Chapter 1: Project Description

1.1 Introduction

For more than a decade, residents and community stakeholders of the Southwest Bronx requested that the City study the land use and zoning along the Jerome Avenue Corridor. It is clear that the existing zoning and land use patterns are not consistent with community goals; specifically, its vision for Jerome Avenue as a vibrant activity center which supports and is the centerpiece of the surrounding neighborhoods. With the launch of the Mayor's Housing Plan in 2014, Housing New York: A Five-Borough, Ten-Year Plan, which seeks to build or preserve 200,000 units of affordable housing throughout the city, and the subsequent City Council adoption of a Citywide zoning text amendment to authorize a Mandatory Inclusionary Housing (MIH) program, a unique and welcomed opportunity was presented to the City to take close examination of several neighborhoods throughout the city, the Southwest Bronx included. Here, the New York City Department of City Planning (DCP) is undertaking, in close partnership with community stakeholders and city agencies, the Jerome Avenue Neighborhood Study (the "Study"). The Study has and continues to look comprehensively at several neighborhoods including Highbridge, Concourse, Mt. Eden, Mt. Hope, University Heights, and Morris Heights, with the Jerome Avenue Corridor as the central spine. The Study takes a broad look at the needs of the community and through a community outreach process has developed a vision for the study area which has resulted in the Jerome Avenue Neighborhood Plan (the "Plan"). In addition to proposed land use actions that accommodate the need for high quality affordable and retail uses, the Plan provides a number of strategies to spur economic development, improve health and quality of life, and invest in the public realm and open spaces.

DCP is proposing a series of land use actions that include zoning map amendments, zoning text amendments and city map changes (collectively the "Proposed Actions") to support and implement the Plan, which is the subject of an on-going community engagement process, to create opportunities for new affordable housing and community facilities including new parkland, establish requirements that a share of housing remain permanently affordable, diversify area commercial space, support small businesses and entrepreneurs, and promote a safe and walkable pedestrian realm.

The proposed zoning text and map amendments would rezone an approximately 92-block area primarily along Jerome Avenue and its east west commercial corridors in Bronx Community Districts 4, 5, and 7 (the "Rezoning Area"), and would establish the Special Jerome Avenue District coterminous with the

Rezoning Area. The Rezoning Area is generally bounded by E.165th Street to the south and 184th street to the north; and also includes portions of Edward L. Grant Highway, E.170th Street, Mount Eden Avenue, Tremont Avenue, Burnside Avenue and E.183rd Street. The proposed city map changes are located a block outside of the Rezoning Area in the Highbridge neighborhood of the Bronx, Community District 4. The Proposed Actions are expected to result in a net increase of approximately 3,250 dwelling units, 72,273 square feet of community facility space, 35,575 square feet of commercial/retail space; and a net decrease of 47,795 square feet of industrial space and 98,002 square feet of auto-related uses.

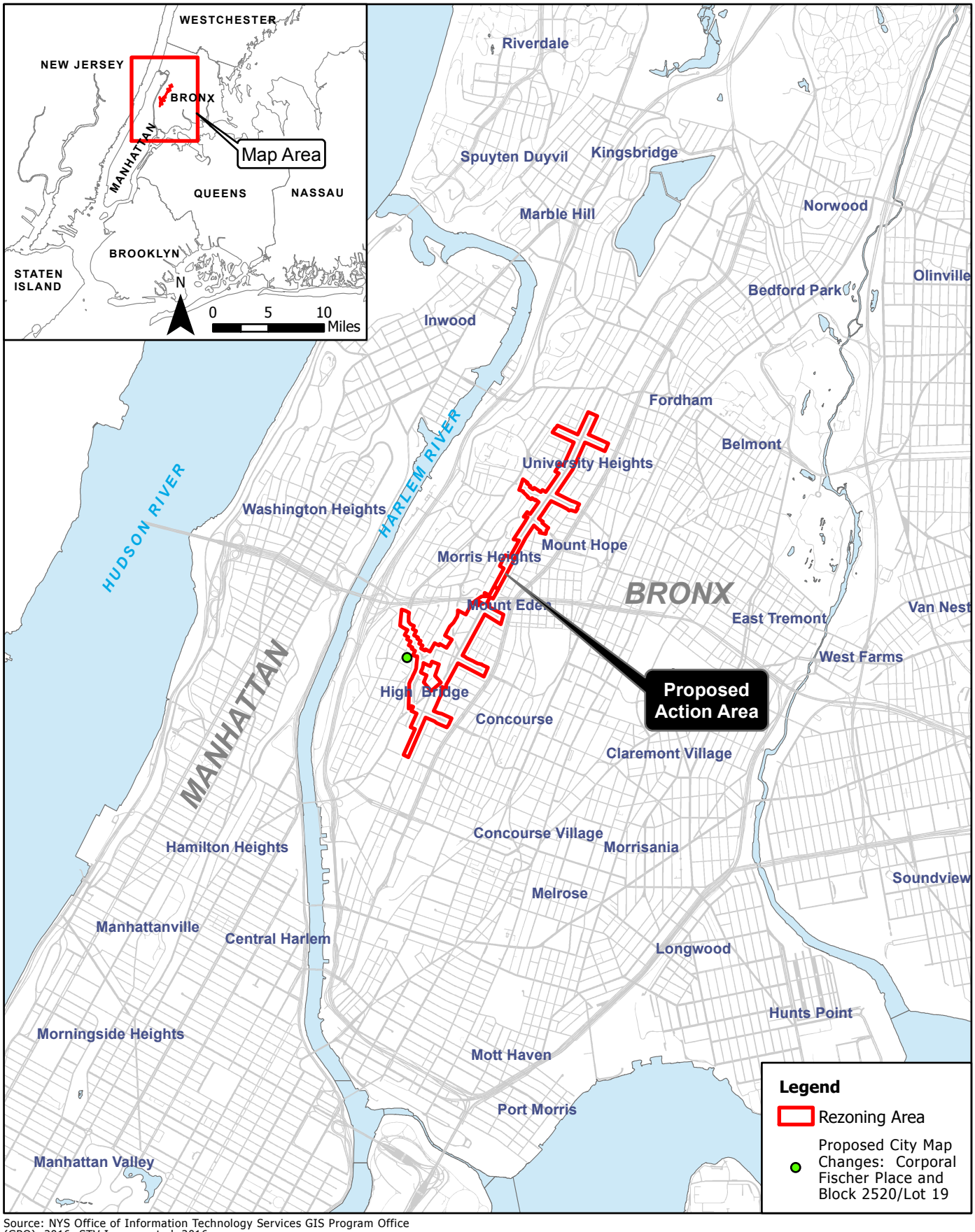
The Proposed Actions, described in "Purpose and Need for the Proposed Actions", will facilitate the implementation of the recommendations designed to support the revitalization of the Jerome Avenue corridor and its associated east-west connections. The proposed actions will help realize the vision for the study area as an active, vibrant and inviting mixed-use corridor with opportunities for residents to not only live and work, but to meet their day to day needs within their own community.

The Proposed Actions are reflective of the comments and feedback received through DCP's on-going community engagement process. The proposed actions seek to achieve the following land use objectives.

- Provide opportunities for high quality, permanent affordable housing with options for tenants at a wide range of income levels.
- Ensure that any new construction fits into its surrounding neighborhood context.
- Increase the opportunities to diversify neighborhood retail and services.
- Permit more density and a broader range of uses in two nodes to anchor the corridor and surrounding neighborhoods.
- Create special rules for new development along the elevated rail line to provide light and air along the corridor and ensure adequate distance between residential uses and the train.
- Create special rules for new buildings and street wall continuity and relief on irregular lots
- Create a walkable, inviting commercial corridor by promoting non-residential ground floor uses and diverse retail to support community needs.
- Maintain zoning for heavy commercial and light industrial uses in areas to support mixed uses and jobs.
- Establish controls for transient hotels to ensure consistency with the goals and objectives of the rezoning.

An overview of the rezoning area, the purpose and need for the Proposed Actions and their specific components are discussed below. Appendix B2 includes a full list of the blocks and lots that would be affected by the Proposed Actions, while Figure 1-6a shows all of the affected blocks and lots.

The New York City Planning Commission (CPC) has determined that an EIS for the Proposed Actions will be prepared in conformance with City Environmental Quality Review (CEQR) guidelines, with the Department of City Planning acting on behalf of the CPC as the lead agency. The environmental analyses in the EIS will assume a development period of ten years for the Reasonable Worst Case Development Scenario (RWCDS) for the Proposed Actions (i.e., analysis year of 2026) and identify the cumulative impacts of other project in areas affected by the Proposed Actions. DCP will conduct a coordinated review of the Proposed Actions with involved and interested agencies.

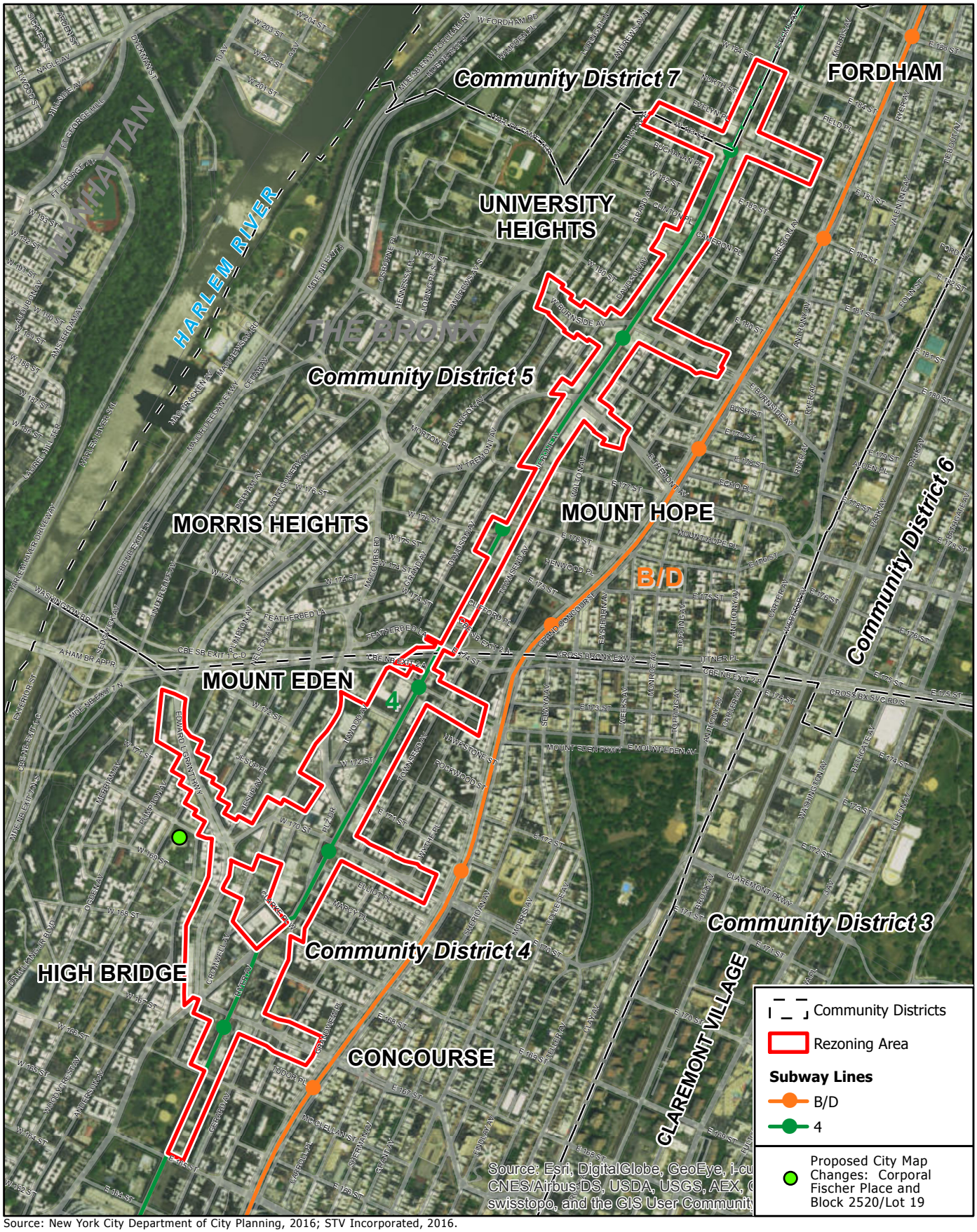


Source: NYS Office of Information Technology Services GIS Program Office (GPO), 2016; STV Incorporated, 2016.

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0 1 2 Miles

Figure 1-1a

PROJECT LOCATION



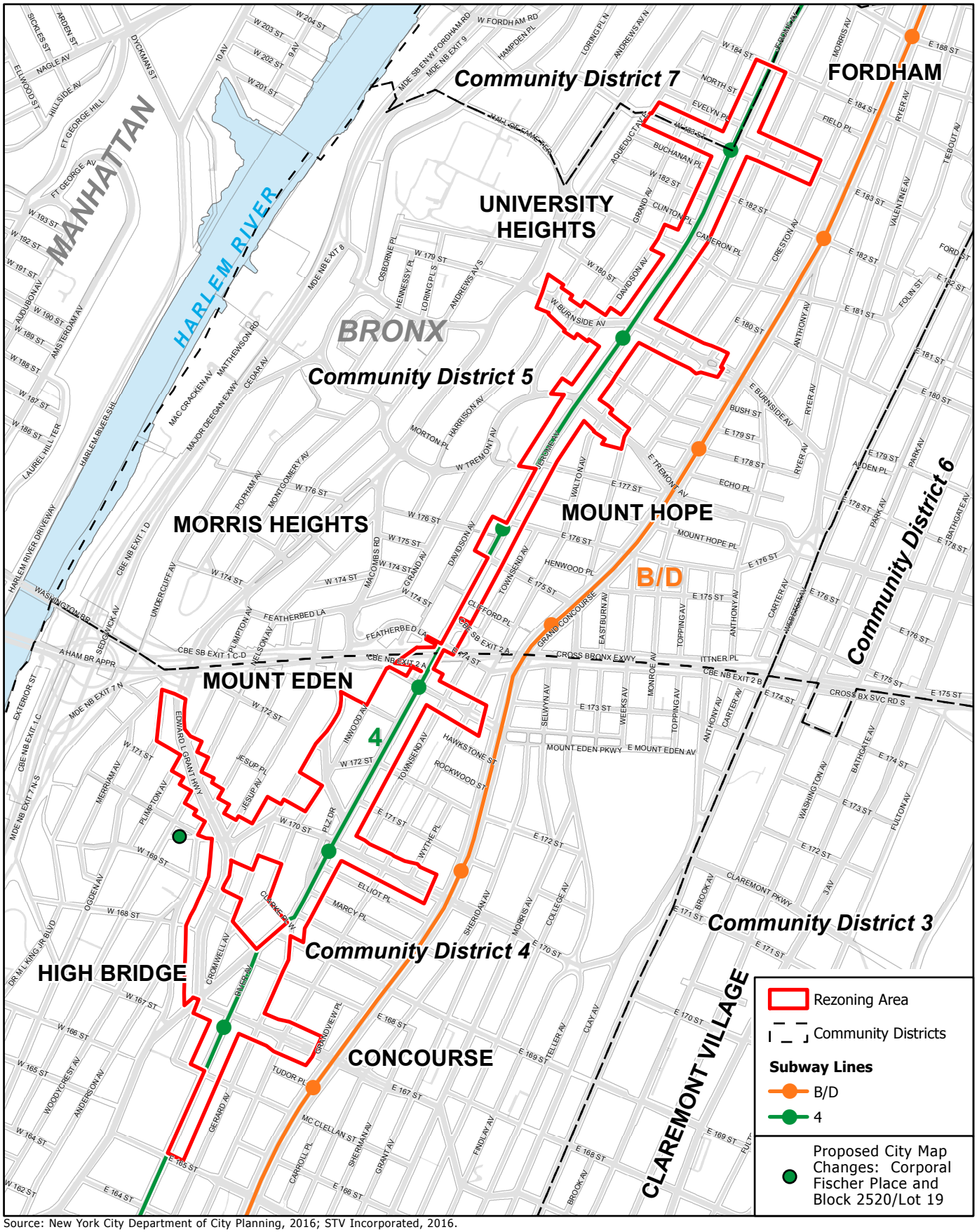
Source: New York City Department of City Planning, 2016; STV Incorporated, 2016.

N

0 0.25 0.5 Mile

Figure 1-1b

PROJECT AREA/LOCATION - AERIAL VIEW



Source: New York City Department of City Planning, 2016; STV Incorporated, 2016.

N

0 1,000 2,000 Feet

Figure 1-1c

PROPOSED REZONING AREA

1.2 Required Approvals

The Proposed Actions includes discretionary actions that are subject to review under the Uniform Land Use Review Procedure (ULURP), Section 200 of the City Charter, and CEQR process, as follows:

1. Zoning map amendments to rezone portions of existing C4-4, M1-2, R8, C8-3, and R7-1 with R7A, R8A, R9A, R7D, and C4-4D districts and C2-4 commercial overlays.

2. Zoning text amendments to:

   - Establish the Special Jerome Avenue District, coterminous with the Rezoning Area. The proposed special district will include regulations that will add controls to the ground floors of buildings within mapped commercial overlays and districts, modify height and bulk regulations on lots fronting the elevated rail line, modify bulk regulations on irregular lots, and establish controls, such as discretionary review provisions, for transient hotels.

   - Establish proposed R7A, R7D, R8A, R9A, and C4-4D districts as Mandatory Inclusionary Housing areas, applying the Mandatory Inclusionary Housing program to require a share of new housing to be permanently affordable where significant new housing capacity would be created.

3. City Map changes to:

   - Map Block 2520, Lot 19 as parkland. This city-owned parcel is located one block outside of the rezoning area and is bounded by West 170th Street, Nelson Avenue, Shakespeare Avenue, and Corporal Fischer Place in the Highbridge neighborhood of the Bronx, Community District 4.

   - De-map Corporal Fischer Place (street) between Nelson Avenue and Shakespeare Avenue, which is adjacent to the parcel to be mapped as park land as described above (Block 2520, Lot 19), and map it as parkland.

1.3 Background

COMMUNITY ENGAGEMENT AND INTERAGENCY PARTICIPATION

In May 2014, Mayor Bill de Blasio released *Housing New York*, the Mayor's plan to build and preserve affordable housing throughout New York City in coordination with strategic infrastructure investments to foster a more equitable and livable New York City through an extensive community engagement process. The Housing New York plan calls for fifteen neighborhood studies to be undertaken in

communities across the five boroughs that offer opportunities for new affordable housing. Jerome Avenue was selected as one of the first neighborhood studies based on the previous planning work in the area and numerous requests from local community boards and elected officials to study the area to leverage the neighborhoods' many assets and to identify opportunities for revitalization of the corridor and the surrounding neighborhoods.

The Jerome Avenue Neighborhood Plan is part of an on-going community engagement process that began in 2014. Along with residents and strong community partners, DCP has worked in coordination with key city agencies, including the Department of Housing Preservation and Development (HPD), Department of Transportation (CDOT), Department of Parks and Recreation (DPR), Department of Small Business Services (SBS), Department of Health and Mental Hygiene (DOHMH), the School Construction Authority (SCA), and other capital and service agencies as appropriate. Together, the project team has conducted a series of informational sessions and workshops beginning in the fall 2014 and throughout the process to engage community stakeholders in identifying current and future needs and creating a clear and cohesive vision for their neighborhoods.

As part of the on-going community engagement process, the City has conducted a multi-faceted outreach approach including focus groups with youth and seniors, mobile office hours, informational interest meetings and outreach sessions with various community-based organizations. Among others this included: Highbridge Community Development Corporation, New Settlement, WHEDco, Yankasa, BronxWorks, and Davidson Community Center. Public events included Open Houses to educate community stakeholders on the roles and responsibilities of the various agencies, and begin a dialogue on community needs and assets. The Open Houses were followed by a Community Workshop where participants were invited to have a more detailed and meaningful discussion with agency representatives, resulting in the setting and prioritization of community goals. Finally, a Visioning Session was held in which the project team further refined the previously agreed-upon goals while establishing a future vision for the Jerome corridor. Local community boards, area residents, business owners, workers, elected officials and community-based organizations identified goals for *Housing, Community Resources, Jobs and Businesses and Access, Mobility & Circulation*. The community goals task the Plan to:

- Provide sustainable, high-quality, affordable housing with a range of options for residents at all income levels.
- Protect tenants and improve housing quality.
- Ensure every neighborhood has green streetscapes, quality parks and diverse recreation spaces.
- Create greater retail diversity to meet current and growing retail and service needs.
- Prepare residents for job and career growth through job training and skills development.
- Promote and support small businesses and entrepreneurship.
- Support auto-related businesses.
- Promote a safe, walkable area in and around the elevated train.

STUDY AREA HISTORY

The Jerome Avenue Neighborhood Study area includes the neighborhoods of *Highbridge, Mount Eden, Concourse, Mount Hope, University Heights and Morris Heights* located in the Southwest Bronx. Collectively, these neighborhoods represent very dense and stable residential communities that developed during periods of growth in the late 19th and early 20th centuries.

One of the defining features of the Jerome Avenue corridor is a built environment shaped by access to transit. In 1917, the completion of the #4 elevated rapid transit line along Jerome Avenue served as a catalyst for transit-oriented growth; coming less than twenty years after the consolidation of the five borough region into the City of Greater New York, elevated rapid transit lines like the #4 helped to knit together a vast and largely low-density landscape that had previously been reliant on heavy commuter rail for intracity travel, with its rigid timetables and high fares. Several decades later, the completion of the B/D subway line in 1940 beneath the Grand Concourse provided an additional link to points north and south, serving as a driver of population, economic and civic growth in the area while eliminating many of the local quality of life impacts associated with elevated rail. Coupled with the provision of a sophisticated street car network, the provision of a robust transit grid prompted a high rate of population growth as successive waves of immigrants from afar and in-migrants from Manhattan and elsewhere in the city arrived in this area of the borough. Over time, mid-density apartment buildings gradually replaced one and two family homes in the vicinity of the rapid transit lines.

Historically, housing in these neighborhoods did not allow for automobile parking. As a result, the Jerome Avenue corridor, like similar parts of the city, developed as an auto-oriented service area for the dense surrounding residential neighborhoods characterized by surface parking lots, garages and auto-repair and service shops. The 1961 zoning resolution codified areas like the Jerome Avenue corridor and similar areas around the city as auto-related, which remains in effect for much of the study area today. New uses in these areas have been limited to schools, gyms, low-scale commercial and auto-related sales and repair. This is due in large part to the 1961 zoning regulations that limit commercial and community facility development and do not permit residential development.

The physical character and image of the study area is largely defined by iconic infrastructure such as the Grand Concourse and Cross Bronx Expressway, the historic Bronx Community College, as well as the area's numerous open spaces. Grand Concourse is a 180-foot wide north-south thoroughfare built on an elevated structure for part of its length spanning 4 miles of the Bronx and is one of the borough's defining features. Grand Concourse serves as the eastern boundary of the study area and is home to multiple dense neighborhoods that grew along the B/D transit line throughout the majority of the twentieth century. Some of the finest examples of Art Deco and Arte Modern architecture in the country can be found along the Grand Concourse, and these buildings serve as a testament to the burgeoning upward mobility which could be found in the area in the early part of the 20th century. A majority of this growth, which occurred largely between the opening of the #4 subway service and the beginning of the Great Depression, was comprised of immigrant populations- namely Irish, Italian and Jewish Americans.

This immigrant tradition continued on as successive waves of Puerto Ricans, Dominicans, and today West African and Mexican immigrants continue to populate the community.

Bronx Community College is located in the northwest portion study area and played an important role in the development of the surrounding neighborhood, University Heights. It is generally bound by 180th Street, University Avenue, Sedgwick Avenue and Hall of Fame Terrace. In 1894 New York University began moving their undergraduate school to the site on top of the heights overlooking the Harlem River, eventually becoming the namesake for the neighborhood itself. During its time in the Bronx the campus became known for its world-class architecture. Its first campus plan was designed by Stanford White of the eminent architecture firm McKim, Meade and White and modernist architect Marcel Breuer led the 1950's campus expansion. The University influenced the form and function of buildings many of which can be seen today around the campus along University Avenue. Today it has an enrollment of over 11,000 students, is part of the City University of New York (CUNY) system and is almost exclusively a commuter college.

Several important City parks helped define the development of the surrounding neighborhoods. Aqueduct Walk is a pedestrian trail along the right-of-way of the former Croton Aqueduct. It's located approximately a half block east of University Avenue, it extends northward through Kingsbridge Road where it connects to additional sections and southward to where it meets the High Bridge. The High Bridge originally carried water from the Croton Aqueduct and is the namesake for the Highbridge neighborhood. In 2014 it was reopened by the Department of Parks and provides pedestrian access from the Highbridge neighborhood to Manhattan. Crotona Park is a thirty-eight acre park, originally part of the Morris estate, located east of the Grand Concourse and south of Mt. Eden Parkway and serves the southeastern study area.

One of the defining physical characteristics of the study area is the eight-lane, below grade Cross Bronx Expressway; an infrastructural chasm etched through the center of the study area, separating Community Boards 4 and 5. Part of Robert Moses's massive urban renewal program in New York City, construction of the Expressway began in 1943 and was completed in 1963. Construction caused massive displacement, and bisected a number of tight knit, thriving communities. Decades later, the expressway remains a physical divider of neighborhoods. In the decades that followed, the Southwest Bronx experienced disinvestment and population loss. Only within the last few decades were these trends finally reversed. Today, the population of the study area's surrounding neighborhoods total more than 345,000 residents. This represents a larger population than many large U.S. cities including Pittsburgh, PA and St. Louis, MO.

Previous Planning Efforts

Over the last ten years, local Community Boards and various City agencies, including DCP, CDOT and New York City Mayor's Office of Environmental Remediation (OER) in collaboration with the community have developed a number of studies geared toward the revitalization of Jerome Avenue and the surrounding neighborhoods. These studies include: *Bronx Community Board 5 Section 197-a Plan Phase I Summary Report (2002)*, *Place-Based Community Brownfield Planning Foundation Report on Existing Conditions-Jerome Avenue Corridor 2013* and *The Jerome Avenue Transportation Study 2015.* Each of these studies described below support the Jerome Avenue Neighborhood Plan, however there has yet to be comprehensive planning process for the entire study area.

Bronx Community Board 5 Section 197-a Plan Phase I Summary Report (2002)

In 2002, Community Board 5 established a framework to continue the revitalization of the district and build upon the goals established as part of their Development Plan in 2000. The scope included the continued development of housing to replenish the existing stock which had been depleted by years of neglect and abandonment, revitalization of the central business district, improvements to existing neighborhood parks, increased opportunities for youth and seniors, investments to improve the local street network including step streets, leverage city-owned property for housing and open space opportunities and improve access to the Harlem River. While the 197-A plan was never formally completed the key elements identified in the scoping document continue to guide discussions focused on planning and infrastructure investments throughout Community District 5.

Jerome Avenue Transportation Study (2013)

At the request of Bronx Community Boards 4 and 5 in response to growing traffic congestion in the area and to address mobility and safety for all street users (motorists, cyclists, pedestrian, and transit In 2013, city DOT conducted a study of existing and future traffic conditions including demographics, zoning & land use, traffic, goods movement, pedestrians & bicycles, accidents & safety, parking and public transportation. The study area is bounded by 181st Street in the north 172nd Street in the south the Grand Concourse to the east and Martin Luther King Boulevard/University Avenue to the west. The goals of the study were to reduce traffic congestion, improve internal traffic circulation, streetscape, and enhance safety for all road uses with effective community participation. The study objectives are as follows:

- Assess the existing and future travel and traffic conditions;
- Identify constrains to internal vehicular and pedestrian circulation *w*ith specific emphasis on limited crossings over Cross Bronx Expressway;
- Develop a package of recommendations with improvement measures to reduce vehicular congestion, improve pedestrian access and circulation, enhance safety for all street users (vehicles, pedestrians, bicycles) and general streetscape; and
- Foster a sense of community support through extensive public participation.

Several of the proposed recommendations have been completed while others are still on-going.
It is important to note that while not part of the proposed actions the Plan builds upon the recommendations and goals identified in the 2013 transportation study and will include comprehensive strategies and significant investments to improve the public realm, pedestrian safety and walkability.

Place-Based Community Brownfield Planning Foundation Report on Existing Conditions-Jerome Avenue Corridor (2015)

In 2013 DCP in collaboration with the New York City Mayor's Office of Environmental Remediation (OER) completed an existing conditions report of area-wide brownfield sites. This existing conditions report, commissioned by OER provides an overview of the study area's geologic and natural features, historical development patterns, zoning, land use and infrastructure, demographic and economic profiles, a summary of environmental conditions and a preliminary evaluation of potential strategic properties. The study area is bounded by West Mt. Eden Avenue to the north, the intersection of Cromwell and Jerome Avenues to the south, Jerome Avenue to 170th Street to the Grand Concourse to the east and Edward L. Grant Highway and Jesup Avenue to the west.

This report was the result of on-going efforts by the DCP with support from local organizations, Community Board 4 and elected officials to study the Jerome Avenue Corridor with a focus on revitalization and economic development. Community Board 4 identified the Jerome Avenue Area as a priority area in their District Needs Statements from 2013-2016.

PROJECT AREA

Rezoning Area

The Proposed Actions would rezone an approximately 92-block area which spans approximately 151 acres along Jerome Avenue and is generally bounded by E 165th Street to the south and 184th Street to the north; the affected area also includes portions of Edward L. Grant Highway, E 170th Street, Mount Eden Avenue, Tremont Avenue, Burnside Avenue and E 183rd, The area is defined by Jerome Avenue which runs north-south and from East 165th Street to East 184th Street and east-west connections which comprise the commercial corridors and provide key connections throughout the study area.

River Avenue, 165th Street – 168th Street

Representing the southernmost portion of the study area, River Avenue between 165th and 168th sits beneath the elevated 4 train, before the track meets Jerome Avenue at 168th Street. The area is walking distance to Yankee Stadium to the south and contains the large, regionally-serving, Mullaly Park. The area is zoned as an R8 district, allowing the highest density of any existing designation in the study area. There are C2-4 commercial overlays mapped along River Ave. between McClellan Street and 167th street. Land uses in the area range from surface parking lots to large, mixed-use apartment buildings, to

single-story retail buildings at 167th Street. There is an elevated rail station for the 4 train and 167th and River Avenue.

Edward L. Grant Highway

Defining the western edge of the study area's southern portion, Edward L. Grant Highway runs north/south between 167th Street to the south, to the Cross Bronx Expressway to the north, at which point it turns into University Avenue. The wide, 4-lane boulevard cuts through three distinct zoning districts: C8-3, M1-2, and R7-1. A commercial overlay is mapped continuously along the winding street north of 170th Street.

Edward L. Grant Highway is home to a number of large apartment buildings, most recently a 130-unit project developed in conjunction with HPD just north of Plimpton Avenue. Additionally, there is a 10 story, 60-unit mixed-use residential and commercial development currently under construction at the southeast corner of the Edward L. Grant Highway and Plimpton Avenue. The BX35 bus runs along Edward L. Grant highway and provides connections west into Manhattan and east through Morrisania to the Foxhurst neighborhood.

Jerome Avenue, 169th Street – Cross Bronx Expressway

As Jerome Avenue runs between 169th to the south and Cross Bronx Expressway to the north, it is mapped with a variety of zoning districts, the most prominent of which include an M1-2 district to the west of Jerome below 170th Street and a C8-3 district north of 170th street, extending from the eastern frontage of Jerome Avenue to Macombs Road on the west. The M district contains a variety of uses including self-storage, an ironworks, a Department of Sanitation facility, as well as a number of warehouse and automotive uses. The C8-3 district includes a variety of automotive repair facilities, a livery service and parking uses as well as a number of large apartment buildings and a newly constructed Blink Fitness facility. There is also an R8 with a commercial overlay mapped on the east side of Jerome between 169th and 170th containing neighborhood-serving commercial uses such as small restaurants, a small market, beauty stores and a general goods store. Finally, there is a small portion of an R7-1 district mapped with a commercial overlay along Jerome Avenue at Mr. Eden Avenue which includes similar neighborhood-serving retail and commercial uses.

Major institutions within this portion of the study area include the NYPD 44th Precinct located at the southeast corner of 169th and Jerome, and the newly built New Settlement Community Campus (includes three schools and a community center) located at Jerome Avenue and Goble Place. Bronx Lebanon Hospital is located across east of the Grand Concourse between Mt. Eden Avenue and 173rd Street. The area is also served by four parks: Keltch Park at 170th and Jerome; Goble Playground, west of Jerome Avenue on Goble Place; Inwood Park, a hardscaped plaza located on Mount Eden Avenue; and Jerome Playground South, a handball court on Jerome Avenue, just south of the Expressway.

There is an elevated rail station for the 4 train and Jerome and Mt. Eden Ave. The Bx11 and BX18 serve as east/west bus connections. With exception of the buses running along the Grand Concourse, there is no north/south bus service within this portion of the study area.

170th Street Commercial Corridor

170th Street serves an important lateral connection through the study area between Edward L. Grant Highway on the west and the Grand Concourse on the east. A C4-4 District is mapped between the Grand Concourse and Jerome, and the street splits an existing M district on the south side and C8 district on the north side, where it eventually meets an R7-1 district mapped with a commercial overlay at from Cromwell Avenue to Edward L. Grant.

The 170th Street commercial corridor between the Concourse and Jerome Avenue is one of the most active commercial areas in the study area. Generally speaking, uses are locally-serving and located in low-scale, one- and two-story buildings. Along the northern frontage of 170th between Walton and Jerome are a number of larger, mixed-use apartment buildings with ground floor retail.
West of Jerome, to Edward L. Grant, 170th is characterized by uses more reflective of the limitations of the underlying C8-3 and M1-2 district which splits the street. These include a self-storage, surface parking lot, a livery cab service, interspersed automotive uses and the Volunteers of America.

There is an elevated rail station for the 4 train and Jerome and 170th Street, in addition to the Bx11 and BX18 bus lines, making this one of the study area's more transit-rich nodes.

Jerome Avenue, Cross Bronx Expressway – Tremont

North of the Cross Bronx Expressway, Jerome Avenue is lined with a mix of commercial uses including auto repair shops, gas stations, parking facilities and car washes. The corridor here also includes some neighborhood-serving retail such as hardware stores and general merchandise shops, as well as local restaurants. Two built, and one planned, supportive housing developments are located here. The area's land use mix is a result of the underlying, C8-3 zoning. The exception in this designation is between 176th street and 177th street (eastern block-frontage) where the zoning designation is R7-1 with a C2-4 overlay.

One of the overarching goals of the Plan has been to foster economic development and support local businesses, including automotive uses. Due to the density of automotive uses, access to the Cross Bronx Expressway and underlying site conditions, two discrete portions of the study area have been identified as logical for preserving their existing C8-3 zoning designations.

The dense residential neighborhoods of Morris Heights and Mt. Hope are located to the west, and east of Jerome Avenue, respectively. Several step streets connect these neighborhoods with the corridor including step streets at Davidson Avenue, Clifford Place and 176th Street. The area is not well-served by buses, but there is a 4-train stop at 176th Street.

Tremont Avenue and Burnside Avenue Commercial Corridors

Burnside Avenue is the most vibrant commercial corridor in the northern portion of the Study Area. An R7-1 district and an R8 district are mapped west and east of Jerome Avenue, respectively- each mapped with a C1-4 commercial overlay. Apparel stores, restaurants, banks, electronic stores, grocery stores, among other commercial uses are typical in this portion of the Study Area. Housing is also permitted, and a significant, affordable project is currently under construction at the corner of Burnside and Creston Avenues. The project will include a total of 113 units achieving a broad range of affordability (serving families making 30% AMI – 90% AMI).

The area is well-served by transit including the Bx32, BX40, BX42, and BX36. Additionally, the 4-train stops at Burnside Avenue. Open spaces include Mt. Hope Garden, Devanney Triangle and Aqueduct walk.

Major institutions here include educational, community and health facilities. PS 306/MS 331 located on Tremont Avenue, west of Jerome. The Davidson Community Center is located on Davidson Avenue, just off of Burnside. Additionally, the Morris Heights Health Center operates two facilities west on Burnside Avenue. Finally, Bronx Community College, one of the borough's more significant institutions of higher learning, is located just west of the Study Area.

Jerome Avenue, 181st Street – 184th Street

Jerome Avenue between 181st and 184th Street represents the northern-most portion of the study area. Today, it is mapped exclusively as a C8-3 zoning district, with the exception of the lateral portion of the 183rd street corridor which is mapped as R7-1 to the west and R8 to the east, each with C1-4 commercial overlays. Reflective of the zoning, automotive uses persist within this portion of the study area, along with various retail uses, two prominent self-storage facilities, and a number of legally non-conforming large mixed, residential buildings. There is also an FDNY EMS station and Public School 315. This portion of the study area is served by the BX32 bus, running along Jerome Avenue, as well as the 4-train, with a stop at 183rd Street.

1.4 Existing Zoning

The existing zoning within the proposed rezoning is composed of seven zoning districts: C8-3, M1-2, C4-4, R7-1, R8 and C1-4 and C2-4 commercial overlays. (see Figure 1-2, "Existing Zoning and Land Use").

C8-3

Approximately 33 full or partial blocks in five discrete areas are currently zoned C8-3:

- An area bounded by West 169th Street, Jerome Avenue and Edward L. Grant Highway
- An area bounded by West 170th Street, Mount Eden Avenue, Jerome Avenue and Cromwell Avenue
- An area bounded by East 175th Street, Featherbed Lane, Townsend Avenue and Davidson Avenue
- An area bounded West Tremont Avenue, East 176th Street, Davidson Avenue, Townsend Avenue and Walton Avenue
- An area bounded by East 184th Street, Burnside Avenue, Davidson Avenue and Walton Avenue

C8-3 commercial zoning districts are mapped along five separate portions of Jerome Avenue. C8-3 districts permit commercial uses at a maximum FAR of 2.0 and community facilities at a maximum FAR of 6.5. Unlike most commercial districts, residential uses are not permitted in C8 districts. C8 districts are found mainly along major traffic arteries and allow automotive and other heavy commercial uses that often require large amounts of land. Like M1-1 and M1-2 districts, C8-3 districts utilize a sky exposure plane beginning at a particular base height (60 feet in C8-3 districts) and requires little parking, typically 1 space per 1,000 square feet. Typical uses are automobile showrooms and repair shops, gas stations, car washes, community facilities, warehouses, self-storage facilities, hotels, and amusement establishments such as movie theaters.

Existing uses in these areas include gas stations, livery companies, auto sales, auto repair, auto body, auto glass, car audio, parking garages, surface parking lots, community facilities, single-story retail, 6-8 story residential buildings and mixed used buildings with ground floor retail with residences above. Recent developments include a school, two gyms and single story commercial.

M1-2

M1-2 districts permit some community facility uses in Use Group 4 such as hospitals, houses or worship and ambulatory health care facilities, commercial uses in use Groups 5 through 14 and 16, and manufacturing uses in Use Group 17. If the performance standards for noise, vibration, particulates, odors, and other noxious uses are met, then Use Group 18 use are permitted as well. M1-2 districts permit manufacturing and commercial uses at a maximum FAR of 2.0. M1-2 districts also permit

community facility uses at a maximum FAR of 4.8. M1 districts have a base height limit, above which a structure must fit within a sloping sky exposure plane; this base height is 60 feet, or 4 stories, whichever is less, in M1-2 districts. M1-2 districts are subject to parking requirements based on the type of use and size of an establishment. M1-2 districts generally allow one- or two-story warehouses for light industrial uses, including repair shops and wholesale service facilities, as well as self-storage facilities and hotels. M1 districts are intended for light industry; however, heavy industrial uses are permitted in M1 districts as long as they meet the strict performance standards set forth in the Zoning Resolution of the City of New York (ZR). Off-street parking requirements vary with the use, but typically require one parking space for every three employees or every 1,000 square feet of floor area, whichever requires more spaces for manufacturing uses and one accessory parking space per 300 square feet of commercial space. No new residential uses are permitted.

Existing uses include a mix of low-rise commercial, industrial, self-storage and community facility uses and low-scale residential buildings.

C4-4

Approximately six partial blocks are zoned C4-4 along East 170th Street bounded by the Grand Concourse and Jerome Avenue.

C4 districts are regional commercial districts, which permit uses such as specialty and department stores that serve a larger area and generate more activity than local retail. 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 Use Group 7 (home maintenance and repair service stores), are not allowed. C4-4 districts permit commercial uses at a maximum FAR of 3.4, residential uses at a maximum FAR of 3.44 (or 4.0 through the Inclusionary Housing Program), and community facilities at a maximum FAR of 6.5. Generally, buildings in C4-4 districts are governed by a sky exposure plane, which, for commercial or community facility uses, begins at a height of 60 feet, or 4 stories, whichever is less, above the street line. Towers are permitted to penetrate the sky exposure plane for community facility uses. Residential uses are permitted to either be constructed pursuant to height factor regulations or pursuant to the Quality Housing Program under a residential equivalent of an R7-2 district. If the residential portion of the building is constructed pursuant to Quality Housing, the entire building must comply with the height limitations. On wide streets outside Manhattan Core, this would be a height limit of 85 feet for buildings with a qualifying ground floor (one with a height of at least 13 feet), and a height limit of 75 feet on narrow streets, when located outside of Inclusionary Housing areas. Off-street parking is required for 50% of the dwelling units, which may be reduced to 30% for lots less than 15,000 square feet and waived for lots less than 10,000 square feet. No parking is required for income-restricted housing units, and where the total residential parking required is less than 15 spaces, the requirements may be waived. Parking for commercial uses vary by use but typically requires one space per 1,000 square feet, and may be waived if the requirement is less than 40 spaces.

Existing uses include single story retail, community facility uses and 6-8 story apartment buildings with ground floor retail.

R7-1

Approximately twenty eight full or partial blocks are zoned R7-1; along Edward L. Grant Highway between Jessup Avenue and University Avenue and along Jerome Avenue from East 170th Street to East 169th Street, from Mount Eden Avenue to East 174th Street and from East 76th Street to East 177th Street.

R7 districts are medium-density apartment house districts. The Height Factor regulations for R7 districts encourage taller buildings with less lot coverage on larger lots. The optional Quality Housing regulations allow for lower buildings with greater lot coverage. Off-street parking is required for 60% of the dwelling units or 50% of the dwelling units under the Quality Housing program. This can be further reduced to 30% on lots less than 10,000 square feet. No parking is required for income-restricted housing units, and where the total residential parking required is less than 5 spaces, the requirements may be waived.

Under Height Factor regulations, R7 districts permit residential development at a maximum FAR of 3.44. Under R7 Height Factor regulations, buildings have no fixed height limits and building envelopes are regulated by a sky exposure plane and open space ratio. Maximum building height is determined by the sky exposure plane after a maximum base height of 60 feet or 6 stories (whichever is less). Community facility uses are permitted in R7-1 districts up to a maximum FAR of 4.8.

Under R7 Quality Housing regulations, buildings have a maximum residential FAR of 3.44 on narrow streets (i.e., less than 75 feet wide), with a maximum base height of 65 feet and a maximum building height of 75 feet; buildings have a maximum residential FAR of 4.0 within 100 feet of wide streets (i.e., 75 feet wide or greater) with a maximum base height of 75 feet and a maximum building height of 85 feet (with a qualifying ground floor). Community facility uses are permitted in R7-1 districts up to a maximum FAR of 4.8.

Existing uses include a mix of low-rise commercial, industrial, and community facility uses and residential buildings.

R8

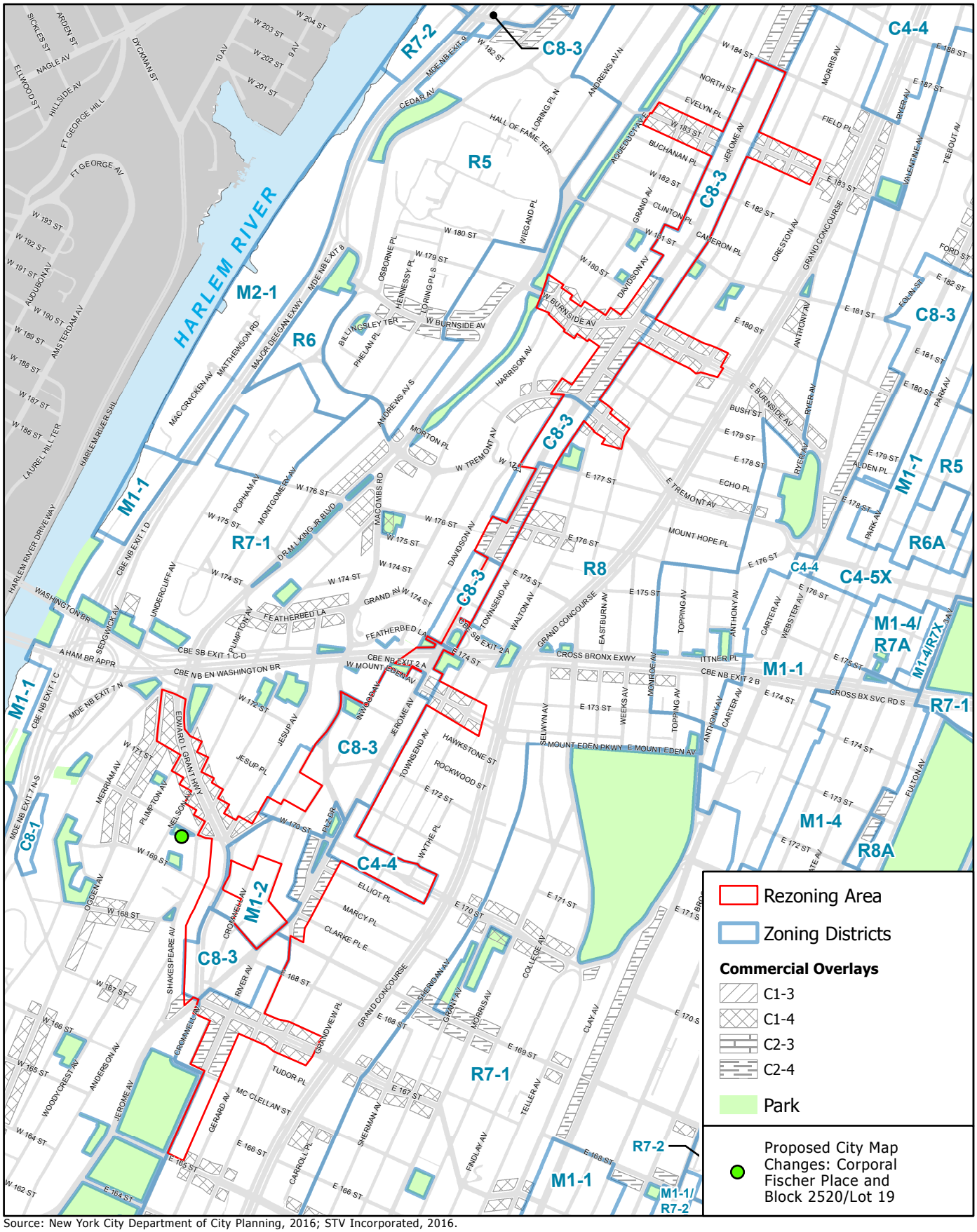
R8 districts are higher-density residential districts that allow for apartment buildings ranging from mid-rise, eight- to ten-story buildings to much taller buildings set back from the street on large zoning lots. New buildings in R8 districts may be developed under either Height Factor regulations or the optional Quality Housing regulations. Off-street parking is required for 40% of the dwelling units, which may be reduced to 20% for lots less than 15,000 square feet, and waived for lots less than 10,000 square feet. No parking is required for income-restricted housing units, and where the total residential parking required is less than 15 spaces, the requirements may be waived.

Under Height Factor regulations, R8 districts permit residential development at a maximum FAR of 6.02. Under R8 Height Factor regulations, buildings have no fixed height limits and building envelopes are regulated by a sky exposure plane and open space ratio. Maximum building height is determined by the

sky exposure plane after a maximum base height of 85 feet or 9 stories, (whichever is less). Community facility uses are permitted in R8 districts up to a maximum FAR of 6.5.

Under R8 Quality Housing regulations, buildings have a maximum residential FAR of 6.02 on narrow streets (i.e., less than 75 feet wide), with a maximum base height of 85 feet and a maximum building height of 115 feet; buildings have a maximum residential FAR of 7.2 within 100 feet of wide streets (i.e., 75 feet wide or greater) with a maximum base height of 95 feet and a maximum building height of 135 feet (with a "qualifying ground floor"). Community facility uses are permitted in R8 districts up to a maximum FAR of 6.5.

Existing uses include a mix of low-rise commercial, industrial, and community facility uses and mixed use buildings.



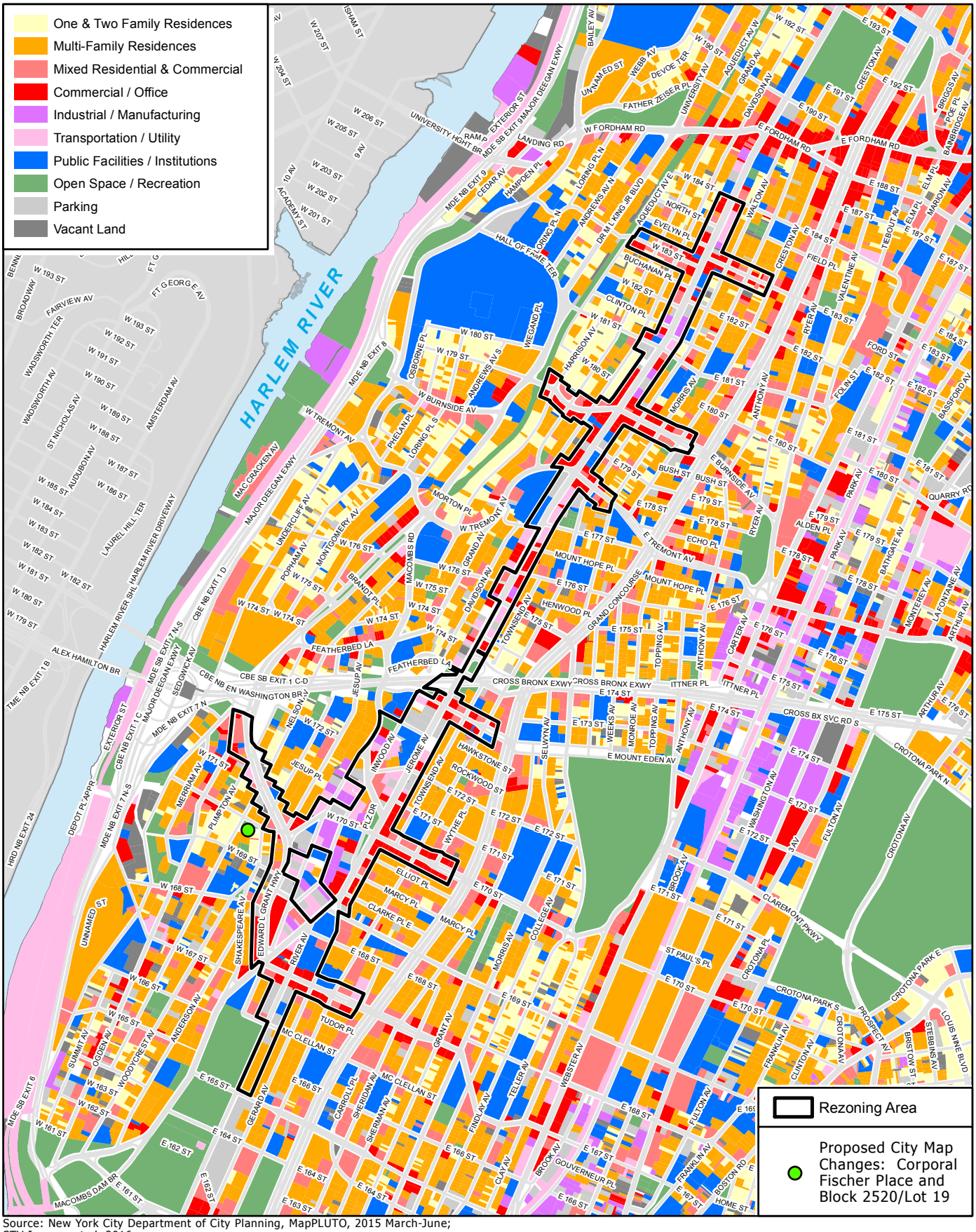
Source: New York City Department of City Planning, 2016; STV Incorporated, 2016.

N

0 0.25 0.5 Mile

Figure 1-2

EXISTING ZONING



Source: New York City Department of City Planning, MapPLUTO, 2015 March-June;
STV Incorporated, 2016.

N

0 0.2 0.4 Mile

Figure 1-3

COMMERCIAL OVERLAYS

C1-4 and C2-4 Commercial Overlays

C1-4 and C2-4 commercial overlays are mapped along portions of East 167th Street, Edward L. Grant Highway, Jerome Avenue, Mount Eden Avenue, East 176th Street, Burnside and Tremont Avenues and East 183rd Street. C1-4 and C2-4 districts allow for local retail uses and commercial development up to 2.0 FAR.

Commercial overlays are mapped along streets that serve local retail needs and are found within residential districts. Typical uses include neighborhood grocery stores, restaurants, and beauty parlors. In mixed use buildings, commercial uses are limited to one or two floors and must always be located below the residential use. C1-4 and C2-4 commercial overlays are mapped within the primary study area over both R7-1 and R8 residential districts. For general commercial uses, one off-street parking space is required for every 1,000 square feet of such use, and up to 40 spaces may be waived.

C1-4 commercial overlays are mapped on the block frontages along 183rd Street, Burnside Avenue, East Tremont Avenue, East Mount Eden Avenue, Edward L. Grant Highway, and East 167th Street. The maximum commercial FAR is 2.0 for C1 commercial overlays mapped in R7 and R8 districts.

C2-4 commercial overlays are mapped on the block frontages along portions of Jerome Avenue between Burnside Avenue and Tremont Avenue, 177th Street and 175th Street, West 170th Street and East 169th Street, and 167th Street and McClellan Street. C2 commercial overlays permit a slightly wider range of uses than C1 districts, such as funeral homes and repair services. The maximum commercial FAR is 2.0 for C2 commercial overlays mapped in R7 and R8 districts.

1.5 Purpose and Need for the Proposed Actions

The Department of City Planning is proposing land use actions in response to the planning framework identified in the Jerome Avenue Neighborhood Plan. The Plan, part of a long standing request to study land use patterns in the area by community stakeholders, was the outcome of a comprehensive community engagement process. The Proposed Actions are intended to facilitate a development pattern which meets the long term community vision for the Jerome Avenue corridor as a mixed use residential and commercial activity center which supports the needs of the surrounding neighborhoods. These actions are intended to work in unison with the comprehensive set of strategies put forth in the Plan.

The current land use pattern along the Jerome Avenue corridor dates back almost a hundred years when the area was developed to accommodate parking for the nearby dense residential developments. At the time the residential communities were developed, parking was not permitted in residential buildings, and the Jerome Avenue corridor became a service district for these communities. The M1-2 and C8-3 zoning districts freeze this land use pattern in place. Still today, much of this zoning does not permit the full range of options to fulfill the vision of the Jerome Avenue Neighborhood Plan. Residential development is currently not permitted in key nodes along the corridor and in areas that can accommodate growth and density. Commercial and retail development is limited in many parts of the study area. The streetscape is inconsistent as it is interrupted by uses that illegally occupy the sidewalk and the street and do not promote pedestrian safety or walkability. Many areas where residential development is permitted are characterized by underutilized properties developed with single-story commercial uses.

Current zoning of C8-3 and M1-2 districts do not permit these types of uses along much of the corridor. Instead, the current zoning designations manifest in very heavy commercial uses that often block sidewalks, encourage vehicles to cross into auto shops and parking garages, operate in bays and behind heavy gates removing “eyes on the street”, and produce extreme levels of noise, all of which are generally incompatible with a strong pedestrian experience. The Proposed Actions will facilitate the development of vibrant, mixed-use buildings with active ground floors that promote retail continuity and a consistent streetscape, with a wide variety of local retail and services to support the surrounding neighborhoods. In addition they will support regional commercial uses in a targeted, transit-rich location and the facilitation of new open space to serve areas residents and workers. As the rezoning area is home to very few publically-owned sites, new opportunities for affordable housing along Jerome Avenue will only be unlocked through permitting housing as a legal use in zoning. Mapping residential districts where no housing was previously allowed will provide quality housing options for current and future residents at a range of income levels.

Beyond the development that will be permitted as a result of the proposed actions, the Jerome Avenue Neighborhood Plan will protect existing tenants to preserve affordability; support small businesses and entrepreneurs; provide targeted public realm investments and service provisions that improve overall quality of life for residents. These benefits will be the direct result of the Jerome Avenue Neighborhood Plan. While they are not directly tied to the proposed land use actions and will not be analyzed as part of the environmental review, they will have immediate and significant benefits to the community and quality of life of its residents.

The Jerome Plan is more than a sum of its land use actions, but the actions drive the integration of all Plan elements and are integral to its implementation and success. They reflect DCP’s on-going community engagement process with local Community Boards, community residents, business owners, community-based-organizations, elected officials, and other stakeholders, to achieve the following land use objectives:

- Provide opportunities for high quality, permanent affordable housing with options for tenants at a wide range of income levels.
- Ensure that any new construction fits into its surrounding neighborhood context.
- Increase the opportunities to diversify neighborhood retail and services.
- Permit more density and a broader range of uses in two nodes to anchor the corridor and surrounding neighborhoods.
- Create special rules for new development along the elevated rail line to provide light and air along the corridor and ensure adequate distance between residential uses and the train.
- Create special rules for new buildings and street wall continuity and relief on irregular lots
- Create a walkable, inviting commercial corridor by promoting non-residential ground floor uses and diverse retail to support community needs.
- Maintain zoning for heavy commercial and light industrial uses in areas to support mixed uses and jobs.
- Establish controls for transient hotels to ensure consistency with the goals and objectives of the rezoning.

Provide opportunities for the creation of new, permanent affordable housing with options for low- and moderate-income residents, while preserving the character of existing residential neighborhoods

Today, Community Districts 4 and 5 are characterized by stable housing. Eighty percent of the housing stock was built prior to 1947. Two-thirds of the housing in Community Districts 4 and 5 is government regulated. Currently, the median household income of the surrounding area is approximately $25,900. Conversely, nearly 25% of households earn more than $50,000 annually.

The proposed actions will support the development of new permanently affordable housing construction by mapping new zoning districts to permit residential development in areas where it is not permitted today and to increase residential density where it is permitted today. The Jerome Avenue corridor and surrounding streets are characterized by a significant number of underutilized sites with capacity for significant growth. Zoning changes, including the application of the new Mandatory Inclusionary Housing (MIH) program, to allow residential development where none is currently permitted, as well as permit residential development at higher densities where it is already permitted would facilitate expansion of the neighborhood's supply of affordable housing and the construction of new permanently affordable housing development along on the corridor.

The area's existing housing stock is predominantly rent-regulated. New multifamily development in the vicinity of the study area has consisted predominantly of publicly subsidized affordable housing development. While some unsubsidized construction has been observed in smaller buildings, past and recent development trends have been that the majority of housing developed in the area has been publicly subsidized, and this trend is expected to continue. Between 2005 and 2015, more than 80% of all new multifamily housing units in Community Districts 4 and 5 were subsidized affordable units. Between July 2003 and the end of 2015, HPD financed the new construction of almost 4,500 homes and preserved over 8,500 affordable homes in this area.

The zoning proposal has been crafted to promote new development specifically along major corridors that currently contain very few residential units. Residential areas in the surrounding neighborhood are not being rezoned to allow for greater density, in recognition of the existing character of these residential areas, and the rezoning will not promote additional development in these areas.

Within the rezoning area, it is expected that a variety of City and State financing programs for affordable housing would be utilized and result in the creation of a substantial amount of affordable housing under the Proposed Actions. In addition, as new housing is created to serve a range of incomes, the application of the MIH requirement will guarantee that a percentage of units developed remain permanently affordable and provides assurance that new development will address the needs of residents at lower income levels even in the event that local housing market conditions change.

Ensure that new buildings fit into existing neighborhood contexts

The predominant residential built form in the study area and surrounding blocks is six-to-eight story apartment buildings. Ground floor commercial uses are common. The study area and surrounding neighborhoods contain a mix of zoning districts, none of which have a fixed street wall or height limit (excluding the Special Grand Concourse District). The proposed actions will promote a consistent and predictable street wall and fixed height limits. The proposed zoning districts seek to match existing built character where feasible, and mandate through the mapping of contextual zoning districts, the incorporation of Quality Housing standards relating to recreation areas and landscaping within the building.

Increase the opportunities to diversify neighborhood retail and services

Map a full commercial district with C4-4D at Jerome Avenue and Burnside Avenue, as well as C2-4 commercial overlays throughout the corridor where residential districts are being mapped. Additionally, create new commercial overlays along River Avenue and Edward L. Grant Highway where none exist today to allow for new, commercial uses.

Create special rules for new building along the elevated rail to provide light and air on the streets and maintain distance between residential units and the train

The #4 elevated train along Jerome Avenue is at the heart of the study area. To facilitate development along and adjacent to the elevated rail, the proposed actions include special zoning bulk provisions within the Special Jerome Avenue District for setbacks along the elevated rail line and require non-residential ground-floor uses in all commercial districts.

Create special rules for new buildings and street wall continuity and relief on irregular lots

On sites bounded by Edward L. Grant Highway and Jerome Avenue, an irregular street grid pattern has produced lot irregularity that could preclude the development of residential and mixed use buildings. To facilitate development on irregular lots, the proposed actions include special zoning bulk provisions within the Special Jerome Avenue District for street wall continuity and relief, and additional height within limits to make development feasible in the area. Articulation of the street wall, transparency requirements, and special open space provisions will ensure a lively and visually interesting streetscape.

Promoting active ground floor uses and diverse retail to support community needs and provide a consistent streetscape throughout the corridor

The proposed actions includes commercial overlays that will facilitate local retail to serve the shopping and service needs of area residents and workers, allow for a greater range of commercial uses, and as well as provide continuity in the pedestrian realm. In specified areas within the Special District (as will be indicated in the Zoning Resolution), all new developments in commercial districts will be required to provide non-residential uses on the ground floor and meet lighting, glazing, and transparency requirements. These requirements will enhance the existing streetscape, match existing mixed-use buildings in the area, and provide an improved pedestrian experience.

Anchor the Jerome corridor and surrounding neighborhoods by permitting more density and a broader range of uses in two nodes

The areas of Burnside and Tremont Avenues are proposed to be designated as a full commercial (C4-4D) district, permitting higher-density residential, community facility, and commercial uses. These areas will be permitted more commercial FAR than other parts of the rezoning area. The proposed zoning will help strengthen an existing active commercial node by permitting greater density and a wider range of uses. The proposed zoning will leverage transit access, surrounding institutions, and proposed infrastructure investments to support regional retail uses such as entertainment uses and office space.

The highest density residential districts are proposed for strategic locations at the southern end of the rezoning area located where Edward L. Grant Highway, Jerome Avenue, and Cromwell Avenue converge, and at River Avenue and 165th Street. These are wide streets and intersections where additional density and growth can be accommodated.

Maintain zoning for heavy commercial and light industrial uses in targeted areas to support mixed uses and jobs

The study area includes C8-3 and M1-2 zoning districts that have been in place since 1961. These areas include a number of auto-related businesses ranging from auto repair, auto body, auto glass, car audio, tire shops, and parking facilities that include both surface lots and structured garages. Many of these businesses have been in existence for decades and during the outreach process community stakeholders identified a goal to preserve areas for these businesses to remain and expand. The proposed actions identify areas for growth and development to facilitate new residential, commercial and community facility uses. Four areas within the study area boundary were designated for no changes to the existing zoning to support the preservation of these unique businesses in the study area. These areas were carefully selected based on the number and types of businesses, locations off major street and unique site conditions that would impede redevelopment. In support of this action the Department of Small Business Services (SBS) is concurrently developing strategies and programs specifically tailored to the unique desires and needs of the businesses in the study area including, compliance assistance, job training and business development. While not part of the proposed actions, these programs are an important component of the neighborhood plan.

The actions described here have been carefully developed to advance the specific goals of the proposal, identified through the Study's planning and engagement framework. The land use actions take strides in unlocking additional capacity for permanently affordable housing, responding to the elevated rail structure, maintaining existing zoning controls where appropriate and desired, shaping the commercial and retail landscape and surrounding public areas, and controlling the heights, bulks and quality of the interior spaces in buildings. However, it is the Plan's overarching strategies, coordinated investments, and custom service delivery programs, among other elements, that all work with the land use actions and zoning changes to fulfill the neighborhood vision identified through the Jerome Avenue Neighborhood Plan.

Establish controls for transient hotels to ensure consistency with the goals and objectives of the rezoning

The proposed hotel special permit is intended to ensure that hotel development does not conflict with the Proposed Actions' goal to create opportunities for requiring permanently affordable housing, and to ensure that the neighborhood would continue to serve diverse housing needs and any hotel use is consistent with such character of the surrounding area.

1.6 Description of the Proposed Actions

The Proposed Actions would implement the objectives of the Jerome Avenue Neighborhood Plan by creating opportunities for permanently affordable housing, ensuring that new buildings reflect existing neighborhood context, improving the public realm by encouraging non-residential ground floor uses and a consistent streetscape. To accomplish these goals, DCP is proposing zoning text amendments, zoning map amendments and city map changes (collectively the "Proposed Actions"). The proposed zoning text and map amendments would rezone an approximately 92-block area primarily along Jerome Avenue and its east west commercial corridors in Bronx Community Districts 4 and 5 and 7 (the "Rezoning Area"), and would establish the Special Jerome Avenue District coterminous with the Rezoning Area. The Rezoning Area is generally bounded by E.165th Street to the south and 184th street to the north; and also includes portions of Edward L. Grant Highway, E.170th Street, Mount Eden Avenue, Tremont Avenue, Burnside Avenue and E.183rd Street. The proposed city map changes are located a block outside of the Rezoning Area in the Highbridge neighborhood of the Bronx, Community District 4.

As discussed in detail below, the Proposed Actions consist of:

1. Zoning map amendments to rezone portions of existing C4-4, M1-2, R8, C8-3, and R7-1 with R7A, R8A, R9A, R7D, and C4-4D districts and C2-4 commercial overlays.

2. Zoning text amendments to:

    - Establish the Special Jerome Avenue District, coterminous with the Rezoning Area. The proposed special district will include regulations that will add controls to the ground floors of buildings within mapped commercial overlays and districts, modify height and bulk regulations on lots fronting the elevated rail line, modify bulk regulations on irregular lots, and establish a CPC Special Permit for transient hotels on commercial lots.

    - Establish proposed R7A, R7D, R8A, R9A, and C4-4D districts as Mandatory Inclusionary Housing areas, applying the Mandatory Inclusionary Housing program to require a share of new housing to be permanently affordable where significant new housing capacity would be created.

3. City Map changes to:

    - Map Block 2520, Lot 19 as parkland. This city-owned parcel is located one block outside of the rezoning area and is bounded by West 170th Street, Nelson Avenue, Shakespeare Avenue, and Corporal Fischer Place in the Highbridge neighborhood of the Bronx, Community District 4.

- De-map Corporal Fischer Place (street) between Nelson Avenue and Shakespeare Avenue, which is adjacent to the parcel to be mapped as park land as described above (Block 2520, Lot 19), and map it as parkland.

PROPOSED ZONING MAP CHANGES

Proposed R7A *(Existing C8-3, R7-1, and R7-1)*

An R7A zoning district is proposed to cover portions of 2 full and 17 partial blocks in two areas:

- *An area roughly bounded by East 175th Street to the north, East 171st Street to the south*
- *An area roughly bounded by Townsend Avenue to the east and Inwood and Davidson Avenues to the west*

R7A allows medium-density apartment buildings at a maximum FAR of 4.0 for residential uses and 4.6 for residential uses in areas mapped with Inclusionary Housing. R7A districts permit community facility FARs up to 4.0. The R7A district allows base heights between 40'-75' in areas mapped with Inclusionary Housing. Above the base height, buildings would be required to set back either 10' or 15' depending on if they have frontage on wide or narrow streets, respectively. After setting back, maximum building heights in the district are set at 95' in Inclusionary Housing zones, for buildings with qualifying ground floors. Alternate base height, and overall building height rules, described in detail below, would apply to any lot fronting the elevated rail line along River Avenue and Jerome Avenue. Buildings are required to be no closer to the street line than the street wall of an adjacent building. If located within a commercial overlay, buildings are required to locate at least 70 percent of the street wall within eight feet of the street line. Within 100' of street lines along the elevated rail structure along Jerome or River Avenue, or in Subdistrict A these street wall rules are generally relaxed by the Special District rules. Interior or through lots generally allow up to 65% lot coverage and corner lots permit up to 100% coverage. R7A districts require a 30' rear yard for the residential portions of any building. Parking is required for 50% of the residential units except that no parking is required for qualifying income or age-restricted units.

Proposed R7D *(Existing R7-1)*

R7D is proposed for 2 blocks bounded by East 177th Street to the north, East 176th Street to the south, Townsend Avenue to the East and Jerome Avenue to the west.

R7D allows medium-density apartment buildings at a maximum FAR of 5.6 for residential uses in areas mapped with Inclusionary Housing. R7D districts permit community facility FARs up to 4.2. The R7D district allows base heights between 60'-95' for areas mapped with Inclusionary Housing. Above the base height, buildings would be required to set back either 10' or 15' depending on if they front onto wide or narrow streets, respectively. After setting back, maximum building heights in the district are set at 115' in Inclusionary Housing zones, for buildings with qualifying ground floors. Alternate base height, setback and overall building height rules, described in detail below, would apply to any lot fronting the elevated rail line along River Avenue and Jerome Avenue. Buildings are required to be no closer to the street line than the street wall of an adjacent building. If located within a commercial overlay, buildings are required to locate 100 percent of the street wall on the street line along wide streets, and are required to locate at least 70 percent of the street wall within eight feet of the street line on narrow

streets. Within 100' of street lines along the elevated rail structure along Jerome or River Avenue, or in Subdistrict A, these street wall rules are generally relaxed by the Special District rules. Interior lots that are not on the narrow end of the block or within 100 feet of a corner permit up to 65% lot coverage. Otherwise, up to 100% lot coverage is permitted. R7D districts require a 30' rear yard for the residential portions of any building. Parking is required for residential uses at a ratio of 0.5 spaces per unit. No parking is required for qualifying income or age-restricted units.

Proposed R8A *(Existing M1-2, C8-3, C4-4, R7-1, R8)*
A R8A zoning district is proposed along six partial blocks fronting on East Mt. Eden Avenue between Jerome Avenue and the Grand Concourse and 13 partial blocks fronting on Edward L. Grant Highway between West 170th Street and the Cross Bronx Expressway, along 1 full and two partial blocks at 176th street and Jerome Avenue, and along 5 full and 18 partial blocks bounded by Goble Place to the north, East 167th Street to the south, Grand Concourse to the east and Macombs Road to the west.

R8A allows medium-density apartment buildings at a maximum FAR of 6.02 for residential uses and 7.2 for residential uses in areas mapped with Inclusionary Housing. R8A districts permit community facility FARs up to 6.5. The R8A district allows base heights between 60'-105' for areas mapped with Inclusionary Housing. Above the base height, buildings would be required to set back either 10' or 15' depending on if they front onto wide or narrow streets, respectively. After setting back, maximum building heights in the district are set at 145' in Inclusionary Housing zones, for buildings with qualifying ground floors. Alternate base height, setback and overall building height rules, described in detail below, would apply to any lot fronting the elevated rail line along River Avenue and Jerome Avenue. New structures would be required to locate at least 70 percent of the street wall within eight feet of the street line. If located within a commercial overlay, buildings are required to locate 100 percent of the street wall on the street line along wide streets, and are required to locate at least 70 percent of the street wall within eight feet of the street line on narrow streets. Within 100' of street lines along the elevated rail structure along Jerome or River Avenue, or in Subdistrict A, these street wall rules are generally relaxed by the Special District rules. Interior lots that are not on the narrow end of the block or within 100 feet of a corner permit up to 70% lot coverage. Otherwise, up to 100% lot coverage is permitted. R8A districts require a 30' rear yard for the residential portions of any building. Parking is required for residential uses at a ratio of 0.4 spaces per unit. No parking is required for qualifying income or age-restricted units.

Proposed R9A *(Existing C8-3, M1-2, R7-1 and R8)*
An R9A zoning district is proposed for three full and 6 partial blocks in two areas:

- *An area bounded by West 169th Street to the north, McClellan Street to the south, River Avenue to the east and Edward L. Grant Highway to the west*
- *An area bounded by West 170th Street to the north, West 169th Street to the south, Cromwell Avenue to the east and Jesup Avenue to the west.*

R9A allows high-density apartment buildings at a maximum FAR of 8.5 for residential uses in areas mapped with Inclusionary Housing. R9A districts permit community facility FARs up to 7.5. The R9A district allows base heights between 60'-125' for areas mapped with Inclusionary Housing. Above the base height, buildings would be required to set back either 10' or 15' depending on if they front onto wide or narrow streets, respectively. After setting back, maximum building heights in the district are set at 175' on wide streets and 165' on narrow streets in Inclusionary Housing zones. Alternate base height, setback and overall building height rules, described in detail below, would apply to any lot fronting the elevated rail line along River Avenue and Jerome Avenue. New structures would be required to locate at least 70 percent of the street wall within eight feet of the street line. If located within a commercial overlay, buildings are required to locate 100 percent of the street wall on the street line along wide streets, and are required to locate at least 70 percent of the street wall within eight feet of the street line on narrow streets. Within 100' of street lines along the elevated rail structure along Jerome or River Avenue, or in Subdistrict A, these street wall rules are generally relaxed by the Special District rules. Interior lots that are not on the narrow end of the block or within 100 feet of a corner permit up to 70% lot coverage. Otherwise, up to 100% lot coverage is permitted. R9A districts require a 30' rear yard for the residential portions of any building. Parking is required for residential uses at a ratio of 0.4 spaces per unit. No parking is required for qualifying income or age-restricted units.

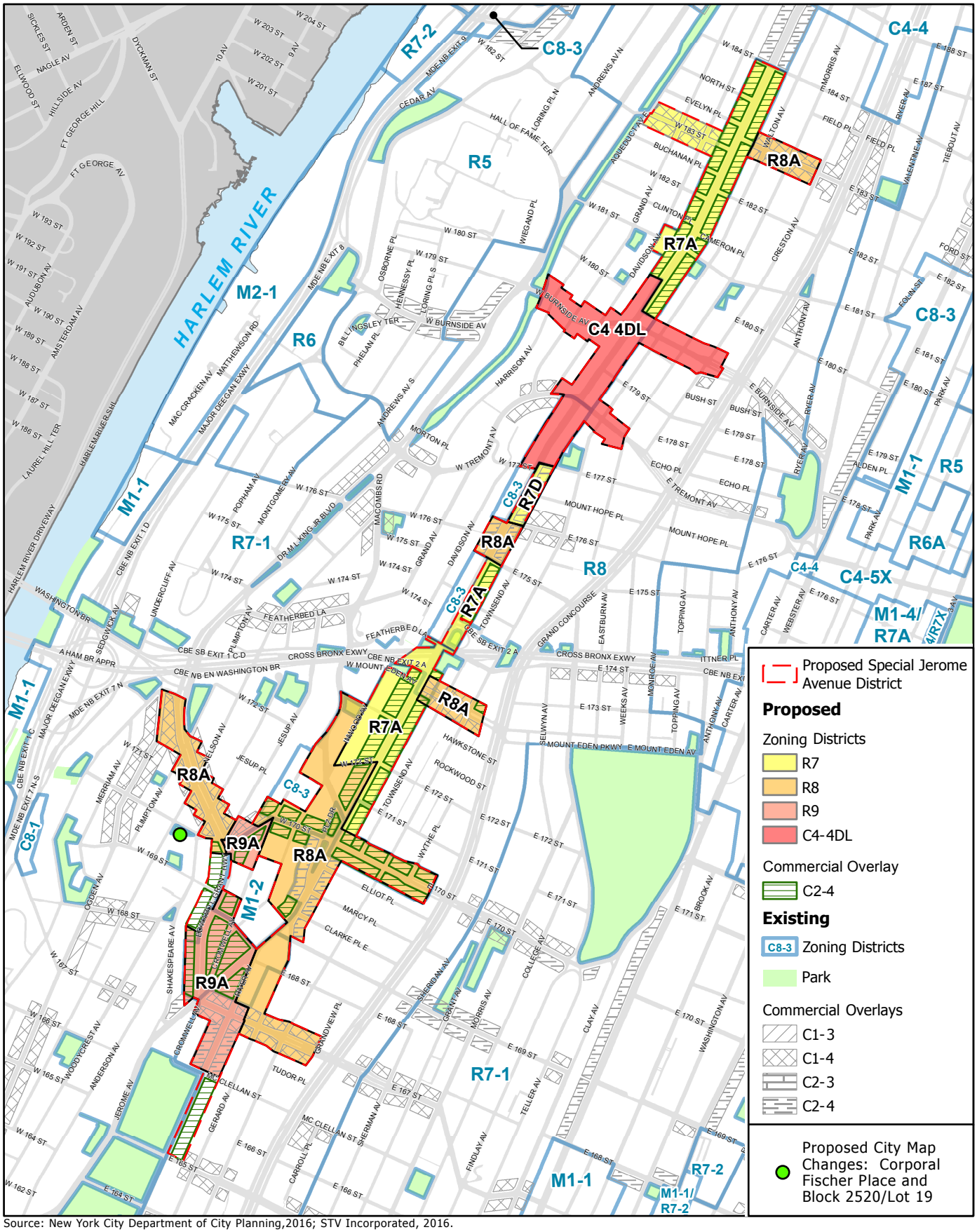
Proposed C4-4D *(Existing C8-3, R7-1 and R8)*
A C4-4D is proposed for 21 partial blocks bounded by East 181st Street to the north, East 177th Street to the south, Creston Avenue to the East, and Aqueduct Avenue East to the west.
C4-4D is an R8A equivalent, and is a mid-density commercial district that permits residential uses up to 7.20 FAR in areas designated as part of the Inclusionary Housing program, commercial uses up to 3.4 FAR, and community facilities up to 6.5 FAR. Residential and mixed use buildings developed within the district are subject to bulk regulations governed by the R8A district. The off-street parking requirement is typically one space per 1,000 square feet of commercial and community facility uses. Parking is required for residential uses at a ratio of 0.4 spaces per unit. No parking is required for income or age-restricted units.

Proposed C2-4 Commercial Overlays
C1-4 and C2-4 commercial overlays are mapped along portions of East 167th Street, Edward L. Grant Highway, Jerome Avenue, Mount Eden Avenue, East 176th Street, Burnside and Tremont Avenues and East 183rd Street. C2-4 commercial overlays are proposed to be mapped over portions of the proposed R7A, R7D, R8A, and R9A as detailed below. The affected areas are as follows:

- *13 blocks generally bound between 184th Street and Burnside Avenue, along the eastern and western frontages of Jerome Avenue;*

- *Two blocks generally bound between 175th Street and the Cross-Bronx Expressway, along the eastern frontage of Jerome Avenue;*
- *Eight blocks generally bound between the Cross-Bronx Expressway and 170th Street, along the eastern and western frontages of Jerome Avenue;*
- *Twelve blocks generally bound between the Grand Concourse and Edward L. Grant Highway along the northern and southern frontages of 170th Street;*
- *One portion of one block generally bound to the western frontage of Jerome Avenue, north of West Clarke place;*
- *Six blocks generally bound between 170th Street and 167th Street along the eastern and western frontages of Edward L. Grant Highway;*
- *Two blocks generally bound between 169th Street and 167th Street along the eastern and western frontages of Jerome Avenue; and*
- *One block generally bound between 165th Street and McClellan Street along the eastern frontage of Jerome Avenue.*

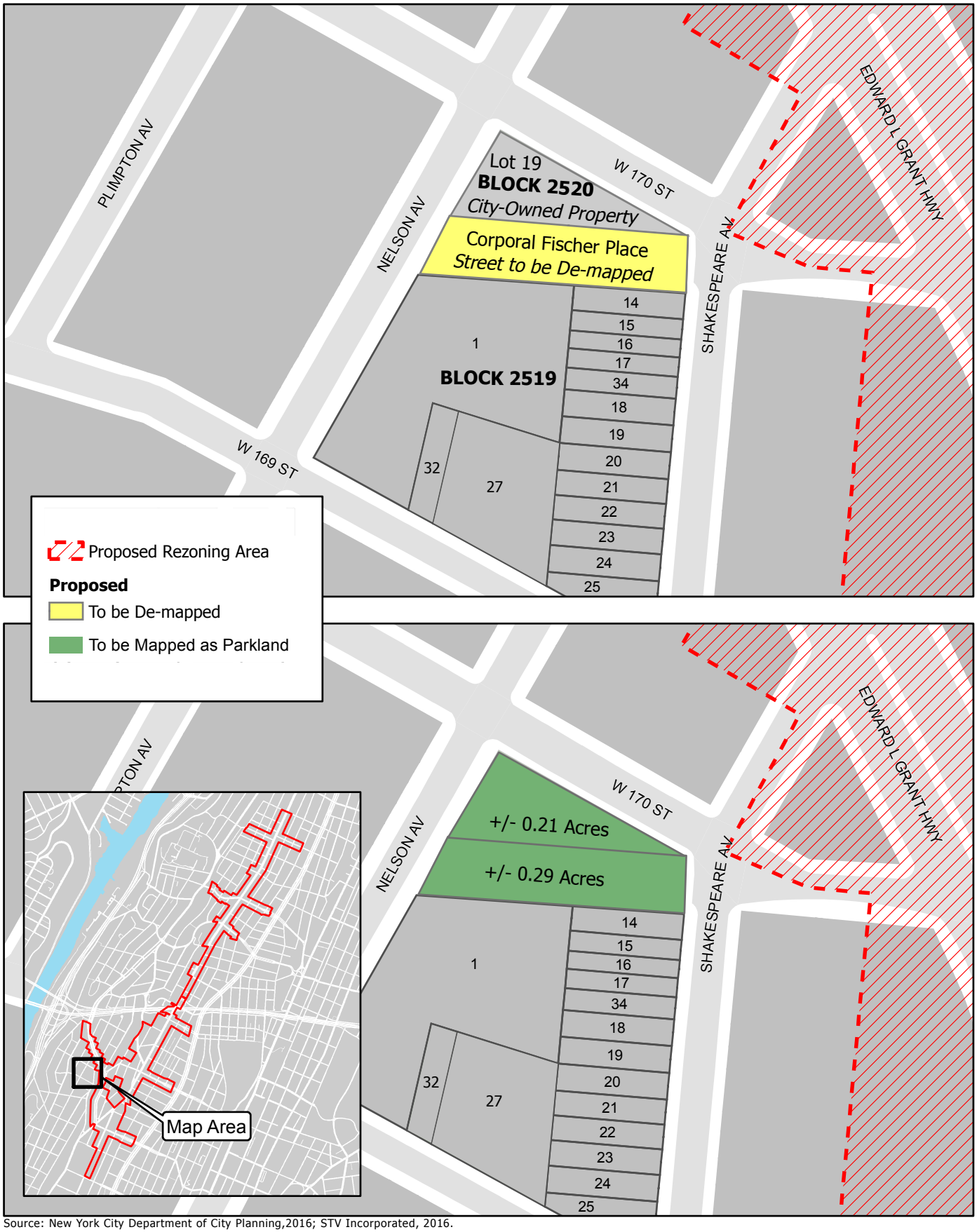
C2-4 commercial overlays allow for local retail uses and commercial development up to 2.0 FAR and allow Use Groups 1-9 and 14, which include uses such as plumbing and electrical shops, small bowling alleys and movie theaters, funeral homes, small repair shops, printers, and caterers. For general commercial uses, one off-street parking space is required for every 1,000 square feet of such use, and up to 40 spaces may be waived.



Source: New York City Department of City Planning,2016; STV Incorporated, 2016.

Figure 1-4a

PROPOSED ZONING



Source: New York City Department of City Planning,2016; STV Incorporated, 2016.

N

0 100 200 Feet

Figure 1-4b

PROPOSED CITY MAP CHANGES: CORPORAL FISCHER PLACE AND BLOCK 2520 / LOT 19

PROPOSED ZONING TEXT AMENDMENTS

Proposed Zoning Text Amendments

The Department of City Planning proposes a series of text amendments to facilitate the land use objectives and the Jerome Avenue Neighborhood Plan. The following is a list and description of the proposed text amendments:

Special Jerome Avenue District

A special district known as the Special Jerome Avenue District will be mapped coterminous with the rezoning area. The special district will allow for special bulk modifications to be made for zoning lots fronting the elevated rail. On such lots, a minimum and maximum base height of 25 and 30 feet, respectively, will be established. Above the base height, a minimum set back of 10 feet will be required. On such lots, to provide architectural flexibility and encourage better design, an additional two stories would be permitted up to 20 feet in allowable height. Additionally, the special district will permit the waiver of street wall requirement on specifically identified irregular lots.

The proposed special district would set forth modified streetwall requirements on specific frontages identified via a text map and increase maximum permitted heights to 225 feet for irregular lots within R9A districts located adjacent to intersections, with a 105 foot maximum base height in designated areas. In order to encourage visual variety and building articulation, 20% of the façade will be required to recess three feet.

On corner lots, chamfered corners will be allowed in order to facilitate the creation of open space and to permit efficient floorplates on parcels that would otherwise present significant obstacles to development. The text will also set forth transparency and screening requirements and will not permit fences or unenclosed parking on these lots.

These modifications will adjust for irregularities such as acute corner conditions, varied topography, and other site encumbrances. The modifications and waivers associated with the special district will not increase buildable floor area on any lot, rather create flexibility in building design to encourage desirable outcomes in the architectural quality of developments and the associated public realm.

The proposed special district would also impose controls at the ground floor of all commercial overlay and full commercial districts along Jerome Avenue from East 167th Street to East 183rd Street and the commercial corridors of East 167th Street, East 170th Street, Mount Eden Avenue, Burnside and Tremont Avenues and East 183rd and East 184th Street. The controls would foster a safe and walkable pedestrian experience along these corridors by establishing regulations requiring mandatory active, non-residential uses on the ground floor, minimum levels of transparency, and limiting curb cuts, where appropriate.

Additional controls would be impose appropriate controls on transient hotels within C2 and C4 districts to ensure consistency with the goals and objectives of the rezoning. Transient hotels will be permitted on zoning lots within C2-4 districts that meet specific locational criteria set forth within ZR Section 32-14; for other zoning lots, transient hotels will require a CPC Special Permit if the residential development goal set forth in ZR Section 141-00 has not been met.

Mandatory Inclusionary Housing
The proposed R7A, R7D, R8A, R9A and C4-4D, zoning districts will be mapped as Mandatory Inclusionary Housing Areas, where applicable, setting mandatory affordable housing requirements pursuant to the Mandatory Inclusionary Housing program.

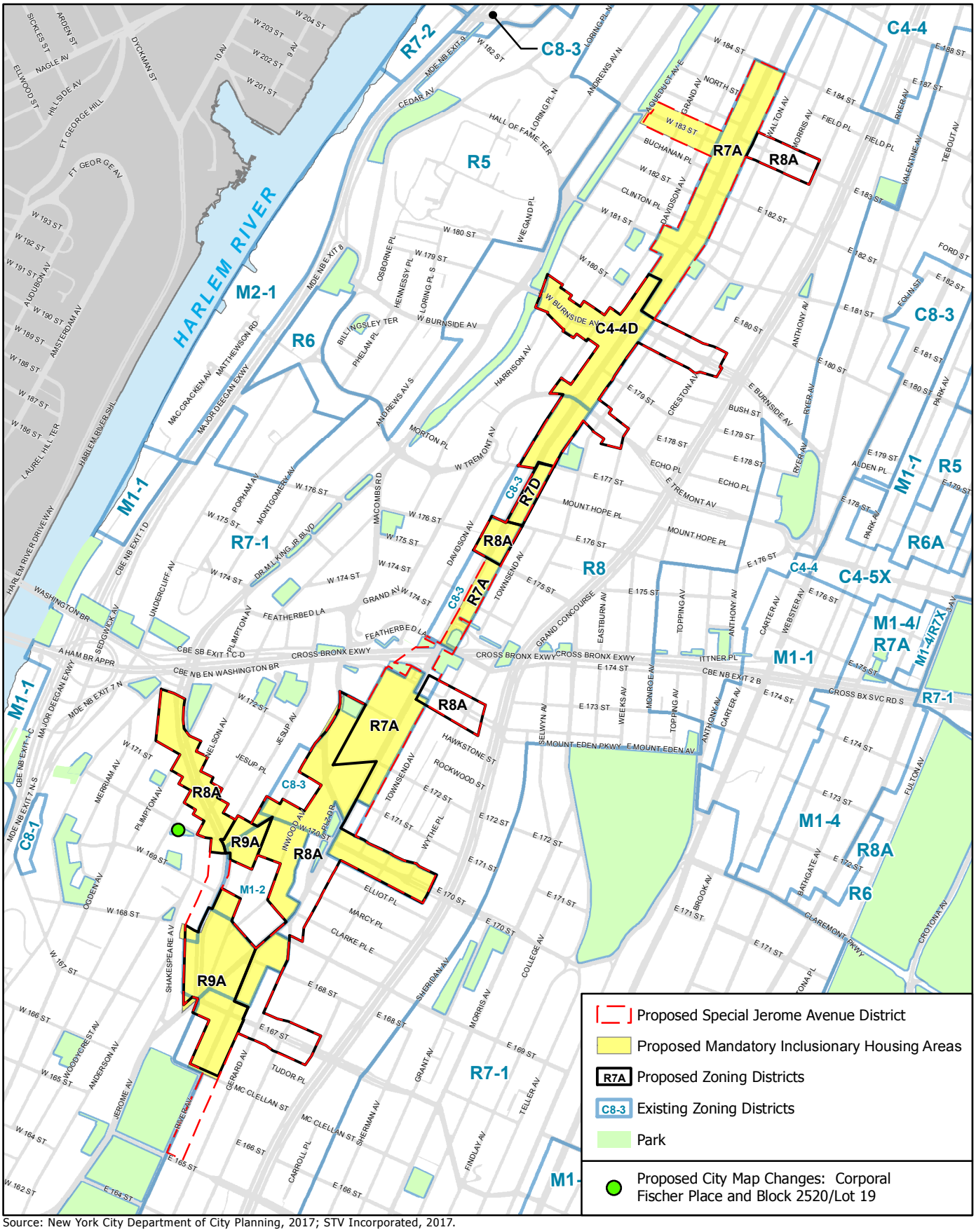
Amendment to Appendix F adding the proposed R7A, R7D, R8A, R9A, and C4-4D to the list and maps of Mandatory Inclusionary Housing Areas.

PROPOSED CITY MAP CHANGES

To facilitate the development of Corporal Fischer Park, the Department of City Planning in collaboration with DPR and DOT proposes the following changes to the City Map:

- Map Block 2520, Lot 19 as parkland. This city-owned parcel is located one block outside of the rezoning area and is bounded by West 170th Street, Nelson Avenue, Shakespeare Avenue, and Corporal Fischer Place in the Highbridge neighborhood of the Bronx, Community District 4.

- De-map Corporal Fischer Place (street) between Nelson Avenue and Shakespeare Avenue, which is adjacent to the parcel to be mapped as park land as described above (Block 2520, Lot 19), and map it as parkland. To facilitate the development of Corporal Fischer Park, the aforementioned changes are proposed. In addition, the City is exploring options related to the potential alienation and release from Department of Parks and Recreation control of lots 32 and 27 on the same block to facilitate future development to be determined subsequent to this action, and consistent with community goals and desires.



Source: New York City Department of City Planning, 2017; STV Incorporated, 2017.

N

0 0.25 0.5 Mile

Figure 1-5

PROPOSED MANDATORY INCLUSIONARY HOUSING AREAS

1.7 Analysis Framework

REASONABLE WORST-CASE DEVELOPMENT SCENARIO (RWCDS)

In order to assess the possible impacts of the components of the proposed action, a reasonable worst-case development scenario (RWCDS) was established for both the current (Future No-Action) and proposed zoning (Future With-Action) conditions for a 10-year period (build year 2026). The incremental difference between the Future No-Action and Future With-Action conditions will serve as the basis for the impact analyses of the Environmental Impact Statement (EIS). A ten-year period typically represents the amount of time developers would act on the proposed action for an area-wide rezoning not associated with a specific development.

To determine the With-Action and No-Action conditions, standard methodologies have been used following the *CEQR Technical Manual* guidelines employing reasonable assumptions. These methodologies have been used to identify the amount and location of future development

In projecting the amount and location of new development, several factors have been considered in identifying likely development sites; including known development proposals, past development trends, and the development site criteria described below. Generally, for area-wide rezonings which create a broad range of development opportunities, new development can be expected to occur on selected, rather than all, sites within the rezoning area. The first step in establishing the development scenario was to identify those sites where new development could be reasonably expected to occur.

Development Site Criteria

Development sites were identified based on the following criteria:

- Lots utilizing less than half of the permitted Floor Area Ratio (FAR) under the proposed zoning
- Lots with a total size greater than or equal to 5,000 square feet (including potential assemblages totaling 5,000 square feet or more if assemblage seems probable). For the purposes of this analysis, assemblages are defined as a combination of adjacent lots which satisfy one of the following conditions: (1) the lots share common ownership and, when combined, meet the Qualifying site criteria; and/or (2) at least one of the lots, or combination of lots, meets the Qualifying site criteria, and ownership of the assemblage is shared by no more than two distinct owners.

- Underutilized lots – (defined as vacant lots, surface parking lots, garages and single story structures built to less than or equal to half of the proposed zoning); and
- Lots located in areas where changes in use would be permitted

Certain lots that meet these criteria were excluded from the scenario based on the following conditions because they are very unlikely to be redeveloped:

- Lots where construction activity is actively occurring or has recently been completed;
- Schools (public and private), municipal libraries, government offices, hospitals, medical centers and houses of worship (stand-alone). These facilities may meet the development site criteria, because they are built to less than half of the permitted floor area ratio under current zoning and are on lots greater than 5,000 square feet. However, these facilities have not been redeveloped or expanded despite the ability to do so, and it is extremely unlikely that the incremental FAR permitted under the proposed zoning would induce development or expansion of these structures. Additionally, for government-owned properties, development and/or sale of these lots may require discretionary actions from the pertinent government agency;
- Lots containing multi-family (6 or more dwelling unit) residential buildings; due to required relocation of tenants in rent-stabilized units;
- Certain large commercial or community facility uses
- Lots utilized for public transportation and/or public utilities

Definition of Projected and Potential Development Sites

To produce a reasonable, conservative estimate of future growth, the development sites have been divided into two categories: projected development sites and potential development sites. The projected development sites are considered more likely to be developed within the ten-year analysis period for the proposed actions (i.e. by the analysis year 2026) while potential sites are considered less likely to be developed over the approximately ten-year analysis period. Potential development sites were identified based on the following criteria:

- Lots upon which the majority of floor area is occupied by active businesses (3 or more)
- Lots with slightly irregular shapes, topographies, or encumbrances that would make them difficult to redevelop
- Lots that have recently undergone significant investment
- Lots where they have been recent significant improvements or investments
- Structured parking garages
- Lots that contain businesses that provide valuable and/or unique services to the community
- Lots that would produce less than 60 units of housing

Based on the above criteria, a total of 143 development sites (45 projected and 98 potential) have been identified in the rezoning area. Figure 1-6a, “Projected and Potential Development Sites - Overview,” show these projected and potential development sites, and the detailed RWCDS tables provided in Appendix B1 to this document identify the uses expected to occur on each of these sites under Future No-Action and Future With-Action conditions. Table 1-1, below, provides a summary of the RWCDS for each analysis scenario.

The EIS will assess both density-related and site-specific potential impacts from development on all projected development site. Density-related impacts are dependent on the amount and type of development projected on a site and the resulting impacts on traffic, air quality, community facilities, and open space.

Site-specific impacts relate to individual site conditions and are not dependent on the density of projected development. Site-specific impacts include potential noise impacts from development, the effects on historic resources, and the possible presence of hazardous materials. Development is not anticipated on the potential development sites in the foreseeable future. Therefore, these sites have not been included in the density-related impact assessments. However, review of site-specific impacts for these sites will be conducted in order to ensure a conservative analysis.

Development Scenario Parameters

Dwelling Unit Factor

The number of projected dwelling units in apartment buildings is determined by dividing the total amount of residential floor area by 1,000 and rounding to the nearest whole number.

The Future without the Proposed Actions (No-Action Condition)

In the future without the Proposed Actions (No-Action), the identified projected development sites are assumed to either remain unchanged from existing conditions, or become occupied by uses that are as-of-right under existing zoning and reflect current trends if they are vacant, occupied by vacant buildings, or occupied by low intensity uses that are deemed likely to support more active uses. Table 1-1 shows the No-Action conditions for the projected development sites.

As shown in Table 1-1 below, it is anticipated that, in the future without the Proposed Actions, there would be a total of approximately 1,558,083 sf of built floor area on the 45 projected development sites. Under the RWCDS, the total No-Action development would comprise approximately 780 residential units with no guarantees for affordability, 238,384 sf of retail, restaurant and grocery store uses, 145,797 sf of industrial and automotive uses, 82,919 sf of community facility uses, and 945 accessory parking spaces. The No- Action estimated population would include approximately 2,268 residents and 1,154 workers on these projected development sites.

The Future with the Proposed Actions (With-Action Condition)

The Proposed Actions would allow for the development of new uses and higher densities at the projected and potential development sites. As shown in Table X, under the RWCDS, the total development expected to occur on the 45 projected development sites under the With-Action condition would consist of approximately 4,885,424 sf of floor area, including 4,162,049 sf of residential floor area (approximately 4,030 DU), a substantial proportion of which are expected to be affordable, 458,625 sf of retail restaurant and grocery store uses, 0 sf of industrial and automotive uses, and 155,192 sf of community facility uses, as well as 993 accessory parking spaces. The With-Action estimated population would include approximately 11,788 residents and 2,170 workers on these projected development sites. The projected incremental (net) change between the No-Action and With-Action conditions that would result from the Proposed Actions would be an increase of 3,208,424 sf of residential floor area (3,228 DU), 270,985 sf of retail, restaurant and grocery store space, 72,273 sf of community facility space, and 217 accessory parking spaces, and a net decrease 145,797 sf of industrial and automotive uses on the projected development sites.

Table 1-1 2026 RWCDS No-Action and With-Action Land Uses

Land Use	No-Action Conditions	With-Action Condition	No-Action to With-Action Increment
Residential			
Total Residential	**894,761 sf** (780 DU)	**4,103,185 sf** (4,008 DU)	**+ 3,208,424 sf** (3,228 DU)
Commercial			
Local Retail	207,719 sf	443,916 sf	236,197 sf
FRESH Supermarket	28,405 sf	51,562 sf	23,157 sf
Restaurant	2,260 sf	13,891 sf	11,631 sf
Auto-Related	98,002 sf	0 sf	-98,002 sf
Office	4,818 sf	44,105 sf	39,287 sf
Warehouse	168,650 sf	0 sf	-168,650 sf
Garage	22,154 sf	0 sf	-22,154 sf
Other Commercial	600 sf	0 sf	-600 sf
Total Commercial	**532,608 sf**	**553,474 sf**	**20,866 sf**
Other Uses			
Industrial	47,795 sf	0 sf	-47,795 sf
Community Facility	82,919 sf[1]	155,192 sf[2]	72,273 sf
Total Floor Area	**1,558,083 sf**	**4,885,424 sf**	**3,353,768 sf**
Parking			
Parking Spaces	945	1,162	217
Population[3,4]			
Residents	2,268	11,727	9,459
Workers	1,154	2,128	974

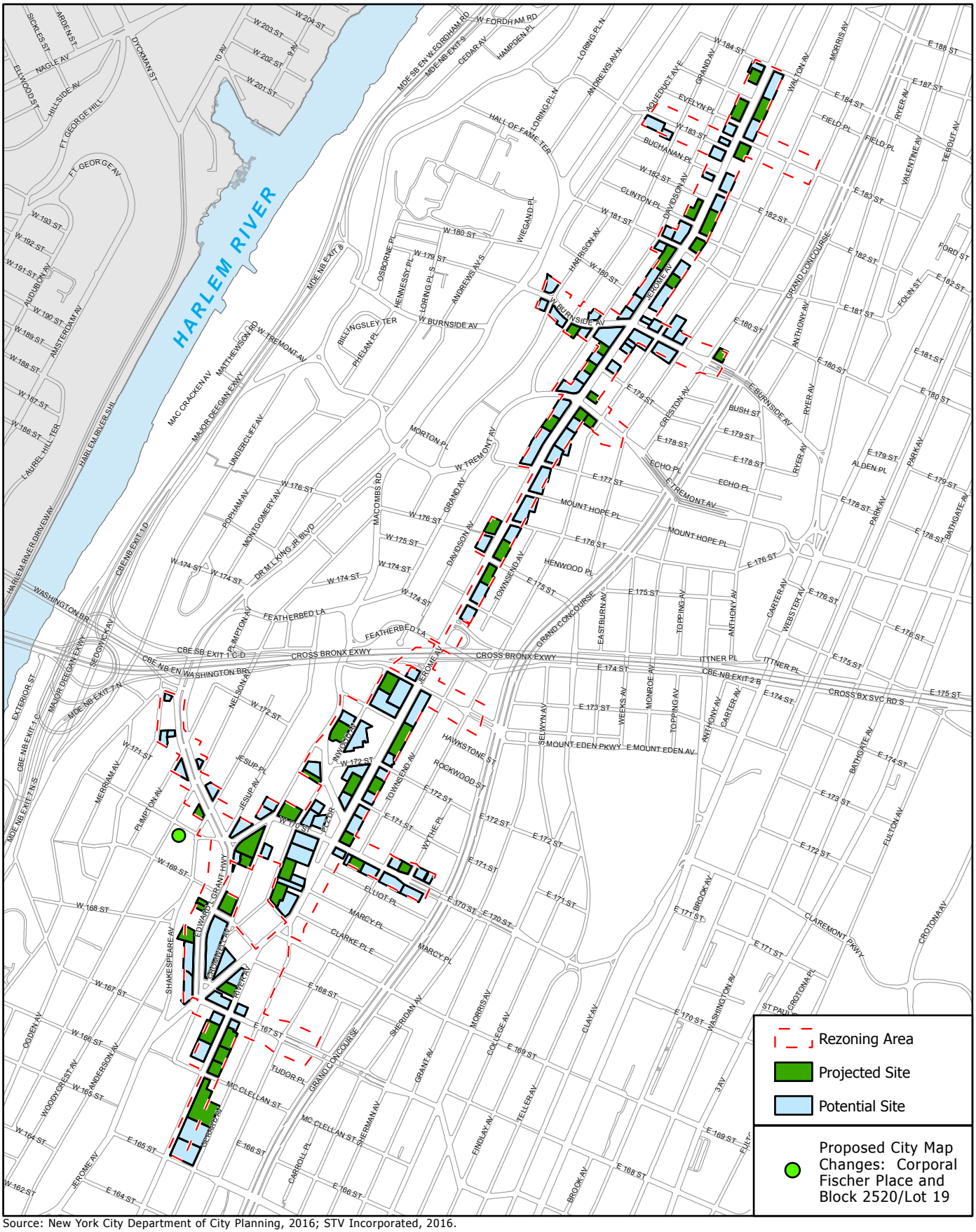
Notes:

[1] Includes 36,120 sf of house of worship uses, 6,000 sf of medical office uses, 2,016 sf of day care center uses, 15,800 sf of Pre-K School uses and 22,983 sf of other community facility uses.

[2] Includes 53,896 sf of house of worship uses, 8,500 sf of medical office uses, 15,800 sf of Pre-K school uses, 23,099 of day care center uses and 53,896 sf of community center uses.

[3] Assumes 2.87 persons per DU for residential units in Bronx Community District 7, 3.06 persons per DU for residential units in Bronx Community District 5 and 2.92 persons per DU for residential units in Bronx Community District 4.

[4] Estimate of workers based on standard rates used in prior EIS documents, including the East Midtown Rezoning FEIS, Atlantic Yards FEIS, Western Rail Yards FEIS, Brownsville Ascend Charter School EA, Coliseum Redevelopment FSEIS, 125th Street Corridor Rezoning FEIS, West 57th Street Rezoning FEIS, and others. Employee rates used are as follows: one employee per 250 sf of office, three employees per 1,000 sf of retail/supermarket/restaurant uses, one employee per 25 DU, one employee per 2.67 hotel rooms (and 400 sf per hotel room), one employee per 1,000 sf of auto-related and industrial uses, one employee per 15,000 sf of warehouse uses, one employee per 11.4 students in school uses, three employees per 1,000 sf of all other community facility uses, and one employee per 50 parking spaces.



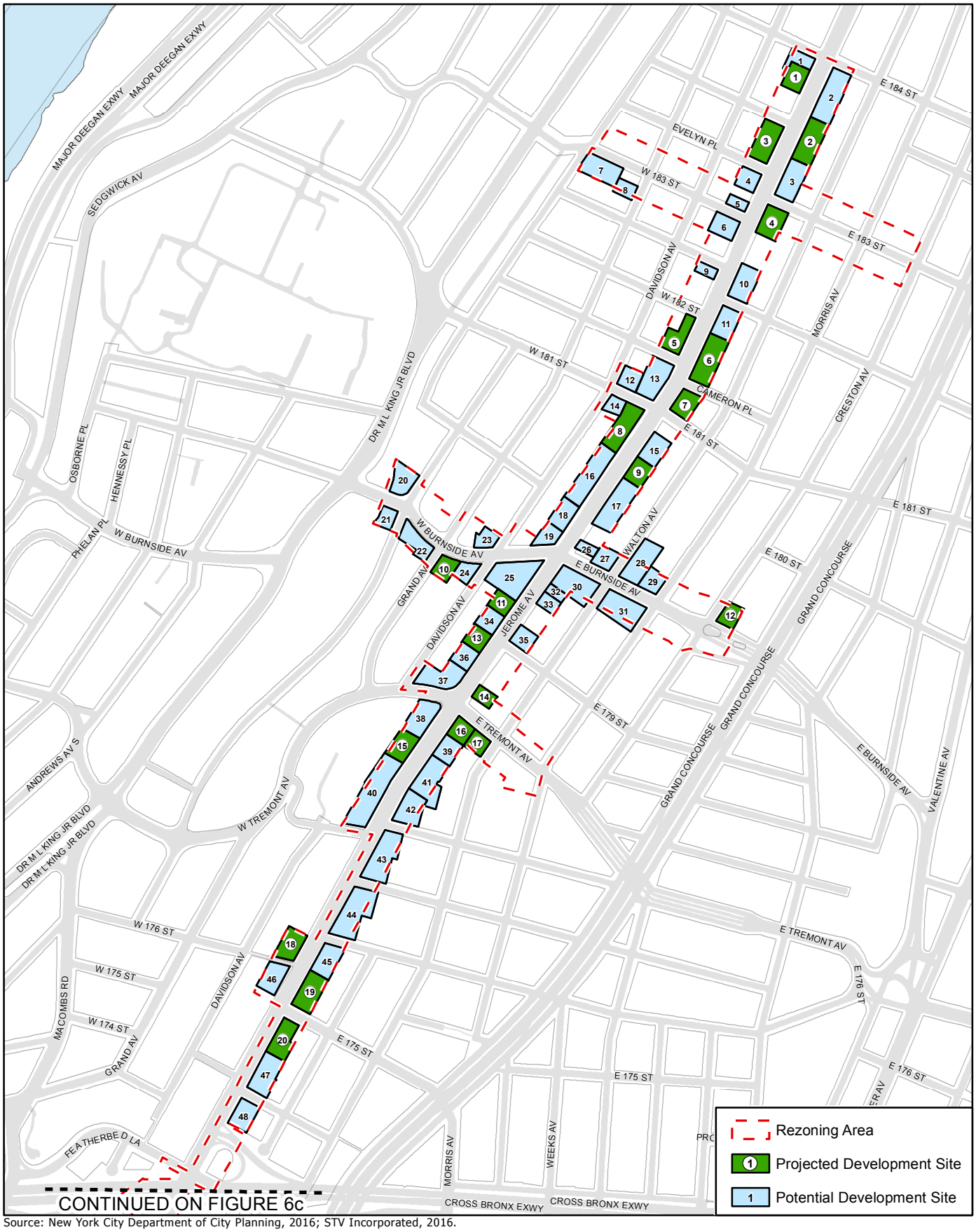
Source: New York City Department of City Planning, 2016; STV Incorporated, 2016.

N

0 0.25 0.5 Mile

Figure 1-6a

PROJECTED AND POTENTIAL DEVELOPMENT SITES - OVERVIEW



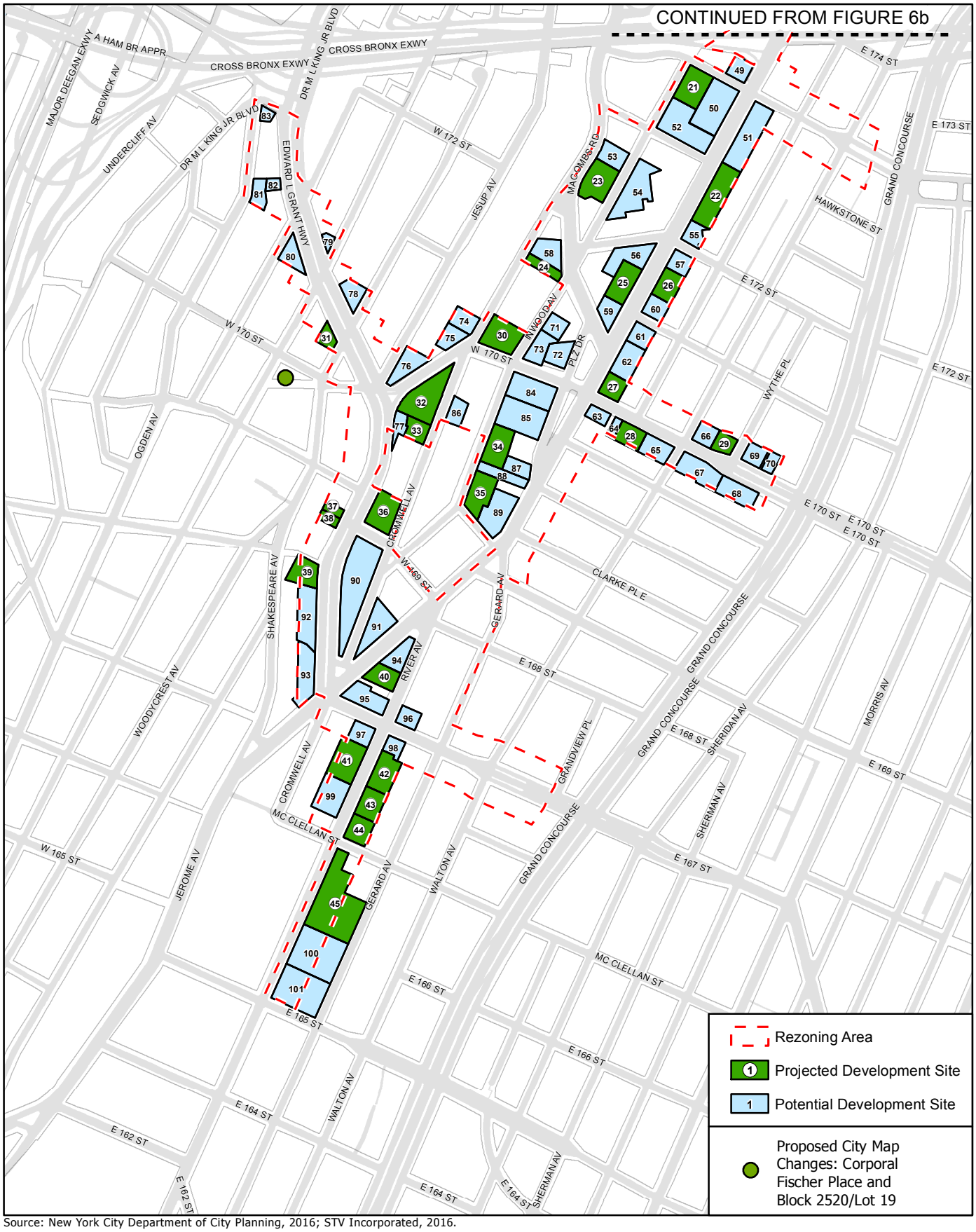
Source: New York City Department of City Planning, 2016; STV Incorporated, 2016.

N

0 0.125 0.25 Mile

Figure 1-6b

RWCDS PROJECTED & POTENTIAL DEVELOPMENT SITES - NORTH



Source: New York City Department of City Planning, 2016; STV Incorporated, 2016.

N

0 0.125 0.25 Mile

Figure 1-6c

RWCDS PROJECTED & POTENTIAL DEVELOPMENT SITES - SOUTH

1.8 Public Review Process

The Proposed Actions described above are subject to public review under the Uniform Land Use Review Procedure (ULURP), Section 200 of the City Charter, as well as City Environmental Quality Review (CEQR) procedures. The ULUP and CEQR review processes are described below.

UNIFORM LAND USE REVIEW PROCEDURE (ULURP)

The City's ULURP, mandated by Sections 197-c and 197-d of the City Charter, is a process specially designed to allow public review of a proposed action at four levels: the Community Board, the Borough President and (if applicable) the Borough Board, the City Planning Commission (CPC), and the City Council. The procedure sets time limits for review at each stage to ensure a maximum total review period of approximately seven months.

The ULURP process begins with a certification by the DCP that the ULURP application is complete, which includes satisfying CEQR requirements (see the discussion below). The application is then forwarded to Bronx Community Boards 4, 5, and 6, which have 60 days in which to review and discuss the approval, hold public hearings, and adopt recommendations regarding the application. Once this step is complete, the Borough President reviews the application for up to 30 days. CPC then has 60 days in which to review the application, during which time a ULURP/CEQR public hearing is held. Comments made at the DEIS public hearing and subsequent comment period (the record for commenting remains open for ten days after the hearing to receive written comments) are incorporated into a Final Environmental Impact Statement (FEIS). The FEIS must be completed at least ten days before CPC makes its decision on the application. CPC may approve, approve with modifications, or deny the application. If the ULURP application is approved, or approved with modifications, it moves forward to the City Council for review. The City Council has 50 days to review the application and during this time will hold a public hearing on the Proposed Actions, through its Land Use Subcommittee. The Council may approve, approve with modifications, or deny the application. If the Council proposed a modification to the Proposed Actions, the ULURP review process stops for 15 days, providing time for a CPC determination on whether the proposed modification is within the scope of the environmental review and ULURP review. If it is, then the Council may proceed with the modification; if not, then the council may only vote on the actions as approved by the CPC. Following the Council's vote, the mayor has five days in which to veto the Council's actions. The City Council may override the mayoral veto within 10 days.

CITY ENVIRONMENTAL QUALITY REVIEW (CEQR)

Pursuant to the State Environmental Quality Review Act (Article 8 of the Environmental Conservation Law; SEQRA) and its implementing regulations found at 6 NYCRR Part 617, New York City has established rules for its own environmental quality review in Executive order 91 of 1977, as amended, and 62 RCNY Chapter 5, the Rules of Procedure for CEQR. The environmental review process provides a means for decision-makers to systematically consider environmental effects along with other aspects of project planning and design, to propose reasonable alternatives, and to identify, and when practicable mitigate, significant adverse environmental effects. CEQR rules guide environmental review, as follows:

Establishing a Lead Agency: Under CEQR, a "lead agency" is the public entity responsible for conducting environmental review. Usually, the lead agency is also the entity principally responsible for carrying out, funding, or approving the proposed action(s). In accordance with CEQR rules (62 RCNY §5-03), the New York City Department of City Planning (DCP), acting as lead agency on behalf of the City Planning Commission (CPC), assumed lead agency status for the Proposed Actions.

Determination of Significance: The lead agency's first charge is to determine whether the proposed action(s) may have a significant adverse impact on the environment. To do so, DCP, in this case, evaluated an Environmental Assessment Statement (EAS) dated August 29, 2016 for the Proposed Actions. Based on the information contained in the EAS, DCP determined that the Proposed Actions may have a significant adverse impact on the environment, as defined by statute, and issued a Positive Declaration on August 29, 2016, requiring that an EIS be prepared in conformance with all applicable laws and regulations.

Scoping: Along with its issuance of a Positive Declaration, DCP issued a Draft Scope of Work for the EIS, dated August 29, 2016, marking the beginning of the comment period on the Draft Scope. "Scoping," or creating the scope of work, is the process of identifying the environmental impact analysis areas, the methodologies to be used, the key issues to be studied, and creating an opportunity for others to comment on the intended effort. CEQR requires a public scoping meeting as part of the process. A public scoping meeting was held on September 29, 2016, at Bronx Community College, 2155 University Avenue, Bronx, NY 10453. The Public review period for agencies and the public to review and comment on the Draft Scope of Work was open through October 10, 2016. Modifications to the Draft Scope of Work for the project's EIS were made as a result of public and interested agency input during the scoping process. A Final Scope of Work document for the Proposed Actions was issued on August 18, 2017.

Draft Environmental Impact Statement (DEIS): The DEIS was prepared in accordance with the Final Scope of Work, and followed the methodologies and criteria for determining significant adverse impacts in the CEQR Technical Manual. The lead agency reviewed all aspects of the document, calling on other City and state agencies to participate where the agency's expertise is relevant. Once the lead agency is satisfied that the DEIS is complete, it issues a Notice of Completion and circulates the DEIS for public review. The DEIS was deemed complete and the Notice of Completion was issued on August 18, 2017.

Public Review: Publication of the DEIS and issuance of the Notice of Completion signal the start of the public review period. During this time, which must extend for a minimum of 30 days, the public has the opportunity to review and comment on the DEIS either in writing or at a public hearing convened for the purpose of receiving such comments. When the CEQR process is coordinated with another City process that requires a public hearing, such as ULURP, the hearings may be held jointly. The lead agency must publish a notice of the hearing at least fourteen (14) days before it takes place, and must accept written comments for at least ten (10) days following the close of the hearing. All substantive comments received at the hearing become part of the CEQR record and must be summarized and responded to in the FEIS.

Final Environmental Impact Statement (FEIS): After the close of the public comment period for the DEIS, the FEIS is prepared. The FEIS must incorporate relevant comments on the DEIS, either in a separate chapter or in changes to the body of the text, graphics, and tables. Once the lead agency determines the FEIS is complete, it issues a Notice of Completion and circulates the FEIS.

Findings: To document that the responsible public decision-makers have taken a hard look at the environmental consequences of a proposed action, any agency taking a discretionary action regarding a project must adopt a formal set of written findings, reflecting its conclusions about the significant adverse environmental impacts of the project, potential alternatives, and potential mitigation measures. The findings may not be adopted until ten (10) days after the Notice of Completion has been issued for the FEIS. Once the findings are adopted, the lead and involved agencies may take their actions (or take "no actions"). This means that the CPC must wait at least 10 days after the FEIS is complete to take action on a given application.