1776 EASTCHESTER ROAD REZONING
TECHNICAL MEMORANDUM 001

CEQR No. 17DCP165X
ULURP Nos. C170445 ZMX, C170447 ZSX, N170446 ZRX
December 12, 2017

INTRODUCTION

This Technical Memorandum (TM001) considers the potential environmental effects of a modification being considered by New York City Council (City Council) to the Proposed Actions analyzed in the Revised Environmental Assessment Statement (EAS) for 1776 Eastchester Road Rezoning, prepared in connection with the application made by 1776 Eastchester Realty LLC (the "Applicant") (ULURP Nos. 170445ZMX, 170446ZRX, 170447ZSX) (the "Application").

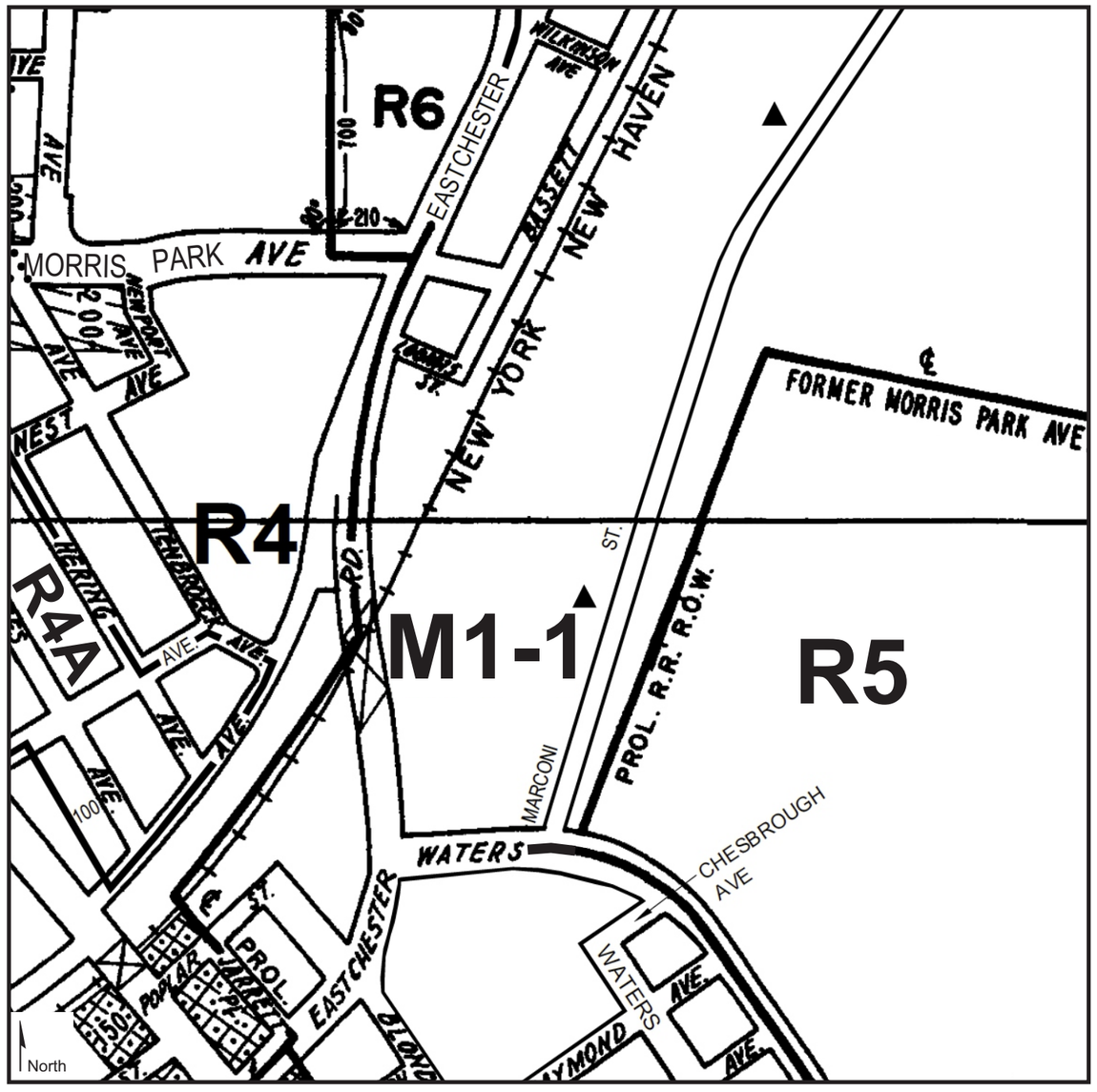
The original Application sought a zoning map amendment affecting a portion of Block 4226 (Block 4226, Lots 1 (part), 5 (part), 6, 7, 10, 11, 15, 7502 (formerly 16), 30 (part), 35 (part), 506, 507, 508, 509, 510, and 511), defined in the Revised EAS as the "Rezoning Area"), located between Bronx State Hospital Drive, Basset Avenue, Eastchester Road/Waters Place, and Morris Park Avenue in the Morris Park neighborhood of the Bronx, Community District 11. The zoning map amendment, as approved by the City Planning Commission (CPC) on October 18, 2017, proposed to change the Rezoning Area from an existing M1-1 district to a C4-2 district (Lot 7502 and p/o Lots 1 and 5), to a C4-2A district (p/o Lots 1 and 5 and Lots 6, 7, 10, 11, 15, 506, 507, 508, 509, 510, and 511), and to an R5 district (p/o Lots 30 and 35). In connection with the zoning map amendment, the CPC also approved a zoning text amendment to Zoning Resolution (ZR) Section 23-933, Appendix F to establish a Mandatory Inclusionary Housing (MIH) area over the Rezoning Area. In addition, the CPC approved a zoning text amendment pursuant to ZR Section 74-70 (Non-Profit Hospital Staff Dwellings) to allow for a change within C4-2 Districts without a letter suffix in Community District 11 in the Bronx such that the requirement that non-profit hospital staff dwelling units be located on a zoning lot no portion of which is located more than 1,500 feet from the hospital and related facilities be modified such that they be permitted within 1,500 feet of the nonprofit or voluntary hospital itself. Finally, the CPC approved a Zoning Special Permit, pursuant to an amended ZR Section 74-70, that would allow the proposed non-profit hospital staff dwellings and respective zoning lot within 1,500 feet of a hospital, occupied by the non-profit hospital pursuant to a lease.

The zoning map and text amendments, as well as the proposed special permit (collectively the "Proposed Actions"), would facilitate a proposal by the Applicant to construct the addition of a seven-story 150,000 gross square feet (gsf) non-profit hospital staff residence facility (the "Proposed Development") as an addition above an existing accessory parking garage located on Block 4226, Lot 16 (the "Project Site"). The proposed expansion would comprise 150,000 gsf of Use Group 3 non-profit hospital staff dwelling uses (182 dwelling units).

In connection with the original Application, an EAS was completed and a Negative Declaration was issued on June 5, 2017. A Revised EAS, dated October 13, 2017, which superseded the previous EAS, included further clarification of the Proposed Actions' consistency with the City's Waterfront Revitalization Program (WRP). A Revised Negative Declaration that reflects this revision was issued on October 16, 2017, and determined that the clarifications made in the WRP

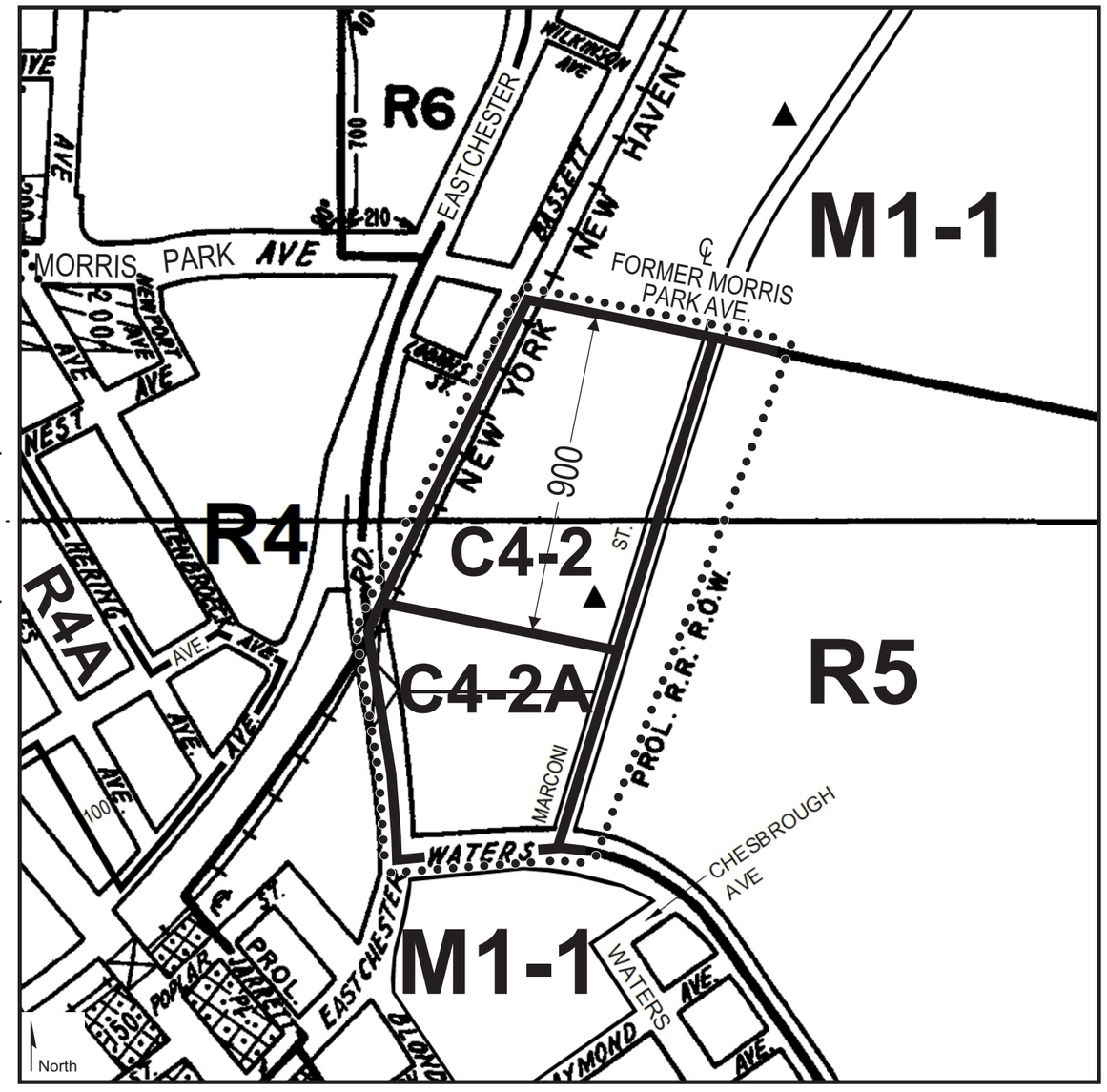
1776 Eastchester Road, Bronx

Zoning Change Map



Map 4a

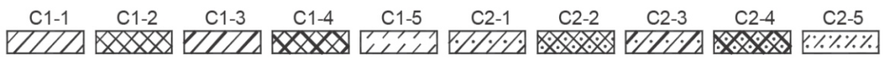
Map 4b



Current Zoning Maps (4a & 4b)

Proposed Zoning Map (4a & 4b) - Project Area is outlined with dotted lines

Rezoning from M1-1 to R5
Rezoning from M1-1 to C4-2
~~Rezoning from M1-1 to C4-2A~~



Consistency Form would not otherwise alter the conclusions of the previous EAS and Negative Declaration.

Since the CPC's adoption of the Proposed Actions, a potential modification was identified as under consideration by City Council. The potential City Council modification would remove the portion to be rezoned from an M1-1 to a C4-2A District (Block 4226, Lots 1 (part), 5 (part), 6, 7, 10, 11, 15, 30 (part), 35 (part), 506, 507, 508, 509, 510, and 511) from the Rezoning Area. This modification would also remove the associated portion of the MIH area to be established. As discussed below, this modification to the Proposed Actions would not result in any new or different significant adverse impacts not already identified in the Revised EAS.

ENVIRONMENTAL EFFECTS OF THE POTENTIAL MODIFICATIONS

For the purposes of presenting a conservative analysis, the Revised EAS analyzed the Proposed Development (Projected Development Site 1) and two other projected development sites: Block 4226, Lot 15 (Projected Development Site 2); and Block 4226, Lots 510 and 511 (Projected Development Site 3). It was assumed as part of a Reasonable Worst Case Development Scenario (RWCDS) that in the future with the Proposed Actions, Projected Development Site 2 would redevelop and replace the existing 20,235 gsf of commercial (office) uses with 101,520 gsf of residential uses (102 dwelling units, 31 of which would be affordable pursuant to MIH). Projected Development Site 3 would develop and replace the 2,500 gsf surface parking with 27,000 gsf of residential uses containing 27 dwelling units, 8 of which would be affordable pursuant to MIH.

Two potential development sites were also identified for conservative analysis purposes. These sites could be developed in the future with the Proposed Actions, but were determined to have less development potential than the projected development sites based on observed market conditions and site configurations: Block 4226, Lot 507 (Potential Development Site 1); and Block 4226, Lots 508 and 509 (Potential Development Site 2). Potential Development Site 1 could be developed with 18,720 gsf of residential uses for 19 dwelling units, 6 of which would be affordable. Potential Development Site 2 could be developed with 27,000 gsf of residential uses containing 27 dwelling units, 8 of which would be affordable.

The potential City Council modification would remove the portion of the rezoning from M1-1 to a C4-2A district, thereby removing Block 4226, Lots 1 (p/o), 5 (p/o), 6, 7, 10, 11, 15, 506, 507, 508, 509, 510, and 511. Under the City Council modification, Projected Development Sites 2 and 3, and Potential Development Sites 1 and 2 would be excluded from the analysis framework as they would no longer be included in the Rezoning Area.

This Technical Memorandum considers the potential environmental effects of changes to the Rezoning Area resulting from the removal of Projected Development Sites 2 and 3, along with Potential Development Sites 1 and 2. Because the development increment considered in the RWCDS under the Potential CPC Modifications would be smaller than previously analyzed, there would be no change to the conclusions in the Revised EAS with respect to the following CEQR areas of environmental assessment: Land Use, Zoning and Public Policy; Socioeconomic Conditions; Community Facilities, Open Space; Shadows; Historic and Cultural Resources; Urban Design and Visual Resources; Transportation; and Construction.

E-DESIGNATION MODIFICATIONS

To avoid the potential for significant adverse impacts related to air quality, noise, and hazardous materials, the Revised EAS concluded that an (E) designation (E-436) would be assigned to Projected Development Site 1 (air quality requirements), 2 (air quality, noise and hazardous materials requirements), and 3 (air quality, noise and hazardous materials requirements), and Potential Development Site 1 (air quality, noise and hazardous materials requirements) and 2 (air quality, noise and hazardous materials requirements). Under the potential City Council modification, Projected Development Sites 2 and 3, and Potential Development Sites 1 and 2 would not be considered as development sites as they would no longer be within the Rezoning Area. The (E) designations related to air quality, noise and hazardous materials requirements would therefore be removed from Projected Development Sites 2 and 3, and Potential Development Sites 1 and 2.

As Projected Development Site 1 would continue to be within the Rezoning Area, the (E) designation requirements related to air quality would continue to apply to the following site:

Block 4226, Lot 7502 (Projected Development Site 1)

The following (E) designation text related to air quality would remain as presented in the Revised EAS and Negative Declaration:

> **Block 4226, Lot 7502 (Projected Development Site 1): Any new commercial or residential development on Block 4226 Lot 7502 must exclusively use natural gas as the type of fuel for heating, ventilating, air conditioning (HVAC) and hot water systems to avoid any potential significant adverse air quality impacts. Stack shall be located at a minimum of 135 feet above grade.**

With the assignment of the above-referenced (E) designation for air quality on Projected Development Site 1, the Proposed Actions with the potential City Council modification would not result in significant adverse impacts.

CONCLUSION

This Technical Memorandum examined whether the decrease in the size and extent of the proposed Rezoning Area would result in any new or different significant adverse environmental impacts not already identified in the Revised EAS. The potential City Council modification would limit the proposed Rezoning Area and all other Proposed Actions to the Applicant's Projected Development Site 1 only. No other projected or potential development would occur. The Revised EAS determined that no significant adverse environmental impacts would result from the Proposed Actions with the inclusion of (E) designations for hazardous materials, air quality, and noise. The (E) designations for hazardous materials and noise and some of the (E) designations for air quality did not apply to Projected Development Site 1. The (E) designation for air quality applicable to Projected Development Site 1 will remain under this proposed modification. It is therefore concluded that the proposed modification to the Proposed Actions would not result in any new or different significant adverse impacts not already identified in the Revised EAS.