# EXECUTIVE SUMMARY

## 1. PROJECT DESCRIPTION

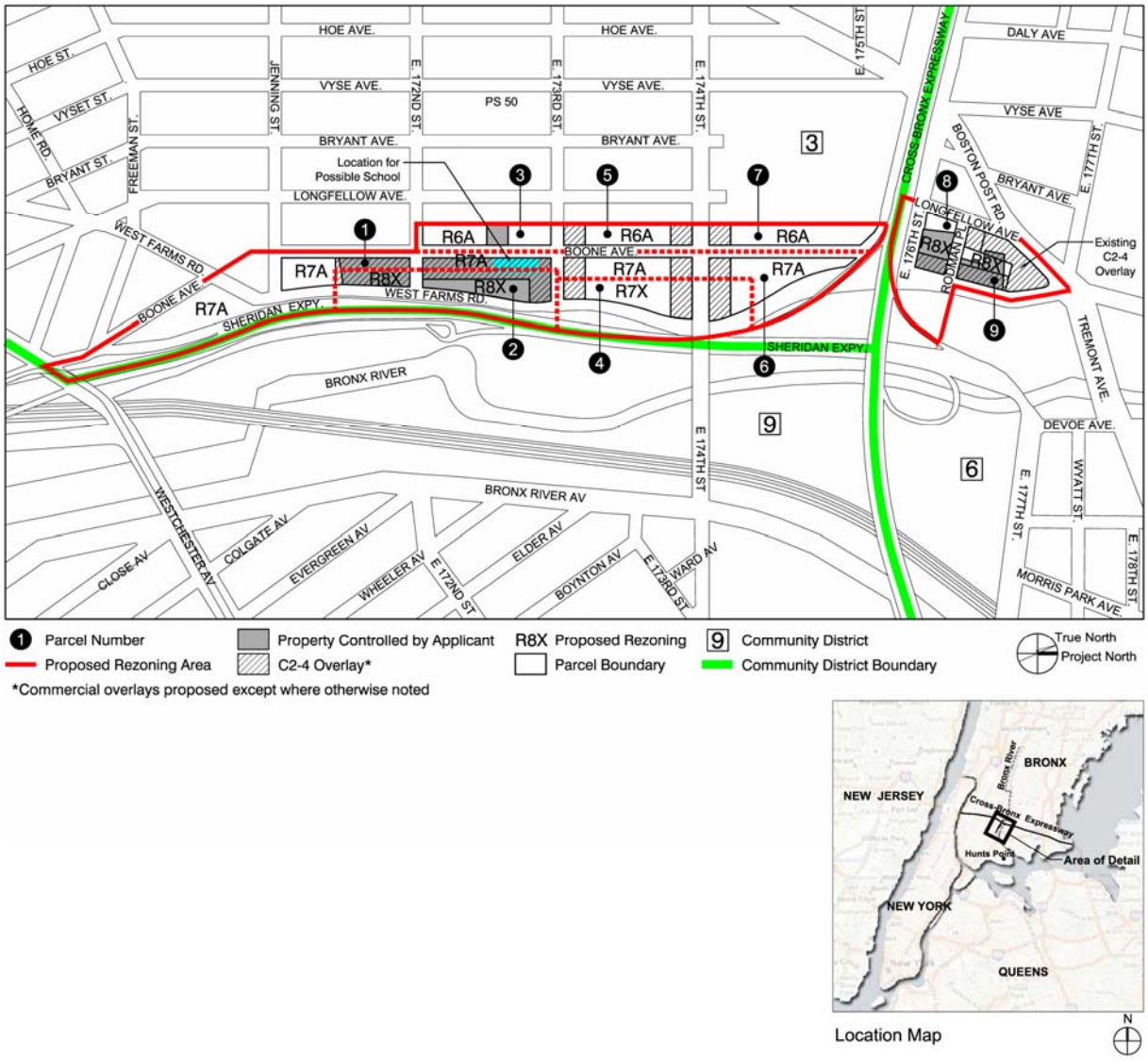
### Project Identification

This Final Environmental Impact Statement (EIS) analyzes the potential environmental impacts of the proposed Crotona Park East/West Farms Rezoning and Related Actions (the "Proposed Action"). The Proposed Action includes zoning map and zoning text amendments proposed by the project applicant (Industco Holdings, LLC), as well as special permits for a large-scale general development project (LSGD) and the disposition of a City-owned property. The rezoning area is located in the Crotona Park East and West Farms neighborhoods of the Bronx, and is contained within Bronx Community Districts 3 and 6 (see Figure ES-1). The proposed rezoning area is currently zoned primarily as an M1-1 manufacturing district with a small R7-1 residential district, a portion of which is mapped with a C2-4 commercial overlay, lying north of the Cross Bronx Expressway. The proposed zoning map amendment would rezone the area to a mix of R6A, R7A, R7X, and R8X residential districts with selected C2-4 commercial overlays. An amendment to the text of the *NYC Zoning Resolution* (ZR) would establish the Inclusionary Housing program within the proposed rezoning area and grant the City Planning Commission (CPC) the authority, for LSGDs located in Bronx Community District 3, to exclude portions of buildings containing enclosed accessory parking from lot coverage. Also part of the Proposed Action is a request for special permits under ZR Sections 74-743, 74-744 and 74-745 to provide bulk and other waivers for an LSGD to be developed on sites controlled by the applicant on Blocks 3013 and 3014 (Parcels 1 and 2; see Figure ES-1). In addition, the NYC Department of Housing Preservation and Development (HPD) is proposing the disposition of a City-owned property to facilitate the development of a portion of the LSGD. This section provides a detailed description of the Proposed Action and required approvals.

In order to assess the potential environmental impacts of the Proposed Action, a reasonable worst case development scenario (RWCDS) has been identified. The RWCDS projects future conditions with the Proposed Action through an analysis year of 2022. In total, the Proposed Action is expected to result in new development by 2022 of approximately 2,635 dwelling units, 92,941 square feet (sf) of commercial space and 11,888 sf of community facility space compared to the future without the Proposed Action. Of the new development expected under the RWCDS, 1,310 dwelling units and 46,908 sf of commercial space would be located on sites that are not under the applicant's control. The remaining 1,325 dwelling units, 46,033 sf of commercial space and 11,888 sf of community facility space would be contained in ten new buildings that the applicant intends to construct on development sites that are under its control (the "Proposed Project"). Seven of the applicant's proposed buildings would comprise the LSGD on Parcels 1 and 2. The bulk and other waivers granted under the LSGD special permits would allow increased design flexibility to address geographical and topographical constraints on these sites. The applicant's remaining three buildings would be developed on an as-of-right basis on other sites on Parcels 3, 8 and 9. (See Figure ES-1.)

Under the Inclusionary Housing program, affordable housing equal to at least 20 percent of the total floor area of a new development (exclusive of ground floor commercial and community facility floor area) is required to be provided either on-site or off-site (within the same community district or one-half mile of the development site) in order to achieve the maximum permitted floor area. In estimating the number of new dwelling units for non-applicant controlled sites, the RWCDS conservatively assumes that the developments will contain only residential floor area and calculates the number of

**Figure ES-1: Development Parcels and Proposed Rezoning**




units based on an average dwelling unit size of approximately 1,000 sf, reflecting the type of units that are currently being constructed in the area. For developments on non-applicant controlled sites, it is assumed that approximately 20 percent of the floor area will be affordable, resulting in approximately 260 affordable units. The applicant desires to provide affordable housing for the Proposed Project in excess of the minimum 20 percent required for the Proposed Project to achieve the maximum bonus floor area and intends to apply for funding through HPD and HDC to try to achieve this goal. The amount and future availability of this funding is unknown, so the extent of additional affordable housing to be provided as part of the Proposed Project (if any) could vary. Accordingly, for purposes of the analysis set forth in Chapter 2.B, Socioeconomic Conditions, the RWCDS assumes that the Proposed Project will provide only the minimum 20 percent affordable housing (approximately 265 units) required under the Inclusionary Housing program to achieve the maximum bonus, while the analysis in Chapter 2.C, Community Facilities and Services and descriptions of the Proposed Project elsewhere in this EIS, assume that the Proposed Project will provide 50 percent affordable housing

(approximately 663 units), reflecting the applicant's goal of providing affordable housing in excess of the minimum contemplated under the Inclusionary Housing program. Because the applicant anticipates applying for funding from HPD and HDC, both entities are acting as interested agencies in the environmental review for this Proposed Action.

The application to the CPC for the Proposed Action also includes the option for an 88,620 sf (approximately 540-seat) elementary school serving grades pre-kindergarten through 5 that may be constructed by the New York City School Construction Authority (SCA) as part of the LSGD on a site currently owned by the applicant at the northwest edge of Parcel 2 near the intersection of Boone Avenue and East 173rd Street. If the SCA elects to construct the school, the LSGD will contain 53 fewer dwelling units and will not contain the proposed 11,888 sf of community facility space. The school option is analyzed in Chapter 3, Mitigation, as it would serve as a mitigation measure for a significant adverse impact of the Proposed Action on elementary schools.

This EIS has been prepared in conformance with applicable laws and regulations, including Executive Order No. 91, the New York City Environmental Quality Review (CEQR) regulations, and follows the guidelines of the *2010 CEQR Technical Manual*. It contains this description of the Proposed Action and its environmental setting; the short- and long-term environmental impacts of the Proposed Action; the identification of any significant adverse impacts; a discussion of alternatives to the Proposed Action; any irreversible and irretrievable commitments of resources as a result of the Proposed Action; and a description of any mitigation measures necessary to minimize significant adverse environmental impacts that could occur under the Proposed Action. The Proposed Action is also subject to the City's Uniform Land Use Review Procedure (ULURP). The CPC is the lead agency in this environmental review. Public hearings have been held by Bronx Community Boards 3 and 6, the Borough President, and CPC and will be held by the City Council during the seven-month review process.

**Description of the Proposed Action and the Proposed Project**

Within this EIS, the "Proposed Action" refers to rezoning of the entire 11-block area, the zoning text amendment, the grant of special permits, the disposition of the City-owned property and the potential development that would be expected to occur within the entire rezoning area. The "Proposed Project" refers only to the development the applicant proposes to construct on those properties within the rezoning area that are under its control. The Proposed Project is described in more detail under the narrative section beginning on page ES-10 below entitled "Description of the Proposed Project."

The Proposed Action is primarily intended to provide opportunities for new residential and commercial development in the Crotona Park East / West Farms area of the Bronx. Over the past two decades, this area of the Bronx has been the site of increasing public and private investment in housing, retail and public space, as compared to the substantial disinvestment and population loss experienced during the 1970's and 1980's. The NYC Parks and Recreation Department (DPR) has invested significantly in the adjacent Bronx River Greenway, as well as Rock Garden Park, with a newly refurbished Starlight Park, which began construction in 2010, to be located east of the rezoning area. The New Horizons Retail Center is the location of a successful Pathmark supermarket as well as other supportive local retail businesses. Local churches and non-profits have worked with city and state agencies to invest in improved housing in the local area.

Transit access is excellent in the Crotona Park East / West Farms area, with stops on New York City Transit's 2, 5, and 6 subway lines within walking distance of the entire rezoning area. In addition, multiple bus routes serve the area including the 6, 9, 11, 19, 27, and 36 routes. Crotona Park, the Bronx Zoo and Starlight Park area are all within walking distance of the entire rezoning area as well.

With the population of New York City expected to increase by a million people by the year 2030, new areas are needed to accommodate this growth. Current zoning in the proposed rezoning area encourages uses and densities incompatible with surrounding residential neighborhoods and limits opportunities for investment in the Crotona Park East / West Farms area.

The Proposed Action would effectuate the following land use goals:

- Provide new opportunities for redevelopment and economic growth within the Crotona Park East/ West Farms area;
- Reinforce the adjacent residential neighborhoods;
- Direct new housing and commercial development at higher densities to an area with excellent transit and highway access;
- Encourage new housing production, including new affordable housing, in the Bronx;
- Improve street presence and activity within the rezoning area; and
- Expand the residential neighborhood of Crotona Park East toward the newly refurbished Starlight Park and the Bronx River Greenway.

*Description of the Proposed Action*

The Proposed Action includes the following four discretionary land use actions by the CPC and the development expected to result from these actions:

- a rezoning of 11 blocks in the Crotona Park East/West Farms area of the Bronx, along the strip of land midway between Longfellow and Boone Avenue on the west to West Farms Road on the east, between Freeman Street on the south, and Boston Post Road on the north;
- a zoning text amendment to establish the Inclusionary Housing program within the proposed rezoning area and to grant the CPC the authority, in LSGDs in Bronx Community District 3, to exclude portions of buildings containing enclosed accessory parking from lot coverage;
- special permits granted pursuant to ZR Sections 74-743, 74-744 and 74-745 to permit modification of bulk regulations, restrictions on the location of commercial uses and the distribution of off-street parking spaces without regard to zoning lot lines for the LSGD to be developed on Parcels 1 and 2; and
- the disposition by HPD of a City-owned 13 sf vacant property on Parcel 2 that would be developed as part of the LSGD.

The Uniform Land Use Review Procedure (ULURP) application and related plans filed with the CPC for the discretionary land use actions, described in more detail below, account for the SCA's option to develop an 88,620 sf (approximately 540-seat) elementary school serving grades pre-k through 5 on a portion of the LSGD site as mitigation for a schools impact of the Proposed Action, as discussed further in Chapter 2.C, Community Facilities and Services, and Chapter 3, Mitigation.

<u>The Rezoning</u>

The 11 blocks proposed to be rezoned have an aggregate area of 730,890 sf (exclusive of City-owned playgrounds or school yards), or approximately 16.8 acres. As shown in Figure ES-1 above, the blocks to be rezoned, starting from the south, include:

- the block bounded by the Sheridan Expressway, West Farms Road and Boone Avenue (Block 3012, Lot 100; now a playground);

- the northeast portion of the block bounded by West Farms Road, Jennings Street, Longfellow Avenue and Freeman Street (portion of Block 3007, Lot 8; now a part of the IS 84 property);
- the entire block bounded West Farms Road, East 172nd Street, Boone Avenue and Jennings Street (Block 3013, the southern half of which is occupied by HS 682 Fannie Lou Hamer Freedom High School (Lot 1) and the northern half of which is part of the Proposed Project (Lots 12, 29, 31, 35, 37 and 46) – designated as **Parcel 1** or **Development Site 1**);
- the entire block bounded by West Farms Road, East 173rd Street, Boone Avenue and East 172nd Street (Block 3014, Lots 9, 15 and 45, which is also part of the Proposed Project – designated as **Parcel 2** or **Development Site 2**)[1];
- the eastern half of the block bounded by Boone Avenue, East 173rd Street, Longfellow Avenue and East 172nd Street (Block 3009, Lots 25, 33, 37, 38, and 44, of which Lot 33 is a part of the Proposed Project – designated as **Parcel 3** or **Development Site 3**);
- the entire block bounded by West Farms Road, East 174th Street, Boone Avenue and East 173rd Street (Block 3015, Lots 1, 3, 5, 17, 18, 19, 25, 26, 29, 31, 34 and 49 – designated as **Parcel 4** or **Development Site 4**);
- the eastern half of the block bounded by Boone Avenue, East 174th Street, Longfellow Avenue and East 173rd Street (Block 3010, Lots 25, 26, 29, 33, 40 and 46 – designated as **Parcel 5** or **Development Site 5**);
- the entire block bounded by West Farms Road, Boone Avenue and East 174th Street (Block 3015, Lots 50, 56, 58, 62, 67, 81, 83, 84, 85, 87, 89, 95, 96, 97 and 110 – designated as **Parcel 6** or **Development Site 6**);
- the eastern portion (100 foot depth) of the block bounded by Boone Avenue, the Cross Bronx Expressway, Vyse Avenue and East 174th Street (Block 2998, Lots 92, 97, 104, 113, 124 and 135 – designated as **Parcel 7** or **Development Site 7**);
- the block bounded by West Farms Road, Rodman Place, Longfellow Avenue and the Cross Bronx Service Road North (Block 3016, Lots 5, 7, 11, 13, and 21, of which Lots 11, 13 and 21 are part of the Proposed Project – designated as **Parcel 8** or **Development Site 8**); and,
- the entire block bounded by West Farms Road, Old Post Road, Longfellow Avenue and Rodman Place (Block 3016, Lots 33, 35, 36, 37, 38, 42, 60, 66 and 71, of which lots 60 and 66 are part of the Proposed Project – designated as **Parcel 9** or **Development Site 9**).

The area to be rezoned is currently primarily zoned as an M1-1 manufacturing district which has a maximum floor area ratio (FAR) of 1.0 for permitted commercial and light manufacturing uses. Portions of Parcels 8 and 9 are zoned as an R7-1 residential district, which has a maximum residential FAR ranging from 0.87 to 3.44 for buildings built pursuant to height factor regulations (depending on the size of the zoning lot, the amount of lot coverage and the building height) or 3.44 or 4.0 for buildings built pursuant to optional Quality Housing regulations (depending on whether the zoning lot fronts a narrow or wide street). There is also an existing C2-4 commercial overlay mapped along the north end of Parcel 9, which has a maximum commercial FAR of 2.0 (see Figure ES-2).

The area is proposed to be rezoned to a range of medium- to high-density (R6A, R7A, R7X and R8X) residential districts with selected C2-4 commercial overlays. In addition, the area would be mapped as

[1] The applicant is the ground lessee of Block 3014, Lot 9, a portion of which is the subject of a litigation to quiet title brought by the ground lessor (Sedgwick Materials, Inc.) against its predecessor-in-interest in the property.

an Inclusionary Housing Designated Area under ZR Section 23-90, which allows the base maximum residential FARs to be increased by providing affordable housing within the Community District or within ½-mile of the site receiving the FAR bonus. The Parcels west of Boone Avenue and south of the Cross Bronx Expressway (Parcels 3, 5 and 7) would be rezoned as R6A residential districts with a base maximum FAR of 2.7 increasable to 3.6 by providing affordable housing. The Parcels east of Boone Avenue and south of the Cross Bronx Expressway (Parcels 1, 2, 4 and 6) would be rezoned as R7A residential districts, with a base FAR of 3.45 increasable to 4.6, along Boone Avenue and as R7X and R8X residential districts along West Farms Road, with base FARs of 3.75 and 5.4 increasable to 5.0 and 7.2 The Parcels north of the Cross Bronx Expressway (Parcels 8 and 9) would be rezoned as R8X residential districts.

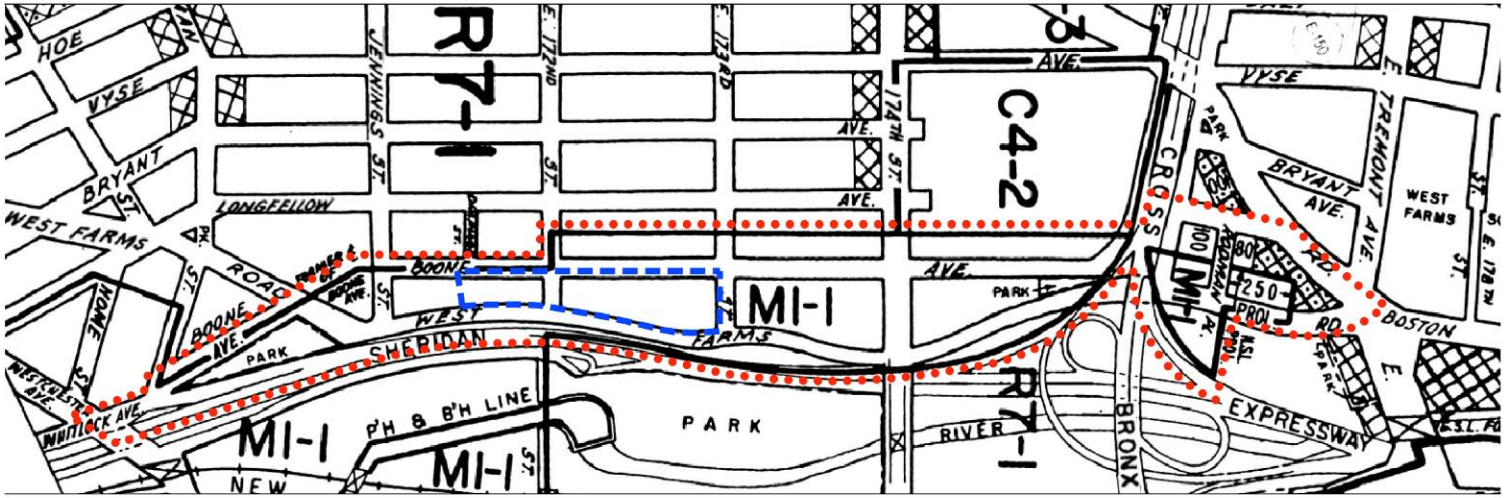
South of the Cross Bronx Expressway, C2-4 commercial overlays would be mapped over the northern half of Block 3013, including all of Parcel 1, to a depth of 350 feet from East 172nd Street, to a depth of 100 feet along Boone Avenue and along East 173rd Street on Parcel 2, and to a depth of 100 feet from East 173rd and 174th Streets on Parcels 4, 5, 6 and 7. North of the Cross Bronx Expressway, C2-4 commercial overlays would be mapped to a depth of 70 feet along West Farms Road on Parcels 8 and 9 and to a depth of 100 feet along Longfellow Avenue on Parcel 9, in both instances connecting to the existing C2-4 overlay along Boston Road on Parcel 9. The overlays would have a maximum commercial FAR of 2.0.

Table ES-1 below summarizes the Blocks and Lots which would be affected by the proposed rezoning.

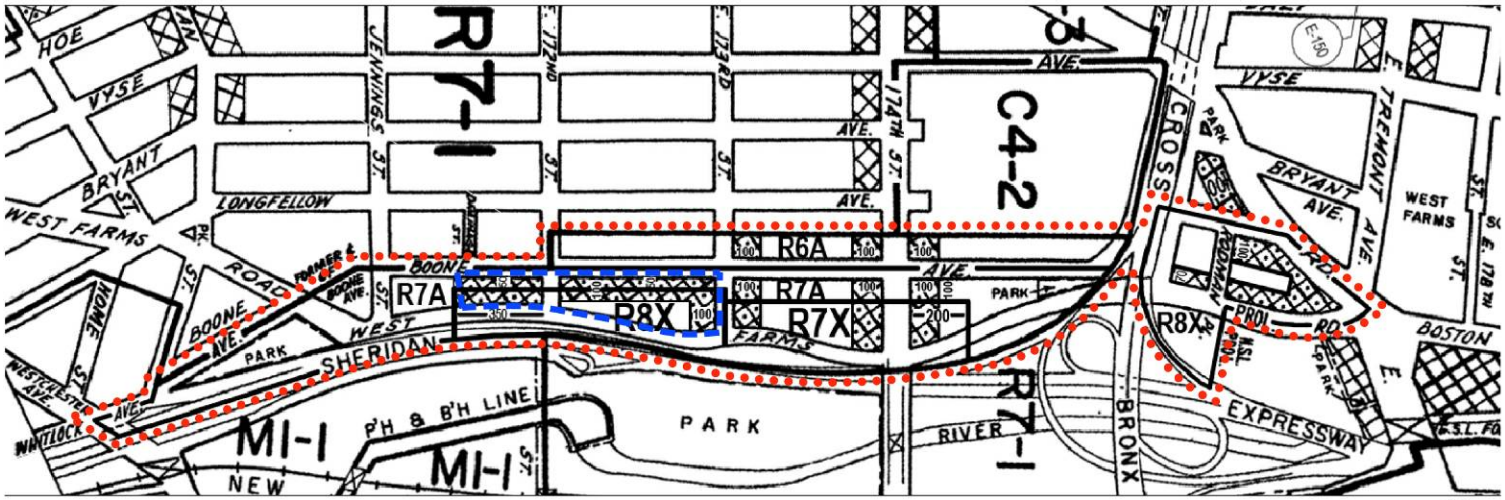
**Table ES-1: List of Blocks and Lots Affected by Crotona Park East/West Farms Rezoning**

| Block | Lot |
|---|---|
| 2998 | 92, 97, 104, 113, 124,135 |
| 3007 | 8 |
| 3009 | 25, 33, 37, 38, 44 |
| 3010 | 25, 26, 29, 33, 40, 46 |
| 3012 | 100 |
| 3013 | 1, 12, 29, 31, 35, 37, 46 |
| 3014 | 9, 15, 45 |
| 3015 | 1, 3, 5, 17, 18, 19, 25, 26, 29, 31, 34, 49, 50, 56, 58, 62, 67, 81, 83, 84, 85, 87, 89, 95, 96, 97, 110 |
| 3016 | 5, 7, 11, 13, 21, 33, 35, 36, 37, 38, 42, 60, 66, 71 |

**Figure ES-2: Existing and Proposed Zoning**




Existing Zoning Districts




Proposed Zoning Districts

N

Legend

- Zoning District Boundary
- C2-4
- C1-2
- Area to be Rezoned
- Proposed Large-Scale General Development Area

Note: Zoning Diagrams Excerpted from New York City Planning Department Zoning Map 3d

The Zoning Text Amendment

The proposed zoning text amendment would establish the Inclusionary Housing program within the proposed rezoning area. The base and maximum residential FARs for the proposed R6A, R7A, R7X and R8X residential districts would range from 2.7 to 5.4 and could be increased to up to 3.6 to 7.2 by providing affordable housing. Base FARs apply to new developments or enlargements that do not provide affordable housing. The full bonused FAR is applied to new developments and enlargements that take full advantage of the program by providing at least one fifth of the total new housing floor area as affordable residential floor area in accordance with the Inclusionary Housing program.

The zoning text amendment would also grant the CPC the authority, in an LSGD in Bronx Community District 3, to exclude portions of buildings containing enclosed accessory parking from lot coverage calculations. Developments seeking to use the special permit would need to qualify as an LSGD, meet the additional findings outlined below and go through ULURP. They would also have to perform a project-specific environmental review.

The granting of the special permit would be contingent on the CPC finding that, at minimum, such modification is necessary to accommodate parking spaces in a manner that results in a better site plan and better relationship among buildings than would be possible without the exclusion and that benefits the residents of the LSGD. This special permit would facilitate a proposed design but would not result in any additional floor area. Parking requirements would not change as a result of the text amendment. While lot coverage requirements would change, the findings would ensure that open areas on sites that use the special permit would be useable.

The Special Permits

The Proposed Action includes the grant of three special permits for the LSGD proposed for Parcels 1 and 2 to allow the distribution of residential floor area, lot coverage, dwelling units and off-street accessory parking without regard to lot lines or zoning district boundaries and to allow relief with respect to requirements regarding location of commercial uses, street wall location, base height, building height, setback outer court recess dimensions and lot coverage for enclosed accessory parking. The waivers are depicted on Figures ES-9A - ES-9H beginning on page ES-34 below.

The Disposition

As part of the Proposed Action, HPD is proposing disposition of a City-owned 13 sf property located at 1525 West Farms Road (Block 3014, Lot 45) within the rezoning area. The City-owned property is mapped as an M1-1 district and would be rezoned as part of the Proposed Action to an R8X residential district. The City-owned property is currently vacant. The City-owned property would be assembled with the adjacent tax lot (Block 3014, Lot 9) as part of Parcel 2. The disposition would facilitate the development of a mixed-use residential building with ground floor local retail that would be part of the LSGD (Building 2A, described below).

Purpose and Need of the Proposed Action

Approval of the Proposed Action by the CPC would allow for the revitalization of an underutilized M1-1 manufacturing district to provide affordable work-force housing with retail and community facilities appropriate for the existing and proposed communities. Many of the existing buildings in the rezoning area are vacant or underutilized and therefore detract from surrounding street life and offer few benefits to the surrounding community. Located close to the lower and medium density West Farms and Crotona Park East neighborhoods, redevelopment in this area would offer an opportunity to accommodate the needs of the area and City for housing, open space and economic growth.

Higher density residential districts (R7X and R8X) along West Farms Road would create a taller and denser urban edge along the Sheridan Expressway and Bronx River and, for the blocks north of the Cross Bronx Expressway, would help reinforce the emerging West Farms neighborhood center. Moderate density R7A residential districts along the east side of Boone Avenue and relatively lower density R6A residential districts along the west side of Boone Avenue would step down and defer to the existing adjoining residential neighborhoods to the west of the Proposed Action area. The text amendments to the Zoning Resolution to map the Proposed Action area as an Inclusionary Housing Designated Area would provide incentives to develop affordable housing.

The zoning lots on which the LSGD would be located are characterized by unique natural conditions that inhibit the ability to locate accessory off-street parking spaces below grade and include a grade change of up to twenty feet between Boone Avenue and West Farms Road, a grade change of nearly six feet along Boone Avenue from the mid-block of Block 3014 to East 173rd Street and the presence of significant rock outcroppings throughout the LSGD site. Due to these natural conditions, the required accessory parking for the LSGD will need to be located above West Farms Road. Depending on the actual extent of the rock outcroppings, which will not be known until the buildings currently located on the LSGD site are vacated so that borings can be taken, a substantial portion of the required parking may also need to be located more than 14 feet above the base plane and therefore would count as lot coverage causing the overall lot coverage on the LSGD to exceed the maximum permitted.

Accordingly, the applicant is proposing an amendment to the text of ZR Section 74-743 (Special Provisions for Bulk Modification) that would grant the CPC the authority to exclude from lot coverage calculations portions of any level of any building containing accessory off-street parking, provided the CPC found that such modification is necessary to accommodate parking spaces in a manner that results in a better site plan and better relationship among buildings than would be possible without the exclusion and that benefits the residents of the LSGD. Similar authority has been granted to the CPC to waive lot coverage regulations in other parts of the City, notably on the waterfront under ZR Section 62-836 (Bulk Modifications on Waterfront Blocks).

The waivers to be granted under special permits for the LSGD, including the waiver described above that would require the text amendment to grant the CPC the authority to permit enclosed accessory parking to be excluded from lot coverage, would allow increased design flexibility to address geographical and topographical constraints on Parcels 1 and 2, which are characterized by their long, narrow shapes (as narrow as 126 feet wide on mid-block on Parcel 1), sizeable bedrock outcroppings and substantial grade differences between Boone Avenue and West Farms Road. Midblock open areas on these Parcels would moderate the scale of the development and provide additional open space and view corridors to Starlight Park and the Bronx River. The waivers would also allow for varied massing of the buildings to create visual interest and enliven streetscapes. Disposition by HPD of the City-owned property on Parcel 2 would allow for a more regular street wall along West Farms Road and would utilize land that would otherwise remain vacant and undeveloped.

Overall, a primary goal and objective of the Proposed Action is to map zoning districts that would facilitate the development of a mix of lower, moderate and higher density residential uses and a significant amount of open space. The residential component would accommodate a portion of the City's current and future housing needs and the retail, community facility, and open space components would provide community benefits to the area's existing and future residents and workers. Open spaces and ground level retail and community facility uses along Boone Avenue and possibly West Farms Road would improve the streetscape and pedestrian experience adjacent to the Proposed Project and create neighborhood amenities.

*Description of the Proposed Project*

The Proposed Project would consist of ten new residential buildings that the applicant proposes to develop on sites under its control. Seven of the buildings (Buildings 1A, 1B, 2A, 2B, 3A, 3B and 3C) would comprise the LSGD (the "LSGD Buildings") and would be located on Parcels 1 and 2, south of the Cross Bronx Expressway. The remaining three buildings (Buildings 4 – 6) would be developed on development sites located on Parcel 3, also south of the Cross Bronx Expressway, and Parcels 8 and 9, north of the Cross Bronx Expressway. In total, the Proposed Project would contain up to 1,295,765 sf of residential use (1,325 dwelling units), 46,033 sf of local retail/service uses and 11,888 sf of daycare or other community facility use, as well as off-street accessory parking for approximately 332 vehicles. As mitigation for an adverse impact on schools, Building 3C may contain an 88,620 sf elementary school in lieu of the 11,888 sf daycare facility and approximately 45,360 sf of residential floor area (53 dwelling units).

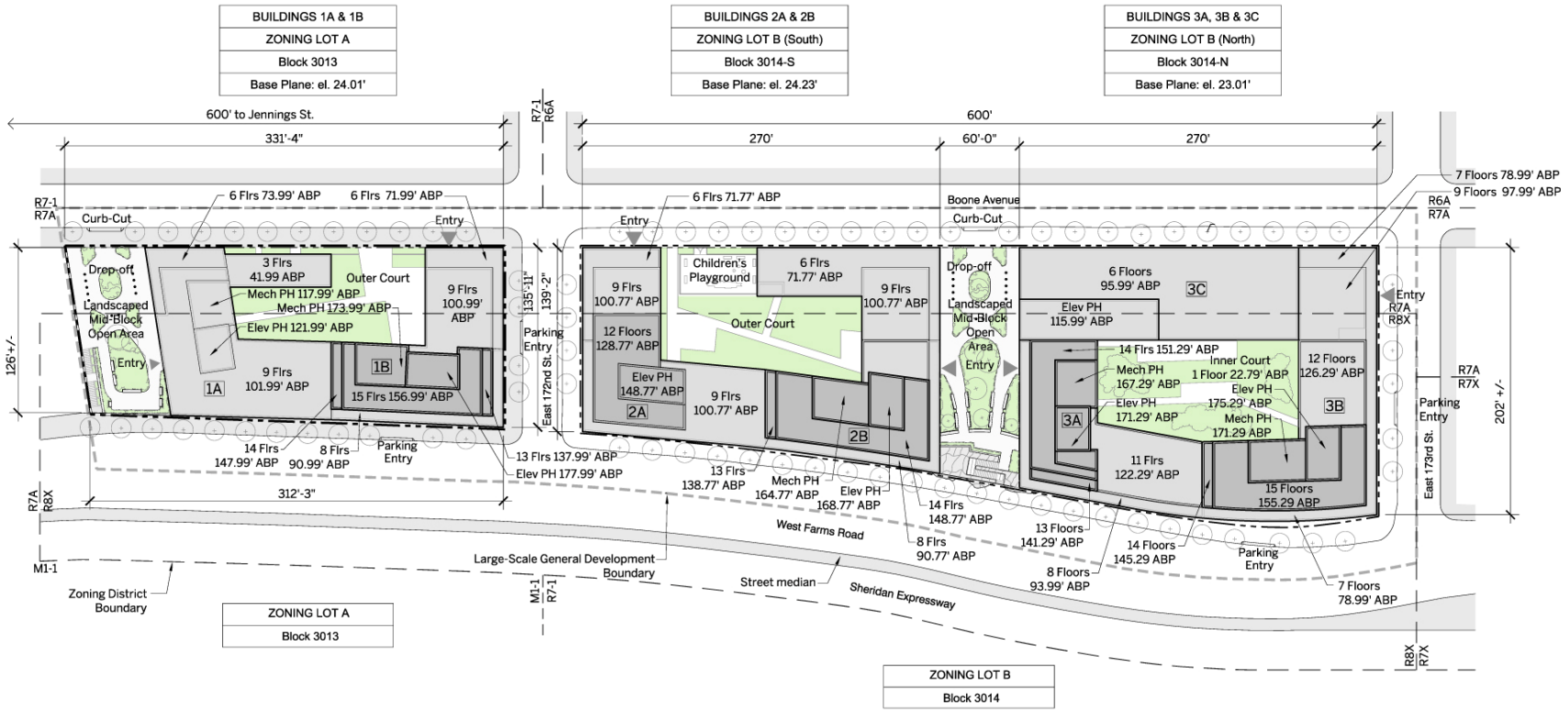
To realize the maximum permitted floor area, affordable housing equaling at least 20 percent of the Proposed Project's floor area, net of ground floor commercial or community floor area, would have to be provided, which would equal approximately 265 units. The applicant, however, desires to provide affordable housing in excess of the minimum required and intends to seek funding through HPD and HDC to try to achieve this goal. The amount and future availability of such funding is unknown, so the extent of additional affordable housing to be provided as part of the Proposed Project (if any) could vary. In order to provide a conservative analysis with respect to daycare and other impacts, the EIS has generally assumed that 50 percent of the floor area (approximately 663 units) in the Proposed Project would be affordable, representing the applicant's goal of providing affordable housing in excess of the minimum contemplated under the Inclusionary Housing program. The analysis of indirect residential displacement in Chapter 2.B, Socioeconomic Conditions, however, conservatively assumes the Proposed Project will provide only the minimum 20 percent affordable housing (approximately 265 units) required under the Inclusionary Housing program to achieve the maximum permitted floor area. Table ES-2 provides detailed information on the program for the Proposed Project by building and Parcel.

**Table ES-2: Proposed Project: Summary of Proposed Program**

| | Parcel | Residential (sf) | Dwelling Units | | Retail (sf) | Community Facility (sf) | Parking (spaces) | Total (sf) |
|---|---|---|---|---|---|---|---|---|
| | | | Afford-able | Total | | | | |
| **Buildings 1A/1B** | 1 | 229,933 | 119 | 237 | 6,000 | 0 | 130 | 235,933 |
| **Buildings 2A/2B** | 2S | 281,191 | 144 | 288 | 4,426 | 0 | 0 | 285,617 |
| **Buildings 3A/3B/3C** | 2N | 355,390 | 185 | 370 | 8,067 | 11,888 | 94 | 375,345 |
| **Building 4** | 3B | 36,000 | 18 | 36 | 0 | 0 | 9 | 36,000 |
| **Building 5** | 8 | 199,598 | 100 | 200 | 10,040 | 0 | 50 | 199,598 |
| **Building 6** | 9D | 193,702 | 97 | 194 | 17,500 | 0 | 49 | 193,702 |
| **Total** | | 1,295,814 | 663 | 1,325 | 46,033 | 11,888 | 332 | 1,326,195 |

For the LSGD Buildings, the special permits would create a zoning envelope within which the maximum permitted floor area could be developed. The maximum zoning envelope for the LSGD is depicted in plan view in Figure ES-3 and in elevation on the illustrative renderings and massing diagrams in Figures ES-4 through ES-5. The renderings of the LSGD Buildings shown in these figures are an illustrative depiction of how the buildings could be built within the envelope. The maximum zoning envelope would regulate the heights, size, and shape of footprints, and location of

## Figure ES-3: LSGD Buildings - Site Plan



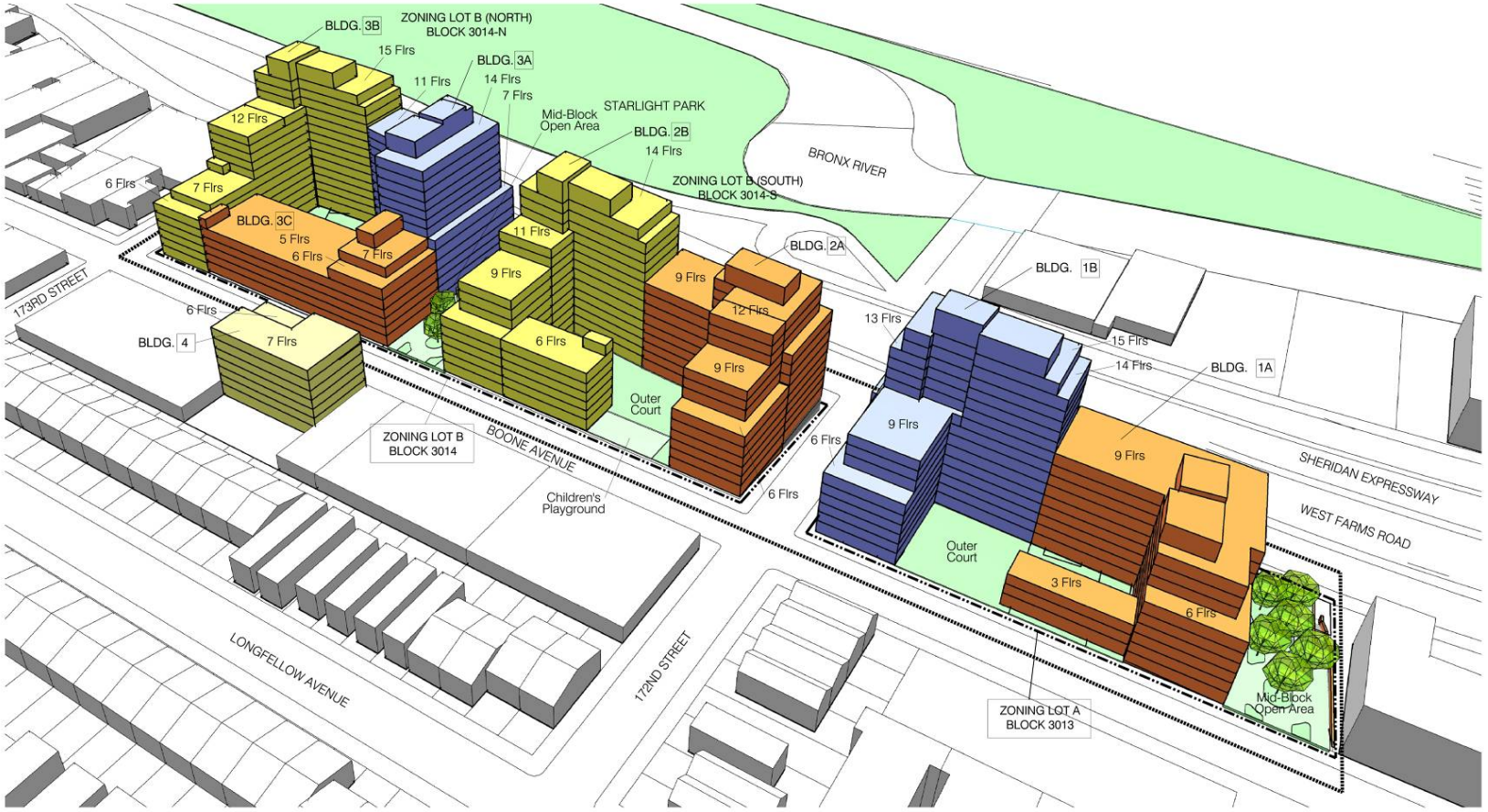

Legend

- General Large-Scale Development
- Zoning Lot Boundary
- Zoning District Boundary

Notes

1. ABP - Above Base Plane
2. Locations of building and parking entrances subject to change.
3. Landscaping subject to change.
4. Locations and sizes of existing curb cuts are approximate.
5. Green roofs, blue roofs, stormwater tree pits, bioswales, porous paving materials and/or subsurface detention systems to be implemented to achieve 0.25 cubic feet per second flow rate or ten percent (10%) of the allowable flow subject to the LSGD Restrictive Declaration.

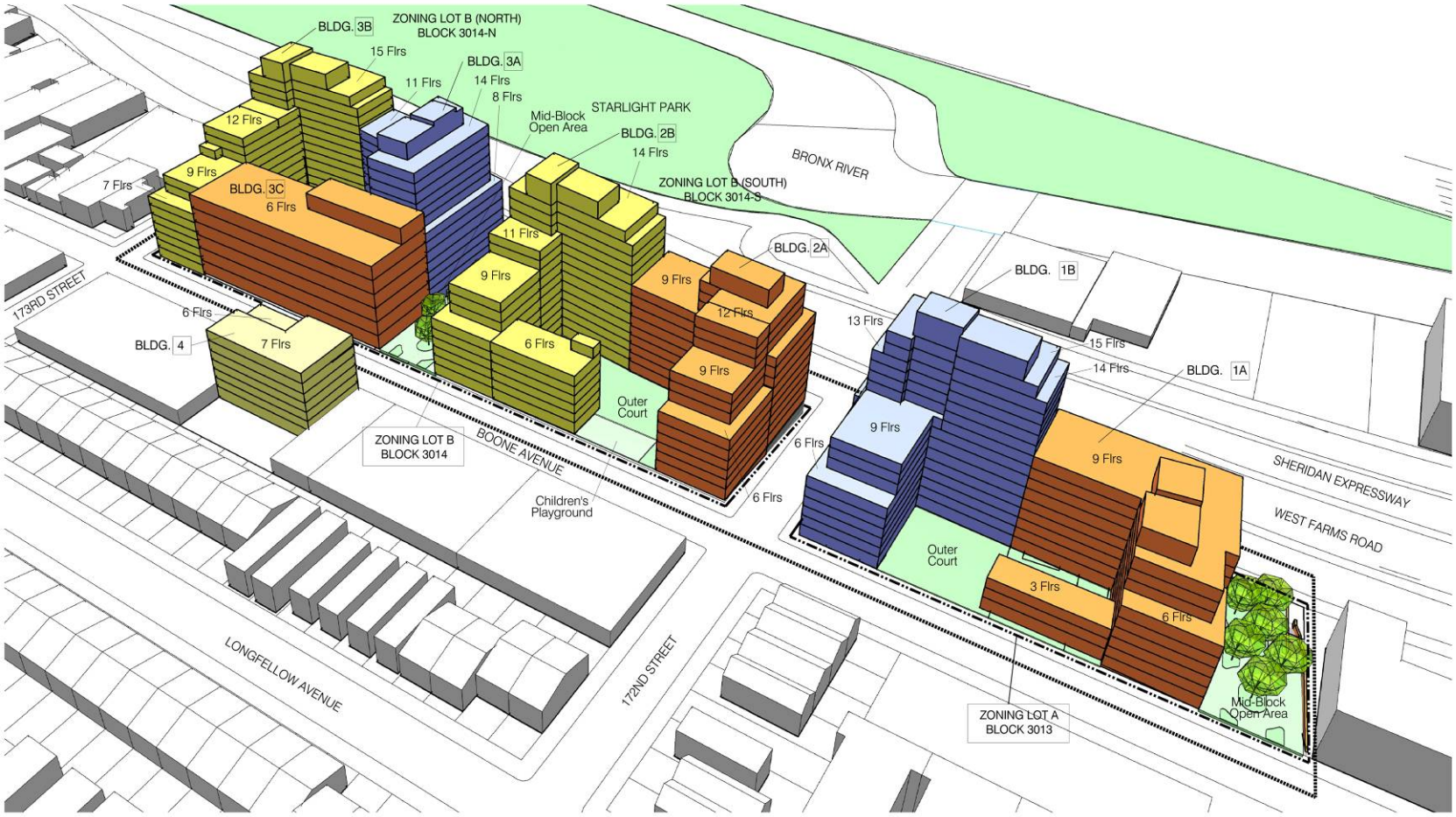
**Figure ES-4A: LSGD Buildings and Building 4 - Boone Avenue Massing Diagram**




1 **Concept Massing- Boone Avenue -View Looking East**

Note: For illustrative purposes only. Projected development not shown for sites not under control of applicant.

**Figure ES-4B: LSGD Buildings and Building 4 - Boone Avenue Massing Diagram (with School)**




1 **Concept Massing- Boone Avenue -View Looking East**

Note: For illustrative purposes only. Projected development not shown for sites not under control of applicant.

**Figure ES-5: Buildings 3A, 3B and 3C -- Boone Avenue Rendering (without School)**




Note: Façade materials and landscaping are illustrative.

Figur**e ES-**5B: Buildings 3A, 3B and 3C -- Boone Avenue Rendering (with School)




Note: Façade materials and landscaping are illustrative.

**Figure ES-5C: Buildings 1A, 1B, 2A and 2B -- West Farms Road Rendering**



Note: Façade materials and landscaping are illustrative.

the LSGD Buildings, which would be required to fall within the envelopes. By contrast, Buildings 4-6 would be developed on as-of-right basis according to the applicable height and setback and other bulk provisions in the Zoning Resolution. Illustrative plans, renderings and massing diagrams that depict potential as-of-right designs for Buildings 4 - 6 and that comply with applicable height, setback and other bulk provisions are included in Figure ES-4, above, and Figures ES-6 through ES-8, beginning on page ES-27 below. A detailed description of the proposed bulk and massing for the Proposed Project follows.

Parcel 1 – Buildings 1A and 1B (See Figures ES-3, ES-4 and ES-5C)

Buildings 1A and 1B would be constructed on Parcel 1. The buildings would have 6-story street walls along Boone Avenue (except for a 3-story wing of townhouses), rising to 9 to 15 stories (or 157 feet above base plane ("ABP") plus rooftop mechanical and elevator penthouses along West Farms Road. A 60-foot wide landscaped mid-block open area would separate the buildings from the Fannie Lou Hamer Freedom High School (P.S. 682) to the south. Buildings 1A and 1B would comprise approximately 235,933 sf of floor area of which up to approximately 6,000 sf would be used for commercial retail / service uses and the balance of which would be used for residential apartments (approximately 237 units) and related accessory uses. The buildings would be oriented around a central landscaped courtyard for residents' use with a secured opening, approximately 71 feet wide, along a portion of the mid-block of Boone Avenue. Building entrances would be located on the mid-block open area and on Boone Avenue near the intersection with East 172nd Street. Ground floor retail/service uses would be located at the northwest corner of Building 1B and southwest corner of Building 1A along Boone Avenue and possibly the southeast corner of Building 1B at the intersection of East 172nd Street and West Farms Road. Two levels of accessory off-street parking, containing approximately 130 spaces, would be located beneath the buildings, with entrances on West Farms Road and East 172nd Street.

Parcel 2 – Buildings 2A and 2B and Buildings 3A, 3B and 3C (See Figures ES-3 - ES-5)

Buildings 2A and 2B would be constructed on the southern portion of Parcel 2, while Buildings 3A, 3B and 3C would be constructed on the northern portion. A 60-foot wide landscaped mid-block open area would separate Buildings 2A and 2B from Buildings 3A, 3B and 3C.

Buildings 2A and 2B would have a 6-story street wall along Boone Avenue, rising to 9 to 14 stories (149 feet ABP) plus rooftop mechanical and elevator penthouses along West Farms Road. The buildings would comprise approximately 285,617 sf of floor area, of which up to approximately 4,426 sf would be used for ground floor commercial retail/service uses along Boone Avenue. The remaining floor area would be used for residential apartments (approximately 288 units) and related accessory uses. The buildings would be oriented around a central landscaped courtyard for residents' use with a secured opening, approximately 73 feet wide, along the mid-block of Boone Avenue. An approximately 1,800 sf public children's playground accessible from Boone Avenue would also be located along this opening. Building entrances would be located along Boone Avenue and the mid-block open area. Due to the presence of substantial rock outcroppings and the possible existence of archaeologically significant resources on this portion of the zoning lot, no parking would be located beneath the buildings. Ground floor retail spaces would be located along Boone Avenue near East 172nd Street and near the mid-block open area.

Buildings 3A, 3B and 3C would have a 5- to 6-story street wall along Boone Avenue, rising to 11 to 15 stories (155 ABP) plus mechanical and elevator penthouses along West Farms Road. (See Figures ES-4A and ES-5A.) The buildings would contain a maximum of 375,345 sf of floor area, of which up to approximately 363,457 sf would be used for residential apartments (370 units), 8,067 sf would be

used commercial retail/service uses and 11,888 sf would be used for children's daycare or other community facility use.

As mitigation for a significant adverse impact on elementary schools, the SCA will have the option to construct in Building 3C a 6-story elementary school (plus cellar space and a rooftop play area and mechanical equipment) serving grades pre-kindergarten through 5. The school would have 14-foot floor-to-floor heights, resulting in an 84-foot high street wall along Boone Avenue. (See Figures ES-4B and ES-5B.) If the school is built, Buildings 3A, 3B and 3C would contain a maximum of 406,717 sf of floor area, of which up to 318,097 sf would be used for residential floor area (317 units), 8,067 sf would be used for commercial retail/service uses and 88,680 sf would be used for Use Group 3 school uses.

Buildings 3A, 3B and 3C would be oriented around an enclosed central landscaped courtyard at grade with Boone Avenue. Building entrances would be located on the mid-block of Boone Avenue, in the mid-block open area and on East 173rd Street. Ground floor retail/service uses would be located at the northwest and southwest corners of the buildings along Boone Avenue and possibly at the northeast corner at the intersection of East 173rd Street and West Farms Road. The buildings would contain up to approximately 94 accessory parking spaces. Depending on the extent of rock outcroppings on the site, parking would be located either on two levels beneath the buildings with entrances on West Farms Road and East 173rd Street (the "Below-Grade Parking Configuration") or primarily at grade with Boone Avenue (the "At-Grade Parking Configuration"), in which event the interior courtyard would begin at the second residential story. The At-Grade Configuration would require a special permit waiver pursuant to the proposed text amendment to allow enclosed accessory parking to be excluded from lot coverage calculations. In addition, both parking configurations assume that some required parking for the portion of the Proposed Project on Parcel 2 will be provided on Parcel 1 via a special permit waiver pursuant to ZR Section 74-745.

Parcel 3 – Building 4 (See Figure ES-4)

Building 4 would be developed on the portion of Parcel 3 controlled by the applicant (Block 3009, Lot 33). The building, which would not be included in the proposed LSGD, is expected to comprise approximately 36,000 sf of residential space and contain 36 dwelling units. The building would have a six-story base and a seventh floor with a 15-foot setback. Required accessory parking would likely be accommodated partly within the footprint of the ground floor and partly in the rear yard.

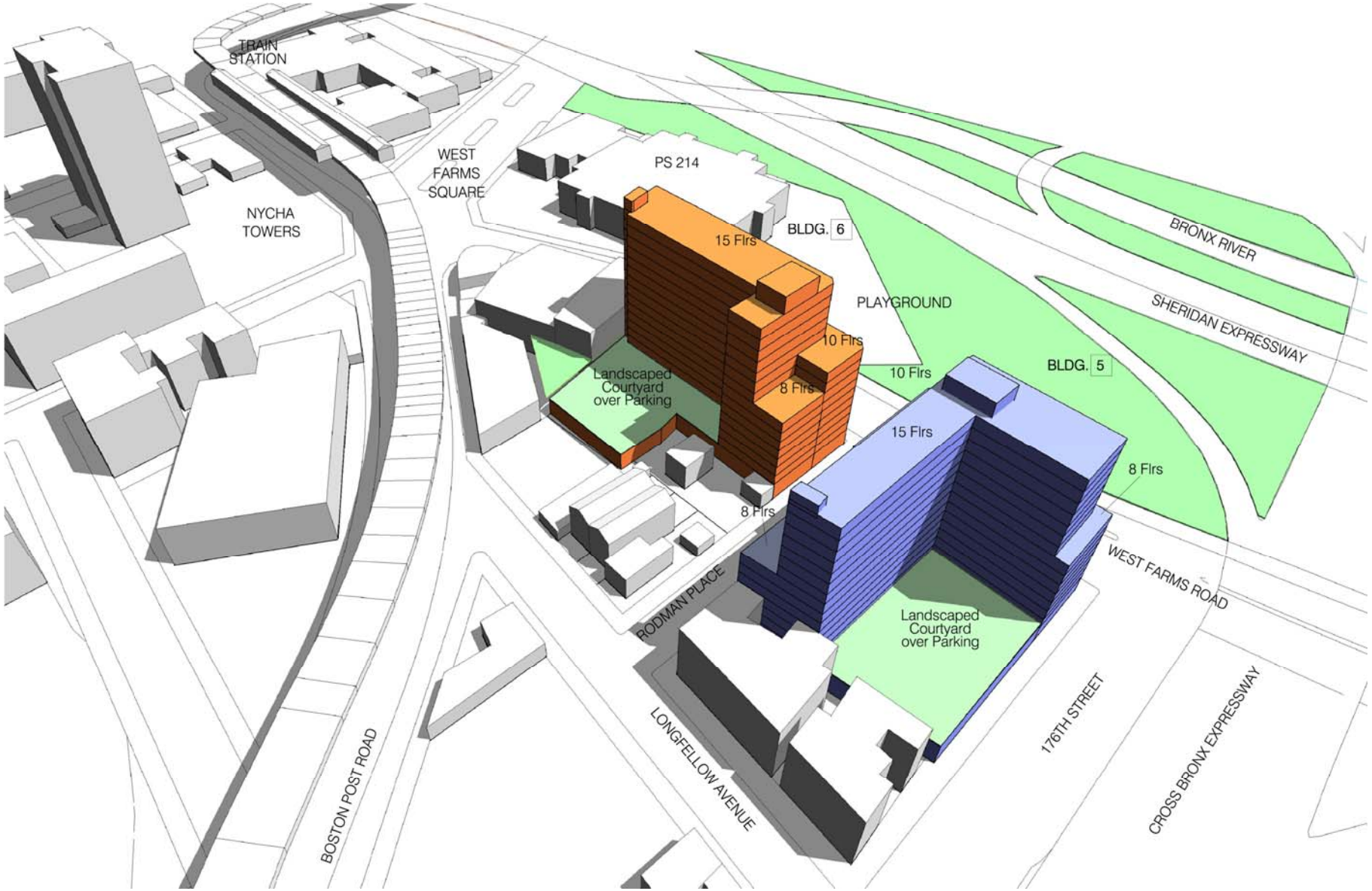
Parcels 8 and 9 – Buildings 5 and 6 (See Figures ES-6 - ES-8 below)

Buildings 5 and 6 would be constructed on the portions of Parcels 8 and 9 that are controlled by the applicant. The buildings would have 8- and 10-story bases and, stepping up to 15 stories (or 150 feet ABP). Both buildings would be organized around central courtyards that would enclose the accessory parking space. Building 5 would comprise approximately 199,598 sf of floor area, of which up to 10,040 sf would be used for commercial retail/service uses and the remainder of which would be used for residential apartments (approximately 200 units) and related accessory uses. The building would also contain approximately 17,633 sf of covered accessory parking. Building 6 would comprise approximately 193,702 sf of floor area, of which up to 17,500 sf would be used for commercial retail/service uses and the remainder of which would be used for residential apartments (approximately 194 units) and related accessory uses. It would also contain approximately 15,080 sf of covered accessory parking. Entries to the buildings would be located across the street from each other on Rodman Place, near the corner of West Farms Road. Commercial spaces would be provided on the ground floor along West Farms Road for neighborhood retail and to reinforce the emerging retail center at West Farms Square.

**Figure ES-6: Buildings 5 and 6 - Illustrative Site Plan**



Figure ES-7: Buildings 5 and 6 - Conceptual Massing Diagram




Note: For illustrative purposes only. Projected development not shown for sites not under control of applicant.

**Figure ES-8: Building 6 - Rendering**




Note: Façade materials and landscaping are illustrative.

**Expected Sequencing of Construction**

The Proposed Project will be developed in a single construction phase with individual buildings expected to be constructed, according to the applicant, in the sequence shown in Table ES-3. Sites north and south of the Cross Bronx Expressway are displayed separately, since these sites are relatively remote from one another. A running total of dwelling units per and expected accessory parking is also shown.

**Table 3: Expected Sequencing of Development and Accessory Parking**[1]

| Period | Parcel | Building | DU's[2] | Running Total DU's | Accessory Parking | Running Total Parking | Parking % by Period | Parking Percent Running Total |
|---|---|---|---|---|---|---|---|---|
| **South of Cross Bronx Expressway** | | | | | | | | |
| 1 | 1 | 1A/1B | 237 | 237 | 130 | 130 | 55% | 55% |
| 2 | 2 | 2A/2B | 288 | 525 | 0 | 130 | 0% | 25% |
| 3 | 2 | 3A/3B/3C | 370 | 895 | 94 | 224 | 0% | 25% |
| 4 | 3 | 4 | 36 | 931 | 12 | 236 | 33% | 25% |
| **North of Cross Bronx Expressway** | | | | | | | | |
| 1 | 9 | 6 | 194 | 194 | 50 | 50 | 26% | 26% |
| 3 | 8 | 5 | 200 | 394 | 58 | 108 | 29% | 27% |

Notes:

1) Each period is estimated at approximately two years to complete, each period following sequentially from the previous.

2) Assumes below grade parking configuration for Parcel 2.

**Required Public Approvals**

The Proposed Action would require the following discretionary land use actions:

- **Zoning map amendment** to change approximately 11 blocks currently zoned M1-1, R7-1 and R7-1/C2-4 districts to a mix of R6A, R7A, R7X and R8X residential districts with selected C2-4 commercial overlays. (See Figure ES-2 above.)
- **Zoning text amendment** to:
    - Establish the Inclusionary Housing program within the proposed rezoning area (ZR Section 23-144 and Appendix F); and

- Grant the CPC the authority, in LSGD's in Community District 3 in the Bronx, to exclude portions of buildings containing enclosed accessory parking from lot coverage (ZR Section 74-743).

- **Special Permits** under ZR Sections 74-743, 74-744 and 74-745 to allow in connection with the LSGD to be developed on Blocks 3013 and 3014:
  - Distribution residential floor area from R7A residential districts on Parcels 1 and 2.
  - Distribution of residential floor area from Parcel 1 to Parcel 2.
  - Distribution of residential lot coverage without regard to corner or through lot lines on Parcels 1 and 2. (See Figure ES-9A.)
  - Distribution of dwelling units without regard to zoning district boundaries on Parcel 2.
  - Modification of street wall location, minimum and maximum base height, maximum building height and minimum setback requirements on Parcels 1 and 2. (See Figures ES-9B - ES-9F.)
  - Modification of outer court recess requirements to permit outer court recesses with more than the permitted depth on Parcels 1 and 2. (See Figure ES-9G.)
  - Distribution of off-street accessory parking without regard to zoning lot lines on Parcels 1 and 2.
  - Modification of lot coverage requirements to permit enclosed accessory parking to be excluded from lot coverage calculations on Parcel 2, pursuant to the proposed text amendment described above.
  - Modification of requirements regarding location of commercial uses in mixed buildings. (See Figure ES-9H.)

- **Disposition**, by HPD, of a 13 sf City -owned vacant lot located at 1525 West Farms Road (Block 3014, Lot 45). The lot would be developed as part of the LSGD.

*Restrictive Declaration*

In connection with the Proposed Project, a Restrictive Declaration will be recorded at the time all land use related actions described above are approved. The Restrictive Declaration would, among other things:

- Require development in substantial accordance with the approved plans, which establish an envelope within which the buildings must be constructed, including limitations on floor area.
- Require that the Proposed Project's development program be within the scope of the RWCDS analyzed in the EIS.

Provide for the implementation of "Project Components Related to the Environment" (i.e., certain Project components which were material to the analysis of environmental impacts in the EIS) and mitigation measures, substantially consistent with the EIS.

## Figure ES-9: LSGD Buildings - Proposed Lot Coverage Waivers

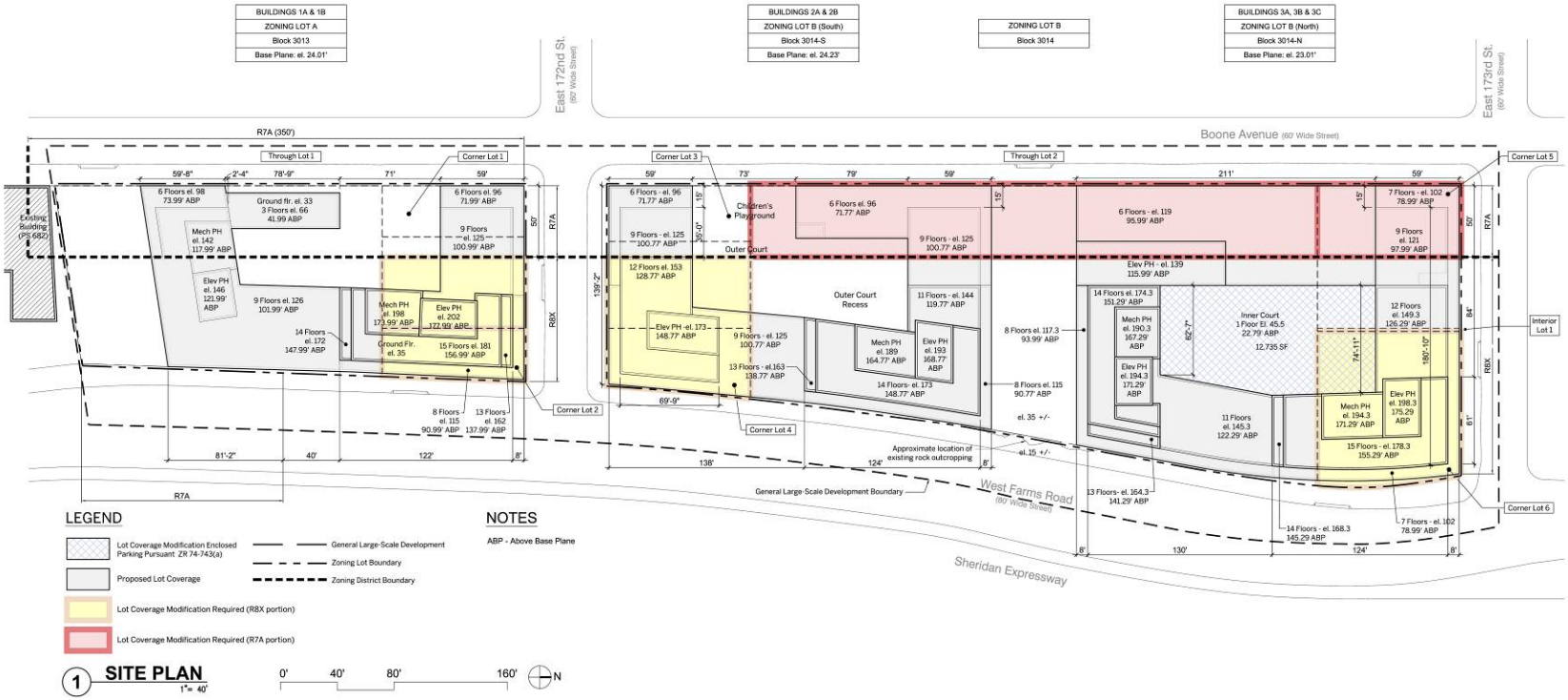
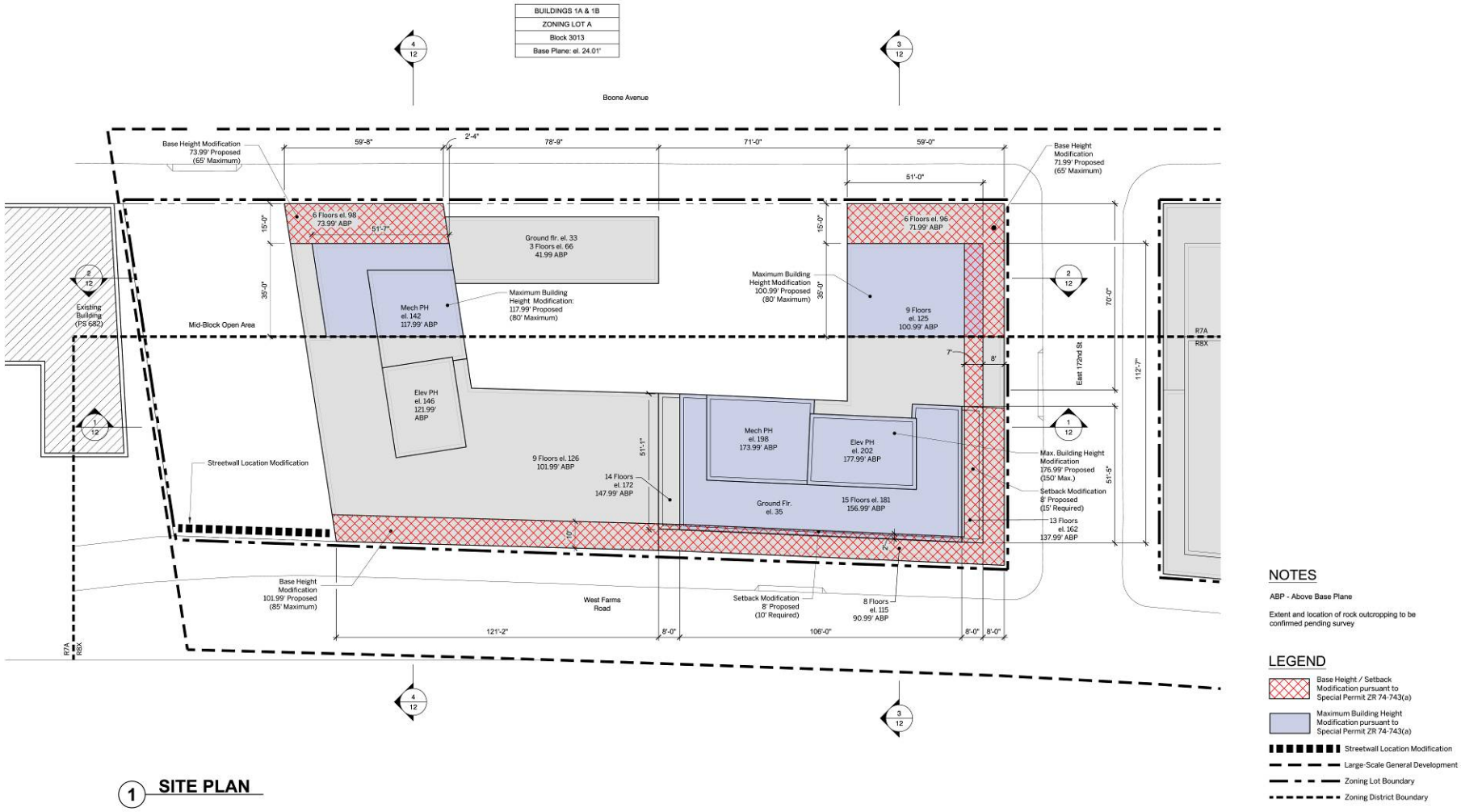
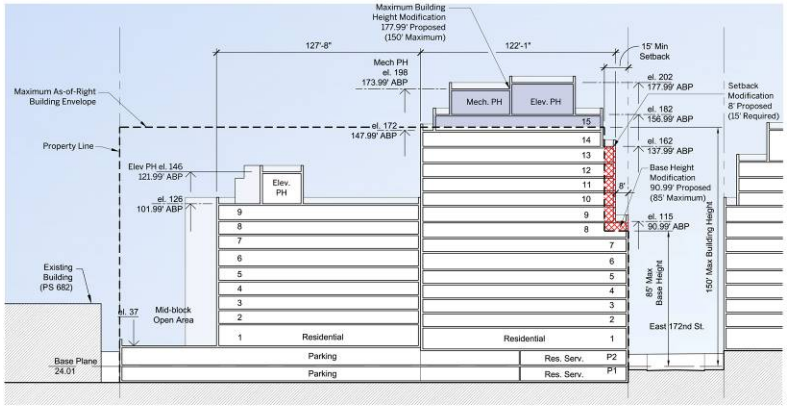


**Figure ES-9B: Buildings 1A / 1B - Proposed Height and Setback Waivers (Plan)**



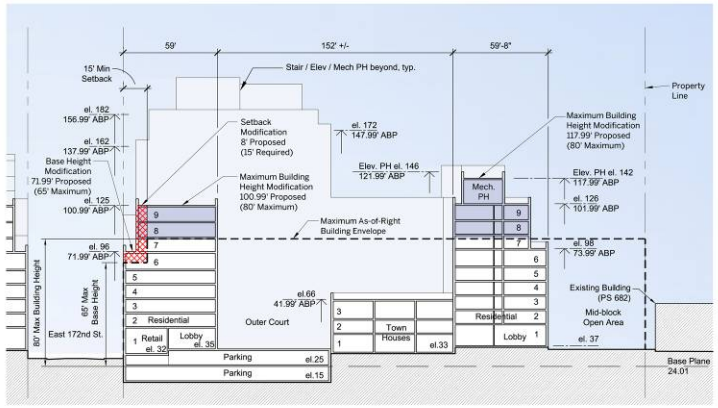

1 SITE PLAN

## Figure ES-9C: Buildings 1A / 1B - Proposed Height and Setback Waivers (Sections)



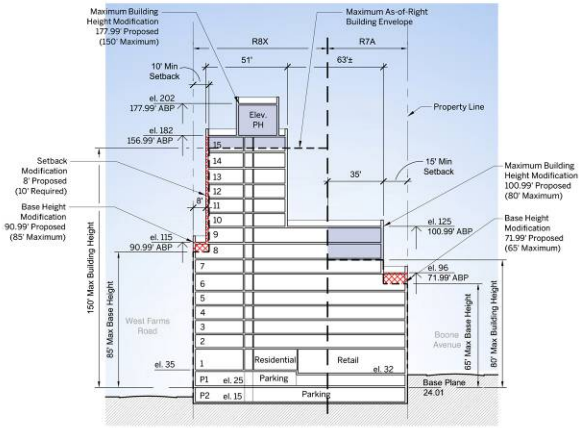

| BUILDING 1A & 1B |
|---|
| ZONING LOT A |
| Block 3013 |
| Base Plane: el. 24.01' |

**1 SECTION**



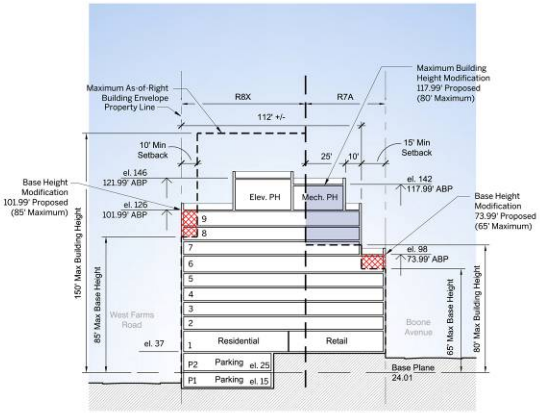

| BUILDING 1B & 1A |
|---|
| ZONING LOT A |
| Block 3013 |
| Base Plane: el. 24.01' |

**2 SECTION**




| BUILDING 1B |
|---|
| ZONING LOT A |
| Block 3013 |
| Base Plane: el. 24.01' |

**3 SECTION**




| BUILDING 1A |
|---|
| ZONING LOT A |
| Block 3013 |
| Base Plane: el. 24.01' |

**4 SECTION**

**NOTES**

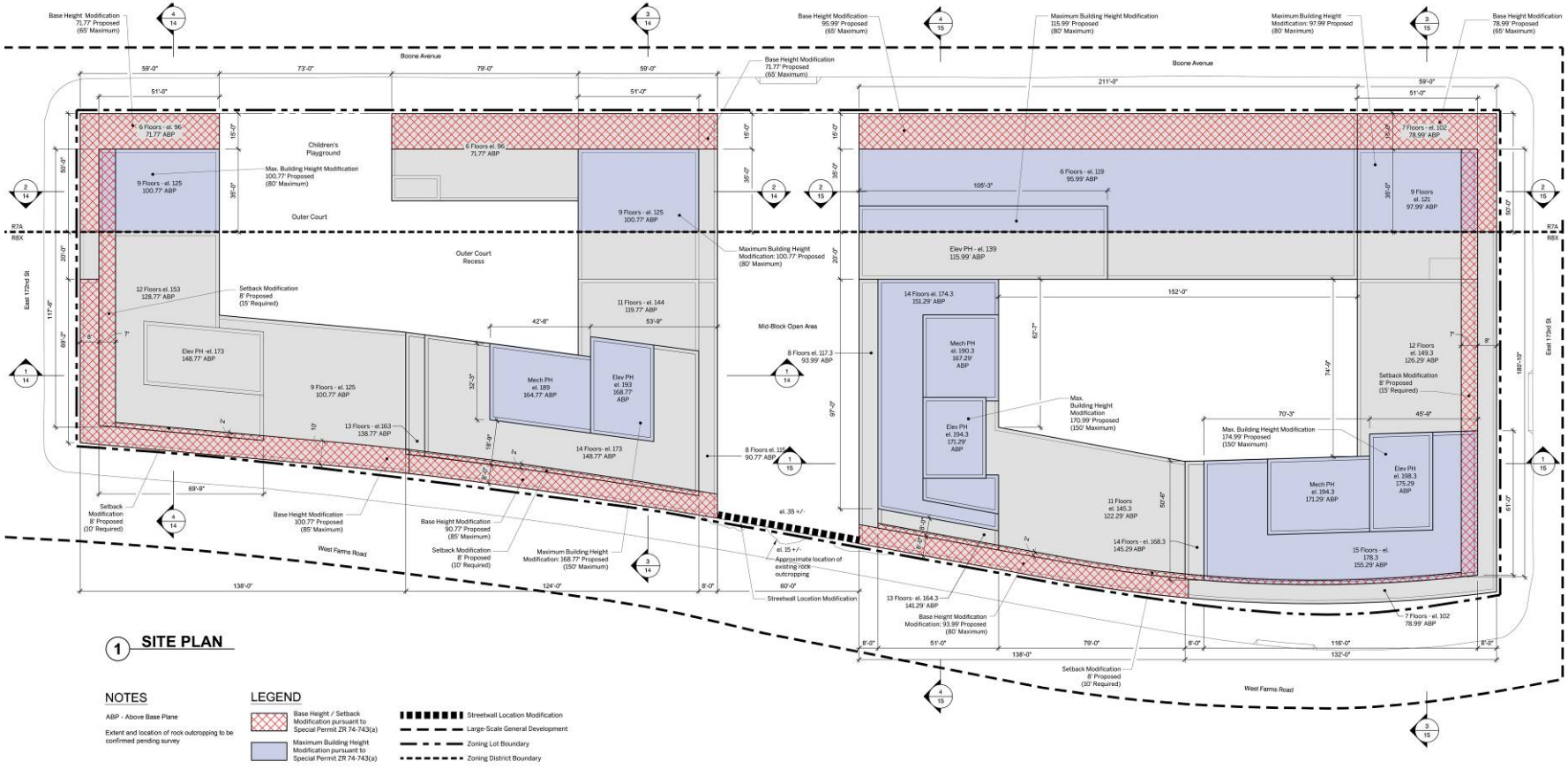
ABP - Above Base Plane

Extent and location of rock outcropping to be confirmed pending survey

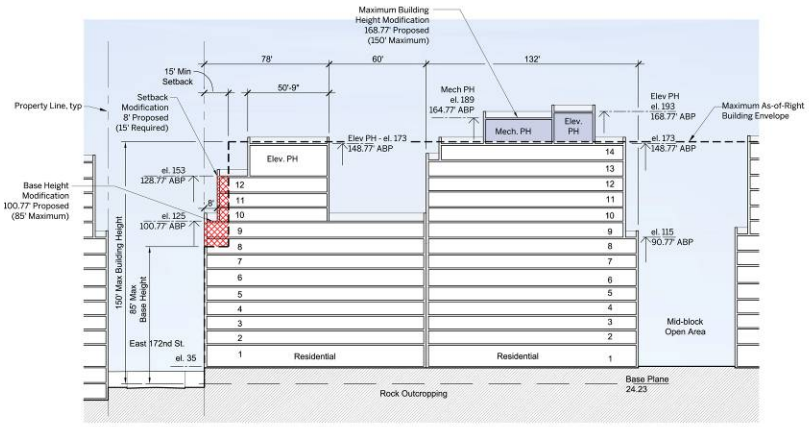
**LEGEND**

- Base Height / Setback Modification pursuant to Special Permit ZR 74-743(a)
- Maximum Building Height Modification pursuant to Special Permit ZR 74-743(a)
- As-of-Right Building Envelope
- As-of-Right Building Envelope
- Zoning District Boundary
- Property Line

**Figure ES-9D: Buildings 2A / 2B and 3A / 3B / 3C - Proposed Height and Setback Waivers (Plan)**

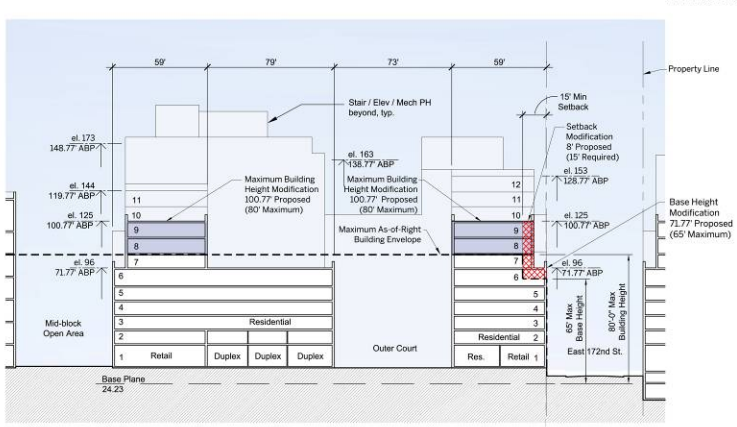


## Figure ES-9E: Buildings 2A / 2B - Proposed Height and Setback Waivers (Sections)



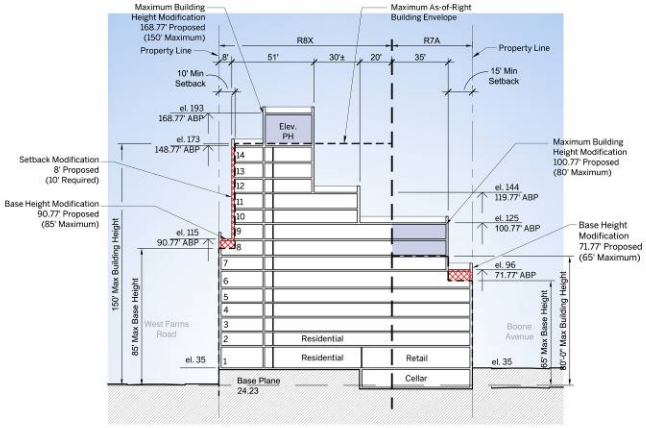

| BUILDING 2A & 2B |
|---|
| ZONING LOT B (South) |
| Block 3014-S |
| Base Plane: el. 24.23' |

**1 SECTION**



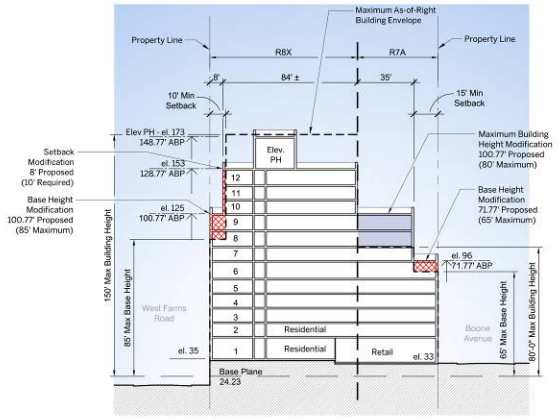

| BUILDING 2B & 2A |
|---|
| ZONING LOT B (South) |
| Block 3014-S |
| Base Plane: el. 24.23' |

**2 SECTION**




| BUILDING 2B |
|---|
| ZONING LOT B (South) |
| Block 3014-S |
| Base Plane: el. 24.23' |

**3 SECTION**




| BUILDING 2A |
|---|
| ZONING LOT B (South) |
| Block 3014-S |
| Base Plane: el. 24.23' |

**4 SECTION**

**NOTES**

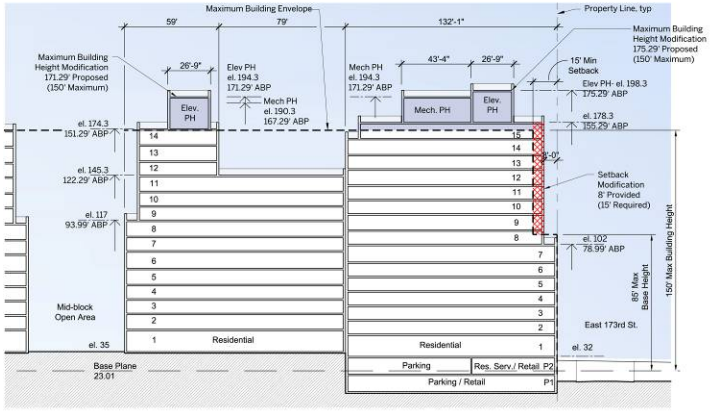
ABP - Above Base Plane

Extent and location of rock outcropping to be confirmed pending survey

**LEGEND**

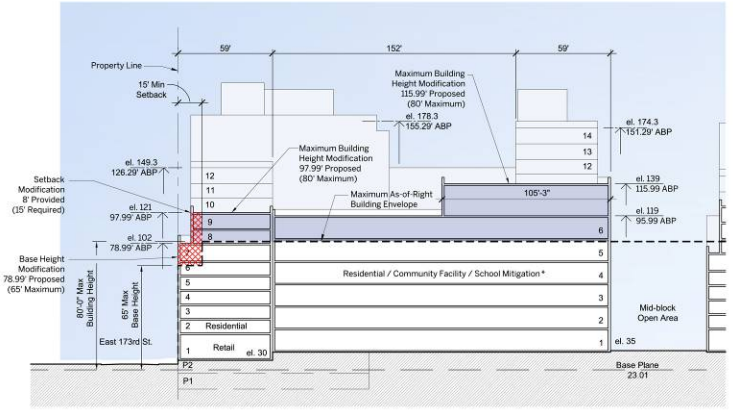
- Base Height / Setback Modification pursuant to Special Permit ZR 74-743(a)
- Maximum Building Height Modification pursuant to Special Permit ZR 74-743(a)
- As-of-Right Building Envelope
- As-of-Right Building Envelope
- Zoning District Boundary
- Property Line

**Figure ES-9F: Buildings 3A / 3B / 3C - Proposed Height and Setback Waivers (Sections)**



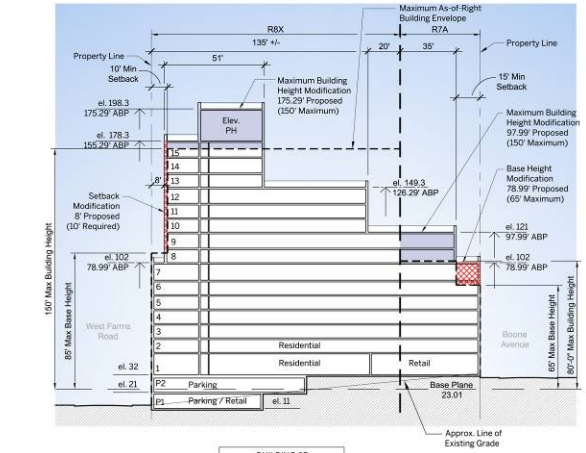

BUILDING 3A & 3B
ZONING LOT B (North)
Block 3014-N
Base Plane: el. 23.01'

**1 SECTION**



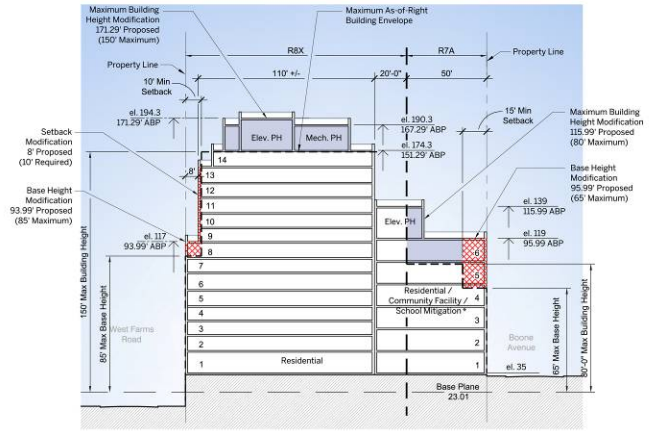

BUILDING 3B & 3C
ZONING LOT B (North)
Block 3014-N
Base Plane: el. 23.01'

**2 SECTION**




BUILDING 3B
ZONING LOT B (North)
Block 3014-N
Base Plane: el. 23.01'

**3 SECTION**




BUILDING 3A & 3C
ZONING LOT B (North)
Block 3014-N
Base Plane: el. 23.01'

**4 SECTION**

**NOTES**

ABP - Above Base Plane

Extent and location of rock outcropping to be confirmed pending survey

**LEGEND**

- Base Height / Setback Modification pursuant to Special Permit ZR 74-743(a)
- Maximum Building Height Modification pursuant to Special Permit ZR 74-743(a)
- As-of-Right Building Envelope
- As-of-Right Building Envelope
- Zoning District Boundary
- Property Line

## Figure ES-9G: Buildings 1A / 1B and 2A / 2B - Proposed Outer Court Recess Waivers

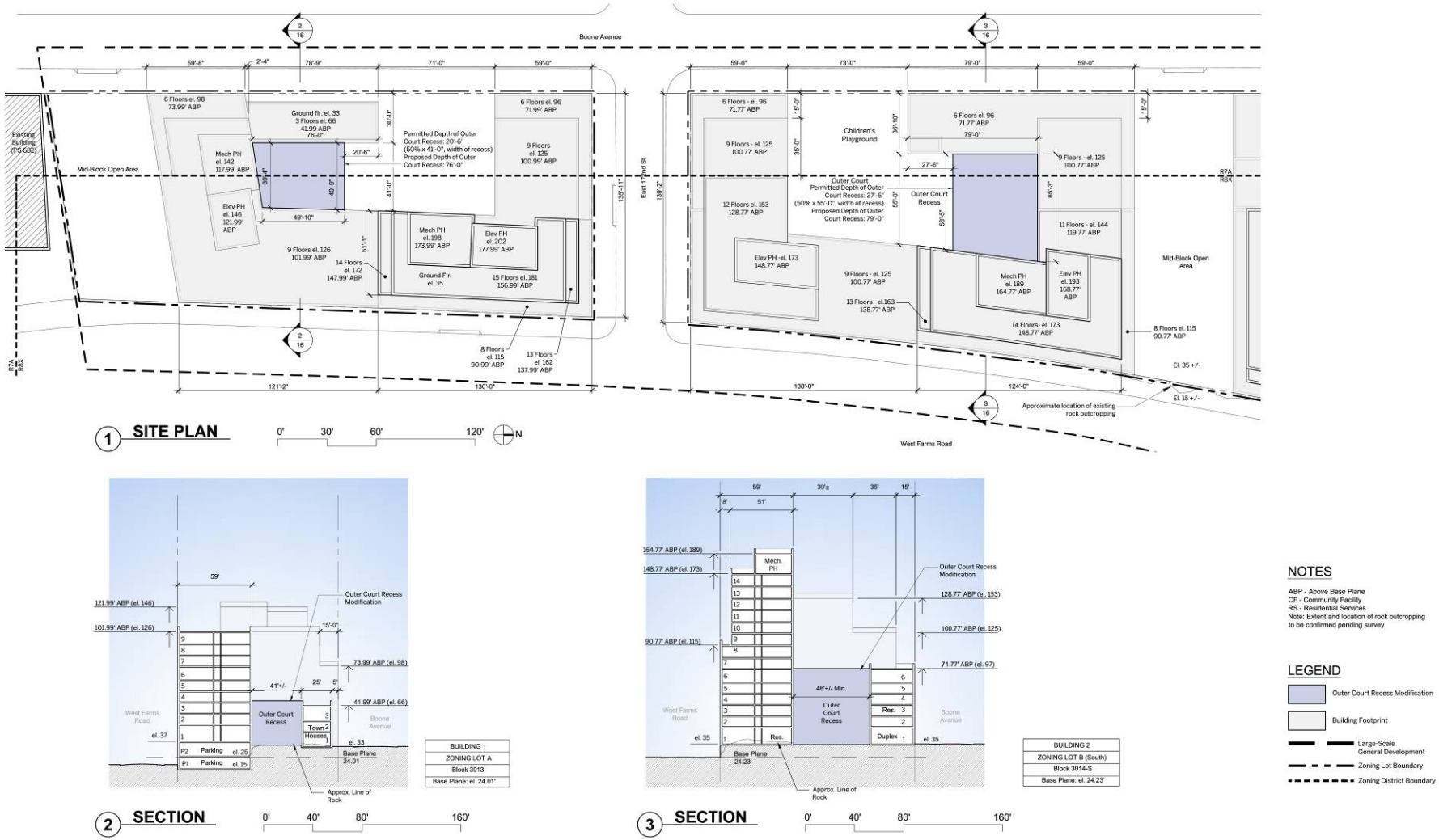
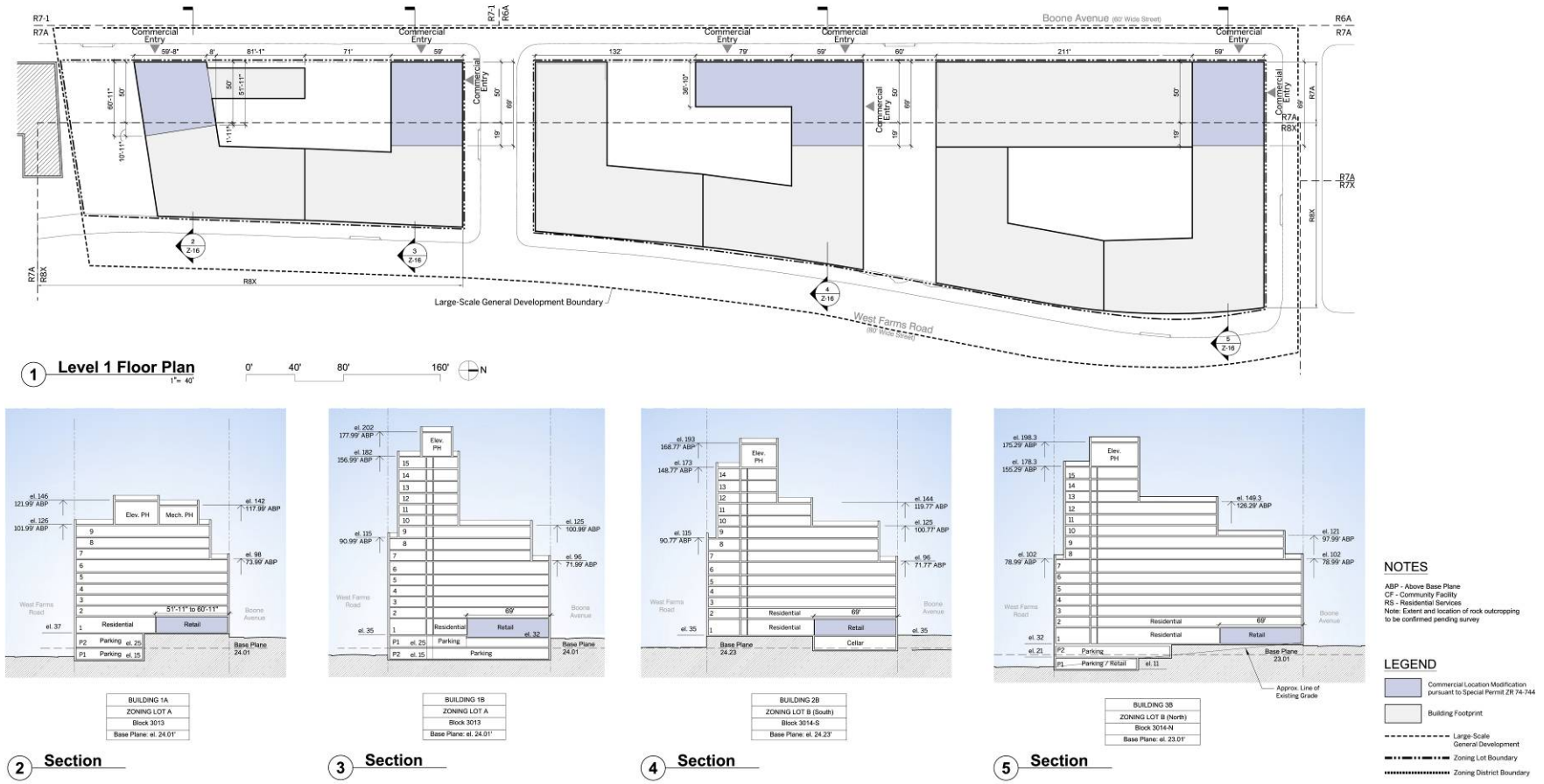


**Figure ES-9H: LSGD Buildings - Proposed Waivers regarding Location of Commercial Uses**



**Projected Development**

CEQR considers the long term and short term effects of a proposed action. For area-wide rezonings not associated with a specific development, the foreseeable future is generally considered to be a ten year build out period. This is assumed to be the length of time over which developers would act on the change in zoning and the effects of the proposed action would be experienced. In this instance, there is both a Proposed Project as well as a more extensive area to be included in the proposed rezoning under the Proposed Action. The time frame expected by the project applicant is also about ten years to complete development on the parcels of land under the applicant's control (the Proposed Project). Hence, a ten year analysis period is viewed as a reasonable build-out period for both the Proposed Project and Proposed Action.

The Future with the Proposed Action scenario therefore identifies the amount, type, and location of development that is expected to occur by 2022 as a result of the Proposed Action. The Future without the Proposed Action scenario identifies similar development projections for 2022 absent the Proposed Action. The incremental difference between the Action and No Action scenarios serves as the basis for the impact analyses.

To determine the development scenarios, standard methodologies have been used following *CEQR Technical Manual* guidelines and employing reasonable, worst-case assumptions. These methodologies have been used to identify the amount and location of future residential, commercial, and community facility growth. In projecting the amount and location of new development, several factors have been considered, including known development proposals, current market demands, past development trends, and DCP's "soft site" criteria, described below, for identifying likely development sites. 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 a rezoning area. The first step in establishing the development scenarios was to identify those sites where new development could reasonably be expected to occur.

In identifying the reasonable worst case development scenario (RWCDS), a general set of criteria was established and all sites that met the criteria were identified. Area specific criteria were also developed to further identify projected and potential development sites.

*General Criteria for Development Sites*

The following criteria were used to categorize soft sites as **"Projected"** development sites.

- Lots with a total size of 5,000 sf or larger (may include potential assemblages totaling 5,000 sf if assemblage seems probable) occupied by buildings with floor area ratios equal to or less than half the proposed maximum permitted FAR.

- Lots occupied by loft buildings or other buildings that are suitable for residential conversion.

The following criteria were used to further categorize soft sites per the above to distinguish **"Potential"** development sites, which are those sites that could be developed but are assumed to have less development potential than the projected development sites.

- Lots containing active businesses operating within fully-enclosed structures that occupy most of their lot/ building.

- Active businesses that have undergone extensive investment and that provide unique services, or which are prominent and successful neighborhood businesses or organizations less likely to relocate.

- Lots with warehouse buildings that are more than 20 percent vacant or occupied by marginal uses and which are suitable for conversion.

- Highly irregular lots or otherwise encumbered properties that would make development difficult, or lots situated in a less-attractive location for new development.

The following uses and types of buildings that meet these criteria were not included in the development scenario because they are very unlikely to be redeveloped as a result of the proposed rezoning.

- The sites of public schools. The public high school that meets the development site criteria is built to less than half of the permitted floor area of its site under the proposed zoning. It is unlikely that the increment of additional FAR permitted under the proposed zoning would induce redevelopment or expansion of this site.

Additional assumptions made in developing the reasonable worst case development scenario include the following.

- The average dwelling unit size is assumed to be 1,000 sf, reflecting the type of units that are currently being constructed in this area.

- Ground floor commercial totals assume that 100 percent of the ground floor's lot area in the new commercial districts is developed as local retail space, to establish the reasonable worst case.

**Reasonable Worst Case Development Scenario (RWCDS)**

*The Future without the Proposed Action*

In the future without the Proposed Action, almost no new development would be expected. The only major development that would be expected would be located at the far northern end of the area to be rezoned, on Block 3016, Lot 38 and 42 (part of Parcel 9). This area is now zoned as R7-1 with a C2-4 commercial overlay. Approximately 134 new dwelling units and about 39,000 sf of new commercial development would be expected on this site. The remainder of the area to be rezoned would be expected to remain as it is under existing conditions (see Table ES-4).

*The Future with the Proposed Action*

Table ES-4 summarizes maximum potential development that would be expected to result from the Proposed Action, including development expected to occur on sites that are not under the control of

the applicant as well as the applicant's Proposed Project. Figure ES-10 provides a graphic depiction of the development sites listed in Table ES-4. Overall, the RWCDS projects that the Proposed Action would result in new development by 2022 of approximately 2,635 dwelling units (including 923 units allocated to affordable housing), 92,941 sf of locally-oriented commercial retail space and 11,888 sf of community facility space compared to the Future without the Proposed Action. Of this development, 1,310 dwelling units (including 260 affordable units) and 46,908 sf of commercial space would be located on sites that are not under the control of the applicant. The remaining 1,325 dwelling units (including an estimated 663 affordable units), 46,033 sf of commercial space and 11,888 sf of community facility space would comprise the applicant's Proposed Project and would be located on development sites that are under its control. As discussed in Chapter 3, Mitigation, the SCA will have the option to develop an 88,620 sf (approximately 540-seat) elementary school serving grades pre-k through 5 on a portion of the LSGD site as mitigation for a potential schools impact, which would reduce residential floor area by approximately 45,360 sf (53 dwelling units).

The RWCDS assumes that the maximum permitted floor area will be developed on all projected development sites that are not under the control of the applicant. Because the rezoning area would be mapped as an Inclusionary Housing area, 20 percent of the total floor area (net of ground floor commercial and community facility floor area) would need to be allocated to affordable housing in order to maximize residential floor area. Accordingly, the RWCDS assumes that 20 percent of the dwelling units on non-applicant controlled projected development sites will be affordable. As noted above, the average dwelling unit size (for both affordable and market-rate units) is assumed to be 1,000 sf. In C2-4 commercial overlays mapped within R6, R7 and R8 residential districts, commercial uses are not permitted above the ground floor of mixed residential / commercial buildings. In order to maximize floor area, the RWCDS assumes that projected development sites not under the applicant's control will be developed with ground-floor retail (covering 100 percent of the lot area) and residential uses above. (The only exception is the building on Parcel 5A which, due to the location and configuration of the parcel, is expected to be developed as a 2-story commercial building.)

For sites under the applicant's control that are not part of the LSGD (i.e., for Buildings 4 - 6), the RWCDS follows the assumptions above for non-applicant controlled sites with respect to maximizing floor area, providing an average dwelling unit size of 1,000 sf and limiting commercial retail to the ground floor. For the LSGD Buildings, the applicant proposed to construct less floor area than the maximum aggregate permitted under the rezoning. In addition, the applicant anticipates a slightly lower average unit size and a more limited amount of commercial floor area. Because the LSGD will be subject to a restrictive declaration executed in connection with the special permits, and for purposes of the base analysis, the RWCDS for Parcels 1 and 2 follows the applicant's proposed program.

The applicant desires to provide affordable housing for the Proposed Project in excess of the minimum required under the Inclusionary Housing program to achieve the maximum bonus floor area on both the sites to be developed pursuant to the LSGD special permits as well as the as-of-right sites and intends to seek funding through HPD and HDC to try to achieve this goal. The amount and future availability of such funding is unknown, so the extent of additional affordable housing to be provided (if any) could vary. Although no specific programs have been identified, at least one of the more commonly available subsidy programs requires that 50 percent of residential units be set aside for low- to moderate-income households. Accordingly, in order to provide a conservative analysis with respect to daycare and other impacts, the RWCDS generally assumes that 50 percent of the floor area in the Proposed Project (approximately 663 units) would be affordable, reflecting the applicant's goal of providing affordable housing in excess of the minimum contemplated under the Inclusionary Housing program. The analysis of indirect residential displacement in Chapter 2.B, however,

conservatively assumes only the 20 percent minimum affordable housing (approximately 265 units) required under the Inclusionary Housing program to achieve the maximum bonus. These assumptions may be revised if the actual financing programs and subsidy levels are determined during the course of the preparation of the EIS.

Finally as noted previously, if there are substantial rock outcroppings on Block 3014 (Parcel 2), it would not be financially feasible to provide the required accessory parking below grade. Accordingly, for purposes of the EIS two potential accessory parking configurations for Parcel 2 will be studied. Under the At-Grade Parking Configuration, a total of 91 accessory parking spaces and 645 dwelling units would be provided on Parcel 2. Under the Below-Grade Parking Configuration, a total of 94 accessory parking spaces and 658 dwelling units would be provided on the Parcel. The higher number of dwelling units will be assumed in general for all analyses.

There are eight potential development sites within the area to be rezoned. Six of these sites are south of the Cross Bronx Expressway and are currently within M1-1 zoning districts. The remaining two potential development sites are within an existing R7-1 zoning district having a C2-4 commercial overlay. Each of these sites did not meet the criteria (i.e., too small) to be classified as a projected development site or had other traits which made their future development more speculative (such as a recent major investment in the property). The potential development sites are shown in the light green color in both Table ES-4 and Figure ES-10.

**Table ES-4: Summary of Existing Conditions, the Future without the Proposed Action and the Future with the Proposed Action**

Projected Development on Sites Controlled by Applicant

| Site Information | | | | Existing Conditions | | | | | | | | | Future No Action | | | | | Future Action Condition | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Parcel | Block | Lot | | Existing Zoning | Lot Area | Maximum Floor Area Ratio (FAR) | Residential Floor Area | Commercial Floor Area | Community Facility Floor Area | Industrial Floor Area | Dwelling Units | Existing FAR | Residential Floor Area | Commercial Floor Area | Community Facility | Industrial Floor Area | Dwelling Units | Proposed Zoning | Proposed FAR | Subsidized Units | Total Dwelling Units | Residential Floor Area | Commercial Floor Area | Community Facility | Industrial Floor Area |
| **Applicant Controlled Properties (Projected Development)** | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | 12 | * | | 14,630 | 1.0 | 0 | 0 | 0 | 1,200 | 0 | 0.1 | 0 | 0 | 0 | 1,200 | 0 | R7A | LSGD | | | | | | |
| | | 29 | * | | 6,212 | 1.0 | 0 | 0 | 0 | 6,472 | 0 | 1.0 | 0 | 0 | 0 | 6,472 | 0 | R7A/R8X | LSGD | | | | | | |
| | | 31 | * | | 14,555 | 1.0 | 0 | 0 | 0 | 16,357 | 0 | 1.1 | 0 | 0 | 0 | 16,357 | 0 | R7A/R8X | LSGD | | | | | | |
| | | 35 | * | | 1,170 | 1.0 | 0 | 0 | 0 | 1,170 | 0 | 1.0 | 0 | 0 | 0 | 1,170 | 0 | R7A | LSGD | | | | | | |
| | | 37 | * | | 284 | 1.0 | 0 | 0 | 0 | 0 | 0 | 0.0 | 0 | 0 | 0 | 0 | 0 | R7A | LSGD | | | | | | |
| 1 | 3013 | 46 | * | M1-1 | 3,948 | 1.0 | 0 | 0 | 0 | 2,400 | 0 | 0.6 | 0 | 0 | 0 | 2,400 | 0 | R7A | LSGD | 119 | 237 | 229,933 | 6,000 | 0 | |
| | | 9 | * | M1-1 | 41,700 | 1.0 | 0 | 0 | 0 | 0 | 0 | 0.0 | 0 | 0 | 0 | 0 | 0 | R7A/R8X | LSGD | | | | | | |
| 2S | 3014 | 45 | * | | 13 | 1.0 | 0 | 0 | 0 | 0 | 0 | 0.0 | 0 | 0 | 0 | 0 | 0 | R8X | LSGD | 144 | 288 | 281,191 | 4,426 | 0 | |
| 2N | 3014 | 15 | * | M1-1 | 65,000 | 1.0 | 0 | 0 | 0 | 65,850 | 0 | 1.0 | 0 | 0 | 0 | 65,850 | 0 | R7A/R8X | LSGD | 185 | 370 | 355,390 | 8,067 | 11,888 | |
| 3B | 3009 | 33 | * | M1-1 | 10,000 | 1.0 | 0 | 0 | 0 | 10,000 | 0 | 1.0 | 0 | 0 | 0 | 10,000 | 0 | R6A | 3.6 | 18 | 36 | 36,000 | 0 | | |
| | | 11 | * | R7-1/C2-4 | 5,293 | 3.4 | 0 | 0 | 0 | 0 | 0 | 0.0 | 0 | 0 | 0 | 0 | 0 | R8X | 7.2 | | | | | | |
| | | 13 | * | M1-1 | 17,500 | 1.0 | 0 | 0 | 0 | 16,500 | 0 | 0.9 | 0 | 0 | 0 | 16,500 | 0 | R8X/C2-4 | 7.2 | | | | | | |
| 8 | 3016 | 21 | * | M1-1 | 5,292 | 1.0 | 0 | 0 | 0 | 5,292 | 0 | 1.0 | 0 | 0 | 0 | 5,292 | 0 | R8X/C2-4 | 7.2 | 100 | 200 | 199,598 | 10,040 | 0 | |
| | | 60 | * | M1-1 | 19,000 | 1.0 | 0 | 0 | 0 | 16,000 | 0 | 0.8 | 0 | 0 | 0 | 16,000 | 0 | R8X/C2-4 | 7.2 | | | | | | |
| 9D | 3016 | 66 | * | M1-1 | 8,415 | 1.0 | 0 | 0 | 0 | 0 | 0 | 0.0 | 0 | 0 | 0 | 0 | 0 | R8X/C2-4 | 7.2 | 97 | 194 | 193,702 | 17,500 | 0 | |
| **Subtotal** | | | | | 213,012 | | 0 | 0 | 0 | 141,241 | 0 | | 0 | 0 | 0 | 141,241 | 0 | | | 663 | 1,325 | 1,295,814 | 46,033 | 11,888 | 0 |

= Applicant owned, subject to Special Permit
= Applicant owned, not subject to Special Permit
= Non Applicant Projected Development Parcels
= Potential Development Parcels

## Table ES-4: Summary of Existing Conditions, the Future without the Proposed Action and the Future with the Proposed Action - Continued

Projected Development on Sites Not Controlled by Applicant

| Site Information | | | | Existing Conditions | | | | | | | | | | Future No Action | | | | | Future Action Condition | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Parcel | Block | Lot | | Existing Zoning | Lot Area | Maximum Floor Area Ratio (FAR) | Residential Floor Area | Commercial Floor Area | Community Facility Floor Area | Industrial Floor Area | Dwelling Units | Existing FAR | | Residential Floor Area | Commercial Floor Area | Community Facility | Industrial Floor Area | Dwelling Units | Proposed Zoning | Proposed FAR | Subsidized Units | Total Dwelling Units | Residential Floor Area | Commercial Floor Area | Community Facility | Industrial Floor Area |
| **Projected Development Parcels** | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 3A | 3009 | 25 | | M1-1 | 20,000 | 1.0 | 0 | 0 | 0 | 19,700 | 0 | 1.0 | | 0 | 0 | 0 | 19,700 | 0 | R6A | 3.6 | 14 | 72 | 72,000 | 0 | | |
| 3D | 3009 | 38 | | M1-1 | 13,750 | 1.0 | 0 | 0 | 0 | 13,700 | 0 | 1.0 | | 0 | 0 | 0 | 13,700 | 0 | R6A | 3.6 | 10 | 50 | 49,500 | 0 | | |
| 3E | 3009 | 44 | | M1-1 | 12,500 | 1.0 | 0 | 0 | 0 | 12,500 | 0 | 1.0 | | 0 | 0 | 0 | 12,500 | 0 | R6A | 3.6 | 9 | 45 | 45,000 | 0 | | |
| 4A | 3015 | 1 | | M1-1 | 10,906 | 1.0 | 0 | 0 | 0 | 22,371 | 0 | 2.1 | | 0 | 0 | 0 | 22,371 | 0 | R7A | 4.6 | 10 | 50 | 50,168 | 10,000 | | |
| | | 3 | | M1-1 | 8,976 | 1.0 | 0 | 0 | 0 | 3,505 | 0 | 0.4 | | 0 | 0 | 0 | 3,505 | 0 | R7A | 4.6 | 0 | 0 | | | | |
| 4B | 3015 | 5 | | M1-1 | 10,658 | 1.0 | 0 | 0 | 0 | 16,912 | 0 | 1.6 | | 0 | 0 | 0 | 16,912 | 0 | R7A/R7X | 4.8 | 18 | 92 | 91,915 | | | |
| | | 17 | | M1-1 | 7,600 | 1.0 | 0 | 0 | 0 | 3,700 | 0 | 0.5 | | 0 | 0 | 0 | 3,700 | 0 | R7A | 4.6 | | | | | | |
| | | 18 | | M1-1 | 1,047 | 1.0 | 0 | 0 | 0 | 0 | 0 | 0.0 | | 0 | 0 | 0 | 0 | 0 | R7A | 4.6 | | | | | | |
| | | 29 | | M1-1 | 10,345 | 1.0 | 0 | 0 | 0 | 14,170 | 0 | 1.4 | | 0 | 0 | 0 | 14,170 | 0 | R7A/R7X | 5.0 | | | | | | |
| 4C | 3015 | 31 | | M1-1 | 9,723 | 1.0 | 0 | 0 | 0 | 6,480 | 0 | 0.7 | | 0 | 0 | 0 | 6,480 | 0 | R7A/R7X | 5.0 | 28 | 140 | 140,116 | | | |
| 5A | 3010 | 26 | | M1-1 | 2,500 | 1.0 | | 0 | 0 | 2,500 | 0 | 1.0 | | 0 | 0 | 0 | 2,500 | 0 | R6A | 3.6 | 0 | 0 | 0 | 5,000 | | |
| 5B | 3010 | 29 | | M1-1 | 10,000 | 1.0 | 0 | 0 | 0 | 10,000 | 0 | 1.0 | | 0 | 0 | 0 | 10,000 | 0 | R6A | 3.6 | 7 | 36 | 36,000 | 0 | | |
| 5C | 3010 | 33 | | M1-1 | 17,525 | 1.0 | 0 | 0 | 0 | 17,525 | 0 | 1.0 | | 0 | 0 | 0 | 17,525 | 0 | R6A | 3.6 | 13 | 63 | 63,090 | 0 | | |
| 5D | 3010 | 40 | | M1-1 | 14,975 | 1.0 | 0 | 0 | 0 | 14,975 | 0 | 1.0 | | 0 | 0 | 0 | 14,975 | 0 | R6A | 3.6 | 11 | 54 | 53,910 | 0 | | |
| 5E | 3010 | 46 | | M1-1 | 7,500 | 1.0 | 0 | 0 | 0 | 15,000 | 0 | 2.0 | | 0 | 0 | 0 | 15,000 | 0 | R6A | 3.6 | 5 | 27 | 27,000 | 10,000 | | |
| | | 50 | | M1-1 | 2,276 | 1.0 | 0 | 0 | 0 | 0 | 0 | 0.0 | | 0 | 0 | 0 | 0 | 0 | R7A | 4.6 | | | | | | |
| | | 56 | | M1-1 | 1,250 | 1.0 | 0 | 0 | 0 | 0 | 0 | 0.0 | | 0 | 0 | 0 | 0 | 0 | R7A | 4.6 | | | | | | |
| 6A | 3015 | 110 | | M1-1 | 9,548 | 1.0 | 0 | 0 | 0 | 0 | 0 | 0.0 | | 0 | 0 | 0 | 0 | 0 | R7A/R7X | 4.8 | 12 | 62 | 61,573 | 10,000 | | |
| | | 62 | | M1-1 | 609 | 1.0 | 0 | 0 | 0 | 0 | 0 | 0.0 | | 0 | 0 | 0 | 0 | 0 | R7A | 4.6 | | | | | | |
| | | 87 | | M1-1 | 8,823 | 1.0 | 0 | 0 | 0 | 1,000 | 0 | 0.1 | | 0 | 0 | 0 | 5,960 | 0 | R7A | 4.6 | | | | | | |
| 6B | 3015 | 89 | | M1-1 | 2,910 | 1.0 | 1,880 | 0 | 0 | 0 | 2 | 0.0 | | 1,880 | 0 | 0 | 0 | 2 | R7A | 4.6 | 11 | 57 | 56,773 | | | |
| | | 67 | | M1-1 | 810 | 1.0 | 0 | 0 | 0 | 500 | 0 | 0.6 | | 0 | 0 | 0 | 500 | 0 | R7A | 4.6 | | | | | | |
| | | 83 | | M1-1 | 2,955 | 1.0 | 0 | 0 | 0 | 1,278 | 0 | 0.4 | | 0 | 0 | 0 | 1,278 | 0 | R7A | 4.6 | | | | | | |
| | | 84 | | M1-1 | 1,815 | 1.0 | 2,391 | 0 | 0 | 0 | 3 | 1.3 | | 2,391 | 0 | 0 | 0 | 3 | R7A | 4.6 | | | | | | |
| 6C | 3015 | 85 | | M1-1 | 5,537 | 1.0 | 0 | 0 | 0 | 3,680 | 0 | 0.7 | | 0 | 0 | 0 | 3,680 | 0 | R7A | 4.6 | 10 | 51 | 51,138 | | | |
| 6E | 3015 | 95 | | M1-1 | 11,802 | 1.0 | 0 | 0 | 0 | 2,112 | 0 | 0.2 | | 0 | 0 | 0 | 2,112 | 0 | R7A/R7X | 4.8 | 11 | 56 | 56,060 | | | |
| 6G | 3015 | 97 | | M1-1 | 12,536 | 1.0 | 0 | 0 | 0 | 12,160 | 0 | 1.0 | | 0 | 0 | 0 | 12,160 | 0 | R7A/R7X | 4.8 | 12 | 60 | 59,546 | 12,536 | | |
| 7A | 2998 | 97 | | M1-1 | 10,145 | 1.0 | 0 | 0 | 0 | 4,125 | 0 | 0.4 | | 0 | 0 | 0 | 4,125 | 0 | R6A | 3.6 | 7 | 37 | 36,522 | 0 | | |
| | | 104 | | M1-1 | 16,252 | 1.0 | 0 | 0 | 0 | 16,252 | 0 | 1.0 | | 0 | 0 | 0 | 16,252 | 0 | R6A | 3.6 | 0 | 0 | | 0 | | |
| | | 113 | | M1-1 | 19,888 | 1.0 | 0 | 0 | 0 | 19,888 | 0 | 1.0 | | 0 | 0 | 0 | 19,888 | 0 | R6A | 3.6 | 0 | 0 | | 0 | | |
| 7B | 2998 | 124 | | M1-1 | 14,019 | 1.0 | 0 | 0 | 0 | 14,019 | 0 | 1.0 | | 0 | 0 | 0 | 14,019 | 0 | R6A | 3.6 | 36 | 181 | 180,572 | 0 | | |
| | | 38 | | R7-1/C2-4 | 6,678 | 3.4 | 0 | 0 | 0 | 0 | 0 | 0.0 | | 0 | 0 | 0 | 0 | 0 | R8X/C2-4 | 7.2 | | | | 0 | | |
| 9C | 3016 | 42 | | R7-1/C2-4 | 32,250 | 3.4 | 0 | 15,000 | 0 | 40,390 | 0 | 1.3 | | 133,912 | 38928 | 0 | 0 | 134 | R8X/C2-4 | 7.2 | 56 | 280 | 280,282 | 38,300 | | |
| 9E | 3016 | 71 | | M1-1 | 5,354 | 1.0 | 1,000 | 0 | 0 | 0 | 1 | 0.2 | | 1,000 | 0 | 0 | 0 | 1 | R8X | 7.2 | 8 | 39 | 38,549 | 0 | 0 | 0 |
| **Subtotal** | | | | | 323,462 | | 5,271 | 15,000 | 0 | 288,442 | 6 | | | 139,183 | 38,928 | 0 | 253,012 | 140 | | | 290 | 1,450 | 1,449,713 | 85,836 | 0 | 0 |
| **Projected Development Totals** | | | | | 536,474 | | 5,271 | 15,000 | 0 | 429,683 | 6 | | | 139,183 | 38,928 | 0 | 394,253 | 140 | | | 952 | 2,775 | 2,745,527 | 131,869 | 11,888 | 0 |
| **No Action to Action Increment** | | | | | | | | | | | | | | | | | | | | | 923 | 2,635 | 2,606,344 | 92,941 | 11,888 | -394,253 |

= Applicant owned, subject to Special Permit
= Applicant owned, not subject to Special Permit
= Non Applicant Projected Development Parcels
= Potential Development Parcels

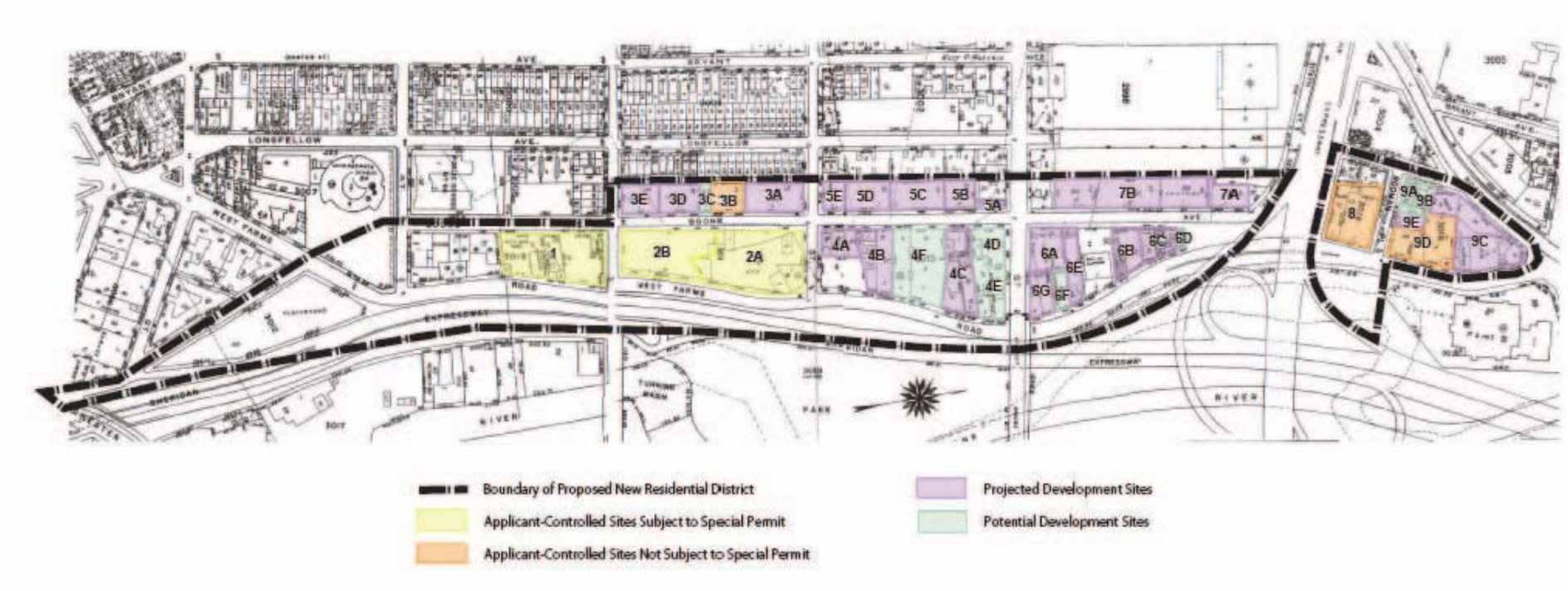
## Table ES-4: Summary of Existing Conditions, the Future without the Proposed Action and the Future with the Proposed Action - Continued

Potential Development on Sites Not Controlled by Applicant

| Site Information | | | | Existing Conditions | | | | | | | | | | Future No Action | | | | | Future Action Condition | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Parcel | Block | Lot | | Existing Zoning | Lot Area | Maximum Floor Area Ratio (FAR) | Residential Floor Area | Commercial Floor Area | Community Facility Floor Area | Industrial Floor Area | Dwelling Units | Existing FAR | | Residential Floor Area | Commercial Floor Area | Community Facility | Industrial Floor Area | Dwelling Units | Proposed Zoning | Proposed FAR | Subsidized Units | Total Dwelling Units | Residential Floor Area | Commercial Floor Area | Community Facility | Industrial Floor Area |
| **Potential Development Sites** | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 3C | 3009 | 37 | | M1-1 | 3,750 | 1.0 | 0 | 0 | 0 | 3,700 | 0 | 1.0 | | 0 | 0 | 0 | 3,700 | 0 | R6A | 3.6 | 3 | 14 | 13,500 | | | |
| 4D | 3015 | 19 | | M1-1 | 13,209 | 1.0 | 0 | 4,539 | 0 | 0 | 0 | 0.0 | | 0 | 4539 | 0 | 0 | 0 | R7A | 4.6 | 12 | 61 | 60,761 | 13,209 | | |
| | | 25 | | M1-1 | 7,299 | 1.0 | 0 | 0 | 0 | 3,700 | 0 | 0.5 | | 0 | 0 | 0 | 3,700 | 0 | R7X | 5.0 | | | | | | |
| 4E | 3015 | 26 | | M1-1 | 9,482 | 1.0 | 0 | 0 | 0 | 11,535 | 0 | 1.2 | | 0 | 0 | 0 | 11,535 | 0 | R7A/R7X | 5.0 | 17 | 84 | 83,905 | 10,781 | | |
| 4F | 3015 | 34 | | M1-1 | 27,637 | 1.0 | 0 | 65,324 | 0 | 0 | 0 | 0.0 | | 0 | 65324 | 0 | 0 | 0 | R7A/R7X | 4.8 | 26 | 131 | 131,276 | | | |
| 6D | 3015 | 81 | | M1-1 | 2,304 | 1.0 | 2,256 | 0 | 0 | 0 | 2 | 0.0 | | 2,256 | 0 | 0 | 0 | 2 | R7A | 4.6 | 2 | 11 | 10,598 | | | |
| 6F | 3015 | 96 | | M1-1 | 9,280 | 1.0 | 0 | 0 | 0 | 7,518 | 0 | 0.8 | | 0 | 0 | 0 | 7,518 | 0 | R7A/R7X | 4.8 | 9 | 44 | 44,080 | | | |
| | | 33 | | R7-1/C2-4 | 2,945 | 3.4 | 2,790 | 0 | 0 | 0 | 3 | 0.0 | | 2,790 | 0 | 0 | 0 | 3 | R8X/C2-4 | 7.2 | | | | | | |
| 9A | 3016 | 35 | | R7-1/C2-4 | 2,250 | 3.4 | 3,000 | 0 | 0 | 0 | 3 | 0.0 | | 3,000 | 0 | 0 | 0 | 3 | R8X/C2-4 | 7.2 | 7 | 37 | 37,404 | 5,195 | | |
| | | 36 | | R7-1/C2-4 | 3,536 | 3.4 | 3,000 | 0 | 0 | 0 | 3 | 0.0 | | 3,000 | 0 | 0 | 0 | 3 | R8X/C2-4 | 7.2 | | | | | | |
| 9B | 3016 | 37 | | R7-1/C2-4 | 2,108 | 3.4 | 0 | 0 | 1,875 | 0 | 0 | 0.0 | | 0 | 0 | 1,875 | 0 | 0 | R8X/C2-4 | 7.2 | 8 | 41 | 40,637 | 5,644 | | |

= Applicant owned, subject to Special Permit
= Applicant owned, not subject to Special Permit
= Non Applicant Projected Development Parcels
= Potential Development Parcels

**Figure ES-10: Delineation of Projected and Potential Development Sites**



**Public Review Process**

The environmental review process (CEQR) is intended to provide decision-makers with an understanding of the environmental consequences of proposed actions presented before an agency. Often, the environmental review process is integrated and coordinated with other decision-making processes utilized by government agencies. As defined below, for the Proposed Action, the other public process necessary to implement the project is ULURP. These two review processes, ULURP and CEQR, 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 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 3 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 and Borough Board review the application concurrently for up to 30 days. CPC then has 60 days to review the application, during which time a ULURP/CEQR public hearing is held. Comments made at the Draft EIS public hearing (the record for commenting remains open for ten days after the hearing to receive written comments) are incorporated into a Final EIS; the Final EIS 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 Action, through its Land Use Subcommittee. The Council may approve, approve with modifications or deny the application. If the Council proposes a modification to the Proposed Action, 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.

*Environmental Review (CEQR)*

Pursuant to the State Environmental Quality Review Act (SEQRA) and its implementing regulations, New York City has established rules for its own environmental quality review, abbreviated as 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. In accordance with CEQR rules (62 RCNY §5-03), the CPC is the lead agency for the Proposed Action.

***Determination of Significance:*** The lead agency's first charge is to determine whether the Proposed Action may have a significant adverse impact on the environment. To do so, CPC, in this case, evaluated an Environmental Assessment Statement (EAS) submitted by the applicant. The EAS for the proposed Crotona Park East / West Farms Rezoning and Related Actions was submitted on January 13, 2010. Based on the information contained in the EAS, the CPC determined that the Proposed Action may have a significant adverse impact on the environment and issued a Positive Declaration on January 25, 2010.

***Scoping:*** Along with its issuance of a Positive Declaration, CPC issued a Draft Scope of Work for the EIS on January 25. This draft scope was widely distributed to concerned citizens, public agencies, and other interested groups. "Scoping" or creating the scope of work, is the process of identifying the environmental impact analyses, 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 March 4, 2010. The public review period for agencies and the public to review and comment on the Draft Scope of Work was open through March 15, 2010. 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 project (which reflected comments made on the draft scope and responses to those comments), was issued in April 2011.

***Draft Environmental Impact Statement (EIS):*** In accordance with the Final Scope of Work and following the methodologies and criteria for determining significant adverse impacts in the *CEQR Technical Manual*, a Draft EIS was prepared. The lead agency reviews all aspects of the document, relying on other City agencies to assist, as appropriate. Once the lead agency is satisfied that the Draft EIS is complete for public review, it issues a Notice of Completion and circulates the Draft EIS for public review. When a Draft EIS is required, it must be deemed complete before the ULURP application may also be found complete. The Notice of Completion for the Draft EIS was issued on May 6, 2011.

***Public Review:*** Publication of the Draft EIS and issuance of the Notice of Completion signals the start of the public review period. During this time, the public has the opportunity to review and comment on the Draft EIS either in writing or at a public hearing convened for the purpose of receiving such comments. As noted above, when the CEQR process is coordinated with another City process that requires a public hearing, such as ULURP, the hearings are held jointly. The lead agency must publish a notice of 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 Final EIS. CPC held the joint ULURP/CEQR public hearing on the Proposed Action and the DEIS on July 27, 2011, and written comments on the DEIS were accepted through August 8, 2011.

***Final Environmental Impact Statement (EIS):*** After the close of the public comment period for the Draft EIS, the Final EIS is prepared. This Final EIS must incorporate relevant comments on the Draft EIS, either in a separate chapter or in changes to the body of the text, graphics and tables. Once the lead agency determines the Final EIS is complete, it issues a Notice of Completion and circulates the Final EIS. The Notice of Completion for this Final EIS was issued on August 26, 2011.

***Findings:*** To document that the responsible public decision-maker has taken a hard look at the environmental consequences of a Proposed Project, 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 Proposed 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 Final EIS. Once findings are adopted, the lead and involved agencies may take their actions (or take "no action").

## 2. EXISTING AND FUTURE ENVIRONMENTAL CONDITIONS AND PROBABLE IMPACTS OF THE PROPOSED ACTION

### A Land Use, Zoning, and Public Policy

No significant land use, zoning, or public policy impacts are anticipated as a result of the Proposed Action.

All of the land use types (residential, retail commercial and community facility) that would result from the Proposed Action are found in the immediate area surrounding the site of the proposed rezoning, and would therefore be compatible with them. There would be no significant adverse land use impacts.

The proposed zoning districts are positioned so as to allow for a transition from denser development adjacent to the open areas to the east along West Farms Road, the Sheridan Expressway, and the Bronx River to less dense development along the upland areas adjacent to existing residential development directly to the west. There would be no significant adverse zoning impacts.

With respect to public policy, the Proposed Action would be consistent with a 197-a plan that covers a portion of the site of the proposed rezoning. It is consistent with the plan's objectives of increasing the area's population, diversifying the income mix, and encouraging residential zoning changes that would promote higher-density residential development. There would be no significant adverse public policy impacts.

The Proposed Action would be consistent with all policies of the Waterfront Revitalization Program. The Proposed Action would result in higher-density, mixed-use development that will support many of PlaNYC's major sustainability initiatives, as well as several smaller goals that will help support the City's transition to a greener city.

### B Socioeconomic Conditions

The Proposed Action would not result in significant adverse impacts due to changes in socioeconomic conditions. Findings with respect to the *CEQR Technical Manual*'s five areas of potential socioeconomic impact are summarized below.

*Direct Residential Displacement*

Impacts from residential displacement may occur if the numbers and types of people being displaced would be enough to alter the socioeconomic character of a neighborhood and perhaps lead to indirect displacement of remaining residents. Under CEQR guidelines, a detailed assessment of direct residential displacement is only required if a preliminary assessment of the Proposed Action shows that: (1) the Proposed Action would directly displace more than 500 residents; (2) the displaced residents represent more than 5 percent of the study area population; and (3) the average income of the directly displaced population is markedly lower than the average income of the rest of the study area population.

Under the RWCDS, three existing residential buildings, containing a total of six housing units, would be demolished and replaced by new development. Six households containing an estimated 17 residents would be directly displaced. Because the number of displaced residents would be fewer than 500 and less than 5 percent of the study area population, the Proposed Action would not have a significant adverse impact as a result of direct residential displacement.

*Direct Business Displacement*

The *CEQR Technical Manual* specifies that the pertinent considerations for the assessment of direct business displacement are (1) whether the businesses to be displaced provide products or services essential to the local economy that would no longer be available to local residents or businesses and (2) whether adopted public plans call for the preservation of such businesses in the area in which they are located. The Proposed Action is expected to displace 26 businesses now operating within the proposed rezoning area and employing a total of 274 workers. The businesses consist of auto repair shops, garages housing ambulette service vehicles, a meatpacker, manufacturers, warehouses, contractors' facilities, a wholesaler, a tow pound for repossessed vehicles, and a small office. Only the seven automotive repair shops appear to serve the local community, and numerous other auto repair shops are located in suitably zoned nearby locations. There are no publicly adopted plans or policies to preserve, enhance, or otherwise protect manufacturing, warehousing, or automotive sector activity in Crotona Park East or West Farms. Accordingly, the Proposed Action would not have a significant adverse socioeconomic impact as a result of direct business displacement.

*Indirect Residential Displacement*

The *CEQR Technical Manual* specifies that the objective of the indirect residential displacement analysis is to determine whether the Proposed Action may either introduce a trend or accelerate a trend of changing socioeconomic conditions that may potentially displace a vulnerable population Such an impact could occur if (1) the Proposed Action would introduce new market rate housing into a predominantly low and moderate income area; (2) the number of new action-generated residents would exceed 5 percent of the future no-action study area population, indicating the potential for changes in demographic and real estate market conditions, and (3) a substantial number of households (more than 5 percent of the households in the study area) are at risk of involuntary displacement because they have incomes sufficiently low to be vulnerable to sharp rent increases and live in unprotected rental housing units (i.e., rental units that are not reserved for low or moderate income families and are not protected by rent control, rent stabilization or other government regulations restricting rent increases). The preliminary analysis concludes that the study area is a predominantly low and moderate income area and that the number of housing units to be constructed as a result of the Proposed Action is expected to exceed 5 percent of the number of households anticipated in the study area in 2022 without the Proposed Action. The detailed analysis, which includes a census tract by census tract evaluation of the population that may be at risk of involuntary displacement as a result of the Proposed Action, concludes that the number of at-risk households represents only 1.6 percent of all study area households, a percentage that is below the threshold of 5 percent of study area households. Therefore, the Proposed Action would not result in a significant adverse indirect residential displacement impact.

*Indirect Business Displacement*

Although the Proposed Action would directly displace a number of businesses, would alter the land use character of the proposed rezoning area from predominantly industrial to predominantly residential, and would introduce a concentration of new commercial development, it would not have a significant adverse impact as a result of indirect business displacement. The businesses that would likely be displaced do not have strong linkages to the local business or residential community, so their

displacement would not have a significant adverse impact on the operations or viability of other nearby businesses. The directly affected businesses are also not the type that would relocate to typical commercial streets in the area, and thus would not increase demand for space and thus rents at those locations. The businesses within the proposed rezoning area are not representative of economic concentrations in the study area as a whole, and the ongoing economic trends within the study area, similar to the trends as in the borough and the city as a whole, show a shift away from industrial activity. The approximately 93,000 square feet of new commercial space anticipated under the RWCDS would accommodate retail stores, restaurants, and service establishments that are expected to absorb much of the demand created by the new residential population, averting the potential for substantial increases in commercial rents that could occur if the existing commercial space inventory would absorb the increased demand. Finally, the *CEQR Technical Manual* sets a threshold of 200,000 square feet with regard to retail saturation impacts from new commercial space. The Proposed Action would generate a net increase of 93,000 square feet of commercial space, well short of the threshold.

*Adverse Effects on Specific Industries*

A significant adverse impact on a specific industry would generally occur only in the case of a regulatory change affecting the city as a whole, but it can also occur in the case of a local action that affects an area in which a substantial portion of that sector is concentrated, relative to the city as a whole. The Proposed Action would not affect citywide policy or regulatory mechanisms, and the affected businesses are mainly small warehouses and automotive repair shops of the sort that are common throughout the city. The Proposed Action would not have a significant adverse impact on any of the city's economic sectors.

## C Community Facilities and Services

Based on a preliminary screening of the Proposed Action, analyses of outpatient health care facilities and police and fire protection services were not warranted. The Proposed Action would not have a significant adverse impact on these community facilities and services. As described below, analyses of public libraries, public schools, and publicly funded child care facilities were conducted.

*Libraries*

The proposed rezoning area is within the catchment areas of two New York Public Library branches, the West Farms Branch and the Clason's Point Branch.

Assuming 2.95 persons per household, based on the area's average housing size in 2000, the new households anticipated under the RWCDS would contain 7,773 people. This would increase the study area population, and therefore the number of residents per branch, by 6 percent. In the future with the Proposed Action, the study area would have 68,084 residents per branch, and, based on the existing sizes of their collections, the West Farms and Clason's Point Branches' collections would contain 0.80 items per person within the study area, a decrease of 0.05 items per capita relative to the future no-action condition, a 6 percent decline.

According to the *CEQR Technical Manual*, if a Proposed Action would increase the study area population by 5 percent or more over no-action levels, and if it is determined in consultation with the New York Public Library that the increase would impair the delivery of library services in the study area, a significant impact could occur. Both libraries in the study area have been recently renovated and provide quality library services for the study area, and the quality of service is not expected to decline in the future with the Proposed Action. The New York Public Library would continue to evaluate library utilization rates, on the basis of such factors as circulation, program attendance, and

computer usage, to determine whether additional collection materials or library services are needed. Library Patrons would also have access to all circulating materials in any New York Public Library branch through the inter-library loan system. In a letter dated July 25, 2011, the New York Public Library concurred with this conclusion. For these reasons, a significant adverse impact on library services is not anticipated.

*Public Schools*

The proposed rezoning area lies within Department of Education (DOE) Community School District (CSD) 12, Sub-district 2. The analysis of potential impacts considers elementary schools within a half mile of the rezoning area in CSD 12 and in Sub-district 2 of CSD 12, intermediate schools within one mile of the rezoning area in CSD 12 and in Sub-district 2, and high schools within the Bronx as a whole.

Based on the number of residential units anticipated under the RWCDS, the Proposed Action would generate approximately 1,028 elementary school students, 422 intermediate schools students, and 501 high school students.

According to the *CEQR Technical Manual*, a significant adverse impact on elementary and intermediate schools may result, warranting consideration of mitigation, if the Proposed Action would result in a collective utilization rate within the sub-district of at least 105 percent and an increase of 5 percent or more in the collective utilization rate between the future no-action and with-action conditions. The additional elementary school students would increase the collective utilization rate for elementary schools from 122 percent under the future no-action conditions to 136 percent under the future with-action conditions within the Sub-district 2 study area. Therefore, the Proposed Action would result in a significant adverse impact on elementary schools. In coordination with the SCA, a mitigation measure has been developed that would provide them with the option to develop an 88,620 sf (approximately 540-seat) elementary school serving grades pre-kindergarten through 5 as part of on a site currently owned by the applicant at the northwest edge of Parcel 2. As discussed in more detail in Chapter 3, Mitigation, the proposed mitigation measure would fully mitigate the significant adverse impact.

The additional intermediate school students would increase the utilization rate for intermediate schools from 77 percent under the future no-action conditions to 98 percent under the future with-action conditions in the Sub-district 2 study area and from 72 percent under future no-action conditions to 78 percent under future with-action conditions in the one-mile study area. These increases would not cause a significant adverse impact.

According to the *CEQR Technical Manual*, the determination of impact significance for high schools is conducted at the borough level. The additional high school students would raise the utilization rate for high schools in the Bronx minimally from 77 percent to 78 percent. Accordingly, the Proposed Action would not have a significant adverse impact on high schools.

*Child Care Centers*

Within the study area, which extends 1.5 miles from the proposed rezoning area, there are 29 publicly funded group day care facilities and 16 Head Start centers. As of January 2010, the facilities had a collective utilization rate of 90 percent, with 371 more slots than enrolled children.

Under the RWCDS the Proposed Action would generate 923 low and moderate income housing units by 2022. Using the ratio of 0.139 children per household that the CEQR Technical Manual suggests for low and moderate households in the Bronx, it is estimated that 128 eligible children under six

years of age would be generated by the new development. The additional children would increase enrollment at publicly funded group day care and Head Start facilities in the study area to 3,479. With a funded capacity of 3,666 slots, the facilities would have a collective 95 percent utilization rate, with 187 open slots.

According to the *CEQR Technical Manual*, a significant adverse child care impact may result, warranting consideration of mitigation, if the Proposed Action would increase the study area's utilization rate by at least 5 percent and the resulting utilization rate would be 100 percent or more. Because the study area's utilization rate would be less than 100 percent, the Proposed Action would not have a significant adverse impact on publicly funded child care.

## D Open Space

The Proposed Action would not have a direct impact on any open space resource in the study area. No open space would be displaced, and no significant shadows would be cast on any publicly accessible open spaces. However, the Proposed Action would have a significant adverse impact as the open space ratio would substantially decrease from that seen under the future no-action condition.

In the future with the Proposed Action, the total open space ratio is projected to be 0.71 acres per 1,000 residents, a 7.0 percent decrease from the future no-action condition of 0.76. The active open space ratio in the residential study area would decrease from 0.26 acres per thousand users in the future no-action condition to 0.24 acres per thousand users in the future with action condition, a 7.4 percent decrease. The passive open space ratio would decrease from 0.50 acres per thousand users in the future no-action condition to 0.47 acres per thousand users in the future with action condition, a 6.8 percent decrease.

The qualitative assessment indicates that the quality and low utilization of study area open spaces combined with the availability of open spaces outside of the study area would somewhat alleviate the burden on open spaces in the future action conditions. However, the decrease in the residential study area open space ratio is sizeable, and because of this, the Proposed Action would result in a significant adverse open space impact. This significant adverse impact would remain unmitigated, at least in part, as is discussed in Chapter 4, Unavoidable Significant Adverse Impacts. Partial mitigation measures to address the adverse open space impact are discussed in Chapter 3, Mitigation.

At 0.51 acres of passive open space per 1,000 daytime users, the non-residential study area open space ratio is projected to be more than three times the City's open space ratio guideline of 0.15 acres per 1,000 workers. Daytime users of passive open space will be well-served by the resources available, and there would be no significant adverse open space impacts in the non-residential study area as a result of the Proposed Action.

## E Shadows

The incremental shadows generated by the full build out of the Proposed Action on the development sites in 2022 would not cause a significant adverse shadow impact. There are no shadow-sensitive historic structures within the area of potential shadow impacts. The Proposed Action would not result in significant new shadows being cast on any nearby open space during any of the CEQR seasonal analysis periods, with the exception of Boone Slope Park. However, Boone Slope Park, which measures 0.03 acres and is steeply sloped, is not publicly accessible, and there are no current plans for its improvement to make it publically accessible.

The two park areas for which sun exposure is important to existing or proposed vegetation (Starlight Park/Bronx River Greenway and Drew Gardens) would each still receive more than seven hours of direct sunlight in any analysis period, and therefore existing vegetative patterns would not be affected. Incremental shadows in Starlight Park and the Bronx River Greenway would not affect planned activities in those parks. West Farms Square at the northeast corner of East Tremont Avenue and Boston Road would experience only 50 minutes of incremental shadows during the winter solstice period, and then only at the end of the analysis period ending one and one-half hours before sunset.

Each of the schoolyards in the analysis area (PS 6, PS 214, and PS 66) would experience additional incremental shadows either in the early hours of the day (PS 6, from 8:45 to 9:30 AM on the winter solstice only) or in the afternoon hours after the school day (PS 66 for 45 minutes during the summer solstice, at the end of the analysis period ending at 7:00 PM. No incremental shadows would be cast on the PS 214 playground before 3:00 PM during the equinoxes, the midpoints between the equinoxes, and the summer solstice. No incremental shadows would be cast on this playground during the winter solstice. The two open spaces further to the east (the 174$^{th}$ Street Playground and the HS 692/690/550/680 playing field) would either experience incremental shadows of five minutes or less during any analysis period (the 174$^{th}$ Street Playground) or no incremental shadows (the HS 692/690/550/680 playing field).

A special shadow impact study for the Bronx River showed that no significant impacts would be expected from the Proposed Action because the durations of shadows on the river would be relatively short duration and only at the end of the day during any analysis period. The analysis also showed that currents in the river would minimize the time phytoplankton and other organisms would be in the shadows of Proposed Action shadows. Accordingly, no significant shadow impacts on the Bronx River are expected.

A special impact study undertaken for the Bronx River House also indicated that shadows cast by the Proposed Action would have a de minimus effect on power output from proposed solar panels atop that building, again because of the short duration of the shadows and the late hour in the day when such shadows would cover the panels. The annual projected loss in power produced by the proposed solar panels was 1.04 percent. No significant shadow impacts on the Bronx River House solar panels are expected.

## F Historic and Cultural Resources

*Architectural Resources*

There are no designated or potential architectural resources within a 400 foot radius drawn around the proposed rezoning area. The Proposed Action would not result in potential impacts to architectural resources.

*Archaeological Resources*

The Proposed Action would result in ground disturbance on 15 historic lots (8 modern lots) with potentially sensitive archaeological residential and burial resources. Four of the 8 modern lots (11 of the 15 historic lots) are under the applicant's control. A Testing Protocol to recover resources on the applicant-controlled lots has been developed, reviewed and approved by the New York City Landmarks Preservation Commission (LPC) and the State Office of Parks, Recreation and Historic Preservation (OPRHP). The applicant has agreed to record a restrictive declaration against the properties that it controls, which would ensure that this protocol is followed before and/or during

development of these lots. Significant adverse impacts to the archaeological resources on these lots would therefore be avoided as part of the project.

The remaining 4 modern (and historic) lots, which are not under the applicant's control, are identified in Table ES-5. No mechanism (such as a restrictive declaration or (E) designation) is available to ensure that the redevelopment of these lots would not result in significant adverse impacts to archaeological resources. Accordingly, they are considered to be unavoidable significant adverse impacts.

**Table ES-5: Archaeologically Sensitive Lots for Sites not under Applicant Control**

| MODERN BLOCK/LOT # | HISTORIC LOT # | SENSITIVITY | DATE RANGE | LOCATION |
|---|---|---|---|---|
| **B 3016, L 71** | 71 | Residential shaft features | c.1851-1893 | Rear of Lot (North) |
| **B 3015, L 87** | 87 | Residential shaft features | c.1851-1893 | Center of lot. |
| **B 3009, L 38** | 43 | Possible burials outside of mapped Dutch Reform Church (DRC) Cemetery bounds | 1845-1891 | Southeastern edge of lot. |
| **B 3009, L 44** | 44 | DRC Cemetery | 1845-1891 | Eastern half of lot. |

## G Urban Design and Visual Resources

The Proposed Action would not result in a significant adverse impact to urban design or visual resources. The Proposed Action would lead to the removal of existing buildings and open storage areas that are inconsistent with the built form within the surrounding neighborhoods. The proposed residential street walls, with regular fenestration patterns and some ground floor storefronts, would create a streetscape that is more pleasing and conducive to pedestrian activity, and more consistent with the residential neighborhoods, than the existing array of blank walls, fences, and truck bays. The new buildings would be taller and larger than existing nearby residential development, except at the northern end of the proposed rezoning area, but the scale of the anticipated development would not undermine the character of the existing development in Crotona Park East and West Farms neighborhoods.

The anticipated redevelopment would not obstruct existing views to or from the Bronx River or Starlight Park, which will be the area's principal visual resources in the 2022 analysis year (Starlight Park will be completed in 2012), and would not diminish any valuable aspects of their visual setting.

## H Natural Resources

The Proposed Action would not result in a significant adverse impact to natural resources. Although the Bronx River, a primary natural resource, is adjacent to the proposed rezoning area, the rezoning area itself is extensively developed and paved and substantially devoid of natural resources. Existing structures in the rezoning area are not known to contain or be used as habitats for endangered species. Measures discussed in Chapter 2.I, Hazardous Materials, would eliminate the possibility of run-off

carrying sub-surface hazardous materials in the river during development. As discussed in Chapter 2.E., the Proposed Action would not result in any shadows impacts on the Bronx River. As discussed in Chapter 2.S, Construction Impacts, the Bronx River is separated by a distance of 300 to 500 feet, and within that separation are the Sheridan Expressway and the West Farms Road right-of-ways. The primary concern during construction would be the possibility of sediments flowing from the construction sites into the river through sheetflow run-off, increasing turbidity and possibly biochemical oxygen demand. However, both of these roadways have their own drainage systems, so sheetflow run-off from the project sites to the river would not occur.

## I Hazardous Materials

The Proposed Action would not introduce new activities or processes using hazardous materials; however, the Proposed Action would allow new residential development in an area that has long been used for industrial and automotive uses. The Proposed Action would not result in significant adverse impacts due to hazardous materials with the placement of (E) designations on the projected and potential development sites not controlled by the applicant and the recording of restrictive declarations against all of the projected development sites controlled by the applicant.

Many sites within the proposed rezoning area were identified as potentially contaminated with an array of both petroleum- and non-petroleum-based chemicals as a result of former activities on or near those sites. These findings are summarized in Chapter 2.I, Hazardous Materials, and detailed in a hazardous materials report appended to this EIS (as Appendix 5). As a result, in accordance with the report's recommendations and New York City Department of Environmental Protection (DEP) requirements, precautions will be taken to ensure that demolition and construction workers and future residents and visitors are not exposed to hazardous materials. All of the 45 lots that would be rezoned and have been identified as projected or potential development sites but that are not under the applicant's control will receive (E) designations. The (E) designation would require that, prior to the issuance of construction-related permits for redevelopment, the property owner conduct a Phase I environmental site assessment in accordance with the American Society of Testing Materials (ASTM) E1527-05, prepare and implement a soil and groundwater testing protocol, and perform such remediation activities as are deemed appropriate by the New York City Mayor's Office of Environmental Remediation (OER), to the satisfaction of OER.[2] For those lots under the applicant's control, DEP has reviewed the Phase I and Phase II reports that have been prepared to date and has determined that additional investigation and/or remediation will be required. For lots under the applicant's control, a restrictive declaration will be recorded against the property, binding the applicant to perform all investigative or remedial activities required by DEP, in accordance with protocols devised by the agency, and to the agency's satisfaction, before submitting any permit applications to the New York City Department of Buildings. The placement of (E) designations on the 45 tax lots not controlled by the applicant and the recording of restrictive declarations against all of the 15 lots controlled by the applicant would ensure that no significant impacts related to hazardous materials would occur as a result of the Proposed Action.

## J Water and Sewer Infrastructure

The Proposed Action would not result in any significant adverse impacts related to infrastructure in terms of water supply, wastewater treatment, or stormwater runoff.

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[2] Note that pursuant to Local Law 27 of 2009, the New York City Mayor's Office of Environmental Remediation (OER) was granted authority over administering (E) designations issued pursuant to Section 11-15 of the Zoning Resolution, as successor to DEP for such purpose.

*Water Supply*

In the future with the Proposed Action, development in the rezoning area would generate a net increase in water demand of approximately 659,964 gallons per day (gpd) (0.66 million gallons per day (mgd)) greater than estimated in the future without the Proposed Action. This demand represents less than 0.1 percent of the City's overall water supply demand of 1.3 billion gallons per day. Since the Proposed Action would not result in developments that consume an exceptional amount of water (i.e., more than 1.0 mgd), the Proposed Action would not result in a significant adverse impact on the city's water supply or water pressure.

*Wastewater Treatment*

Wastewater generated in the proposed rezoning area is treated at the Hunts Point Water Pollution Control Plant (WPCP), which is designed to treat up to 200 mgd of wastewater. In 2009, the average dry weather flow was 114 mgd, and in the build year of 2022, it is projected to be 118 mgd, leaving 82 mgd available capacity. The Proposed Action would generate approximately 0.70 mgd more sanitary sewage over the future without the Proposed Action, which is equivalent to 0.85 percent of the available capacity of the Hunts Point WPCP. Therefore, the Proposed Action would not result in a significant adverse impact on the Hunts Point WPCP.

*Sanitary and Stormwater Drainage and Management*

The Proposed Action would not generate substantial additional runoff compared to the amount of runoff that would occur in the future without the Proposed Action. Because the amount of impervious surfaces (roof, pavement, etc.) on the projected development sites would not change substantially as compared to the existing and future without the Proposed Action conditions, there would not be a substantial increase of stormwater runoff as a result of the action. The increase in combined sewer/wastewater runoff flows between existing and Action conditions combined sewer amounts -- 0.87, 2.56, and 5.17 mg and 0.03, 0.08. and 0.14 mg for the 0.4, 1.2 and 2.5 inch rainfall events, respectively -- includes the effluent from other proposed projects in the No Action condition as well as the estimated effluent from previous rezonings in the HP 003 and HP 004 catchment areas.

Between the Draft EIS and Final EIS, the applicant and lead agency have coordinated with DEP to further consider measures to reduce potential increases in stormwater runoff and wastewater flow as a result of the Proposed Action. A BMP concept plan for the applicant properties was refined and submitted to DEP to illustrate the opportunities for the applicant's development lots within the rezoned area, to incorporate onsite stormwater source controls during planning and building design phases of project development.

At the time of detailed design, the applicant will work with DEP to determine which of the BMPs will be incorporated into the project design to achieve a target stormwater release rate of 0.25 cubic feet per second (cfs) or 10% of the allowable flow per the drainage plan, whichever is greater.

For non-applicant properties, self-certification of house or site connection proposals will not be permitted by the Department of Buildings or DEP in connection with any proposed new developments or expansions of existing development for which sewer connections are required.

Based on the analysis and procedures described above, the Proposed Action would not result in significant adverse impacts to the local water supply, sanitary wastewater treatment, or stormwater management infrastructure systems with the above measures in place.

## K Solid Waste and Sanitation Services

As compared to future no-action conditions, the Proposed Action would generate an additional 80,294 pounds per week (40.3 tons) of residential and community facility solid waste, which would be carted away by the New York City Department of Sanitation (DSNY). This volume, averaging approximately 11,470 pounds per day (5.7 tons) of solid waste, is below the 50 tons per week identified in the *CEQR Technical Manual* as a "substantial amount" of solid waste. The Proposed Action would not directly affect any DSNY facilities or conflict with the City's Solid Waste Management Plan. Accordingly, the Proposed Action would not have a significant adverse impact on the City's solid waste and sanitation services.

## L Energy

The Proposed Action would not have a significant adverse impact on energy consumption. All new buildings constructed within the proposed rezoning area would be subject to the New York City Energy Conservation Code and any other applicable regulations regarding energy conservation measures. The Proposed Action would increase the area's annual energy consumption by an estimated 211.36 billion BTUs, which is not significant in the context of the City's energy use as a whole.

## M Transportation

The Proposed Action would result in the development of residential, retail, and daycare components, resulting in an increase in the number of trips into and out of the study area. A total of 20 intersections (ten signalized and ten unsignalized under existing conditions), two subway stations, nine bus lines and 52 pedestrian elements were selected for detailed traffic and transit and pedestrian analysis. All transportation facilities were analyzed for weekday AM, weekday midday, and weekday PM peak hour conditions.

Existing condition traffic analyses indicated that most intersections in the traffic study area operate at overall acceptable levels during the three analysis peak hours. However of the 75 approach movements analyzed, 15, 9 and 15 movements currently operate at mid-Level of Service (LOS) D or worse during the AM, midday and PM peak hours, respectively. On-street parking is available within the primary study area, with most on-street parking designated as alternate side of the street parking regulations. One off-street parking facility located within a quarter of a mile of the project site was surveyed.

Under the 2022 with Action conditions, there would be significant traffic impacts on seven, ten and eight approach movements during the AM, midday, and PM peak hours, respectively, at four, six and five intersections, respectively. The approaches which would have impacts in the 2022 with Action conditions are listed in Table ES-6 below by time period. On-street parking demand would continue to be below the available supply within the study area. Transit and pedestrian analyses indicate that all elements would continue to operate at LOS C or better for all peak periods.

Mitigation measures approved by NYCDOT would mitigate all impacts except for two, three, and one traffic movements at the intersection of East 177$^{th}$ Street at the Sheridan Expressway during the AM, midday and PM peak hours, respectively, and one movement at the intersection of West Farms Road and Boston Road at East Tremont Avenue during the PM peak hour. The Proposed Action would result in unmitigated significant adverse impacts to (1) the left-through-right movement of the northbound approach and the left/through movement of the southbound approach at the intersection of East 177$^{th}$ Street at the Sheridan Expressway during the AM peak hour; (2) the left movement of the eastbound approach, the left-through-right movement of the northbound approach and the

left/through movement of the southbound approach at the intersection of East 177th Street at the Sheridan Expressway during the midday peak hour; (3) the left/through movement of the southbound approach at the intersection of East 177th Street at the Sheridan Expressway during the PM peak hour; and (4) the through/right movement of the southbound approach at the intersection of West Farms Road and Boston Road at East Tremont Avenue during the PM hour. Existing conditions transit and pedestrian analyses indicate that all elements operate and would continue to operate at LOS C or better during all peak periods. Analysis of transit elements included subway stations (stairways and turnstiles); a bus load analysis was not required according to the 2010 *CEQR Technical Manual* Level 2 Screening assessment. Analysis of pedestrian elements included street-level elements (sidewalks, crosswalks, and corner reservoirs). Therefore, there would be no significant adverse transit or pedestrian impacts associated with the Proposed Action.

**Table ES-6: Summary of Significantly Impacted Intersections**

| Intersection | AM | MD | PM |
|---|---|---|---|
| East Tremont Ave at East 177th Street, Devoe Avenue | | NB-L (E 177th St/Devoe Ave) | NB-L (E 177th St/Devoe Ave) |
| West Farms Rd at Boston Road, East Tremont Avenue | NB-LTR(West Farms Rd), NEB-LTR(Boston Rd), SB-DefL(Boston Rd) | WB-LTR(E Tremont Ave), NEB-LTR(Boston Rd), SB-DefL(Boston Rd) | WB-LTR(E Tremont Ave), NB-LTR (West Farms Rd), NEB-LTR(Boston Rd), SB-TR(Boston Rd)** |
| East 177th Street at Sheridan Expressway | NB-LTR (Bus Depot Entr)**, SB-LT (E 177th St)** | EB-L (Sheridan Off-Ramp)**, NB-LTR (Bus Depot Entr)**, SB-LT (E 177th St)** | SB-LT (E 177th St)** |
| Bronx River Avenue at East 174th Street | EB-LTR | EB-LTR | |
| Boone Avenue at East 174th Street | SB-LTR | | |
| Longfellow Avenue at East 174th Street | | NB-LTR | NB-LTR |
| West Farms Road at Home Street, Longfellow Avenue | | NWB-LTR (Home St) | NWB-LTR (Home St) |

Note: ** Proposed Mitigations that would successfully mitigate impacts at these locations were not accepted by NYCDOT, therefore these approaches are unmitigated.

Future parking conditions with the Proposed Action are expected to change in terms of both supply and demand. Overall the parking supply would increase from 3,800 spaces to 4,390 spaces in the midday and from 4,233 spaces to 4,823 spaces in the overnight period. In the midday, the demand will decrease by 115 spaces. Overnight, the demand will increase by 729 spaces. Final demand with the Proposed Action will be 2,944 parking spaces and 4,022 parking spaces in the midday and overnight, respectively. Utilization would decrease in the midday from 81% to 69% and increase in the overnight from 78% to 86%. This is less than half of the available spaces needed to indicate a significant impact. Therefore, there would be no parking significant impacts associated with the Proposed Action.

## N Air Quality

*Mobile Sources and Parking Facilities*

The additional traffic volumes anticipated as a result of the Proposed Action would not cause carbon monoxide (CO) or fine particulates (PM2.5 and PM10) concentrations to exceed either National Ambient Air Quality Standards (NAAQS) or New York City de minimis criteria at any intersection. Carbon monoxide emissions from the new garages would also not exceed those standards. No new building would be exposed to PM2.5 or PM10 concentrations in excess of NAAQS as a result of the exhaust from vehicles traveling on the Cross Bronx Expressway. In summary, the Proposed Action would not result in any significant adverse mobile source air quality impact.

*Stationary Sources*

Searches were performed for federal, state, or city permits for boiler, garage, or air toxics emissions in or near the proposed rezoning area. The searches and subsequent screening and computer modeling showed that no stationary emissions sources are close enough or large enough to have a significant adverse air quality impact on any project or potential development site.

HVAC system boiler emissions from new buildings that might be built on projected or potential development sites would not cause significant air pollutant concentrations at any existing residential building, school, or other sensitive receptor.

Assessment using the federal Environmental Protection Agency's (EPA's) AERMOD dispersion model indicated that, in the absence of restrictions on fuel sources or emissions stack locations, developments on many of the projected and potential development sites could potentially cause significant adverse air quality impacts on projected or potential new buildings on nearby sites, causing pollutant concentrations that would exceed NAAQS limits, if their boilers are fueled by oil rather than natural gas and if their exhaust stacks are located at rooftop locations sufficiently close to the potentially affected buildings. The Proposed Action would therefore including the placement of (E) designations on non-applicant-controlled sites and the recording of restrictive declarations against applicant-controlled sites that would require the use of natural gas rather than oil, require exhaust stacks to be set back from certain property lines by specified minimum distances, or both. In addition, the applicant proposes to construct exhaust stacks for the boilers that are on the mechanical penthouses and extend seven feet above the penthouses rather than follow the standard, less stringent practice of building stacks three feet higher than the surrounding roof. The more rigorous stack height requirement would be part of restrictive declarations recorded against the applicant-controlled Sites. The placement of these (E) designations and the recording of these restrictive declarations would avoid the potential significant adverse air quality impacts and ensure that residents of the buildings on proposed and potential development sites would not be subjected to unhealthful levels of air pollution caused by other development resulting from the Proposed Action.

*Air Toxics*

Four facilities located either within the proposed rezoning area or within 400 feet of its boundaries have permits for the release of air toxics. Analysis indicates that none would have a significant adverse impact on any building that would occupy a projected or potential development site.

*Odors*

The only establishment likely to generate significant odors that could affect projected or potential development sites is the meat packaging plant at 1560 Boone Avenue (Block 3014, Lot 15). This property exists on Projected Development Site 2N, which is controlled by the applicant, and it would be redeveloped under the Proposed Action. Although construction activity on that site would not

commence until years 4 to 6 in construction Sequence Period 3, the firm intends to vacate the premises and relocate its operation well before residential construction on nearby sites has been completed. Therefore, it would not be an odor source affecting the redeveloped lots.

**O Greenhouse Gas Emissions**

Construction for the Proposed Action would result in an estimated 128,128 metric tons of net embodied carbon dioxide equivalent over the entire construction period. Annually, the Proposed Action would result in approximately 19,472 metric tons of greenhouse gas (GHG) emissions from its operations and 9,621 metric tons of GHG emissions from mobile sources, for an annual total of 29,094 metric tons of GHG emissions, or about 0.06 percent of the City's annual total of 49.3 million metric tons. This change would not represent a net increment in GHG emissions, since similar GHG emissions would occur if residential units and associated uses were to be constructed elsewhere, and could be higher if constructed with less energy efficiency (the energy efficiency measures proposed on the applicant-controlled development sites are discussed in further detail below), as lower density residential, further from employment and commercial uses, and/or with less immediate access to transit service.

Construction on the applicant-controlled development sites would result in an estimated 60,116 metric tons of net embodied carbon dioxide equivalent over the entire construction period (with 39,817 metric tons attributed to the LSGD sites and 20,299 metric tons attributed to the applicant's non-LSGD sites). Annually, the applicant-controlled development sites would result in approximately 9,109 metric tons of GHG emissions from its operations (6,020 metric tons from the LSGD sites and 3,088 metric tons from the applicant's non-LSGD sites) and 18,633 metric tons of GHG emissions from mobile sources (11,879 metric tons from the applicant's LSGD sites and 6,755 from the applicant's non-LSGD sites), for an annual total of 27,742 metric tons of GHG emissions, or about 0.05 percent of the City's annual total of 49.3 million metric tons. For applicant-controlled development sites, research will be conducted into the use of low carbon and carbon neutral concrete.

Construction on the development sites not controlled by the applicant would result in an estimated 68,012 metric tons of net embodied carbon dioxide equivalent over the entire construction period. Annually, the development sites not controlled by the applicant would result in approximately 10,363 metric tons of GHG emissions annually from its operations and 22,489 metric tons of GHG emissions annually from mobile sources, for an annual total of 32,852 metric tons of GHG emissions, or about 0.06 percent of the City's annual total of 49.3 million metric tons.

The site selection for the applicant-controlled development sites and other development sites within the proposed rezoning area, the dense and mixed-use development projected to result from the Proposed Action, and the GHG reduction measures that the applicant will or may incorporate into its LSGD site, as well as on the other applicant-controlled development sites within the rezoning area, would advance New York City's GHG reduction goals as stated in PlaNYC. Where applicable, implementation of GHG reduction measures will be required through the Proposed Project's restrictive declaration. The applicant will also consider participation in the Enterprise Green Communities Initiative and /or the NYS Energy Research and Development Authority's Multifamily Performance Program, depending on the availability of these or similar programs at the time of development. In addition, the development associated with the Proposed Action could be subject to changes in the New York City Building Code that are currently being considered to require greater energy efficiency and to further the goals of PlaNYC. These could include energy efficiency requirements, specifications regarding cement, and other issues influencing GHG emissions. Therefore, the Proposed Action is consistent with the City's citywide GHG and climate change goals

**P Noise**

*Mobile Sources*

A screening analysis based on action-generated increases in traffic showed no potential for noise increases of 3.0 dBA or more to the $L_{eq}$ or $L_{10}$, relative to future no-action conditions, at any of the studied intersections. Because redevelopment of industrial sites under the RWCDS would reduce the number of truck trips, the Proposed Action would result in slightly lower noise levels at many locations and a significant lowering of noise levels, by 3.1 dBA, at the intersection of Boone Avenue and East 173rd Street.

The northernmost block of the proposed rezoning area is adjacent to an elevated subway trestle above Boston Road. Because of this, the noise levels at Projected Development Site 9C and Potential Development Sites 9A and 9B would be in the "Clearly Unacceptable" category of the DEP Noise Exposure Guidelines. The highest noise levels, up to an $L_{10}$ of 86.1 dBA, are based on monitored noise levels at ground level and are partially due to the reverberation of rail noise on the elevated metal structure. Under guidelines in the *CEQR Technical Manual*, the development of new residential units at locations subject to these Clearly Unacceptable noise levels would ordinarily constitute a significant adverse impact because indoor noise levels could exceed the maximum acceptable level of 45 dBA. However, the Proposed Action would include the placement of (E) designations on Sites 9A (Block 3016, Lots 33 and 35), 9B (Block 3016, Lots 36 and 37), and 9C (Block 3016, Lots 38 and 42) that would require (1) specified levels of window/wall noise attenuation and (2) air conditioning or other alternative means of ventilation so that residents can maintain a closed window condition at all times of the year. The specified attenuation levels would be at least 42 dBA on the affected lower floors of the buildings. That level of exterior-to-interior noise attenuation would ensure that indoor noise levels would be below 45 dBA, avoiding the potential significant adverse noise impact. A lesser noise attenuation requirement may be appropriate for floors above the second floor because noise levels above the elevated rail structure may be substantially lower. Other projected and potential development sites would be subject to noise levels in the marginally unacceptable categories because of highway and other traffic noise. If an action would introduce noise-sensitive uses at a location where the noise levels would exceed the marginally acceptable levels, the *CEQR Technical Manual* specifies that a significant impact would occur unless the building design provides a composite building attenuation that would be sufficient to reduce these levels to an acceptable interior noise level. Except at Sites 9A, 9B, and 9C, attenuation levels of from 28 to 33 dBA would be required to ensure acceptable indoor noise levels.

The Proposed Action would include the placement of (E) designations for non-applicant-controlled projected and potential development sites and the recording of restrictive declarations for Proposed Project sites. The provisions of both the (E) designations and the restrictive declarations would mandate the required attenuation rating levels to ensure that interior noise levels would be at 45 dBA or less for residential uses and 50 dBA or less for commercial uses. Where the projected $L_{10}$ noise levels would be 70 dBA or more, the (E) designation and restrictive declaration provisions also would require alternate means of ventilation to permit a closed-window condition during warm weather. Although the projected noise levels would be high enough to result in significant adverse noise impacts, the potential impacts would be avoided through the placement of (E) designations and recording of restrictive declarations that would mandate the requisite noise attenuation levels and, where necessary, require alternate means of ventilation. Accordingly, the Proposed Action would not result in a significant adverse impact related to mobile noise.

*Stationary Sources*

No existing stationary sources of noise were identified during field observations. Stationary sources of noise under the Proposed Action would include HVAC units on the rooftops of buildings. No impacts from new stationary sources are anticipated due to the distances from buildings of similar height and the design of the units.

The Proposed Project would include both an outdoor children's playground (a new stationary noise source) and wings of a residential building (new sensitive noise receptors) along the southern part of the Boone Avenue frontage between East 172nd and 173rd Streets, on Site 2S. One building wing would directly abut the playground's northern edge. For ground floor windows facing the playground, the total L10 would be 78.5 dBA, which would be in the Marginally Unacceptable IV category, requiring window/wall noise attenuation of 35 dBA. This would be an increase of 3.3 decibels compared to No Action noise levels. A façade of another wing would be about 15 feet from the playground's southern edge. For ground floor windows facing the playground, the total L10 would be 78.5 dBA, which would be in the Marginally Unacceptable IV category, requiring window/wall noise attenuation of 35 dBA. This would be an increase of 2.4 dBA compared to No Action noise levels.

Under guidelines in the *CEQR Technical Manual*, these increases would constitute potential significant adverse impacts to the residential windows that would face the playground. However, the restrictive declaration associated with the LSGD would require window/wall noise attenuation of at least 35 dBA on the affected lower floors of the two building wings. A lesser noise attenuation requirement would be appropriate for floors above the second floor as both traffic noise and playground noise decrease with distance. Additional analysis will be carried out between the Draft and Final EIS to determine the appropriate noise attenuation levels for the higher floors. The restrictive declaration provisions to ensure that interior noise levels remain at 45 dBA or less for residential uses would avoid the potential significant adverse noise impact. Accordingly, the Proposed Action would not result in a significant adverse impact related to noise.

## Q Public Health

The Proposed Action would not result in significant adverse impacts to public health. The potential for the Proposed Action to cause a significant adverse impact regarding water quality, hazardous materials, air quality, and noise is discussed in Chapters 2.H, Natural Resources; 2.I, Hazardous Materials; 2.N, Air Quality; and 2.P, Noise, respectively. No significant impact has been identified in any of these chapters. The analysis in Chapter 2.S, Construction Impacts, concludes that there would be no significant adverse impact with regard to construction air quality; however, the Proposed Action would result in unmitigated, significant adverse impacts related to construction noise. These impacts, however, would not result in significant adverse impacts to public health.

The Central Bronx health statistics neighborhood, in which the proposed rezoning area is located, is one in which rodent infestation is prevalent. Construction contracts would include provisions for a rodent (mouse and rat) control program. Before the start of construction, the contractor would survey and bait the appropriate areas and provide for proper site sanitation. During the construction the contractor would carry out a maintenance program, as necessary. Signage would be posted, and coordination would be maintained with appropriate public agencies. Only U.S. Environmental Protection Agency (EPA) - and New York State Department of Environmental Conservation (NYSDEC)-registered rodenticides would be permitted, and the contractor would be required to perform rodent control programs in a manner that avoids hazards to persons, domestic animals, and non-target wildlife. Therefore, construction of the Proposed Action would not result in any significant adverse impacts on rodent control.

For these reasons, the Proposed Action would not cause a significant adverse impact to public health.

## R Neighborhood Character

According to the *CEQR Technical Manual*, the Proposed Action could have a significant adverse neighborhood character impact if it would have the potential to affect the defining features of the neighborhood, either through the potential for a significant adverse impact in any relevant technical area or through a combination of moderate effects in those technical areas. The Proposed Action would not cause significant adverse impacts regarding land use, zoning, and public policy; socioeconomic conditions; shadows; urban design and visual resources; or noise. The significant adverse impacts to open space, historic and cultural resources, and transportation would not affect any defining feature of neighborhood character, nor would a combination of moderately adverse effects affect such a defining feature. The Proposed Action would therefore not have a significant adverse neighborhood character impact.

## S Construction Impacts

*Traffic – Construction Peak Period Analysis*

A preliminary construction traffic analysis was conducted for the Proposed Action, which indicated that four intersections would potentially experience a significant adverse construction traffic impact. These intersections are as follows:

1. Intersection 18 West Farms Road/Home Street
2. Intersection 21 Bronx Park Avenue/East 177th Street
3. Intersection 9 West Farms Road/East 173rd Street
4. Intersection 10 Boone Avenue/East 173rd Street

Further detailed analysis has been performed at these locations between the Draft and Final EIS to specifically quantify the construction traffic impacts and to determine what mitigation measures, such as signal timing modification, daylighting and/or lane re-striping would mitigate the impacts. In addition, seven other intersections were also studied between the Draft and Final EIS:

5. Intersection 1 East Tremont Avenue at East 177th Street and Devoe Avenue
6. Intersection 2 East Tremont Avenue, Boston Road at West Farms Road
7. Intersection 4 East 177th Street at Sheridan Expressway
8. Intersection 6 Bronx River Avenue at East 174th Street
9. Intersection 7 Boone Avenue at East 174th Street
10. Intersection 8 Longfellow Avenue at East 174th Street
11. Intersection 12 West Farms Road at East 172nd Street

The analysis indicates that significant adverse construction period traffic impacts would occur at two intersections (#'s 8 and 18) during the AM construction peak hour and at four intersections (#'s 1, 2, 4, and 6) during the PM construction peak hour. These impacts would occur during the construction phase in which the greatest number of daily employee trips would occur, a phase that would begin at about week 240 of the construction schedule, which is expected to be sometime during the year 2018. Measures approved by NYCDOT would fully mitigate the impacts at Intersections 1, 6, 8 and 18. The significant adverse construction traffic impacts at Intersection 2, East Tremont Avenue and Boston

Road at West Farms Road, and at Intersection 4, East 177th Street at the Sheridan Expressway, would remain unmitigated.

Parking

The parking supply and demand analysis for the peak construction period indicated there would be 701 and 504 available spaces in the 6-7 AM and mid-day periods, respectively, after accounting for the parking demand expected from construction employees. Accordingly, no significant adverse parking impacts during construction are expected.

Transit and Pedestrians Analysis

The analysis showed that the construction bus, subway and pedestrians trips would be substantially less than that for the Proposed Action, and because the Proposed Action analyses indicated no impacts on these facilities, no significant adverse construction impacts would be expected for these facilities.

*Air Quality and Noise*

Air Quality

Based on the preliminary construction analysis, construction activities are not likely to cause mobile source air quality impacts. Although the construction-related trucks may exceed the increment projected for the Future with Action Conditions during some hours of the day and/or short-term periods, no significant long-term adverse impacts are anticipated.

Any potential impacts to adjacent residences would be temporary impacts lasting less than one year. Due to its long construction period when diesel equipment would be on Site 2N (70 weeks), the applicant has agreed to the implementation of a diesel particulate matter (DPM) reduction program. The emissions reduction practices included in the program would avoid a significant adverse air quality impact and would be ensured through the LSGD restrictive declaration.

Noise

Based on the preliminary construction analysis, construction activities are not likely to cause long-term impacts due to mobile sources, impulse noise, or noise within a narrow range of frequencies.

Even though no long-term construction noise impacts are expected to occur as a result of the Proposed Action, there are shorter periods during which very high increases in construction noise would occur, particularly for sensitive receptors along Longfellow Avenue between East 173rd and East 174th Streets.

Further analysis of construction noise affecting the receptors along Longfellow Avenue, and consideration of potential mitigation measures to reduce the severity and duration of the noise from on-site equipment, was carried out between the Draft and Final stages of this EIS. This analysis did indicate that a significant adverse construction noise impact would occur at Lot 4 on Block 3010. This lot fronts Longfellow Avenue between East 173rd and East 174th Streets, but has a rear yard which abuts the proposed rezoning area along Boone Avenue. The significant adverse construction noise impact would occur because of the repeated nature of the high noise levels at this location.

*Other Technical Areas*

Land Use and Neighborhood Character

The proposed rezoning area is already an industrial area, and generally incompatible with the residential uses to the west. The industrial nature of the construction activities would be a substitution for the industrial uses already extant. While construction of the new buildings would cause temporary impacts, particularly related to noise, it is expected that such impacts in any given area would be relatively short term (e.g., less than two years), even under the reasonable worst case construction sequencing (see the construction air and noise assessment above). While the area would experience construction disruptions to neighborhood character, their duration would not be of sufficient time as to be considered as significant. Therefore, no significant adverse construction impacts to land use and neighborhood character are expected.

Socioeconomic Conditions

During the construction period, construction activities would be dispersed throughout the proposed rezoning area and would not affect access to particular businesses over an extended duration. No other businesses are near enough to the proposed rezoning area to be affected by construction activities. In addition, a central goal of the proposed rezoning is to make the area more compatible with the more residential nature of the upland areas. The businesses now extant on the proposed rezoning area are not unique nor do they form a special economic segment in the City's economy. These businesses would be expected to relocate as development pressures made their operations less viable (see Chapter 2.B, Socioeconomic Conditions). Therefore, no significant adverse construction impacts to socioeconomic conditions are expected.

Community Facilities

There are three community facility uses (schools) that abut or are within the project area (two at the south end – Fannie Lou Hamer Freedom High School and PS 66 – and one at the north end – PS 214 - of the proposed rezoning area). No other community facilities are located within or adjacent to the proposed rezoning area. It will not be necessary to alter the entrances to the schools, nor would it be necessary to close them at any time during the construction period. There would be no direct nor indirect construction effects to any community facilities other than those considered separately under the air, noise and traffic preliminary analyses. Hence, no significant adverse construction impacts would be expected to community facilities in the area.

Open Space

No open space resources would be disrupted during the construction of the project, nor would access to any publically accessible open space be impeded during construction within the proposed rezoning area. Therefore, no significant adverse impacts to open space are expected to occur.

Historic and Cultural Resources

The Proposed Action would result in potentially significant impacts to archaeological resources on projected development sites not under the control of the applicant and not subject to a restrictive declaration. The archaeological resources are a pre- and post-civil war cemetery generally in the vicinity of Boone Avenue and East 172$^{nd}$ Street and former privies (shafts) on sites located north of the Cross Bronx Expressway. These potential impacts are fully discussed under Chapter 2.F., Historical and Cultural Resources.

Natural Resources

The Bronx River is a natural resource within the vicinity of the proposed rezoning area. However, it is separated by separated by a distance of 300 to 500 feet, and within that separation is the Sheridan Expressway and the West Farms Road right-of-ways. The primary concern during construction would be the possibility of sediments flowing from the construction sites into the river through sheetflow run-off, increasing turbidity and possibly biochemical oxygen demand. However, both of these roadways have their own drainage systems, so sheetflow run-off from the project sites to the river would not occur.

In addition, Section 3309.1 of the New York City Building code requires that provisions be made to control water run-off and erosion during construction and demolition activities, and the New York State Department of Environmental Conservation (NYSDEC) has published a manual (New York Standards and Specifications for Erosion and Sediment Controls) which is the standard to be followed to comply with the Building Code.

Given the separation of the building sites from the Bronx River, the two intervening stormwater collections systems and the requirement for erosion and sediment control within the building code, no natural resources would be directly impacted by development which could occur as a result of the Proposed Action. (Also see Chapter 2.H. Natural Resources.) Therefore, no significant adverse construction impacts to natural resources are expected.

Hazardous Materials

Potentially significant hazardous materials impact could occur without the mitigation measures discussed under Chapter 2.I., Hazardous Materials. These potential impacts would be fully mitigated by the placement of (E) designations for development sites not under the control of the applicant, and by a restrictive declaration for the sites under the control of the applicant. These potential impacts and mitigation measures are discussed further in Chapter 2.I, Hazardous Materials.

## 3. MITIGATION

The technical analyses presented in Chapter 2 of this environmental impact statement (EIS) describe the potential for significant adverse environmental impacts to result from the Proposed Action. Significant adverse impacts were identified with regard to community facilities and services (related exclusively to elementary schools), open space, historic and cultural resources (related exclusively to archaeological resources), transportation (related exclusively to traffic), and construction (related to construction era traffic and noise). This chapter discusses measures that would be implemented to minimize or eliminate the identified and potential impacts.

The measures discussed below would fully mitigate the significant adverse impact to elementary schools, but they would not completely mitigate the impacts to open space, archaeological resources, traffic, or construction traffic and noise. The unmitigated impacts are discussed in Chapter 4, Unavoidable Adverse Impacts.

The mitigation measure proposed for the elementary school impact would alter the Proposed Project and thus the Reasonable Worst Case Development Scenario (RWCDS) presented in Chapter 1, Project Description. The discussion of elementary school mitigation therefore includes an assessment of whether the changes to the RWCDS needed to implement the mitigation would result in any additional significant adverse impacts, or exacerbate any of the previously identified significant adverse impacts, regarding the assessment categories addressed in Chapters 2.A through 2.S.

**Elementary Schools**

*Impact*

According to the *CEQR Technical Manual*, a significant adverse impact may result, warranting consideration of mitigation, if the proposed action would result in:

- A collective utilization rate within the sub-district study area of at least 105 percent; and
- An increase of 5 percent or more in the collective utilization rate between the future no-action and with-action conditions.

Chapter 2.C, Community Facilities and Services, concludes that the Proposed Action would have a significant adverse impact on the collective elementary school utilization rate in Sub-district 2 of Community School District (CSD) 12. Within Sub-district 2, the addition of the 1,028 public elementary school students generated by development under the RWCDS would exacerbate projected shortfalls in elementary school seats under future no-action conditions. In Sub-district 2, the shortfall would increase from 1,553 seats under future no-action conditions to 2,581 seats with the Proposed Action, and the schools' collective utilization rate would increase from 122 percent to 136 percent.

*Proposed Mitigation Measures*

To address the Proposed Action's significant adverse impact on elementary schools in Sub-district 2, the applicant will enter into an agreement with the SCA to provide the SCA with an option to acquire for one dollar a site for a new 88,860 square foot (sf) public elementary school serving grades pre-kindergarten through five (the "New School Mitigation"). The site is located on the east side of Boone Avenue approximately 59 feet south of East 173rd Street, which is part of applicant-controlled Parcel 2N. (See Figure ES-1 above.) The SCA and DOE would monitor school utilization rates as the Proposed Project and other projected developments on non-applicant-controlled sites are built to determine whether a new school is needed. If school utilization rates justify the construction of a new school, the SCA would exercise its option to acquire the school site and construct the school thereon. The SCA's option would extend until the later to occur of (i) September 30, 2015 and (ii) the point at which the applicant is ready to begin design of the rest of Parcel 2N which is projected to be the final site within the LSGD to be developed under the applicant's intended sequencing of construction.

The school would be able to accommodate between 540 and 576 students. To be conservative, the lower number is assumed for purposes of this schools analysis, and the higher number is assumed for purposes of determining whether this change to the RWCDS would cause new significant adverse impacts, or alter previously identified significant adverse impacts, in other assessment categories.

By ceding this development site, the applicant would reduce the size of the Proposed Project by 53 residential units and eliminate the 11,888 sf child care center. The elimination of the residential units would reduce the Proposed Action's total public school generation to 1,007 elementary school students (from 1,028).

The applicant's Proposed Project would thus include 1,272 dwelling units, which would generate an estimated 496 public elementary school students, using the 0.39 students per household multiplier set forth in the *CEQR Technical Manual*. The Proposed Project would generate fewer elementary school students than the maximum that could be accommodated in the new school. The Proposed Project would thus completely mitigate its own elementary school impact and provide additional capacity for some students generated by projected development on non-applicant controlled parcels.

The effect of the new school and the reduction in residential units on elementary school utilization rates in the sub-district study area is shown in Table ES-7.

**Table ES-7: 2022 Future with Action Elementary School Enrollment, Capacity, and Utilization - Comparison of No-School and With-School Scenarios**

| Study Area | Future No-Action Enrollment | Students Generated by Proposed Action Development | Total Future Enrollment | No-Action Target Capacity | New School Capacity | Total Future Capacity | Available Seats | Utilization Rate |
|---|---|---|---|---|---|---|---|---|
| | | | | | | | | |
| | | | | | | | | |
| Sub-district 2 with No School | **8,676** | **1,028** | **9,704** | **7,123** | **0** | **7,123** | **-2,581** | 136.2% |
| Sub-district 2 with the School | **8,676** | **1,007** | **9,683** | **7,123** | **540** | **7,663** | **-2,020** | 126.4% |

The proposed mitigation would reduce the projected utilization rate for elementary schools in Sub-district 2 in the future with the Proposed Action from 136.2 percent to 126.4 percent. In the future without the Proposed Action, a 1,553 seat shortfall would occur resulting in a 121.8 percent utilization rate. In the future with the Proposed Action, the mitigation would reduce the incremental increase in the utilization rate to 4.6 percent, which falls below the *CEQR Technical Manual* threshold of 5 percent for a significant adverse impact. Therefore, the new school would fully mitigate the significant adverse impact on elementary schools resulting from the Proposed Action.

*Potential Impacts of the New School Mitigation*

Changes to the RWCDS

If constructed, the school would replace Proposed Project Building 3C containing five- and seven-story wings with residential apartments above a ground floor child care center and retail space that would be built as part of the Proposed Project described in Chapter 1 and assessed in Chapter 2. By ceding this development site, the applicant would reduce the size of the Proposed Project by 53 residential units, including 27 units set aside for low and moderate income households and eliminating an 11,888 sf child care center. The total number of action-generated housing units would drop from 2,635 to 2,582, and the number of subsidized units reserved for low and moderate income households would decline from 923 to 896.

The new school would be six stories (85 feet) tall and would accommodate up to 576 students, with a 58-person staff, assuming one staff position for every ten students. Also, the adjacent residential building at the southwest corner of Boone Avenue and East 173rd Street (Building 3B) would be nine stories tall with a seven-story street wall, as opposed to seven stories tall with a six-story street wall planned as part of the Proposed Project. The street walls of Buildings 3A and 3B would also increase along West Farms Road by one story each (to eight stories for Building 3A and seven stories for Building 3B), but rooftop heights of both buildings would remain the same.

Impacts of the New School Mitigation

As discussed in Chapter 3, the New School Mitigation would not result in an adverse significant impact to any of the following analysis areas: land use, zoning and public policy; socioeconomic conditions; community facilities and services; open space; shadows; historic and cultural resources;

urban design and visual resources; natural resources; hazardous materials; water and sewer infrastructure; solid waste and sanitation; energy; transit, pedestrians, parking and safety; mobile or stationary air quality; greenhouse gas emissions; mobile noise; public health; neighborhood character; or construction

Traffic

Since the school would be located in an area of intersections that are currently unsignalized, the New School Mitigation would result in significant adverse traffic impacts at one unsignalized intersections where a significant impact was not predicted in Chapter 2.M. At West Farms Road at East 172nd Street the eastbound approach on East 172nd Street would increase from a delay of 16.3 seconds (LOS C) to 36.7 seconds (LOS E).

The list of traffic mitigation measures, which are the same as those that have been approved by the New York City Department of Transportation (NYCDOT) to address the significant adverse traffic impacts under the RWCDS, would mitigate all affected traffic movements at all intersections except West Farms Road at Boston Road and East Tremont Avenue during the PM peak period, East 177th Street at Sheridan Expressway during all peak periods, and West Farms Road at East 172nd Street during the AM peak period. Mitigation measures for these intersections that would alleviate the significant impacts were developed but were not accepted by NYCDOT. These impacts resulting from the New School Mitigation will remain unmitigated. Details of the mitigation measures implemented at all significant impact locations will be finalized during the TMP process described below.

Stationary Noise

The New School Mitigation would introduce one new stationary noise source not included in the RWCDS: the outdoor recreation area on the rooftop of the six-floor school. It would affect adjacent windows in a portion of the adjacent residential building on floors 7 through 9. For the windows adjacent to the rooftop recreation area and in the same apartment lines on the floor immediately above it, the addition of 75.0 dBA from the recreation area to the peak traffic noise along this block of Boone Avenue (during the AM peak hour), would result in an $L_{eq}$ of 75 to 76 dBA and an $L_{10}$ of 78 dBA. That would place the windows on floors 7 through 9 in the Marginally Unacceptable IV category, requiring 35 dBA of window/wall attenuation on these first two affected floors. Floors 1 through 6, which would be affected only by traffic noise, would have an $L_{10}$ of 70 to 71 dBA, placing them in the marginally Unacceptable I category requiring 28 dBA of attenuation.. The New School Mitigation would therefore require a change to the terms of the restrictive declaration for this site, changing the minimum required window/wall noise attenuation from 31 dBA to 28 dBA for floors 1 through 6 and 35 dBA for floors 7 through 9. That level of attenuation would be sufficient to ensure acceptable indoor noise levels within the residential apartments affected by the noise from the rooftop recreation area. The New School Mitigation would not result in a significant adverse stationary source noise impact.

Open Space

The Proposed Action would have a positive direct effect on open space resources by adding three new publicly accessible open spaces: the children's playground on Boone Avenue north of 172nd Street and the two landscaped mid-block open areas connecting Boone Avenue and West Farms Road on the blocks between Jennings Street and 172nd Street and between 172nd and 173rd Streets. Nevertheless, the Proposed Action would have an adverse indirect effect by adding population and thus increasing the demand for open space in the area. The overall open space ratios for the residential study area would decrease from 0.76 acres per thousand persons under no-action conditions to 0.71 acres per thousand persons as the result of the Proposed Action, a reduction of 7.0 percent. The active open

space ratio in the residential study area would drop from 0.26 to 0.24 acres per thousand users, or a 7.4 percent drop. The passive open space ratio for combined residents and non-residents would drop from 0.50 to 0.47, a 6.8 percent drop. Given the size of the decreases in the active and passive open space ratios, the Proposed Action would result in a significant adverse open space impact in the residential study area.

Mitigation measures for the significant adverse impact that would be caused by the Proposed Action were explored by the lead agency in consultation with the New York City Department of Parks and Recreation (DPR) between the draft and final stages of this EIS. Based on the current conditions DPR has identified potential mitigation measures designed to address impacts to open space. With the required capital and expense funds provided in the City Capital Plan or through private sources, mitigation measures could include, but are not limited to:

- Increasing the usability of the Daniel Boone Playground, located at Boone Avenue, West Farms Road and the Sheridan Expressway exit ramp. The playground, comprising 1.20 acres, is currently underutilized and in need of capital improvements and enhancements to existing play equipment. For example, the addition of a children's spray showers would enhance what is currently on the site;
- The development of public play space at Hoe Avenue North Tot Lots. The lots, currently undeveloped and totaling approximately 0.38 acres, would benefit from capital improvements and the addition of both active and passive recreation space;
- Restoring the usability of the community space located within the Longfellow Gardens located at the intersection of Longfellow Avenue, Lowell Street and E. 165$^{th}$ Street. The total passive space amounts to 0.37 acres;
- Provision of public access to existing schoolyards during non-school hours, which may require capital improvements and necessitates coordination with Parks and the New York City Department of Education; and,
- Supporting the long-term sustainability of Starlight Park and the Bronx River Greenway, funding for long-term maintenance, programmatic assistance, or funding for seasonal Playground Associates and Recreation Specialists.

Because these impacts would not materialize until the completion of Development Site 2S and the analysis makes conservative assumptions about background growth that may not come to pass, the following approach to mitigation will be pursued. The applicant shall be obligated to inform DPR in writing when preliminary design of Development Site 2S has begun. At that time DPR will evaluate the current open space conditions to determine which mitigation options, if any, need to be implemented.

If DPR determines the mitigation measures are needed and if funds are found for the above improvements, the significant adverse open space impact could be partially mitigated. However, if no funding source can be found to implement these measures, the significant adverse impact would not be partially mitigated and would remain, as is discussed in Chapter 4, Unavoidable Adverse Impacts.

Archaeological Resources

The Proposed Action would result in ground disturbance on 49 tax lots, consisting of the 15 lots on which the applicant intends to construct the Proposed Project and the 34 other lots that are within the other projected development sites identified in the RWCDS. As is discussed in Chapter .2F, Historic and Cultural Resources, a Phase 1A Documentary Study was performed, and it was concluded that 8 of the current (i.e., "modern") tax lots (which include 15 historical lots) may contain subsurface archaeological artifacts. These lots may contain burial remains from two cemeteries that were

formerly located on the lots, burial vaults associated with a church that once occupied one of the lots, and filled former privy, well, or cesspool shafts in which artifacts may have been deposited as part of the fill. Unless in-ground testing is done and any identified artifacts are recovered prior to excavation, the redevelopment of these sites could result in the disturbance and destruction of archaeological resources, which would constitute a significant adverse impact.

Four of the modern lots (11 of the historical lots) are under the control of the project applicant. To the extent possible, the applicant has redesigned the building program of the Proposed Project to minimize disturbance of sensitive areas, and the applicant will enter into a restrictive declaration to follow a testing and recovery protocol that has been reviewed and approved by LPC and OPRHP. The protocol is appended to this EIS as Appendix 5. If the Proposed Action is approved, the protocol will be implemented in coordination with the LPC. This component of the Proposed Action would avoid any impact on archaeological resources on applicant-controlled sites.

The other four historical lots, two of which may contain human remains from a former cemetery and two of which may contain former privies (shafts) in which artifacts may have subsequently been disposed, are not under the applicant's control. No mechanism (such as an (E) designation or restrictive declaration) is available to ensure that the redevelopment of these four archaeologically sensitive non-applicant-controlled sites would not result in unavoidable adverse impacts to archaeological resources. Their redevelopment would therefore result in unmitigated significant adverse impacts to archaeological resources, as is discussed further in Chapter 4, Unavoidable Adverse Impacts.

**Traffic**

As discussed in Chapter 2.M, Transportation, in the absence of signal timing changes or other measures, the Proposed Action would result in significant adverse impacts at seven study area intersections during one or more analyzed peak hours (weekday AM, weekday midday, and weekday PM), with significant adverse impacts at four intersections during the AM peak hour, six intersections during the midday peak hour, and five intersections during the PM peak hour.

According to the *CEQR Technical Manual*, a significant traffic impact can be considered fully mitigated if the degradation in the level of service under the action-with-mitigation condition compared with the no-action condition is no longer deemed significant based on the impact criteria described in the *CEQR Technical Manual*. With the traffic mitigation measures that NYCDOT has agreed to implement, most significant adverse traffic impacts would be mitigated, with the exception of those at two intersections. (East Tremont Avenue, Boston Road, and West Farms Road during the PM peak hour; and East 177th Street and the Sheridan Expressway on/off ramps during the AM, midday, and PM peak hours). Although mitigation measures that would alleviate the impacts at these two intersections were developed, NYCDOT has decided not to implement the proposed measures at these intersections. Therefore, significant adverse impacts would remain, as is discussed in Chapter 4, Unavoidable Adverse Impacts.

*East Tremont Avenue at East 177th Street and Devoe Avenue*

This intersection consists of the two-way (east-west) East Tremont Avenue, the partially two-way (north-south) Devoe Avenue, and two-way East 177th Street. North of East Tremont Avenue, Devoe Avenue runs both north and south, while south of East Tremont Avenue, Devoe Avenue only runs north. East 177th Street only runs south of East Tremont Avenue. The northbound approach on Devoe Avenue would be impacted in the midday and PM peak periods. The proposed mitigation would shift two to four seconds from the east-west phase on East Tremont Avenue and add them to the north-south phase on Devoe Avenue. In the midday the proposed mitigation would reduce the

Devoe Avenue northbound left turn delay to 72.6 seconds (LOS E) compared with the no-action delay of 76.9 seconds (LOS E); and during the PM peak, delay on the same movement would be reduced to 94.9 seconds (LOS F) compared to 98.3 seconds (LOS F) with no-action. With the proposed mitigation measures the impacts at this intersection would be fully mitigated.

*East Tremont Avenue at Boston Road and West Farms Road*

This intersection consists of the two-way (east-west) East Tremont Avenue, the two-way (northeast-south) Boston Road, and the two-way (north-south) West Farms Road. The westbound approach on East Tremont Avenue would be impacted in the midday and PM peak periods. The northbound approach on West Farms Road would be impacted in the AM and PM peak periods. The northeast-bound approach on Boston Road would be impacted in the AM, midday, and PM peak periods. The southbound de facto left turn on Boston Road would be impacted in the AM, midday and PM peak periods. The northbound approach on West Farms Road is proposed to be restriped from its current two unstriped, effective 10' wide lanes to one 10' wide left/through lane and one 10' wide right turn only lane. Along with signal timing adjustments, this would fully mitigate the impacts during the AM and midday peak periods. However, these would only partially mitigate the PM peak period.

*East 177th Street at Sheridan Expressway On/Off-Ramp and Bus Depot Entrance/Exit*

No mitigation measures would be implemented at this intersection. The significant adverse impacts would remain unmitigated.

*Bronx River Avenue at East 174th Street*

The intersection consists of the two-way (east-west) East 174th Street and the two-way (north-south) Bronx River Avenue. The eastbound approach on East 174th Street would be impacted in the AM and midday peak periods. During both the AM and midday peak periods, the proposed mitigation would shift one second of green time from the current north-south phase to the east-west phase. The eastbound approach delay in the AM peak period would be reduced to 89.2 seconds (LOS F) compared to 95.3 seconds (LOS F) under the no-action condition. The eastbound approach delay in the midday peak period would be reduced to 91.9 seconds (LOS F) compared to 97.0 seconds (LOS F) under the no action condition. With the proposed mitigation measures the impacts at this intersection would be fully mitigated.

*Boone Avenue at East 174th Street*

The intersection consists of the two-way (east-west) East 174th Street and the one-way (south) Boone Avenue. The southbound approach on Boone Avenue would be impacted in the AM peak period. The proposed mitigation would shift one second of green time from the current east-west phase to the southbound phase. The southbound approach delay in the AM peak period would be reduced to 43.1 seconds (LOS D) compared to 41.0 seconds (LOS D) under the no-action condition. With the proposed mitigation measures the impacts at this intersection would be fully mitigated.

*Longfellow Avenue at East 174th Street*

The intersection consists of the two-way (east-west) East 174th Street and the one-way (north) Longfellow Avenue. The northbound approach on Longfellow Avenue would be impacted in the midday and PM peak periods. In the midday peak period the proposed mitigation would shift two seconds of green time from the current east-west phase to the northbound phase. During the PM peak period, the proposed mitigation would shift four seconds of green time from the current east-west phase to the northbound phase. The northbound approach delay in the midday peak period would be reduced to 81.1 seconds (LOS F) compared to 84.1 seconds (LOS F) under the no-action condition and would be reduced to 104.7 seconds (LOS F) compared to 117.7 seconds (LOS F) under the no-

action condition in PM peak period. With the proposed mitigation measures the impacts at this intersection would be fully mitigated.

*West Farms Road at Home Street and Longfellow Avenue*

The intersection consists of the two-way (northeast-southwest) West Farms Road, the one way (northwest-bound) Home Street, and the one way (northbound) Longfellow Avenue. The northwest-bound approach on Home Street would be impacted in the midday and PM peak periods. In the midday peak period the proposed mitigation would shift one second of green time from the current northeast-southwest (West Farms Road) phase to the northwest-bound phase (Home Street). During the PM peak period, the proposed mitigation would shift four seconds of green time from the current northeast-southwest (West Farms Road) phase to the northwest-bound phase (Home Street). The northwest-bound approach delay on Home Street in the midday peak period would be reduced to 73.0 seconds (LOS E) compared to 85.3 seconds (LOS F) under the no-action condition and would be reduced to 123.5 seconds (LOS F) compared to 146.8 seconds (LOS F) under the no-action condition in PM peak period. With the proposed mitigation measures the impacts at this intersection would be fully mitigated.

*Implementation Schedule*

Because the Proposed Action would result in development of numerous parcels over an extended period of time, impacts will develop on a gradual basis, so it is necessary to assess the likely need for phased implementation of traffic mitigation measures.

As part of the traffic mitigation, the applicant has committed to conduct a traffic monitoring program (TMP), in conjunction with NYCDOT. It is likely to be conducted in two phases in order to monitor and mitigate initial traffic impacts as they occur and the impacts occurring upon the completion and occupancy of development resulting from the Proposed Action. Details of specific measures will be identified during the TMP for the significant impact locations, including those where unmitigated traffic impacts are anticipated.

**Construction**

*Impacts*

Traffic

The construction traffic analysis in Chapter 2.S, Construction Impacts, concluded that there would potentially be significant adverse impacts during construction at six study area intersections. The intersections are as follows:

1. East Tremont at East 177th Street and Devoe Avenue (PM)
2. East Tremont at Boston Road and West Farms Road (PM)
3. East 177th Street at Sheridan Expressway (PM)
4. Bronx River Avenue at East 174th Street (PM)
5. Longfellow Avenue at East 174th Street (AM)
6. West Farms Road at Home Street (AM)

Noise

Even though no long-term construction noise impacts are expected to occur as a result of the Proposed Action, there are shorter periods during which very high levels of construction noise would occur. This would affect the rear facades of existing residential buildings fronting on the east side of Longfellow Avenue between East 173rd and East 174th Streets. The high noise levels would be generated by construction activities on sites that are not under control of the applicant and so cannot be controlled by a restrictive declaration. Further analysis conducted between the Draft and Final EIS confirmed that the third through sixth floor windows of the rear façade of one of the buildings would be subject to a significant adverse impact. Therefore, the Proposed Action would result in a significant adverse impact related to construction noise.

*Proposed Mitigation Measures*

Traffic

Potential mitigation measures that would mitigate construction traffic impacts include signal timing changes, installation of all way stop signs, and/or possibly temporary restriping. Measures comparable to those approved by NYCDOT to mitigate operational traffic impacts (described above under Traffic) would successfully mitigate the significant adverse construction traffic impacts at four of the six intersections. This will be confirmed during the TMP phase. The significant adverse construction traffic impacts at East 177$^{th}$ Street at the Sheridan Expressway and at East Tremont Avenue and Boston Road at West Farms Road, the two intersections at which the operation traffic impacts would remain unmitigated, would remain unmitigated, as is discussed in Chapter 4, Unavoidable Significant Adverse Impacts.

Noise

According to the *CEQR Technical Manual*, mitigation for construction noise impacts may include noise barriers, use of low noise emission equipment, locating stationary equipment as far as feasible away from receptors, enclosing areas, limiting the duration of activities, specifying quiet equipment, scheduling of activities to minimize impacts (either time of day or seasonal considerations), and locating noisy equipment near natural or existing barriers that would shield sensitive receptors.

No measures have been identified that would mitigate the significant adverse construction noise impact, which would affect windows on the third through sixth floors of the rear façade of the six-story residential building located on Block 3010, Lot 4. The impact would remain unmitigated, as is discussed in Chapter 4, Unavoidable Significant Adverse Impacts.

## 4. UNAVOIDABLE ADVERSE IMPACTS

Unavoidable significant adverse impacts are defined as those that meet the following two criteria:

- There are no reasonably practicable mitigation measures to eliminate the impacts; and
- There are no reasonable alternatives to the Proposed Project that would meet the purpose and need for the actions, eliminate the impacts, and not cause other or similar significant adverse impacts.

As described in Chapter 3, Mitigation, a number of the impacts identified for the Proposed Action could be mitigated. However, as described below, some significant adverse impacts would not be fully mitigated.

**Open Space**

Chapter 2.D, Open Space, concludes that development under the RWCDS would cause substantial decreases in the residential study area's active, passive, and overall open space ratios, compared with future no-action conditions. Given the size of the decreases (7.4, 6.8, and 7.0 percent respectively), the Proposed Action would cause a significant adverse open space impact. Measures that would partially mitigate this significant adverse impact are discussed in Chapter 3, Mitigation, but the lead agency and the New York City Department of Parks and Recreation (DPR) were unable at the present time to identify sufficient funding sources to implement the mitigation measures. If funding sources are unable to be found at the time the impacts would occur with the completion of Development Site 2S, the significant adverse open space impact would remain unmitigated.
Furthermore, as noted above, the identified measures would only partially mitigate the open space impacts; therefore, a portion of the impacts would remain even with implementation of these measures. As the result, the Proposed Action would result in unmitigated significant adverse impacts to open space.

**Historic and Cultural Resources**

As is discussed in Chapter 2.F, Historic and Cultural Resources, a Phase 1A Documentary Study was performed, which concluded that eight of the current tax lots within projected development sites may contain subsurface archaeological artifacts. Unless in-ground testing is done and any identified artifacts are recovered prior to excavation, the redevelopment of these sites could result in the disturbance and destruction of archaeological resources, which would constitute a significant adverse impact.

Four of the lots are under the control of the project applicant (within development Sites 1, 2S, 2N, and 9D), and the applicant will enter into a restrictive declaration to follow a testing and recovery protocol that has been reviewed and approved by the LPC and OPRHP.

The other four lots, two of which may contain human remains from a former cemetery and two of which may contain former privies (shafts) in which artifacts may have subsequently been disposed, are not under the applicant's control. They are Block 3009, Lots 38 and 44 (the two southernmost lots on the west side of Boone Avenue on the blockfront between East 172nd and 173rd Streets, within Sites 3D and 3E respectively); Block 3015, Lot 87 (a through lot fronting on Boone Avenue and West Farms Road on the block extending from East 174th Street to the Cross Bronx Expressway, within Site 6B); and Block 3016, Lot 71 (a midblock parcel on the north side of Rodman Place between West Farms Road and Longfellow Avenue, within Site 9E). No mechanism (such as an (E) designation or restrictive declaration) is available to ensure that the redevelopment of these sites would not result in unavoidable adverse impacts to archaeological resources that may be located therein. Their redevelopment could therefore result in unmitigated significant adverse impacts to archaeological resources.

**Transportation**

As discussed in Chapter 2.M, Transportation, in the absence of signal timing changes or other measures, the Proposed Action would result in significant adverse impacts at seven study area intersections during one or more analyzed peak hours (weekday AM, weekday midday, and weekday PM), with significant adverse impacts at four of the intersections during the AM peak period, at six intersections during the midday peak period, and at five of the intersections during the PM peak period.

Mitigation measures approved by the New York City Department of Transportation (NYCDOT) would mitigate all impacts except for two, three, and one traffic movements at the intersection of East 177th Street at the Sheridan Expressway during the AM, midday and PM peak hours, respectively, and one movement at the intersection of West Farms Road and Boston Road at East Tremont Avenue during the PM peak hour. The Proposed Action would result in unmitigated significant adverse impacts to (1) the left-through-right movement of the northbound approach and the left/through movement of the southbound approach at the intersection of East 177th Street at the Sheridan Expressway during the AM peak hour; (2) the left movement of the eastbound approach, the left-through-right movement of the northbound approach and the left/through movement of the southbound approach at the intersection of East 177th Street at the Sheridan Expressway during the midday peak hour; (3) the left/through movement of the southbound approach at the intersection of East 177th Street at the Sheridan Expressway during the PM peak hour; and (4) the through/right movement of the southbound approach at the intersection of West Farms Road and Boston Road at East Tremont Avenue during the PM hour.

As discussed earlier, the Proposed Action could have a significant adverse impact on elementary public schools. The mitigation measure identified to address this impact would be the construction of a new elementary school on Site 2S as described in Chapter 3, Mitigation, However, as a consequence of implementing such a measure, it would result in an additional traffic impact at the unsignalized intersection of West Farms Road at East 172nd Street. The impact would be to the eastbound approach on East 172nd Street during the AM peak period. No feasible or practicable mitigation measure was identified for this location. As the result, the Proposed Action under the New School Mitigation scenario would have one additional unmitigated significant adverse traffic impact besides those noted above for the Proposed Action without the new elementary school.

**Construction**

*Traffic*

The construction preliminary traffic analysis in Chapter 2.S, Construction Impacts, concluded that there would be significant adverse impacts during construction at six study area intersections. Measures approved by NYCDOT would fully mitigate the impacts at four of the intersections, as is discussed in Chapter 3, Mitigation. The significant adverse construction traffic impacts during the PM peak construction hour at East Tremont Avenue and Boston Road at West Farms Road and at East 177th Street at the Sheridan Expressway would remain unmitigated.

*Noise*

Even though no long-term construction noise impacts are expected to occur as a result of the Proposed Action, there are shorter periods during which very high increases in construction noise would occur. This would affect the rear facades of existing residential buildings fronting on the east side of Longfellow Avenue between East 173rd and East 174th Streets. The high noise levels would be generated by construction activities on sites that are not under control of the applicant and so cannot be controlled by a restrictive declaration. Further analysis conducted between the Draft and Final EIS confirmed that the third through sixth floor windows of the rear façade of one of the buildings (the six-story building on Block 3010, Lot 4) would be subject to a significant adverse impact. The Proposed Action would therefore result in a significant adverse impact related to construction noise.

Although there are measures that a construction contractor can take to screen the construction site to reduce noise levels at the sensitive receptor sufficiently to avoid a significant impact, no means have

been identified that to ensure that such measures are taken. The impact would therefore remain unmitigated.

## 5. ALTERNATIVES

Three alternatives to the Proposed Action are considered:

- A No-Action Alternative that assumes the Proposed Action is not implemented and existing zoning continues. The technical chapters of this Draft EIS have described the No-Action Alternative (referred to in the technical chapters as the "Future without the Proposed Action") and have used it as the basis to assess the potential impacts and associated mitigation for the Proposed Action.
- A No-Impact Alternative which considers development that would not result in any identified unmitigated significant, adverse impacts.
- A Lesser Density Alternative, which considers lower density zoning districts that would result in reduced residential development.

For each alternative, the principal conclusions of the analysis in this chapter are as follows:

### No-Action (As-of-Right) Alternative

Consideration of a No-Action Alternative is required under CEQR. The No-Action Alternative examines future conditions within the proposed rezoning area but assumes the absence of the Proposed Action. Under the No-Action Alternative, only two development sites would be developed. Site 9C would be redeveloped with approximately 134 new dwelling units and about 39,000 square feet of new commercial development. A portion of Site 6B would be developed with 4,900 square feet of additional storage and accessory office space. All other development sites in the rezoning area would remain unchanged.

The No-Action Alternative would avoid the significant adverse impacts that the Proposed Action would cause with regard to public elementary schools, open space, traffic, construction traffic and noise and at least three of the four development sites that would have significant adverse impacts related to archaeological resources.

Overall, there would be less development that could open pathways for exposure to hazardous materials, but compared with the Proposed Action, there would be less extensive remediation of suspected soil and groundwater contamination, and in contrast with the Proposed Action there would be the possibility that residential development could occur without such remediation. This would apply in particular to the as-of-right residential development that would occur under the alternative on one site (9C). Screening has indicated that site may be contaminated with hazardous materials. Under the Proposed Action an (E) designation would be placed on the site to require soil and groundwater testing and, if necessary, remediation.

Compared with the Proposed Action, the No-Action Alternative would introduce fewer new noise-sensitive uses at locations exposed to high existing ambient noise levels; but unlike the Proposed Action, the alternative would result in residential development at such a location without also imposing requirements for adequate window/wall noise attenuation to ensure acceptable indoor noise levels. This would also apply in particular to the as-of-right residential development that would occur under the alternative on Site 9C, which is adjacent to an elevated subway trestle above Boston Road and which is therefore exposed to noise levels in the Clearly Unacceptable category of the Noise

Exposure Guidelines. Under guidelines in the *CEQR Technical Manual*, the development of new residential units at locations subject to these Clearly Unacceptable noise levels would ordinarily constitute a significant adverse impact because indoor noise levels could exceed the maximum acceptable level of 45 dBA. However, the Proposed Action would include the placement of (E) designations on Site 9C and other non-applicant-controlled projected and potential development sites exposed to high ambient noise levels, and the recording of restrictive declarations for applicant-controlled sites at such locations, that would require (1) specified levels of window-wall noise attenuation and (2) air conditioning or other alternative means of ventilation so that residents can maintain a closed window condition at all times of the year. The specified attenuation levels would ensure that indoor noise levels would be below 45 dBA, avoiding a significant adverse noise impact. Under the No-Action Alternative, approximately 134 housing units would be built at Site 9C, exposed to noise levels in the Clearly Unacceptable category, with no requirement for minimum window/wall noise attenuation or alternate source of ventilation. The No-Action Alternative would therefore result in a potential significant adverse noise impact that would be avoided under the Proposed Action.

For all other impact categories, neither the Proposed Action nor the No-Action Alternative would result in any significant adverse impacts.

The No-Action Alternative would not be a feasible alternative to the Proposed Action because it would not achieve the action's stated goals and objectives, including encouraging new affordable and market, work-force housing, improving street presence and activity within the rezoning area, reinforcing adjacent residential neighborhoods and providing new opportunities for redevelopment and economic growth. Under the No-Action Alternative, the industrial and automotive uses in the proposed rezoning area would continue to directly abut housing and public schools in predominantly residential neighborhoods, and there would not be land use changes that would further the realization of public policy objectives expressed in the adopted 197-a plan for Bronx Community District 3 (increasing the area's population, diversifying the income mix, and encouraging residential zoning changes that would promote higher density residential development). Under this alternative an estimated 923 fewer subsidized, permanently affordable housing units would be built for low and moderate income households. Unlike the Proposed Action, this alternative would not lead to the removal of existing buildings and open storage areas that are inconsistent with the built form within the surrounding neighborhoods. The existing array of blank walls, fences, and truck bays would not be replaced by residential street walls, with regular fenestration patterns and some ground floor storefronts that would create a streetscape that is more pleasing and conducive to pedestrian activity.

**No-Impact Alternative**

The No-Impact Alternative examines a scenario in which the density and program design of the Proposed Action is changed specifically to avoid the significant adverse impacts associated with the Proposed Action. The Proposed Action would result in significant adverse impacts related to public elementary schools, open space, archaeological resources, traffic, and construction traffic and noise. The mitigation measures described in Chapter 3 would fully mitigate all significant adverse impacts, except with respect to archaeological resources on non-applicant-controlled development sites, open space, traffic at two intersections, construction traffic at those two intersections and construction noise on the rear façade of one existing residential building.

Development under the Proposed Action is expected to generate 1,028 elementary school students, which would increase the utilization rates in Sub-district 2 of Community School District (CSD) 12 by a large enough percentage to result in a significant adverse impact for elementary schools. In the absence of mitigation, to avoid a significant adverse elementary school impact, the amount of residential development would have to be reduced sufficiently so that the utilization rate would

increase by less than 5 percent relative to future no-action conditions, which would require that the new development generate fewer than 356 new public elementary school students. Development would be limited to an increment of fewer than 913 housing units.

Because development under the reasonable worst case development scenario (RWCDS) would cause substantial decreases in the residential open space study area's active, passive, and overall open space ratios, compared with future no-action conditions, the Proposed Action would cause a significant adverse open space impact. The construction of a maximum of 377 new dwelling units would result in a one percent decrease in the active open space ratio, a 0.3 percent decrease in the passive open space ratio, and a 0.5 percent decrease in the overall open space ratio, which would not cause a significant adverse open space impact.

Four of the projected redevelopment sites that were determined to be archaeologically sensitive are not under the control of the applicant. No mechanism (such as a restrictive declaration or (E) designation) is available to bind the owners of the sites to redevelop them in a manner that would avoid adverse impacts to archaeological resources. Because the sites are interspersed throughout the rezoning area, it would not be feasible or desirable to reconfigure the proposed rezoning boundaries to exclude them. If that were done, the result would be a checkerboard of residential and industrial zoning devoid of any planning rationale.

An analysis was performed to determine the reduction in traffic volumes generated by the Proposed Action that would be needed to avoid significant adverse impacts. An eighty eight (88) percent reduction in the development level as a whole would be needed to avoid significant adverse impacts within the traffic study area. As the result, any more than 12 percent of the traffic generated under the Proposed Action would trigger a significant adverse traffic impact. Twelve percent of the RWCDS translates into 317 dwelling units, 11,160 square feet of commercial space, and 1,440 square feet of child care space. Limiting development to this level would substantially reduce the opportunity to provide housing (including affordable housing), and would substantially compromise the Proposed Action's stated goals and overall economic viability.

Development under the RWCDS would result in a significant adverse construction noise impact to the rear façade of a six-story residential apartment building facing Longfellow Avenue on the block between East 173rd and East 174th Streets. Construction noise attenuation measures are available that would avoid the significant adverse impact; however, because the impact would be caused by construction activities at sites not controlled by the applicant, there is no mechanism for ensuring that such measures would be implemented. The only practicable means of preventing the significant adverse construction noise impact is to exclude all or part of the west side of Boone Avenue between East 173rd and East 174th Streets from the rezoning area. There would be no planning rationale for leaving such a small, isolated M1-1 district in the midst of a residentially zoned area.

The No-Impact Alternative would effectively be the same as the No-Action Alternative. Like the No-Action Alternative, the No-Impact Alternative would not meet the objectives of the Proposed Action and therefore would not be a feasible alternative to the Proposed Action.

**Lesser Density Alternative**

Comments received during the public scoping process requested analysis of an alternative that would have lower densities, especially south of the Cross Bronx Expressway and along West Farms Road. In response, a Lesser Density Alternative has been identified that would substitute an R7X district for the proposed R8X districts north of the Cross Bronx Expressway and along West Farms Road on portions of Blocks 3013 and 3014 and would extend the proposed R7A district over the adjacent area

along West Farms Road where the R7X district would be mapped under the Proposed Action. The Lesser Density Alternative would be expected to result in a total of 2,210 dwelling units, which is 425 (16 percent) fewer dwelling units than the Proposed Action. The Lesser Density Alternative would result in the same commercial floor area as that under the Proposed Action. Total anticipated floor area would be 519,784 square feet less than under the Proposed Action.

The same lots are identified as projected development sites under the Proposed Action and the Lesser Density Alternative. For the sites under the applicant's control, the site plans would be identical. Permitted building heights along Boone Avenue would be the same under the alternative and the Proposed Action; but north of the Cross Bronx Expressway and along West Farms Road south of the Cross Bronx Expressway, building heights would be lower (10 stories versus 15).

From the standpoint of identified environmental impacts, the Lesser Density Alternative would have no advantages over the Proposed Action. Because the same ground disturbance would occur under the Lesser Density Alternative as under the Proposed Action, the alternative would also have the same potential for unavoidable significant adverse archaeological impacts. In addition, the reduction in the proposed development program would not be great enough to avoid the significant adverse impacts to elementary schools, open space, operational traffic, or construction traffic. Because the Lesser Density Alternative would be identical to the Proposed Action with regard to the zoning along the west side of Boone Avenue, the amount and duration of construction at projected development sites in that part of the rezoning area would be the same, so the alternative and the Proposed Action would have the same significant construction noise impact on a residential building fronting on Longfellow Avenue.

The Lesser Density Alternative would be less successful than the Proposed Action at achieving the intended objectives of the action. Fewer new housing units would be built, including fewer units that would be permanently affordable to low and moderate income households. In addition, the Lesser Density Alternative would be less successful in meeting the goals of improving street presence and activity within the rezoning area, reinforcing adjacent residential neighborhoods and providing new opportunities for redevelopment and economic growth. The extensive existing warehouse, industrial, institutional and open uses in the rezoning area inhibit pedestrian and other street activity, especially at night. The applicant believes that the greater density under the Proposed Action will be necessary, particularly for the early phases of the project, to generate street activity and a stronger sense of place, as well as to provide sufficient economic rationale to support the proposed retail uses and justify redevelopment costs.

## 6. GROWTH INDUCING ASPECTS OF THE PROPOSED ACTION

The Proposed Action would result in more intensive land uses within the proposed rezoning area. However, it is not anticipated that the Proposed Action would generate significant secondary impacts resulting in substantial new development in nearby areas, as the proposed rezoning is consistent with existing and projected land use trends in the surrounding Crotona Park East and West Farms neighborhoods. The projected residential development would accommodate a portion of the City's current and future housing needs, and the retail, community facility, and open space components would provide community benefits to the area's existing and future residents and workers.

## 7. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES

Man-made and natural environmental resources would be expended during the construction and operation of the Proposed Project and other developments projected to result from the Proposed

Action. These resources would include land, building materials used in construction, and energy (electricity and gas) consumed during construction and operation of the Proposed Project and other projected development. These resources are considered irreversibly and irretrievably committed because their reuse for another purpose would be highly unlikely. The development of the Proposed Project and other projected development sites would constitute a long-term commitment of the sites as a land resource. These commitments of resources and materials are weighed against the Proposed Action's goal of revitalizing an underutilized manufacturing area to provide affordable housing with retail and community facilities appropriate for the existing and proposed communities. The new land uses would be compatible with the surrounding area, help knit together existing residential neighborhoods, and improve the area's visual character.