the Paleozoic Era, Ordovician System, Middle Ordovician Series (Code O2).

The Subject Property is located within the 3604970083F FEMA Flood Plain Panel. Ground water is inferred to flow toward the east from the Property. No on-site water wells or springs were observed during the Property reconnaissance. The nearest surface water in the vicinity of the Subject Property is the Harlem River, 1.2 miles from the Subject Property. No settling ponds, lagoons, surface impoundments, wetlands or catch basins were observed at the Subject Property during this assessment.

6.4 Historical Use

6.4.1 Historical Summary

Historical information identifying the past site use was obtained from a variety of sources as detailed in Appendix C of this report and included: City Directories, Aerial Photographs, Sanborn Fire Insurance Maps, and Topographic Maps.

Source Reviewed	Date(s)	Source Details
Historic Topographic Maps	1897 - 2013	EDR, 6 Armstrong Road, Shelton, CT 06484, (800) 352-0050.
Aerial Photographs	1924 - 2017	EDR, 6 Armstrong Road, Shelton, CT 06484, (800) 352-0050.
Sanborn Fire Insurance Maps	1891-2007	EDR, 6 Armstrong Road, Shelton, CT 06484, (800) 352-0050.
City Directory	1927-1971	EDR, 6 Armstrong Road, Shelton, CT 06484, (800) 352-0050.

6.4.2 Title Records

Equity was not provided land title records as part of this assessment.

6.4.3 City Directories

Business directories including city, cross reference, and telephone directories were reviewed for the years spanning 1927 through 1971. The subject property was listed historically as a commercial and residential site.

6.4.4 Aerial Photos

Equity reviewed a total of thirteen aerial photographs spanning from 1924 to 2017. The Subject Property depicted in the aerials from 1924 to 1976 indicates the presence of multiple residential buildings.The Subject Property depicted in the aerials from 1984 to 2017 is consistent with the current shape, size, and location of the Subject Property.

6.4.5 Sanborn/Historical Maps

Equity reviewed a total of twenty four Sanborn Fire Insurance maps from 1891 to 2007. The table below summarizes the observations made based on the maps provided by EDR. The Sanborn maps are located in Appendix C.

6.4.5 Sanborn/Historical Maps (continued)

Summary

Date(s)	Property Comments	Surrounding Area Comments
1891, 1903	The Subject Property is undeveloped.	The surrounding area consists predominantly of undeveloped land.
1951	The Subject Property is developed with four residential dwelling units, a store, and apartments.	The surrounding area consists predominantly of apartments, residential dwelling units, stores, and industrial buildings.
1969	The Subject Property is developed with four residential dwelling units, a store, and apartments	The surrounding area consists predominantly of apartments, residential dwelling units, stores, and industrial buildings.
1970	The Subject Property is undeveloped.	The surrounding area consists predominantly of apartments, residential dwelling units, stores, and industrial buildings.
1977	The Subject Property is developed with one residential dwelling unit, a store, and apartments	The surrounding area consists predominantly of apartments, residential dwelling units, stores, and industrial buildings.
1979, 1978	The Subject Property is developed with five apartments.	The surrounding area consists predominantly of apartments, residential dwelling units, stores, and industrial buildings.
1980, 1981, 1984, 1989, 1991, 1992, 1993, 1995, 1996, 1998, 2001, 2002, 2003, 2004, 2005, 2006, 2007,	The Subject Property is undeveloped.	The surrounding area consists predominantly of apartments, residential dwelling units, stores, and industrial buildings.

6.4.6 Historical Topographic Maps

Equity reviewed a total of nine historical topographic maps from 1897 through 2013. No discernible information could be obtained from these maps. The topographic maps are provided in Appendix C.

6.4.7 Other Environmental Reports

No other environmental reports were obtained or reviewed for this assessment.

6.4.8 Building Department Records

According to the New York City Department of Buildings (DOB) website, there is one complaint, two violations, three job/filings, and twenty five actions. The complaint and violations are related poor fence conditions. The violations are related to demolition, plumbing repair, a fire protection plan, and construction. The job filings are related to site construction.

6.5 Environmental Liens and Activity/Use Limitations

There are no known liens and/or activity/use limitations on the Subject Property.

7.0 SITE RECONNAISSANCE

7.1 Methodology and Limiting Conditions

The site reconnaissance was conducted on May 14, 2019 by John Vrabel, Project Scientist with Equity, accompanied by Bill Tsim of H.O.G.A.R. Inc. Weather conditions at the time of the site reconnaissance was cloudy and approximately 40 - 50 degrees Fahrenheit. The visual reconnaissance consisted of observing the boundaries of the property and systematically traversing the site to provide an overlapping field of view, wherever possible. The periphery of the on-site structure was observed along with interior accessible common areas, manufacturing, storage and maintenance areas. Photographs of pertinent site features identified during the site reconnaissance are included in Appendix B.

7.2 General Site Setting

The Subject Property consists of approximately 8,923 square feet and is undeveloped. The ground surface at the site slopes downward to the southwest. Groundcover consists primarily of an over vegetated lot. The Subject Property is accessed from the east via an entrance from Eagle Avenue and from the south via an entrance from 161st Street.

7.3 Site Visit Findings

7.3.1 Hazardous Substances

No hazardous substances were observed during the site reconnaissance.

7.3.2 Petroleum Products

One empty five gallon gasoline container was observed on the Subject Property. No signs of leakage or staining were observed around the gasoline container.

7.3.3 USTs

No underground storage tanks (USTs) were observed during the site reconnaissance.

7.3.4 ASTs

No above ground storage tanks (ASTs) were observed during the site reconnaissance.

7.3.5 Other Suspect Containers

One empty twenty pound propane tank was observed on the Subject Property.

7.3.6 Equipment Likely to Contain PCBs

No equipment likely to contain PCBs was observed during the site reconnaissance.

7.3.7 Interior Staining/Corrosion

No interior staining was identified during the site reconnaissance.

7.3.8 Discharge Features

No discharge features were observed during the site reconnaissance.

7.3.9 Pits, Ponds, And Lagoons

No pits, ponds, or lagoons were observed during the site reconnaissance.

7.3.10 Solid Waste Dumping/Landfills

No solid waste dumping/landfills were observed during the site reconnaissance.

7.3.11 Stained Soil/Stressed Vegetation

No stained soil or stressed vegetation was observed during the site reconnaissance.

7.3.12 Wells

No wells were observed during the site reconnaissance.

8.0 INTERVIEWS

The Subject Property inspection was conducted with Bill Tsim. During the site reconnaissance provided property history for the Subject Property.

CONCLUSIONS

Recognized Environmental Conditions (RECs) are defined as the presence or likely presence of any hazardous substances or petroleum products under conditions that indicate an existing release, past release or a material threat of a release into structures on the properties or into the ground, groundwater, or surface waters of the properties. Historic Recognized Environmental Conditions (HRECs) are RECs previously remediated to government standards. De minimis RECs are those that do not present a threat to health or the environment and would not be the subject of an enforcement action by a government agency. Controlled Recognized Environmental Conditions (CRECs) are RECs that are under some form of institutional and/or engineering control. A Vapor Encroachment Condition (VEC) is the presence or likely presence of chemical of concern vapors in the subsurface of the target property caused by the release of vapors from contaminated soil and/or groundwater either on or near the target property. All RECs and VECs are discussed below.

Equity performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E 1527-13 at the Subject Property. Any exceptions to, or deviations from, this practice are described in Section3.5 of this report. This assessment has revealed the following information in connection with the Subject Property:

RECs:

There are no RECs associated with the Subject Property.

HRECs:

There are no HRECs associated with the Subject Property.

CRECs:

There are no CRECs associated with the Subject Property.

VECs:

The EDR Vapor Encroachment database identified two VECs (Vapor Encroachment Conditions) within 1/10 of a mile of the Subject Property that are related to 100 gallon tank overfill of number two fuel oil, and a historic automobile garage. Based on these findings, a possible vapor encroachment cannot be ruled out. Details on the VECs can be found in Appendix F.

REFERENCES

The following references were used in the preparation of this report:

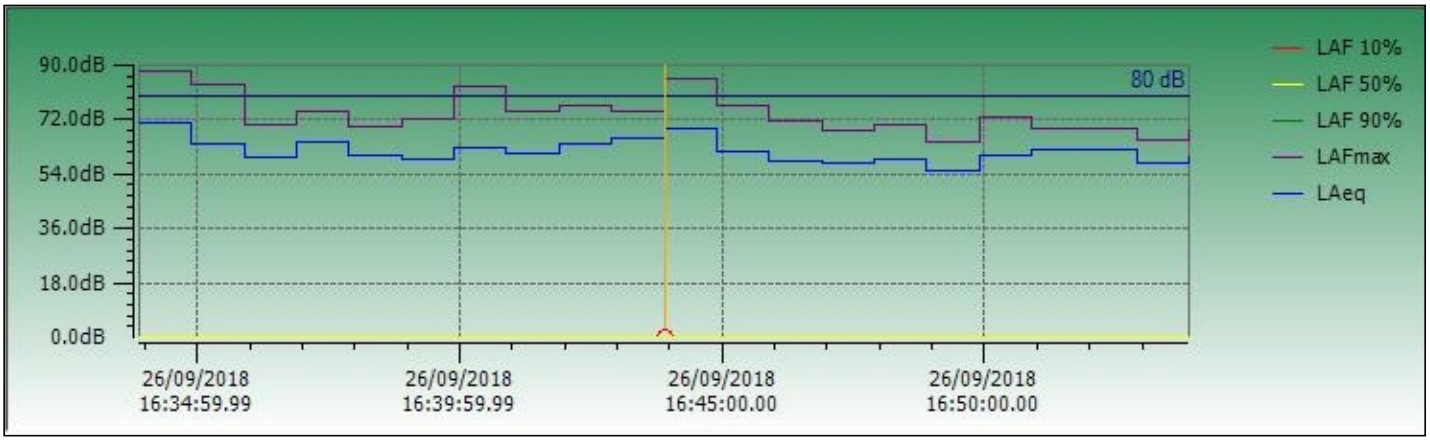
1. EDR Environmental Databases
2. Aerial Photographs
3. City Directories
4. Historic Topographic Maps
5. Sanborn Maps
6. NYC Zola Database
7. NYC Department of Buildings records
8. Qualifications

APPENDIX D

NOISE BACKUP

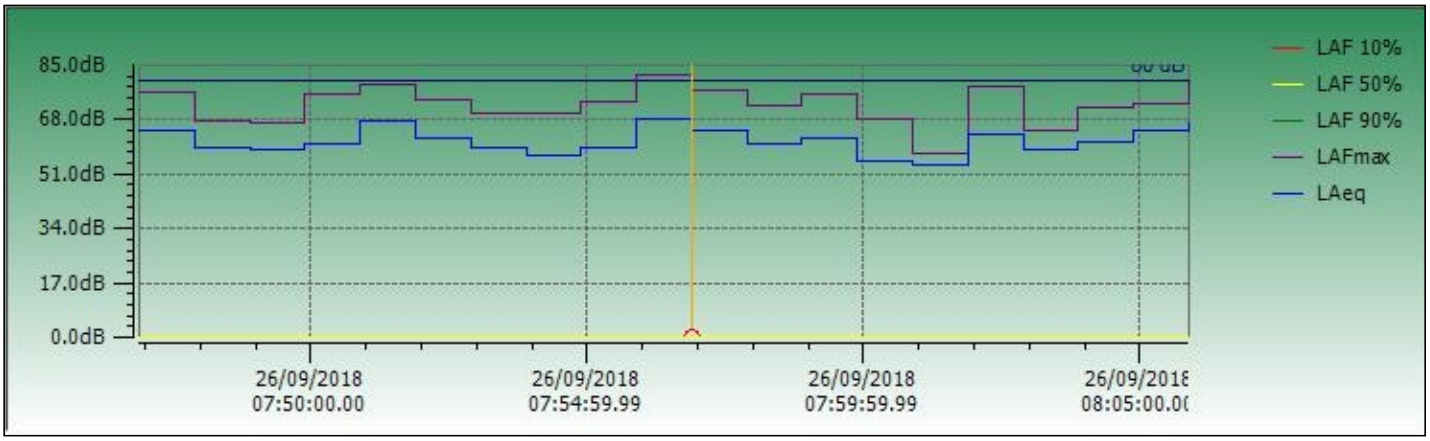
Instrument Model	**CEL-633C**

Serial Number	4278006	LAeq	63.6 dB
Start Date & Time	9/26/2018 4:33:53 PM	LAFmax	88.4 dB
LAF 10%	66 dB	LAFmin	52.9 dB
LAF 50%	57.5 dB	End Date & Time	9/26/2018 4:54:52 PM
LAF 90%	54.5 dB	Duration	00:20:59 HH:MM:SS



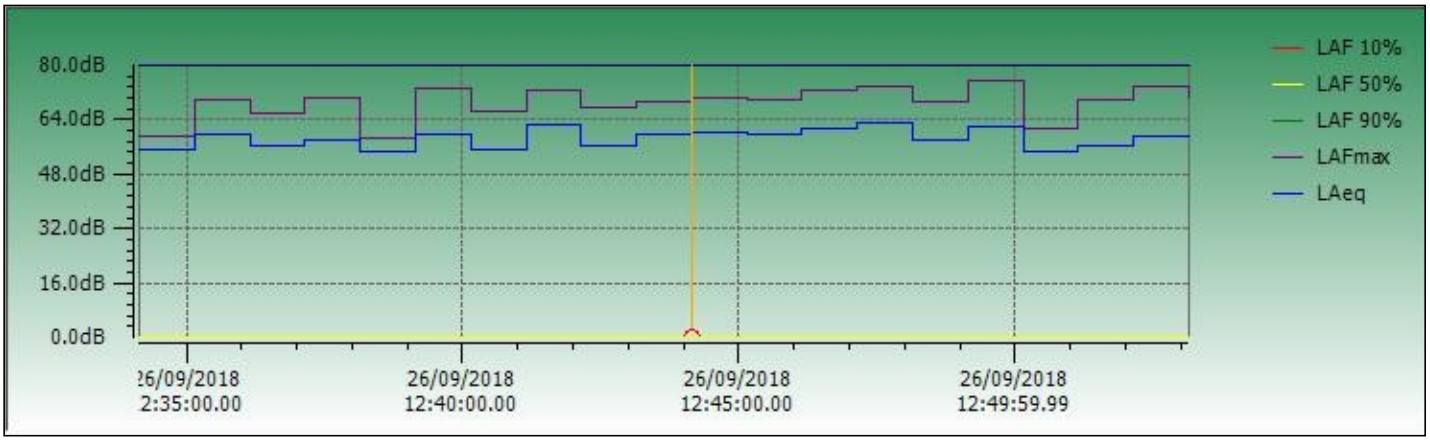
Instrument Model	**CEL-633C**

Serial Number	4278006	LAeq	63 dB
Start Date & Time	9/26/2018 7:46:53 AM	LAFmax	82.3 dB
LAF 10%	65.5 dB	LAFmin	50.9 dB
LAF 50%	57.5 dB	End Date & Time	9/26/2018 8:06:53 AM
LAF 90%	53 dB	Duration	00:20:00 HH:MM:SS



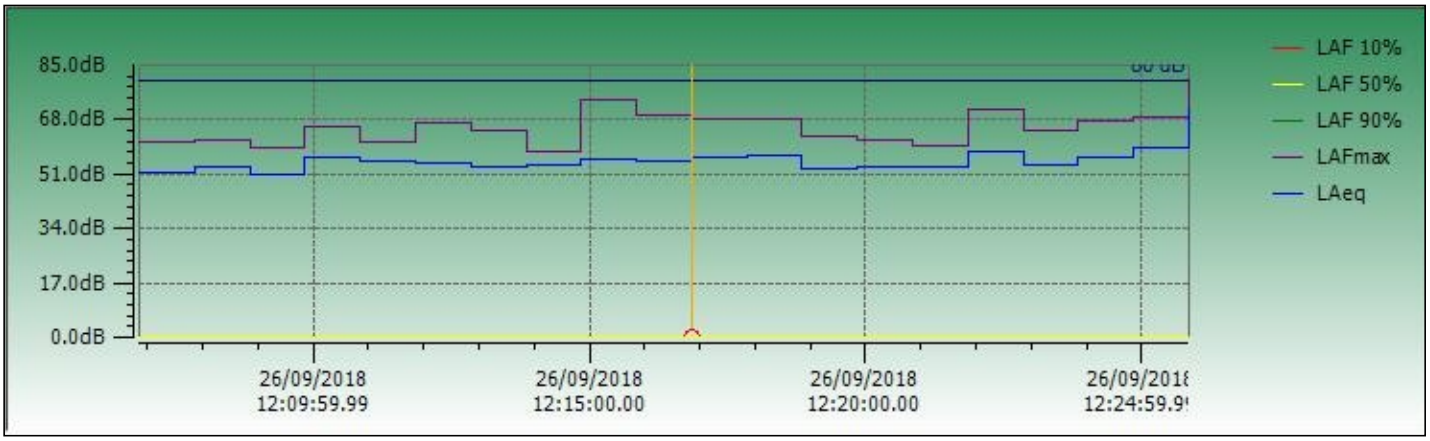
Instrument Model	**CEL-633C**

Serial Number	4278006	LAeq	59.3 dB
Start Date & Time	9/26/2018 12:34:08 PM	LAFmax	75.4 dB
LAF 10%	61.5 dB	LAFmin	52.2 dB
LAF 50%	55.5 dB	End Date & Time	9/26/2018 12:54:08 PM
LAF 90%	54 dB	Duration	00:20:00 HH:MM:SS



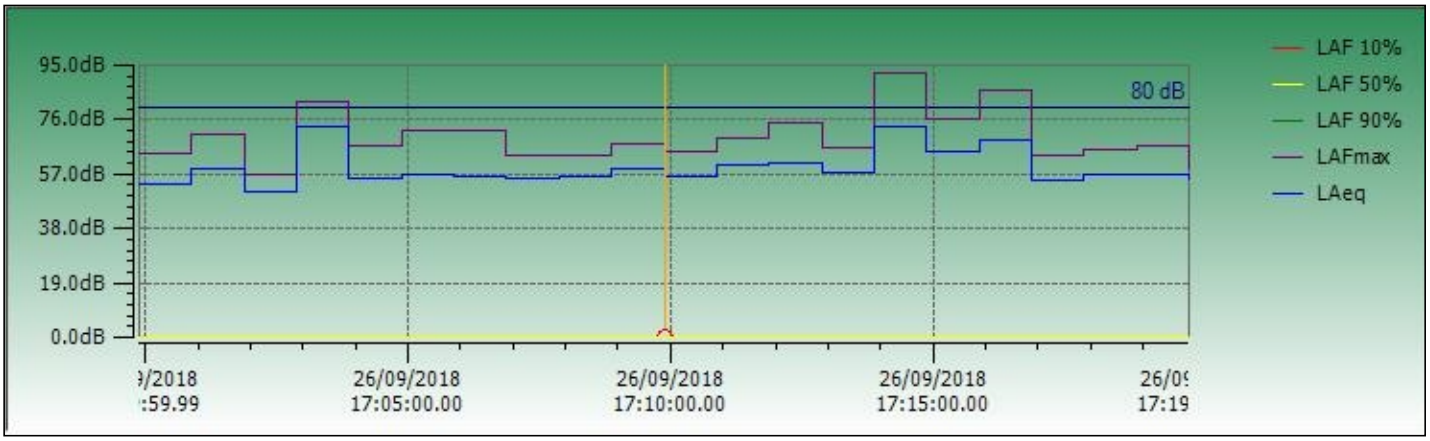
Instrument Model	**CEL-633C**

Serial Number	4278006	LAeq	59.8 dB
Start Date & Time	9/26/2018 12:06:51 PM	LAFmax	80.9 dB
LAF 10%	59 dB	LAFmin	48.3 dB
LAF 50%	53 dB	End Date & Time	9/26/2018 12:26:51 PM
LAF 90%	50 dB	Duration	00:20:00 HH:MM:SS



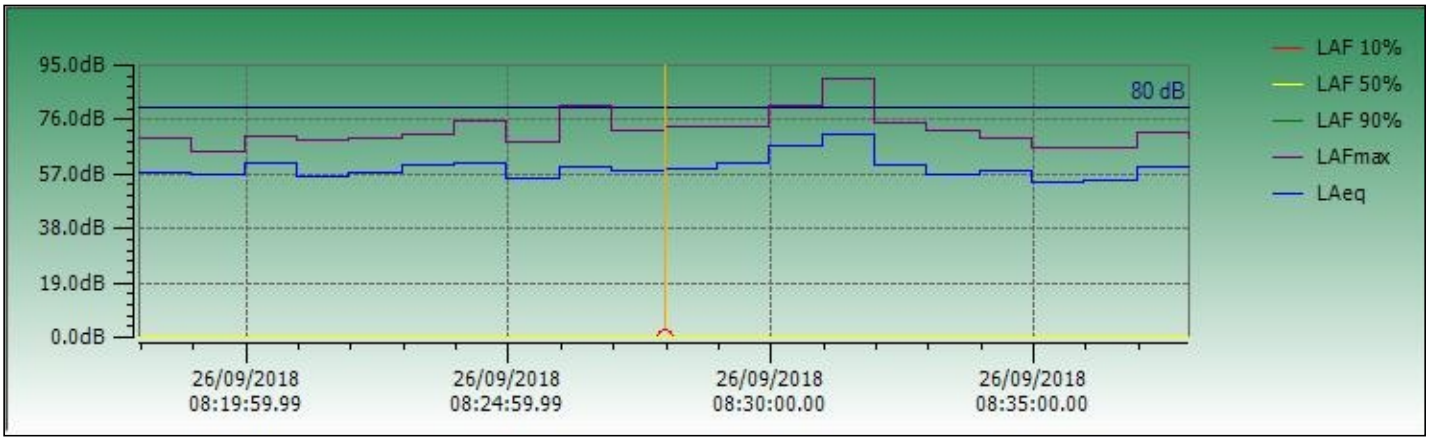
Instrument Model	**CEL-633C**

Serial Number	4278006	LAeq	65.2 dB
Start Date & Time	9/26/2018 4:59:52 PM	LAFmax	92.6 dB
LAF 10%	63.5 dB	LAFmin	48.2 dB
LAF 50%	55.5 dB	End Date & Time	9/26/2018 5:19:59 PM
LAF 90%	51 dB	Duration	00:20:07 HH:MM:SS



Instrument Model	**CEL-633C**

Serial Number	4278006	LAeq	61.7 dB
Start Date & Time	9/26/2018 8:17:57 AM	LAFmax	90.2 dB
LAF 10%	62.5 dB	LAFmin	47.2 dB
LAF 50%	55.5 dB	End Date & Time	9/26/2018 8:38:57 AM
LAF 90%	52 dB	Duration	00:21:00 HH:MM:SS



Certificate of Conformity and Calibration

Instrument Type:-	**CEL-633C**
Serial Number	4278006
Firmware revision	V006-01
Microphone Type:-	**CEL-251**
Serial Number	02467
Preamplifier Type:-	**CEL-495**
Serial Number	003570
Instrument Class/Type:-	1



Applicable standards:-

IEC 61672: 2002 / EN 60651 (Electroacoustics - Sound Level Meters)
IEC 60651 1979 (Sound Level Meters), ANSI S1.4: 1983 (Specifications For Sound Level Meters)

Note:- *The test sequences performed in this report are in accordance with the current Sound level meter Standard - IEC61672. The combination of tests performed are considered to confirm the products electro-acoustic performance to all applicable standards including superceeded Sound Level Meter Standards - IEC60651 and IEC60804.*

Test Conditions:-	26 °C	**Test Engineer:-**	Stephen Potten
	42 %RH	**Date of Issue:-**	January 22, 2018
	1011 mBar		

Declaration of conformity:-

This test certificate confirms that the instrument specified above has been successfully tested to comply with the manufacturer's published specifications. Tests are performed using equipment traceable to national standards in accordance with Casella's ISO 9001:2008 quality procedures. This product is certified as being compliant to the requirements of the CE Directive.

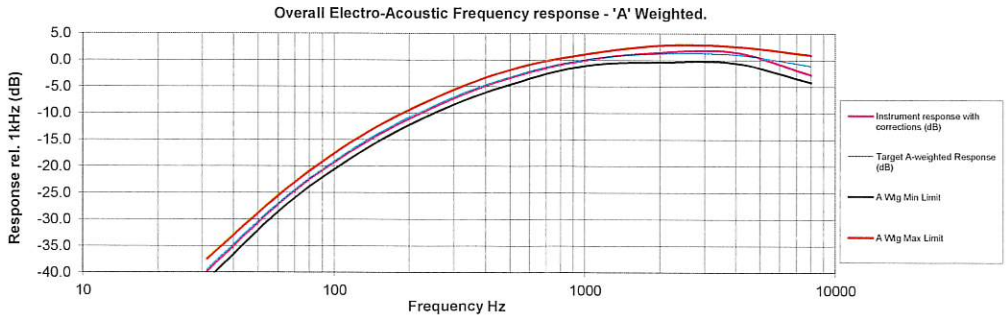
Test Summary:-

Self Generated Noise Test	**All Tests Pass**
Electrical Signal Test Of Frequency Weightings	**All Tests Pass**
Frequency & Time Weightings At 1 kHz	**All Tests Pass**
Level Linearity On The Reference Level Range	**All Tests Pass**
Toneburst Response Test	**All Tests Pass**
C-peak Sound Levels	**All Tests Pass**
Overload Indication	**All Tests Pass**
Acoustic Tests	**All Tests Pass**

Combined Electro-Acoustic Frequency Response - *A Weighted*

Combined Electro-Acoustic Frequency Response - A Weighted (IEC 61672-3:2006)

The following A-Weighted frequency response graph shows this instruments overall frequency response based upon the application of multi-frequency pressure field calibrations. The microphones Pressure to Free field correction coefficients are applied to pressure response. Reference level taken at 1kHz.



Casella CEL (U.K.)
Regent House, Wolseley Road,
Kempston, Bedford
MK42 7JY

Phone: +44(0) 1234 844100
Fax: +44(0) 1234 841490
E-mail: info@casellameasurement.com
Web: www.casellameasurement.com

Casella CEL
415 Lawrence Bell Drive
Unit 4
Buffalo, NY 14221

Toll Free: (800) 366 2966
TEL: (716) 276-3040 Fax: (716) 276-3043
E-mail: info@casellausa.com
Web: www.casellausa.com

9/26/18 893 Eagle Ave, Bronx, NY

Personnel: JW

Depart: 5:30

Arrive: 7:26

Weather: 60's, dry, low winds

Scope: Noise

- Casella serial #: 4278006 used for all locations
- Casella is calibrated before and after each monitoring session

Noise and Traffic Data:

Location-1

	7:46-8:06	12:34-12:54	16:33-16:54
Cars	48	36	75
SUV	55	48	62
motorcycle	0	0	0
heavy truck	2	8	7
Bus	1	3	1
train	0	0	0

Location-2

	8:17-8:38	12:06-12:26	16:54-17:19
Cars	39	29	63
SUV	50	35	87
motorcycle	0	0	0
heavy truck	4	11	6
Bus	2	4	5
train	0	0	0

Depart: 17:30 Return: 19:30

JW 9/26/18