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

Please fill out and submit to the appropriate agency (see instructions)

Part I: GENERAL INFORMATION

PROJECT NAME 1099 Webster Avenue Rezoning

1. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
19DCP115X	
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable)
210103ZMX, 210104ZRX	(*e.g.*, legislative intro, CAPA)

2a. *Lead Agency Information*			**2b. *Applicant Information***		
NAME OF LEAD AGENCY			NAME OF APPLICANT		
New York City Department of City Planning			Webster 1099 Realty LLC		
NAME OF LEAD AGENCY CONTACT PERSON			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON		
Olga Abinader, **Director, Environmental Assessmenent and Review Division**			Hiram A. Rothkrug, Environmental Studies Corp.		
ADDRESS 120 Broadway, 31st Floor			ADDRESS 55 Water Mill Road		
CITY New York	STATE NY	ZIP 10271	CITY Great Neck	STATE NY	ZIP 11021
TELEPHONE 212-720-3493	EMAIL oabinad@planning.nyc.gov		TELEPHONE 718-343-0026	EMAIL hrothkrug@environmentalstudiescorp.com	

3. *Action Classification and Type*

SEQRA Classification

☐ UNLISTED ☒ TYPE I: Specify Category (see 6 NYCRR 617.4 and NYC Executive Order 91 of 1977, as amended): 6 CRR-NY 617.4(b)(9)

Action Type (refer to Chapter 2, "Establishing the Analysis Framework" for guidance)

☒ LOCALIZED ACTION, SITE SPECIFIC ☐ LOCALIZED ACTION, SMALL AREA ☐ GENERIC ACTION

4. *Project Description*

The applicant, Webster 1099 Realty LLC, seeks a zoning map amendment and zoning text amendment to facilitate the development of two new mixed-use buildings on a single zoning and tax lot (Block 2426, Lot 25, the "Development Site") centered around the intersection of Webster Avenue and East 166th Street in the East Concourse section of Bronx Community District 4. In addition to the Development Site, two adjacent lots to the north (Block 2426, Lots 17 and 21), which are not under the control of the applicant, would also be affected by the Proposed Actions.

The Proposed Actions consist of a zoning map amendment from M1-1 to R7X/C2-4 and a zoning text amendment to make the Rezoning Area applicable as a Mandatory Inclusionary Housing (MIH) Area, pursuant to an amendment of Appendix F of the New York City Zoning Resolution.

The Proposed Actions aim to facilitate the redevelopment of the Development Site with two mixed-use buildings containing ground floor commercial space, and 238 residential units on the upper floors. This would consist of a 9-story building on the southern portion of the lot (with frontage on East 166th Street and Webster Avenue) and an 11-story building on the northern portion of the lot (with frontage on Webster Avenue). Together, the buildings would contain 221,040 square feet of zoning floor area, or 6.0 FAR. Of that, 190,852 square feet (5.18 FAR) would consist of residential space, with the remaining 30,188 square feet (0.82 FAR) being used for commercial/retail space. Below grade, 30 accessory parking spaces would be provided for the commercial space and 43 parking spaces would be provided for the residential use. All of the proposed 238 residential units would be affordable to incomes below 80% AMI.

Project Location

BOROUGH Bronx	COMMUNITY DISTRICT(S) 4	STREET ADDRESS 1099, 1139, and 1147 Webster Avenue
TAX BLOCK(S) AND LOT(S) Block 2426, Lots 25, 21, and 17		ZIP CODE 10456
DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS Webster Avenue between East 166th and East 167th Streets		
EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY M1-1		ZONING SECTIONAL MAP NUMBER 3d

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

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

☐ CITY MAP AMENDMENT ☐ ZONING CERTIFICATION ☐ CONCESSION

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

***Board of Standards and Appeals*:** ☐ YES ☒ NO
☐ VARIANCE (use)
☐ VARIANCE (bulk)
☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:
SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

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

Other City Approvals Subject to CEQR (check all that apply)
☐ LEGISLATION
☐ RULEMAKING
☐ CONSTRUCTION OF PUBLIC FACILITIES
☐ 384(b)(4) APPROVAL
☐ OTHER, explain:
☒ FUNDING OF CONSTRUCTION, specify: HPD's ELLA financing
☐ POLICY OR PLAN, specify:
☐ FUNDING OF PROGRAMS, specify:
☐ PERMITS, specify:

Other City Approvals Not Subject to CEQR (check all that apply)
☐ PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC)
☐ LANDMARKS PRESERVATION COMMISSION APPROVAL
☐ OTHER, explain:

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

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

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

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

Physical Setting (both developed and undeveloped areas)
Total directly affected area (sq. ft.): 56,840
Roads, buildings, and other paved surfaces (sq. ft.): 56,840
Waterbody area (sq. ft.) and type:
Other, describe (sq. ft.):

7. *Physical Dimensions and Scale of Project* (if the project affects multiple sites, provide the total development facilitated by the action)
SIZE OF PROJECT TO BE DEVELOPED (gross square feet): 413,588
NUMBER OF BUILDINGS: 2
GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): 280,300 and 133,288
HEIGHT OF EACH BUILDING (ft.): 145 feet
NUMBER OF STORIES OF EACH BUILDING: 11 and 9

Does the proposed project involve changes in zoning on one or more sites? ☒ YES ☐ NO
If "yes," specify: The total square feet owned or controlled by the applicant: 36,840
The total square feet not owned or controlled by the applicant: 20,000

Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? ☒ YES ☐ NO
If "yes," indicate the estimated area and volume dimensions of subsurface disturbance (if known):
AREA OF TEMPORARY DISTURBANCE: up to 56,840 sq. ft. (width x length)
VOLUME OF DISTURBANCE: 568,400 cubic ft. (width x length x depth)
AREA OF PERMANENT DISTURBANCE: 56,840 sq. ft. (width x length)

8. *Analysis Year* CEQR Technical Manual Chapter 2

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

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 24

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

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE:

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

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

DESCRIPTION OF EXISTING AND PROPOSED CONDITIONS

The information requested in this table applies to the directly affected area. The directly affected area consists of the project site and the area subject to any change in regulatory control. The increment is the difference between the No-Action and the With-Action conditions.

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
LAND USE				
Residential	☐ YES ☒ NO	☐ YES ☒ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Describe type of residential structures			Apartment buildings	
No. of dwelling units			356	+356
No. of low- to moderate-income units			262	+262
Gross floor area (sq. ft.)			332,478 gsf	+332,478 gsf
Commercial	☒ YES ☐ NO	☒ YES ☐ NO	☐ YES ☒ NO	
If "yes," specify the following:				
Describe type (retail, office, other)	Automotive, restaurant, local retail	Automotive, restaurant, local retail	Local retail	
Gross floor area (sq. ft.)	39,080 gsf	39,080 gsf	47,213 gsf	+8,113 gsf
Manufacturing/Industrial	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
Type of use				
Gross floor area (sq. ft.)				
Open storage area (sq. ft.)				
If any unenclosed activities, specify:				
Community Facility	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
Type				
Gross floor area (sq. ft.)				
Vacant Land	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:				
Publicly Accessible Open Space	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify type (mapped City, State, or Federal parkland, wetland—mapped or otherwise known, other):				
Other Land Uses	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:				
PARKING				
Garages	☐ YES ☒ NO	☐ YES ☒ NO	☒ YES ☐ NO	
If "yes," specify the following:				
No. of public spaces				
No. of accessory spaces			137	+137 spaces
Operating hours			24 hours	
Attended or non-attended			Non-attended	
Lots	☒ YES ☐ NO	☒ YES ☐ NO	☐ YES ☒ NO	
If "yes," specify the following:				
No. of public spaces				
No. of accessory spaces	+/-40	+/-40		-40 spaces
Operating hours				
Other (includes street parking)	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," describe:	+/-15 curbside spaces	+/-15 curbside spaces	+/-15 curbside spaces	
POPULATION				
Residents	☐ YES ☒ NO	☐ YES ☒ NO	☒ YES ☐ NO	
If "yes," specify number:			1,032	+1,032
Briefly explain how the number of residents				

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
was calculated:				
Businesses	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
No. and type	13 local retail/restaurant and automotive services/accessory sales	13 local retail/restaurant and automotive services/accessory sales	Local retail	
No. and type of workers by business	28 commercial retail; 31 automotive	28 commercial retail; 31 automotive	118 local retail	+81
No. and type of non-residents who are not workers				
Briefly explain how the number of businesses was calculated:	1 employee / 400 gsf (commercial retail); 1 employee / 1,000 sf (automotive)			
Other (students, visitors, concert-goers, *etc.*)	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If any, specify type and number:				
Briefly explain how the number was calculated:				
ZONING				
Zoning classification	M1-1	M1-1	R7X/C2-4 with MIH	+R7X/C2-4
Maximum amount of floor area that can be developed	56,840 zsf commercial 136,416 zsf community facility	56,840 zsf commercial 136,416 zsf community facility	341,040 zsf residential 113,680 zsf commercial 284,200 zsf communty facility	+341,040 zsf residential +56,840 zsf commercial +147,784 zsf community facility
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	M1-1, R7-1 Commercial, residential, manufacturing, community facility	M1-1, R7-1 Commercial, residential, manufacturing, community facility	M1-1, R7-1 Commercial, residential, manufacturing, community facility	
Attach any additional information that may be needed to describe the project. If your project involves changes that affect one or more sites not associated with a specific development, it is generally appropriate to include total development projections in the above table and attach separate tables outlining the reasonable development scenarios for each site.				

Part II: TECHNICAL ANALYSIS

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

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

	YES	NO
1. *LAND USE, ZONING, AND PUBLIC POLICY*: CEQR Technical Manual Chapter 4		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	☐	☒
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	☒	☐
(c) Is there the potential to affect an applicable public policy?	☐	☒
(d) If "yes," to (a), (b), and/or (c), complete a preliminary assessment and attach.		
(e) Is the project a large, publicly sponsored project?	☐	☒
○ If "yes," complete a PlaNYC assessment and attach.		
(f) Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries?	☐	☒
○ If "yes," complete the Consistency Assessment Form.		
2. *SOCIOECONOMIC CONDITIONS*: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
○ Generate a net increase of more than 200 residential units *or* 200,000 square feet of commercial space?	☒	☐
▪ If "yes," answer *both* questions 2(b)(ii) and 2(b)(iv) below.		
○ Directly displace 500 or more residents?	☐	☒
▪ If "yes," answer questions 2(b)(i), 2(b)(ii), and 2(b)(iv) below.		
○ Directly displace more than 100 employees?	☐	☒
▪ If "yes," answer questions under 2(b)(iii) and 2(b)(iv) below.		
○ Affect conditions in a specific industry?	☐	☒
▪ If "yes," answer question 2(b)(v) below.		
(b) If "yes" to any of the above, attach supporting information to answer the relevant questions below. If "no" was checked for each category above, the remaining questions in this technical area do not need to be answered.		
i. Direct Residential Displacement		
○ If more than 500 residents would be displaced, would these residents represent more than 5% of the primary study area population?	☐	☒
○ If "yes," is the average income of the directly displaced population markedly lower than the average income of the rest of the study area population?	☐	☐
ii. Indirect Residential Displacement		
○ Would expected average incomes of the new population exceed the average incomes of study area populations?	☐	☒
○ If "yes:"		
▪ Would the population of the primary study area increase by more than 10 percent?	☐	☐
▪ Would the population of the primary study area increase by more than 5 percent in an area where there is the potential to accelerate trends toward increasing rents?	☐	☐
○ If "yes" to either of the preceding questions, would more than 5 percent of all housing units be renter-occupied and unprotected?	☐	☐
iii. Direct Business Displacement		
○ Do any of the displaced businesses provide goods or services that otherwise would not be found within the trade area, either under existing conditions or in the future with the proposed project?	☐	☒
○ Is any category of business to be displaced the subject of other regulations or publicly adopted plans to preserve,	☐	☒

	YES	NO
enhance, or otherwise protect it?		
iv. Indirect Business Displacement		
○ Would the project potentially introduce trends that make it difficult for businesses to remain in the area?	☐	☒
○ Would the project capture retail sales in a particular category of goods to the extent that the market for such goods would become saturated, potentially resulting in vacancies and disinvestment on neighborhood commercial streets?	☐	☒
v. Effects on Industry		
○ Would the project significantly affect business conditions in any industry or any category of businesses within or outside the study area?	☐	☒
○ Would the project indirectly substantially reduce employment or impair the economic viability in the industry or category of businesses?	☐	☒
3. *COMMUNITY FACILITIES*: CEQR Technical Manual Chapter 6		
(a) Direct Effects		
○ Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, health care facilities, day care centers, police stations, or fire stations?	☐	☒
(b) Indirect Effects		
i. Child Care Centers		
○ Would the project result in 20 or more eligible children under age 6, based on the number of low or low/moderate income residential units? (See Table 6-1 in Chapter 6)	☒	☐
○ If "yes," would the project result in a collective utilization rate of the group child care/Head Start centers in the study area that is greater than 100 percent?	☐	☒
○ If "yes," would the project increase the collective utilization rate by 5 percent or more from the No-Action scenario?	☐	☐
ii. Libraries		
○ Would the project result in a 5 percent or more increase in the ratio of residential units to library branches? (See Table 6-1 in Chapter 6)	☐	☒
○ If "yes," would the project increase the study area population by 5 percent or more from the No-Action levels?	☐	☐
○ If "yes," would the additional population impair the delivery of library services in the study area?	☐	☐
iii. Public Schools		
○ Would the project result in 50 or more elementary or middle school students, or 150 or more high school students based on number of residential units? (See Table 6-1 in Chapter 6)	☒	☐
○ If "yes," would the project result in a collective utilization rate of the elementary and/or intermediate schools in the study area that is equal to or greater than 100 percent?	☐	☒
○ If "yes," would the project increase this collective utilization rate by 5 percent or more from the No-Action scenario?	☐	☐
iv. Health Care Facilities		
○ Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
○ If "yes," would the project affect the operation of health care facilities in the area?	☐	☐
v. Fire and Police Protection		
○ Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
○ If "yes," would the project affect the operation of fire or police protection in the area?	☐	☐
4. *OPEN SPACE*: CEQR Technical Manual Chapter 7		
(a) Would the project change or eliminate existing open space?	☐	☒
(b) Is the project located within an under-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☐	☐
(c) If "yes," would the project generate more than 50 additional residents or 125 additional employees?	☐	☐
(d) Is the project located within a well-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☐	☒
(e) If "yes," would the project generate more than 350 additional residents or 750 additional employees?	☐	☐
(f) If the project is located in an area that is neither under-served nor well-served, would it generate more than 200 additional residents or 500 additional employees?	☒	☐
(g) If "yes" to questions (c), (e), or (f) above, attach supporting information to answer the following:		
○ If in an under-served area, would the project result in a decrease in the open space ratio by more than 1 percent?	☐	☒
○ If in an area that is not under-served, would the project result in a decrease in the open space ratio by more than 5	☐	☒

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

	YES	NO
(c) If the proposed project located in a separately sewered area, would it result in the same or greater development than that listed in Table 13-1 in Chapter 13?	☐	☒
(d) Would the project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase?	☐	☒
(e) If the project is located within the Jamaica Bay Watershed or in certain specific drainage areas, including Bronx River, Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek, would it involve development on a site that is 1 acre or larger where the amount of impervious surface would increase?	☐	☒
(f) Would the proposed project be located in an area that is partially sewered or currently unsewered?	☐	☒
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or contribute contaminated stormwater to a separate storm sewer system?	☐	☒
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	☐	☒
(i) If "yes" to any of the above, conduct the appropriate preliminary analyses and attach supporting documentation.		
11. *SOLID WASTE AND SANITATION SERVICES*: CEQR Technical Manual Chapter 14		
(a) Using Table 14-1 in Chapter 14, the project's projected operational solid waste generation is estimated to be (pounds per week): 23,918		
○ Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	☐	☒
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?	☐	☒
○ If "yes," would the proposed project comply with the City's Solid Waste Management Plan?	☐	☐
12. *ENERGY*: CEQR Technical Manual Chapter 15		
(a) Using energy modeling or Table 15-1 in Chapter 15, the project's projected energy use is estimated to be (annual BTUs): 52,669,612		
(b) Would the proposed project affect the transmission or generation of energy?	☐	☒
13. *TRANSPORTATION*: CEQR Technical Manual Chapter 16		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16?	☒	☐
(b) If "yes," conduct the appropriate screening analyses, attach back up data as needed for each stage, and answer the following questions:		
○ Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	☐	☒
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? ***It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16 for more information.*	☐	☐
○ Would the proposed project result in more than 200 subway/rail or bus trips per project peak hour?	☐	☒
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction) or 200 subway/rail trips per station or line?	☐	☐
○ Would the proposed project result in more than 200 pedestrian trips per project peak hour?	☒	☐
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop?	☐	☒
14. *AIR QUALITY*: CEQR Technical Manual Chapter 17		
(a) *Mobile Sources*: Would the proposed project result in the conditions outlined in Section 210 in Chapter 17?	☒	☐
(b) *Stationary Sources*: Would the proposed project result in the conditions outlined in Section 220 in Chapter 17?	☒	☐
○ If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17? (Attach graph as needed)	☐	☒
(c) Does the proposed project involve multiple buildings on the project site?	☐	☒
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	☐	☒
(e) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?	☐	☒
(f) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation.		
15. *GREENHOUSE GAS EMISSIONS*: CEQR Technical Manual Chapter 18		
(a) Is the proposed project a city capital project or a power generation plant?	☐	☒
(b) Would the proposed project fundamentally change the City's solid waste management system?	☐	☒
(c) Would the proposed project result in the development of 350,000 square feet or more?	☐	☒
(d) If "yes" to any of the above, would the project require a GHG emissions assessment based on guidance in Chapter 18?	☐	☒
○ If "yes," would the project result in inconsistencies with the City's GHG reduction goal? (See Local Law 22 of 2008; § 24-	☐	☐

	YES	NO
803 of the Administrative Code of the City of New York). Please attach supporting documentation.		
16. *NOISE*: CEQR Technical Manual Chapter 19		
(a) Would the proposed project generate or reroute vehicular traffic?	☒	☐
(b) Would the proposed project introduce new or additional receptors (see Section 124 in Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line?	☒	☐
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	☐	☒
(d) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?	☐	☒
(e) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation.		
17. *PUBLIC HEALTH*: CEQR Technical Manual Chapter 20		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality; Hazardous Materials; Noise?	☐	☒
(b) If "yes," explain why an assessment of public health is or is not warranted based on the guidance in Chapter 20, "Public Health." Attach a preliminary analysis, if necessary.		
18. *NEIGHBORHOOD CHARACTER*: CEQR Technical Manual Chapter 21		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; Transportation; Noise?	☐	☒
(b) If "yes," explain why an assessment of neighborhood character is or is not warranted based on the guidance in Chapter 21, "Neighborhood Character." Attach a preliminary analysis, if necessary.		
19. *CONSTRUCTION*: CEQR Technical Manual Chapter 22		
(a) Would the project's construction activities involve:		
○ Construction activities lasting longer than two years?	☐	☒
○ Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	☐	☒
○ Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, *etc.*)?	☐	☒
○ Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	☐	☒
○ The operation of several pieces of diesel equipment in a single location at peak construction?	☐	☒
○ Closure of a community facility or disruption in its services?	☐	☒
○ Activities within 400 feet of a historic or cultural resource?	☒	☐
○ Disturbance of a site containing or adjacent to a site containing natural resources?	☐	☒
○ Construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap or last for more than two years overall?	☐	☒
(b) If any boxes are checked "yes," explain why a preliminary construction assessment is or is not warranted based on the guidance in Chapter 22, "Construction." It should be noted that the nature and extent of any commitment to use the Best Available Technology for construction equipment or Best Management Practices for construction activities should be considered when making this determination. The NYC Landmarks Preservation Commission reviewed the proposal and stated that no significant adverse impacts were anticipated as a result of the projected development associated with the Proposed Actions		

20. *APPLICANT'S CERTIFICATION*

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

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

APPLICANT/REPRESENTATIVE NAME	SIGNATURE	DATE
Kevin Corte, Environmental Studies Corp.	Kevin Corte	10/16/20

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

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

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

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

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

2. Are there any aspects of the project relevant to the determination of whether the project may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials? ☐ YES ☒ NO

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

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

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

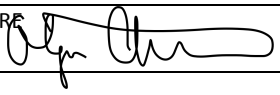
☐ **Conditional Negative Declaration:** A *Conditional Negative Declaration* (CND) may be appropriate if there is a private applicant for an Unlisted action AND when conditions imposed by the lead agency will modify the proposed project so that no significant adverse environmental impacts would result.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

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

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

TITLE	LEAD AGENCY
Director, Environmental Assessment and Review Division	Department of City Planning, acting on behalf of the City Planning Commission
NAME	DATE
Olga Abinader	October 16, 2020

SIGNATURE



NEGATIVE DECLARATION

Statement of No Significant Effect

Pursuant to Executive Order 91 of 1977, as amended, and the Rules of Procedure for City Environmental Quality Review, found at Title 62, Chapter 5 of the Rules of the City of New York and 6 NYCRR, Part 617, State Environmental Quality Review, the Department of City Planning, acting on behalf of the City Planning Commission assumed the role of lead agency for the environmental review of the proposed project. Based on a review of information about the project contained in this environmental assessment statement (EAS) and any attachments hereto, which are incorporated by reference herein, the lead agency has determined that the proposed project would not have a significant adverse impact on the environment.

Reasons Supporting this Determination

The above determination is based on information contained in this EAS, which finds the proposed actions sought before the City Planning Commission would have no significant effect on the quality of the environment. Reasons supporting this determination are noted below.

Air Quality and Noise

An (E) designation (E-576) for air quality and noise has been incorporated into the proposed actions. Refer to "Determination of Significance Appendix: (E) Designation" for a list of the sites affected by the proposed (E) designation and applicable (E) designation requirements. With these measures in place, the proposed actions would not result in significant adverse impacts to air quality or noise.

Land Use, Zoning, and Public Policy

The EAS includes a detailed analysis of Land Use, Zoning, and Public Policy and that analysis determined that no significant adverse impacts would occur. According to the CEQR Technical Manual TM, a significant adverse impact could occur if a proposed action would generate a land use incompatible with the surrounding area. The proposed actions include a Zoning Map amendment to rezone the project area (Bronx Block 2426, Lots 17, 21, 25) from M1-1 to R7X/C2-4 and a Zoning Text Amendment to establish a Mandatory Inclusionary Housing (MIH) area coterminous with the project area within the East Concourse section of Bronx, Community District 4. The proposed actions would allow residential use, which is not permitted under the current zoning, however, the surrounding area west of the project area contains predominantly residential uses and is within a transit zone. As such, the proposed actions would not introduce an incompatible land use, nor affect the existing character of the area, which represent the thresholds of impact significance as defined in the CEQR TM. Furthermore, the proposed actions would have no adverse effect on zoning or public policy.

Community Facilities

The EAS includes a detailed analysis of publicly funded child care facilities and public schools. The proposed actions would facilitate the development of 356 dwelling units, 297 of which would be reserved for low- and moderate-income tenants who would be at or below 80% of the area median income, which would generate approximately 36 additional children under the age of six who would be eligible for publicly funded child care programs, 47 public high school students, 79 elementary school students, and 33 middle school students. The related CEQR TM thresholds for detailed analysis are 20 or more children for child care, 150 or more high school students, and 50 or more total elementary and middle school students. As such, detailed analysis is warranted for child care and elementary and middle school students.

Child Care - The CEQR TM indicates that if the child care utilization rate exceeds 100 percent, and is reduced by over 5 percent compared to the No-Action condition, a significant adverse impact may be identified. A detailed analysis showed that the proposed actions would result in an increase of 0.9% in the collective utilization rate of the child care/Head Start centers in the study area. At a utilization rate of 87%, the collective utilization rate of the group childcare/Head Start centers in the study area would not exceed 100 percent. Therefore, the proposed actions would not result in significant adverse impacts to child care facilities.

Public Schools - The CEQR TM indicates that if the school utilization rate exceeds 100 percent, and is reduced by over 5 percent compared to the No-Action condition, a significant adverse impact may be identified. A detailed analysis showed that, as a result of the proposed actions, elementary schools in the study area would be operating at a utilization rate of 103 percent, however, the difference between the No-Action and With-Action utilization rate of the elementary schools would be 1.96 percent. The analysis also showed that intermediate schools in the study area would be operating at 69 percent capacity as a result of the proposed actions, a difference of .94 percent compared to the No-Action condition. As such, neither elementary nor intermediate school conditions would meet both thresholds established in the CEQR TM

Project Name: 1099 Webster Avenue Rezoning
CEQR #: 19DCP115X
SEQRA Classification: Type I

and as such, no significant adverse impacts to public schools would occur.

Historic and Cultural Resources
A detailed analysis related to Historic and Cultural Resources is included in this EAS. As stated in the CEQR TM, a significant adverse impact to historic resources could result from significant new shadows, obstruction of publicly accessible views of a resource, construction-related impacts, or the introduction of incompatible elements to a resource's setting. The proposed actions would result in new development adjacent to the Landmarks Preservation Commission-designated Clay Avenue Historic District, separated by East 116th Street. However, the resulting development would not result in significant adverse visual effects to features of the historic district that defines this historic resource. Construction-related impacts, or physical changes to resources would not occur as a result of the proposed actions. Therefore, the proposed actions would not result in significant adverse impacts to historic and cultural resources.

No other significant effects upon the environment that would require the preparation of a Draft Environmental Impact Statement are foreseeable. This Negative Declaration has been prepared in accordance with Article 8 of the New York State Environmental Conservation Law (SEQRA). Should you have any questions pertaining to this Negative Declaration, you may contact Rachel Antelmi at (212) 720-3621.

TITLE	**LEAD AGENCY**
Director, Environmental Assessment and Review Division	Department of City Planning, acting on behalf of the City Planning Commission 120 Broadway, 31st Fl. New York, NY 10271 | (212) 720-3493
NAME Olga Abinader	**DATE** October 16, 2020
SIGNATURE	

TITLE Chair, City Planning Commission	
NAME Marisa Lago	**DATE** October 19, 2020
SIGNATURE	

Project Name: 1099 Webster Avenue Rezoning
CEQR #: 19DCP115X
SEQRA Classification: Type I

Determination of Significance Appendix: (E) Designation (E-576)

Air Quality

To ensure that there would be no significant adverse air quality impacts associated with the proposed project, an E designation (E-576) will be placed on the project site as follows:

Block 2426, Lot 25 (Projected Development Site 1 - Building A): Any new residential or commercial development on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating, air conditioning (HVAC) and hot water system to avoid any potential significant adverse air quality impacts. Stack shall be located at the building's highest level and at a minimum of 148 feet above grade to avoid any potential significant adverse air quality impact.

Block 2426, Lot 25 (Projected Development Site 1 - Building B): Any new residential or commercial development on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating, air conditioning (HVAC) and hot water system to avoid any potential significant adverse air quality impacts. Stack shall be located at the building's highest level and at a minimum of 148 feet above grade to avoid any potential significant adverse air quality impact.

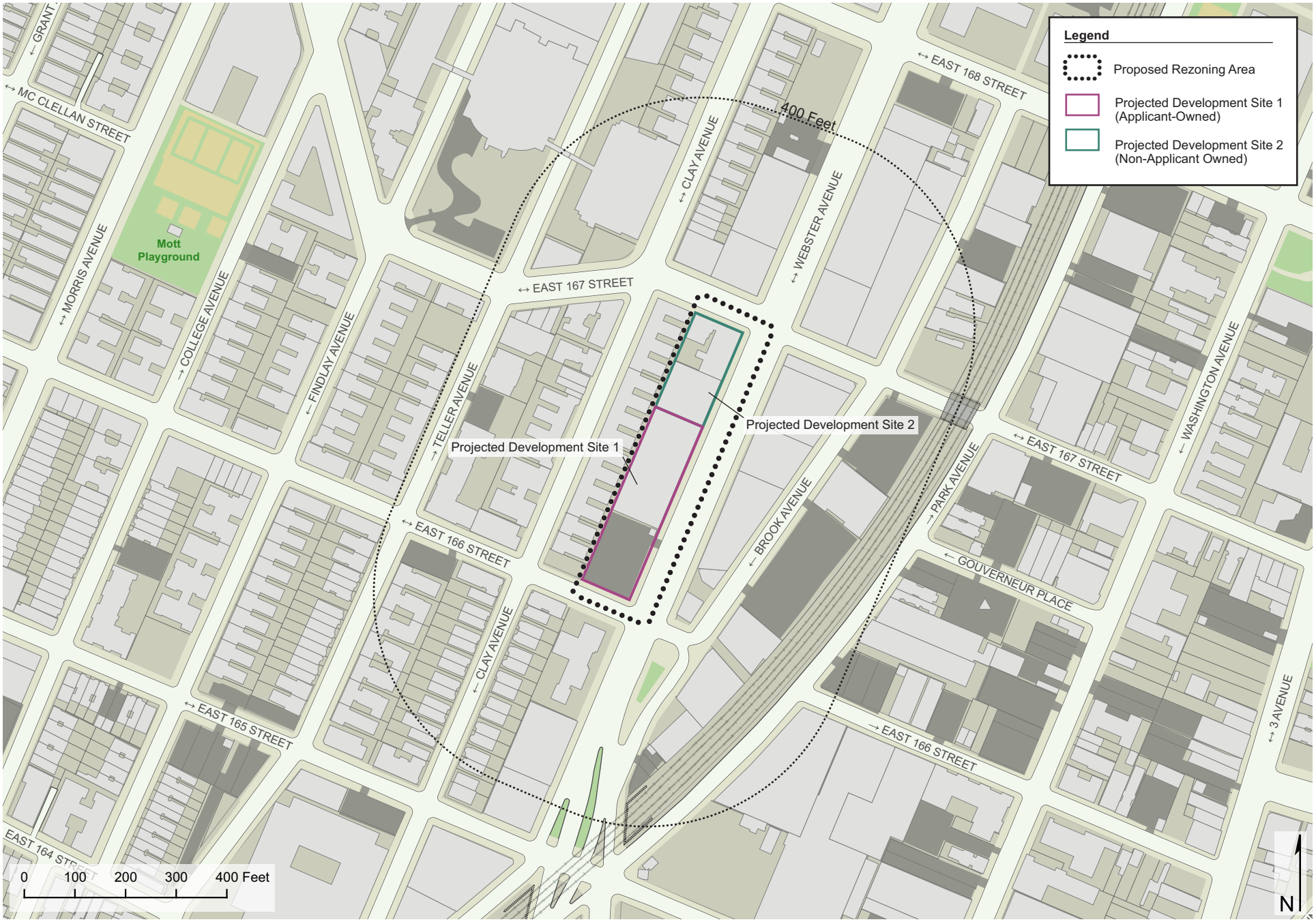
Block 2426, Lot 17 and 21 (Projected Development Site 2): Any new residential or commercial development on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating, air conditioning (HVAC) and hot water system to avoid any potential significant adverse air quality impacts. Stack shall be located at the building's highest level and at a minimum of 148 feet above grade to avoid any potential significant adverse air quality impact.

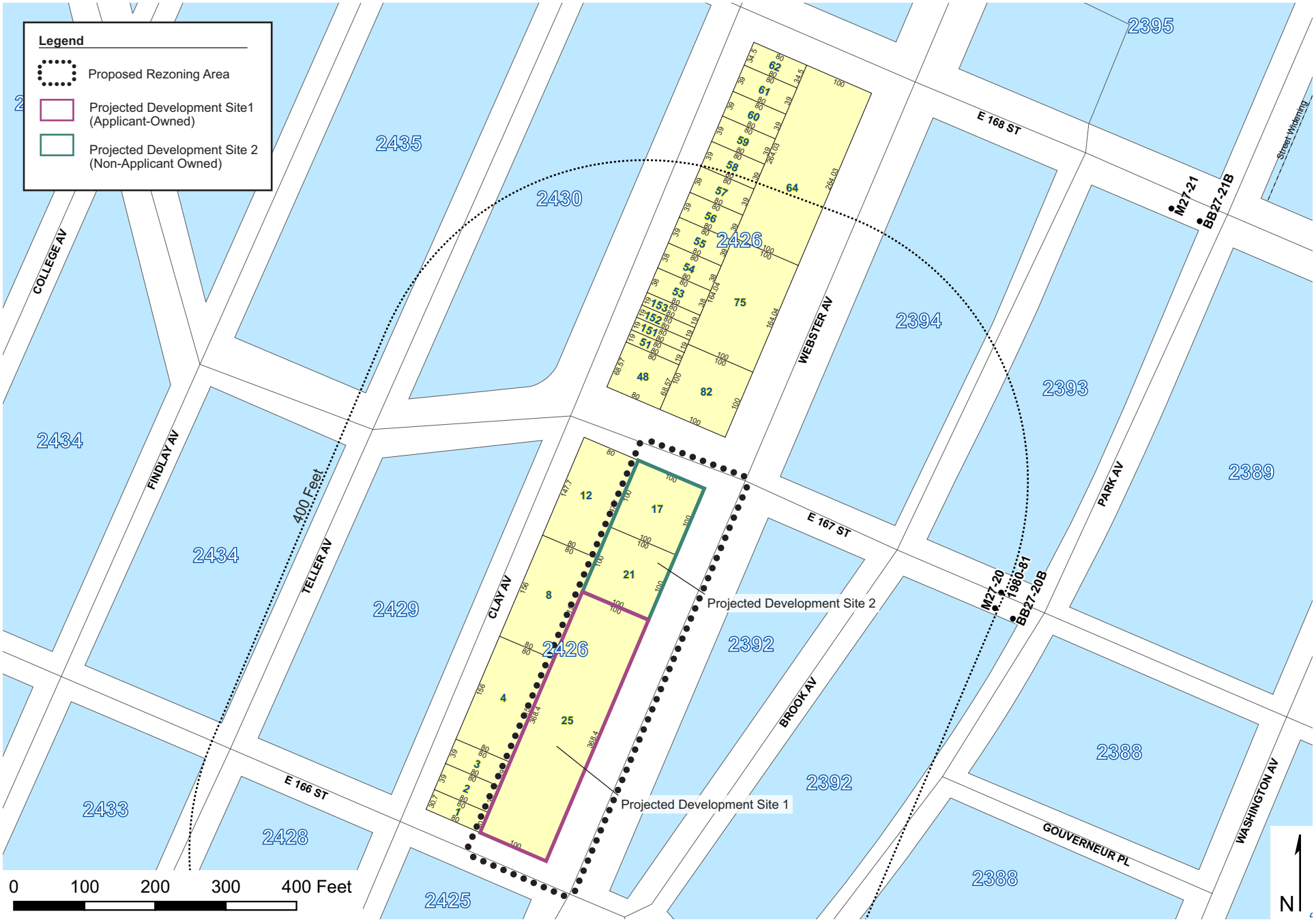
Noise

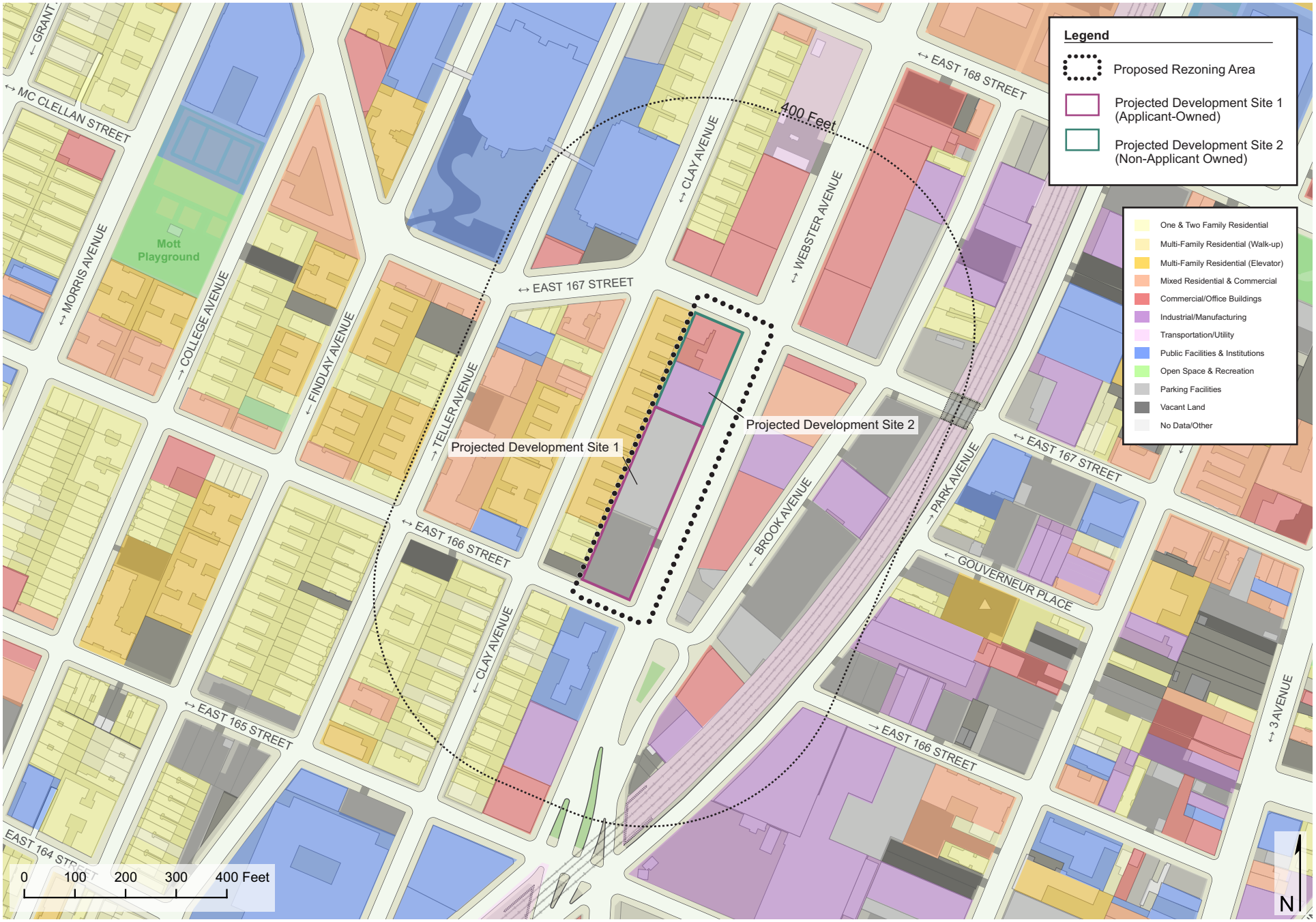
To ensure that there would be no significant adverse noise impacts associated with the proposed project, an E designation (E-576) will be placed on the project site as follows:

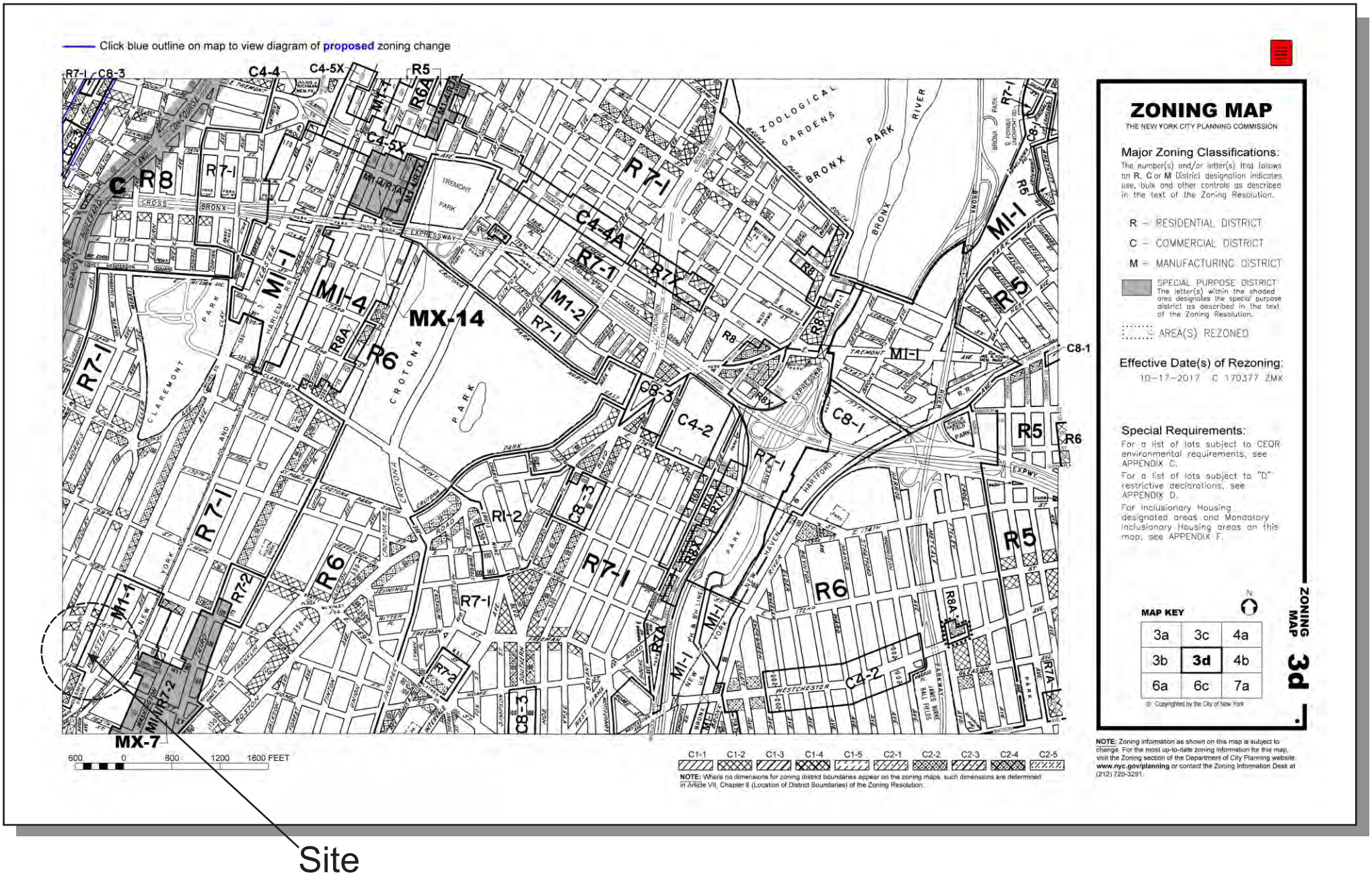
Block 2426, Lot 25 (Projected Development Site 1): To ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed-window condition with a minimum of 31 dBA window/wall attenuation on all facades facing Webster Avenue or East 167th Street or southern façade facing East 166th Street within 50 feet from Webster Avenue to maintain an interior noise level not greater than 45 dBA for residential uses or not greater than 50 dBA for commercial uses. To maintain a closed- window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.

Block 2426, Lots 17 and 21 (Projected Development Site 2): To ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed- window condition with a minimum of 31 dBA window/wall attenuation on all facades to maintain an interior noise level not greater than 45 dBA for residential uses or not greater than 50 dBA for commercial uses. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.


Legend
Proposed Rezoning Area
Projected Development Site 1 (Applicant-Owned)
Projected Development Site 2 (Non-Applicant Owned)
400 Feet
Projected Development Site 1
Projected Development Site 2
Mott Playground
MC CLELLAN STREET
MORRIS AVENUE
COLLEGE AVENUE
FINDLAY AVENUE
TELLER AVENUE
EAST 167 STREET
CLAY AVENUE
WEBSTER AVENUE
EAST 168 STREET
WASHINGTON AVENUE
PARK AVENUE
BROOK AVENUE
GOUVERNEUR PLACE
EAST 166 STREET
EAST 165 STREET
3 AVENUE
0 100 200 300 400 Feet
N

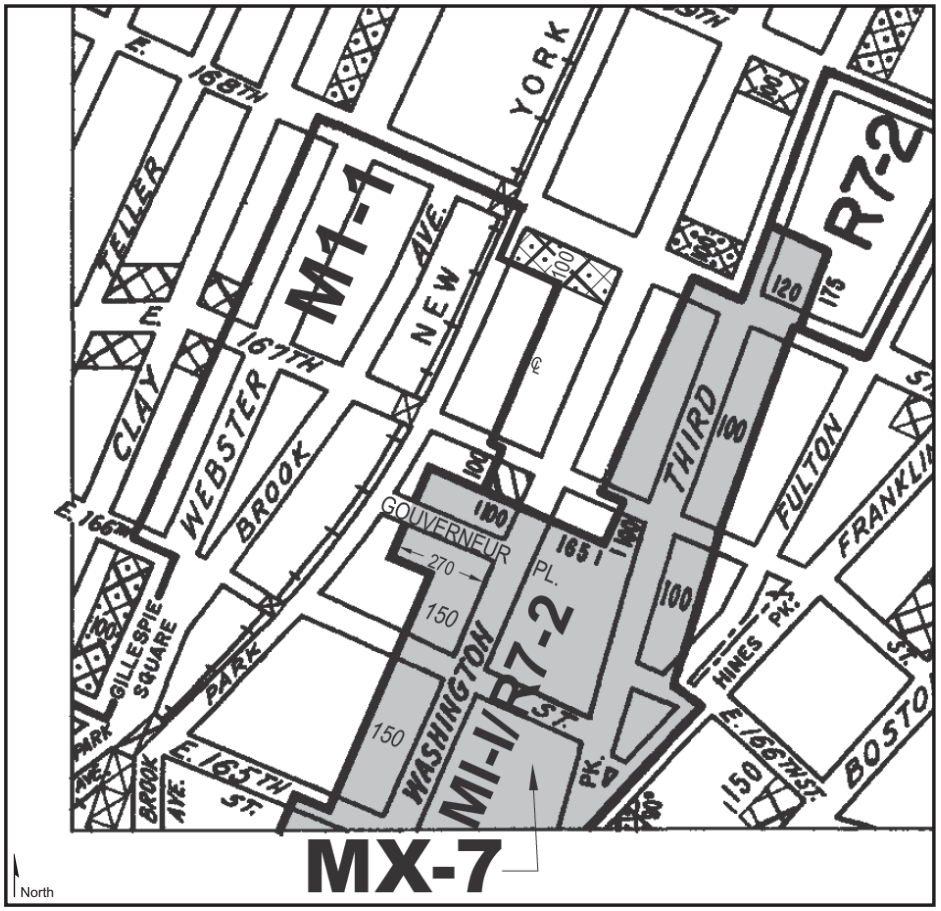

Legend
Proposed Rezoning Area
Projected Development Site1 (Applicant-Owned)
Projected Development Site 2 (Non-Applicant Owned)
2435
2430
2426
2395
2394
2393
2389
2434
2429
2392
2388
2433
2428
2425
COLLEGE AV
FINDLAY AV
TELLER AV
CLAY AV
WEBSTER AV
PARK AV
BROOK AV
WASHINGTON AV
E 168 ST
E 167 ST
E 166 ST
GOUVERNEUR PL
Street Widening
M27-21
BB27-21B
M27-20
1980-81
BB27-20B
400 Feet
Projected Development Site 2
Projected Development Site 1
0 100 200 300 400 Feet
N


Legend
Proposed Rezoning Area
Projected Development Site 1 (Applicant-Owned)
Projected Development Site 2 (Non-Applicant Owned)
One & Two Family Residential
Multi-Family Residential (Walk-up)
Multi-Family Residential (Elevator)
Mixed Residential & Commercial
Commercial/Office Buildings
Industrial/Manufacturing
Transportation/Utility
Public Facilities & Institutions
Open Space & Recreation
Parking Facilities
Vacant Land
No Data/Other
400 Feet
Projected Development Site 1
Projected Development Site 2
Mott Playground
MC CLELLAN STREET
MORRIS AVENUE
COLLEGE AVENUE
FINDLAY AVENUE
TELLER AVENUE
CLAY AVENUE
WEBSTER AVENUE
EAST 168 STREET
EAST 167 STREET
EAST 166 STREET
EAST 165 STREET
BROOK AVENUE
PARK AVENUE
GOUVERNEUR PLACE
3 AVENUE
0 100 200 300 400 Feet
N

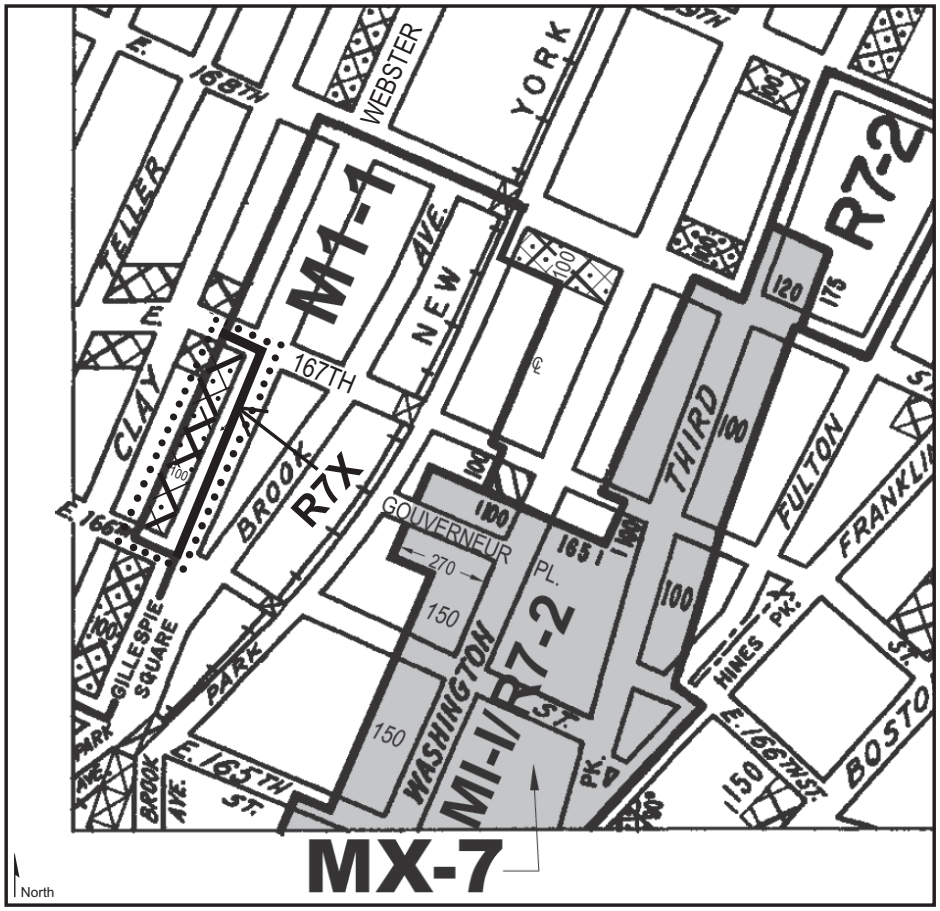

Click blue outline on map to view diagram of proposed zoning change
ZONING MAP
THE NEW YORK CITY PLANNING COMMISSION
Major Zoning Classifications:
The number(s) and/or letter(s) that follows an R, C or M District designation indicates use, bulk and other controls as described in the text of the Zoning Resolution.
R – RESIDENTIAL DISTRICT
C – COMMERCIAL DISTRICT
M – MANUFACTURING DISTRICT
SPECIAL PURPOSE DISTRICT
The letter(s) within the shaded area designates the special purpose district as described in the text of the Zoning Resolution.
AREA(S) REZONED
Effective Date(s) of Rezoning:
10-17-2017 C 170377 ZMX
Special Requirements:
For a list of lots subject to CEQR environmental requirements, see APPENDIX C.
For a list of lots subject to "D" restrictive declarations, see APPENDIX D.
For Inclusionary Housing designated areas and Mandatory Inclusionary Housing areas on this map, see APPENDIX F.
MAP KEY
3a 3c 4a
3b 3d 4b
6a 6c 7a
ZONING MAP 3d
© Copyrighted by the City of New York
NOTE: Zoning information as shown on this map is subject to change. For the most up-to-date zoning information for this map, visit the Zoning section of the Department of City Planning website www.nyc.gov/planning or contact the Zoning Information Desk at (212) 720-3291.
MX-14
MX-7
R7-1
R8
R6
R5
R6A
R7A
R7X
R8A
R8X
R7-2
R1-2
C4-4
C4-5X
C4-4A
C4-2
C8-1
C8-3
M1-1
M1-2
M1-4
MI-1
MI-4
MI-4/R7A
MI-4/R7-2
C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5
NOTE: Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.
600 0 600 1200 1800 FEET
Site


Legend
Proposed Rezoning Area
Projected Development Site 1 (Applicant-Owned)
Projected Development Site 2 (Non-Applicant Owned)
400 Feet
Projected Development Site 1
Projected Development Site 2
GRANT
MC CLELLAN STREET
MORRIS AVENUE
COLLEGE AVENUE
FINDLAY AVENUE
TELLER AVENUE
EAST 167 STREET
CLAY AVENUE
WEBSTER AVENUE
EAST 168 STREET
WASHINGTON AVENUE
PARK AVENUE
BROOK AVENUE
GOUVERNEUR PLACE
EAST 166 STREET
EAST 165 STREET
3 AVENUE
0 100 200 300 400 Feet
N

Zoning Change Map



Current Zoning Map (3d)



Proposed Zoning Map (3d) - Project Area is outlined with dotted lines

Rezoning from M1-1 to R7X/C2-4

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5



1. View of the Site facing southwest from Webster Avenue.



2. View of Webster Avenue facing southwest (Site at right).



3. View of the Site facing west from Webster Avenue.





4. View of the Site facing northwest from Webster Avenue.



5. View of East 166th Street facing northwest from Webster Avenue (Site at right).



6. View of the Site facing north from the intersection of Webster Avenue and East 166th Street.





7. View of Webster Avenue facing northeast from East 166th Street (Site at left).



8. View of the Site facing northeast from East 166th Street.



9. View of the Site facing east from East 166th Street.





10. View of the sidewalk along the north side of East 166th Street facing southeast (Site at left).



11. View of the south side of East 166th Street facing southwest from the Site.



12. View of the sidewalk along the north side of East 166th Street facing northwest from Webster Avenue (Site at right).





13. View of the intersection of the Webster Avenue and East 166th Street facing south from the Site.



14. View of the sidewalk along the west side of Webster Avenue facing northeast from East 166th Street (Site at left).



15. View of the east side of Webster Avenue facing southeast from the Site.





16. View of the east side of Webster Avenue facing east from the Site.



17. View of the east side of Webster Avenue facing east from the Site.



18. View of the sidewalk along the east side of Webster Avenue facing southwest (Site at right).




MUFFLER



1099 WEBSTER AVENUE REZONING
PROJECT DESCRIPTION

Proposed Actions

The Applicant, Webster 1099 Realty LLC, seeks a zoning map amendment and zoning text amendment (the "Proposed Actions") to facilitate the development of two new buildings on a single zoning and tax lot in the East Concourse section of Bronx Community District 4. In addition to the development site, two adjacent lots to the north, which are not under the control of the Applicant, would also be affected by the Proposed Actions.

The Proposed Actions would affect the Applicant-controlled Block 2426, Lot 25 and the adjacent, non-Applicant-controlled Block 2426, Lots 17 and 21 (hereafter the "Rezoning Area"), located on Webster Avenue between East 166th and East 167th Streets.

The Proposed Actions consist of a zoning map amendment from M1-1 to R7X/C2-4 and a zoning text amendment to make the Rezoning Area applicable as a Mandatory Inclusionary Housing (MIH) Area, pursuant to an amendment of Appendix F of the New York City Zoning Resolution ("ZR").

The applicant is seeking financing for the proposed affordable housing development under the New York City Housing Preservation and Development's ("HPD") Extremely Low & Low-Income Affordability (ELLA) Program.

Description of Surrounding Area

The surrounding area is located near the East Concourse section of Bronx Community District4 but is also in close proximity to the Melrose and Morrisania sections of Bronx Community District3, to the east and south, respectively. The Rezoning Area is located in a transitional area where residential uses are more predominant to the west, and commercial/light manufacturing uses are more predominant to the east and across the Amtrak/MTA Metro North right-of-way. Webster Avenue is a north–south commercial arterial for the immediate area. The predominant east–west arterial, East 168th Street, is located two blocks north of the Rezoning Area.

The area immediately to the southwest of the Rezoning Area (Blocks 2428 & 2425) is the Clay Avenue Historic District, which consists of two block fronts of Clay Avenue between East 165th and East 166th Street and contains 32 residential buildings constructed between 1901 and 1910 (LP-1898).

The surrounding area is well served by public transportation with a New York City Transit (NYCT) B/D station, located approximately 0.6 miles from the Development Site at the intersection of 167th Street and Grand Concourse. In addition, the Melrose stop on the MTA's Metro North (Harlem Line) is located 0.3 miles southwest of the Rezoning Area. In terms of the bus transit, the Bx41 and Bx41 Select Bus Service (SBS) run along Webster Avenue in the Rezoning Area, stopping at the northeastern corner of the subject block. The Bx35 bus runs along East 167th Street just north of the Rezoning Area, stopping at the northeastern corner of the subject block.

Description of Affected Area

The Rezoning Area is located along Webster Avenue between East 166th Street and East 167th Street in the East Concourse section of Bronx Community District4. Webster Avenue is a 'wide' street with 100 feet in width, while East 166th Street is a 'narrow' street with 60 feet in width. East 167th Street is classified as a 'wide' street with 80 feet in width. The Rezoning Area affects the entire block frontage of the western side of Webster Avenue between East 167th and East 166th Street. This consists of approximately 568 feet of length along the west side of Webster Avenue with a depth of 100 feet. The entire Rezoning Area is zoned M1-1.

The Rezoning Area consists of Block 2426, Lots 17, 21 and 25, with a total area of 56,840 square feet.

Applicant-controlled area:

- **Projected Development Site 1**: Block 2426, Lot 25 (1099 Webster Avenue) has an area of 36,840 square feet and is developed with a one-story, 21,800 square-foot building containing various automotive uses (0.59 FAR). The parcel is a corner lot with approximately 368 feet of frontage along Webster Avenue and 100 feet of frontage along East 166th Street. The southern portion of the lot, fronting on East 166th Street and Webster Avenue, is currently used as a private parking lot. The remainder of the lot is developed with a one-story, 21,800 square-foot building containing various automotive uses. The property has an FAR of 0.59, where 1.0 FAR is permitted for commercial/industrial uses and 2.4 is permitted for community facility uses in the underlying M1-1 zoning district.

Non-Applicant-controlled area:

- **Projected Development Site 2**: Block 2426, Lots 21 and 17 (1139-1147 Webster Avenue) consists of two tax lots. Lot 21 has an area of 10,000 square feet and is fully developed with a 10,000 square foot one-story commercial building. The interior lot has 100 feet of frontage on Webster Avenue. The property has an FAR of 1.0, where 1.0 FAR is permitted for commercial/industrial uses and 2.4 is permitted for community facility uses in the underlying M1-1 zoning district. Lot 17 has an area of 10,000 square feet and is developed with a 7,280 square foot one-story commercial building. The corner lot has 100 feet of frontage on East 167th Street and 100 feet of frontage on Webster Avenue. The property has an FAR of 0.73, where 1.0 FAR is permitted for commercial/industrial uses and 2.4 is permitted for community facility uses in the underlying M1-1 zoning district.

Description of Proposed Development

The Proposed Actions are intended to facilitate the redevelopment of the Development Site with two residential buildings to contain 238 dwelling units and ground floor commercial/retail space. This consists of a nine-story building on the southern portion of the lot (with frontage on East 166th Street and Webster Avenue) and an 11-story building on the northern portion of the lot

(with frontage on Webster Avenue) with a maximum height of 110' 11" and a street wall height of 101' 4".

Together, the buildings would contain 280,300 gross square feet (gsf) of floor area (221,040 zoning square feet (zsf) of floor area, or 6.0 FAR), of which 216,215 gsf (190,852 zsf or 5.18 FAR) would be put to residential use and 30,188 gsf (30,188 zsf or 0.82 FAR) would be put to commercial use. Below grade, 30 accessory parking spaces would be provided for the commercial space and 43 parking spaces would be provided for the proposed residential use. All of the proposed 238 dwelling units would affordable to incomes below 80% AMI.

Because the Development Site is located in a Transit Zone and all of the proposed dwelling units would be considered affordable pursuant to MIH, no accessory parking spaces are required for the proposed residential use. For the proposed commercial use, one accessory space is required per 1,000 square feet of floor area in the proposed C2-4 zoning district, where 30 spaces are provided. The accessory parking area would be made accessible from a single curb cut located on the southern end of the zoning lot along the East 166th Street frontage.

As described below under Reasonable Worst Case Development Scenario, the two non-Applicant-controlled parcels affected by the Proposed Actions are also anticipated for redevelopment as a result of the Proposed Actions.

Purpose and Need

The proposed development requires a Zoning Map Amendment from M1-1 to R7X/C2-4 and a zoning text amendment to make the Rezoning Area applicable to the Mandatory Inclusionary Housing (MIH) Program. The Proposed Actions would facilitate the development of 238 affordable dwelling units in an area that is largely residential.

The Proposed Actions are necessary to allow the proposed residential use. Currently, the Project Area is zoned M1-1, which does not permit residential use. The purpose of the proposed R7X/C2-4 district is to allow the development of new residential and local retail space consistent with surrounding development patterns.

The proposed R7X/C2-4 zoning district would provide opportunities for the creation of new housing, including market rate and affordable dwelling units, as well as new commercial retail space that would serve the existing and future community while improving the overall vibrancy of the neighborhood. The neighborhood has experienced disinvestment since the 1950s, and the proposed rezoning would follow the trend of nearby rezonings including the 2003 Morrisania Rezoning (030333 ZMX), the 2003 Washington Plaza Rezoning (030213 ZMX), the 2008 Courtlandt Corners rezoning (080222 ZMX), and the 2009 161st Street Rezoning (090365 ZMX).

Required Approvals

The proposed development requires a zoning map amendment to rezone the project area and a zoning text amendment to establish a MIH area coterminous with the area to be rezoned. The granting of the zoning map amendment is a discretionary action that is subject to both the Uniform Land Use Review Procedure (ULURP) as well as the City Environmental Quality Review (CEQR). ULURP is a process that allows public review of the Proposed Actions at four levels: the Community Board; the Borough President; the City Planning Commission; and, if applicable,

the City Council. CEQR is a process by which agencies review discretionary actions for the purpose of identifying the effects those actions may have on the environment.

Reasonable Worst Case Development Scenario (RWCDS) Introduction

The applicant seeks to redevelop the Projected Development Site 1 with a residential building containing ground-floor retail space. In addition to Projected Development Site 1, the Proposed Rezoning affects the adjacent properties to the north. Each lot affected by the Proposed Actions is anticipated to be redeveloped in the future with-action scenario.

Existing conditions on these properties are detailed above under Description of Affected Area.

Future No-Action Condition

Absent the Proposed Actions, no changes are anticipated in the Project Area and the affected properties would remain in their current conditions:

- Lot 25 (**Projected Development Site 1**) has an area of 36,840 sf. The southern portion of the lot, fronting on East 166th Street and Webster Avenue, is used as a private parking lot. The remainder of the lot is developed with a one-story, 21,800 gsf building containing various automotive uses. The property has a FAR of 0.59, where 1.0 commercial/industrial or 2.4 community facility is permitted under the existing M1-1 zoning district.
- Lot 21 (**Projected Development Site 2**) has an area of 10,000 sf and is fully developed with a 10,000 gsf one-story commercial building containing an automotive tire store. The lot has a FAR of 1.0, where 1.0 commercial/industrial or 2.4 community facility is permitted under the existing M1-1 zoning district.
- Lot 17 (**Projected Development Site 2**) has an area of 10,000 sf and is fully developed with a 7,280 gsf one-story commercial building containing a restaurant. The lot has an FAR of 0.73, where 1.0 commercial/industrial or 2.4 community facility is permitted under the existing M1-1 zoning district.

Future With-Action Condition

As noted above, a Reasonable Worse Case Development Scenario (RWCDS) was developed for the project area that captures the upper range of development that would likely occur on the Applicant-controlled property and non-Applicant-controlled properties affected by the project. The development sites are identified in Table 1-1.

Table 1-1: Development Site Identification

Site ID	Block	Lot	Address
Projected Development Site 1	2426	25	**1099 Webster Avenue**
Projected Development Site 2	2426	17 and 21	**1139-1147 Webster Avenue**

Applicant-controlled area

Since the Applicant's proposed development on **Projected Development Site 1** maximizes the available floor area under the proposed R7X/C2-4 district (6.00 FAR proposed where 6.00 FAR is permitted), the proposed development program constitutes the most conservative development program to be considered for the With-Action Scenario. The proposed development has a maximum rooftop height of approximately 110 feet. For purposes of the RWCDS, a height of 145 feet with be considered for Buildings A and B, the maximum height permitted under the proposed zoning. These building envelopes, not the applicant's proposed buildings, are assessed in the following technical analyses.

Thus, the RWCDS consists of two residential buildings with ground floor commercial space: a 9-story building on the southern portion of the lot (with frontage on East 166th Street and Webster Avenue) and an 11-story building on the northern portion of the lot (with frontage on Webster Avenue). Building A would contain 109,062 gsf of floor area (72,889 zsf). It would contain 90 dwelling units and 10,890 gsf (10,890 zsf) of local retail (Use Group 5, 6) space on the ground floor. Building B would contain 171,238 gsf of floor area (117,963 zsf). It would contain 148 dwelling units and 19,298 gsf (19,298 zsf) of local retail (Use Groups 5, 6) space on the ground floor.

Together, the buildings would contain 280,300 gross square feet of floor area (221,040 zoning square feet, FAR 6.0), of which 216,215 gsf (190,852 zsf, FAR 5.18) would be residential and 30,188 gsf (30,188 zsf, FAR 0.82) would be commercial. The buildings would contain 238 dwelling units with an average size of 812 sf. Below grade, 30 accessory parking spaces would be provided for the commercial space and 43 non-accessory parking spaces would be provided. All dwelling units on Projected Development Site 1 are assumed to be affordable under MIH.

Non-Applicant-controlled area

Lots 17 and 21 **(Projected Development Site 2)** would be merged into a single, 20,000 sf lot, and redeveloped with a 9-story, 145-foot-tall residential building with ground floor commercial space and parking in the cellar. The building would contain 133,288 gsf of floor area (120,000 zsf, FAR 6.0), of which 116,263 gsf (102,975 zsf, FAR 5.15) would be residential and 17,025 gsf (17,025 zsf, FAR 0.85) would be commercial. The building would contain 118 dwelling units with an average size of 873 sf. Below grade, 47 accessory parking spaces would be provided for building residents and 17 accessory parking spaces would be provided for the commercial space. Because the MIH option has not been chosen, CEQR analyses will assume 20 percent affordability at 80 percent Area Median Income (AMI).

Analysis Framework and Increment

For analysis purposes, the Future With-Action Scenario consists of two development sites identified above. The increment between the No-Action and the With-Action scenarios consists of a net increase of 332,478 gsf of residential space (356 DUs), a net increase of 8,388 gsf of commercial space, and a net increase of 77 parking spaces.

Based on an estimated 12-month approval process and a 24-month buildout period, the analysis year will be 2025.

1099 WEBSTER AVENUE REZONING

ENVIRONMENTAL ASSESSMENT STATEMENT (EAS)

INTRODUCTION

Based on the analysis and screens contained in the Environmental Assessment Statement Short Form, the analysis areas that require further explanation include land use, zoning, and public policy; socioeconomic conditions; community facilities; open space; shadows; historic and cultural resources; urban design and visual resources; hazardous materials; transportation; air quality; and noise.

4. LAND USE, ZONING, AND PUBLIC POLICY

Introduction

The analysis of land use, zoning and public policy characterizes the existing conditions of the Development Sites and the surrounding study area; anticipates and evaluates those changes in land use, zoning and public policy that are expected to occur independently of the proposed project; and identifies and addresses any potential impacts related to land use, zoning and public policy resulting from the project. Various sources have been used to prepare a comprehensive analysis of land use, zoning and public policy characteristics of the area, including field surveys, studies of the neighborhood, census data, and land use and zoning maps.

The Proposed Actions involve the mapping of an R7X/C2-4 district in place of an existing M1-1 district to facilitate the proposed construction of two mixed-use buildings on the Applicant-controlled Projected Development Site 1. Two additional properties would be rezoned as a result of the Proposed Actions, which are anticipated to be redeveloped as a single development site (Projected Development Site 2) as a result of the Proposed Actions.

Land Use, Zoning, and Public Policy Study Area

In order to assess the potential for project-related impacts, a study area has been defined that includes the area located within 400 feet of the Project Area. This 400-foot area is the area within which the Proposed Actions have the potential to affect land use, land use trends, zoning, or public policy. The study area is generally bounded by East 168th Street to the north, Park Avenue to the east, East 165th Street to the south, and Teller Avenue to the west. (See Figure 1, Site Location.)

Land Use

Existing Conditions

The Project Area is located in the East Concourse section of Bronx Community District 4. The Project Area includes three tax lots: Block 2426, Lots 17, 21, and 25. These parcels combined contain a total lot area of approximately 56,840 square feet with frontage along three streets: 100 feet on East 166th Street; 568 feet on Webster Avenue; and 100 feet on East 167th Street. Webster Avenue is a ‘wide’ street with 100 feet in width, while East 166th Street is a ‘narrow’ street with 60

feet in width. East 167th Street is classified as a 'wide' street with 80 feet in width. The Project Area is zoned M1-1.

Applicant-controlled area:

- **Projected Development Site 1**: Block 2426, Lot 25 (1099 Webster Avenue) has an area of 36,840 square feet and is developed with a one-story, 21,800 square-foot building containing various automotive uses (0.59 FAR). The parcel is a corner lot with approximately 368 feet of frontage along Webster Avenue and 100 feet of frontage along East 166th Street. The southern portion of the lot, fronting on East 166th Street and Webster Avenue, is currently used as a private parking lot. The remainder of the lot is developed with a one-story, 21,800 square-foot building containing various automotive uses. The property has an FAR of 0.59, where 1.0 FAR is permitted for commercial/industrial uses and 2.4 is permitted for community facility uses in the underlying M1-1 zoning district.

Non-Applicant-controlled area:

- **Projected Development Site 2**: Block 2426, Lots 21 and 17 (1139-1147 Webster Avenue) consists of two tax lots. Lot 21 has an area of 10,000 square feet and is fully developed with a 10,000 square foot one-story commercial building. The interior lot has 100 feet of frontage on Webster Avenue. The property has an FAR of 1.0, where 1.0 FAR is permitted for commercial/industrial uses and 2.4 is permitted for community facility uses in the underlying M1-1 zoning district. Lot 17 has an area of 10,000 square feet and is developed with a 7,280 square foot one-story commercial building. The corner lot has 100 feet of frontage on East 167th Street and 100 feet of frontage on Webster Avenue. The property has an FAR of 0.73, where 1.0 FAR is permitted for commercial/industrial uses and 2.4 is permitted for community facility uses in the underlying M1-1 zoning district.

Land uses west of the Rezoning Area are predominantly residential, moving towards the Highbridge area. The area to the east of Webster Avenue, is predominantly commercial with local retail, restaurants and automotive uses, before reaching the Metro North/Amtrak right-of-way. Further east beyond the railroad right-of-way, the land uses are more varied, with warehouse facilities, commercial/retail, houses of worship, automotive uses, smaller multi-family residential buildings and vacant lots.

The study area west of the Rezoning Area includes a series of six-story residential walk-up buildings, smaller three-story multi-family residential buildings, as well as institutional uses, including public schools, houses of worship and supportive care facilities. Immediately to the south of the Rezoning Area is a nine-story supporting housing facility. NYCHA's Claremont Rehab development is located on the three blocks to the west of Webster Avenue, which is housed in a number of pre-war six-story buildings. The varied mix of uses to the east of the Rezoning Area and across the railroad right-of-way range in size from recently constructed six and seven-story residential buildings (pursuant to the actions described above) and one and two-story warehouse/automotive facilities and commercial retail buildings.

Notable community facilities include the Church Alive Community Church (315 East 170th Street), P.S. 053 (360 East 168th Street) and Junior High School 22 (270 East 167th Street), which are all concentrated along East 167th Street between Morris Avenue and Clay Avenue. To the south is the Mount Lebanon Church, as well as the Urban Science Academy (P.S. X324) near East 165th Street and Teller Avenue. To the east of the railroad right-of-way is a branch of the U.S. Postal Service (442 East 167th Street) and an FDNY fire station (1155 Washington Avenue).

There are several publicly-accessible open space facilities in proximity to the Rezoning Area, including the Arcilla Playground near Park Avenue and East 163rd Street and the Mott Playground near Morris Avenue and McClellan Street.

(See Figure 3, Land Use Map.)

No-Action Conditions

Absent the Proposed Actions, the three lots within the Project Area are anticipated to remain in their existing conditions, as described above.

With-Action Conditions

In the future with the Proposed Actions, the Rezoning Area is anticipated for redevelopment. The RWCDS for each development site is defined below.

Applicant-controlled area

Since the Applicant's proposed development on **Projected Development Site 1** maximizes the available floor area under the proposed R7X/C2-4 district (6.00 FAR proposed where 6.00 FAR is permitted), the proposed development program constitutes the most conservative development program to be considered for the With-Action Scenario. The proposed development has a maximum rooftop height of approximately 110 feet. For purposes of the RWCDS, a height of 145 feet with be considered for development on this site, the maximum height permitted under the proposed zoning. These building envelopes, not the applicant's proposed buildings, are assessed in the following technical analyses.

Thus, the RWCDS consists of two residential buildings with ground floor commercial space: a 9-story building on the southern portion of the lot (with frontage on East 166th Street and Webster Avenue) and an 11-story building on the northern portion of the lot (with frontage on Webster Avenue). Building A would contain 109,062 gsf of floor area (72,889 zsf). It would contain 90 dwelling units and 10,890 gsf (10,890 zsf) of local retail (Use Group 5, 6) space on the ground floor. Building B would contain 171,238 gsf of floor area (117,963 zsf). It would contain 148 dwelling units and 19,298 gsf (19,298 zsf) of local retail (Use Groups 5, 6) space on the ground floor.

Because Projected Development Site 1 is located in a Transit Zone and all of the proposed dwelling units would be considered affordable pursuant to MIH, no accessory parking spaces are required for the proposed residential use. For the proposed commercial use, one accessory space is required per 1,000 square feet of floor area in the proposed C2-4 zoning district, where 30 spaces are provided. The accessory parking area would be made accessible from a single curb cut located on the southern end of the zoning lot along the East 166th Street frontage.

Together, the buildings would contain 280,300 gross square feet of floor area (221,040 zoning square feet, FAR 6.0), of which 216,215 gsf (190,852 zsf, FAR 5.18) would be residential and 30,188 gsf (30,188 zsf, FAR 0.82) would be commercial. The buildings would contain 238 dwelling units with an average size of 812 sf. Below grade, 30 accessory parking spaces would be provided for the commercial space and 43 non-accessory parking spaces would be provided. All dwelling units on Projected Development Site 1 are assumed to be affordable under MIH.

Non-Applicant-controlled area

Lots 17 and 21 (Projected Development Site 2) would be merged into a single, 20,000 sf lot, and redeveloped with a 9-story, 145-foot-tall residential building with ground floor commercial space and parking in the cellar. The building would contain 133,288 gsf of floor area (120,000 zsf, FAR 6.0), of which 116,263 gsf (102,975 zsf, FAR 5.15) would be residential and 17,025 gsf (17,025 zsf, FAR 0.85) would be commercial. The building would contain 118 dwelling units with an average size of 873 sf. Below grade, 47 accessory parking spaces would be provided for building residents and 17 accessory parking spaces would be provided for the commercial space. Because the MIH option has not been chosen, CEQR analyses will assume 20 percent affordability at 80 percent Area Median Income (AMI).

Zoning

Existing Conditions

The Project Area is zoned M1-1. The study area also includes areas zoned with C1-4 and C2-4 overlays. Recent rezonings in the area include the 2003 Morrisania Rezoning (030333 ZMX), the 2003 Washington Plaza Rezoning (030213 ZMX), the 2008 Courtlandt Corners rezoning (080222 ZMX), and the 2009 161st Street Rezoning (090365 ZMX).

M1 zoning districts are light industrial districts, often mapped as buffer zones between M2 and M3 districts and residential areas. M1 zoning districts permit Use Groups 4-14 and 16-17 and uses typically include woodworking shops, auto repair shops, and wholesale/storage facilities. These uses are usually located in one and two-story warehouse buildings. The M1-2 zoning district allows a maximum FAR of 1.0 for light manufacturing and industrial uses and allows an FAR of 2.4 for community facility uses. The maximum building height is based on a sky-exposure plane, which begins 30 feet above the street line.

C1-4 and C2-4 zoning districts are commercial overlays that are mapped at a depth of 100 feet. C1 district allow for local retail and hotel uses (Use Groups 1-6). C2 districts allow for a wider variety of commercial uses (Use Groups 5-9, 14) such as local retail, funeral homes and repair services. Within lower density residential zoning districts (R1 through R5) the maximum FAR of 1.0, whereas in denser residential districts (R6 through R10) the maximum FAR is 2.0. Parking requirements vary by use.

The Rezoning Area and surrounding area is located in a FRESH Zone and qualifies for zoning and discretionary tax incentives to provide a qualifying FRESH use.

No-Action Conditions

In the future without the Proposed Actions, the provisions of the existing M1-1 zoning district would continue to apply to the Affected Area.

No changes are anticipated to occur on the Projected Development Sites.

The surrounding zoning districts within the immediate study area are expected to remain largely unchanged by the project build year of 2025.

With-Action Conditions

In the future with the proposed actions, an R7X/C2-4 district would be mapped along Webster Avenue between East 166th and East 167th Streets at a depth of 100 feet. Additionally, a text amendment to Appendix F of the Zoning Resolution (ZR) is proposed to make the Rezoning Area applicable as a Mandatory Inclusionary Housing (MIH) Area.

The proposed R7X/C2-4 district is a contextual mixed-use district, which permits a maximum FAR of 6.0 under MIH with 2.0 FAR permitted for commercial uses, where Use Groups 1-9 and 14 are permitted. Under the proposed district, light manufacturing and industrial uses would no longer be permitted. R7X/C2-4 districts allow a maximum street wall height of 105 feet with a maximum height of 145 feet permitted after a setback. The maximum lot coverage is 70% in the district where 100% lot coverage is permitted on corner lots. The district typically requires accessory parking for 50% of dwelling units and one accessory commercial parking space is required per 1,000 square feet of commercial space. Since the affected area is within the Transit Zone, affordable dwelling units are waived from accessory parking requirements.

The Proposed Actions are necessary to allow the proposed residential use. Currently, the Project Area is zoned M1-1, which does not permit residential use. The purpose of the proposed R7X/C2-4 district is to allow the development of new residential and local retail space consistent with surrounding development patterns.

The proposed R7X/C2-4 zoning district would provide opportunities for the creation of new housing, including market rate and affordable dwelling units, as well as new commercial retail space that would serve the existing and future community while improving the overall vibrancy of the neighborhood. The neighborhood has experienced disinvestment since the 1950s, and the proposed rezoning would follow the trend of nearby rezonings noted above under existing conditions.

The R7X/C2-4 district would be consistent with the large R7-1 district immediately to the west of Rezoning Area and is located on a wide commercial corridor. Given the close presence of the R7-1 district, numerous commercial and community facility buildings are developed in close proximity to the Projected Development Sites, which rise to comparable heights between six- and nine-stories. Table 4-1 provides a comparison of the uses and bulk regulations permitted under the existing/no action and proposed zoning districts.

The development proposed by the Applicant would not result in any non-conforming uses or non-complying developments, as the proposed development would comply with the proposed R7X/C2-4 zoning district.

The proposed rezoning action and the resulting proposed development are not expected to result in any significant adverse impacts or conflicts with the zoning in the study area.

Table 4-1: Comparison of Zoning Regulations: M1-A and R7X/C2-4

	M1-2 (Existing and No-Action)	R7X/C2-4 (Proposed)
Use Groups	1-4	1- 9, 14
Maximum FAR	Industrial 1.00 Community Facility 2.40	Residential 6.00 Community Facility 4.00 Commercial 2.00
Maximum Height	Sky exposure plane beginning 30 feet above street line	148 feet
Residential Parking Requirements	n/a	50% of market rate units

Public Policy

Existing Conditions

Other than the Zoning Resolution discussed above, no other public policies apply to the Affected Area or the surrounding 400-foot radius study area. The Affected Area is not covered by any 197-a Community Development Plans, is not within any designated New York State Empire Zone or New York City Industrial Business Zone (IBZ), is not within the NYC Coastal Zone Boundary, and is not located within a critical environmental area, a significant coastal fish and wildlife habitat, a wildlife refuge, or a special natural waterfront area. The Proposed Actions does not involve the siting or displacement of any public facilities.

No-Action Conditions

In the future without the Proposed Actions, any new development within the Project Area would continue to be governed by the provisions of the underlying M1-1 zoning district. No other public policy initiatives would pertain to the Project Area or to the 400-foot study area around the property by the project build year of 2025. In addition, no changes are anticipated to the zoning districts and zoning regulations or to any public policy documents related to the Affected Area or the surrounding study area by the project build year.

With-Action Conditions

No impact to public policies would occur as a result of the Proposed Actions. The proposed mixed-use development on Projected Development Site 1 would be in accordance with the proposed zoning district. The inclusion of the MIH program will help bring much-needed low-income

housing to this neighborhood of Brooklyn. The proposed zoning district would be consistent with zoning and bulk regulations in the study area.

Conclusion

Land Use

The Affected Area already contains a mix of residential, commercial, and light industrial uses. No significant adverse impacts related to land-use would occur as a result of the proposed rezoning.

No potentially significant adverse impacts related to land use are expected to occur as a result of the Proposed Actions. Therefore, further analysis of land use is not warranted.

Zoning

The Applicant feels the proposed zoning map amendment to R7X/C2-4 is appropriate given the context of the Project Area. The Development Site is located on a heavily-trafficked street in an area that is developed with both residential and commercial uses. There are a number of higher-density residential and supportive housing developments in close proximity to the Rezoning Area and the Development Site has languished under the historic M1-1 zoning district compared to adjacent higher-density districts. In addition, the Proposed Actions would be consistent with a number of discretionary land use actions that have occurred in close proximity to the Rezoning Area in the past decade, which have demonstrated support for the creational of new dwelling units for all income levels and new supporting commercial space.

A zoning text amendment to designate the Affected Area a MIH-designated area will allow an increased FAR on the Development Site and will provide the Applicant with the ability to provide affordable dwelling units on-site. Through the MIH designation, the Applicant and all future owners will be required to provide a percentage of permanently affordable housing units.

No significant adverse impacts related to zoning are expected to occur as a result of the Proposed Actions, and a further assessment of zoning is not warranted.

Public Policy

In accordance with the stated public policies within the study area, the Proposed Actions would be suitable for the Affected Area and the study area as a whole. No potential significant adverse impacts related to public policy are anticipated to occur as a result of the Proposed Actions and further assessment of public policy is not warranted.

5. SOCIOECONOMIC CONDITIONS

The proposed rezoning of the Rezoning Area from M1-1 to R7X/C2-4 under the Mandatory Inclusionary Housing (MIH) Program would facilitate the Applicant's proposal to construct 238 permanently affordable housing units on Projected Development Site 1. Under the Reasonable Worst Case Development Scenario, additional development in the Rezoning Area is anticipated on Projected Development Site 2, where 118 housing units are projected (of which 24 would be permanently affordable under the MIH program). The Proposed Actions are also anticipated to introduce a net increase of 8,133 gsf of commercial floor area in the Rezoning Area. The applicant also seeks discretionary financing for the proposed development under the New York City Housing Preservation and Development's ("HPD") Extremely Low & Low-Income Affordability (ELLA) Program. The increment of 356 dwelling units is greater than the *CEQR Technical Manual* threshold of 200 dwelling units, so a preliminary assessment of socioeconomic impacts is required. Therefore, the following provides a preliminary assessment of the potential for the Proposed Actions to result in any significant adverse impacts related to indirect residential displacement.

Indirect Residential Displacement

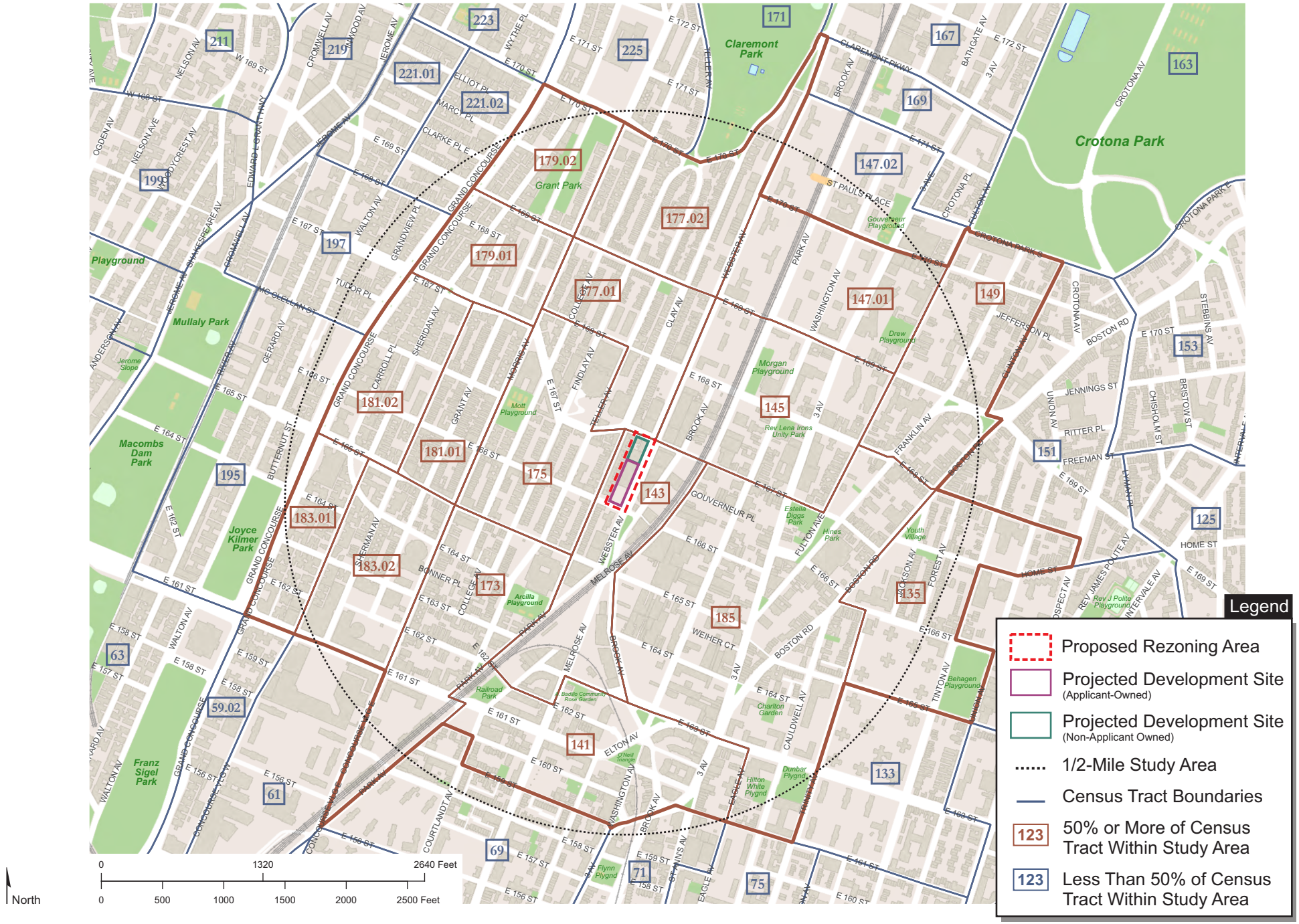
As indicated in the *CEQR Technical Manual*, "the objective of the indirect residential displacement analysis is to determine whether the proposed project may either introduce a trend or accelerate a trend of changing socioeconomic conditions that may potentially displace a vulnerable population to the extent that the socioeconomic character of the neighborhood would change." The risk of indirect residential displacement is typically associated with rising rents caused by new higher-income housing that may contribute to increased area housing costs to an extent that could potentially force lower-income residents out of the neighborhood. The potential for impact is generally limited to households in unprotected, private rental units. The proposed rezoning would allow for the development of approximately 356 units within the Rezoning Area for the With-Action RWCDS. Per the CEQR TM, the Study Area used in the assessment of Socio-Economic conditions includes all census tracts that are more than 50% within a ¼ mile radius of the Project Area. The Study Area includes Census Tracts 143, 145, 175, 177.01.

The average household size for the surrounding census tracts is 2.97 persons per household. Using the average household size found within the study area's census tracts; the increment generated by the RWCDS would be expected to generate a total residential population of 1,057 persons. This would represent 4.9 percent of the study area population, based on the total population size of 21,438 (See Table 5-1). The *CEQR Technical Manual* notes "if the population increase is less than 5 percent within the study area, or identified sub-areas, further analysis is not necessary as this change would not be expected to affect real estate market conditions." Therefore, the Proposed Actions would not be expected to significantly impact the neighborhood's socioeconomic fabric and no further analysis is warranted.

Table 5-1 (No-Action vs. With Action Population in the 0.25 Mile Study Area

Census Tracts	Existing / No-Action Condition (Residents)	With-Action Condition (Residents)	No-Action vs With-Action Population (%)
143, 145, 175, 177.01	21,438	22,495	1,057 (4.9%)

Figure 5-1: Socioeconomic Analysis Map



6. COMMUNITY FACILITIES AND SERVICES

Introduction

The community facilities and services considered under CEQR are public schools, public or publicly subsidized day care centers, public libraries, hospitals and other health care facilities, and police and fire protection services. Under the guidelines set forth in the *CEQR Technical Manual,* a detailed analysis is required only if a Proposed Actions would displace or otherwise directly affect an existing community facility or if it would place significant new demands on facilities or services. Most of the demand for community facility services is generated by the introduction of new residents in an area.

Direct Effects

The Proposed Actions would not physically displace or affect any existing community facilities and would therefore have no direct impact on any community facilities or services. Therefore, further assessment of direct impacts is not warranted.

Indirect Effects

The *CEQR Technical Manual* provides a set of thresholds to use in determining whether detailed studies of potentially significant adverse indirect impacts related to community facilities and services are warranted. The with-action RWCDS includes the development of 238 housing units on the Applicant-controlled Projected Development Site 1 and 118 housing units on the non-Applicant-controlled Projected Development Site 2. The no-action scenario does not include any residential units, so the net increase for the future with-action condition is 356 dwelling units in the Rezoning Area.

The Proposed Actions would result in the development of 297 affordable dwelling units, as further detailed below.

The Applicant intends for 100% of the proposed 238 dwelling units on Projected Development Site 1 to be made permanently affordable to incomes below 80% AMI. For CEQR analysis purposes, 30% of the dwelling units (35 of 118 units) on the non-Applicant-controlled Projected Development Site 2 are presumed to be permanently affordable to incomes below 80% AMI pursuant to MIH.

Based on *CEQR Technical Manual* criteria presented in Table 6-1a, the development of 356 dwelling units resulting from the Proposed Actions would be anticipated to generate a total of 264 public school students, including 139 elementary school and 57 middle school pupils. The 356 dwelling units would be anticipated to generate a total of 68 public high school students, which would fall below the threshold of concern of 150 high school level pupils. A detailed public elementary and middle school analysis is provided below. Under the criteria in Table 6-1, the development of 297 dwelling units at or below 80% of Area Median Income (AMI) would exceed the minimum number of 141 dwelling units for conducting a detailed analysis of impacts to publicly funded child care. An assessment of the project's potential impacts on these facilities is described below.

<u>Public Schools</u>

The *CEQR Technical Manual* states that, in general, if a project would introduce more than 50 school-age children (elementary and intermediate grades), significant impacts on public schools may occur and further analysis of schools may be appropriate. The RWCDS under the Proposed Actions include the development of 356 dwelling units, including 238 units on the property controlled by the Applicant and 118 units in the remainder of the Rezoning Area.

Action-generated enrollment projections were prepared based on the DCP web tool CEQR.app, which utilizes 2019 School Construction Authoriy (SCA) Projected Public School Ratio. According to the provided ratios, the 356 new dwelling units resulting from the Proposed Actions would be anticipated to generate a total of 159 public school students, including 79 elementary school and 33 middle school pupils. The 356 dwelling units would be anticipated to generate a total of 47 public high school students, which would fall below the threshold of concern of 150 high school level pupils. A detailed public elementary and intermediate school analysis is provided below.

Publicly Funded Child Care Centers

Analyses of impacts to day care facilities are generally conducted for projects that produce substantial numbers of subsidized, low- to moderate-income family housing units which may generate a significant number of children who would be eligible for subsidized child care at publicly financed day care centers. The threshold number requiring further analysis would be the generation of 20 eligible children. Based on the Bronx multipliers in Table 6-1b of the *CEQR Technical Manual*, 141 dwelling units at or below 80% of AMI would be expected to generate 20 children under the age of 6 who would be eligible for public child care. Based on the With-Action RWCDS, the two Projected Development Sites would be developed with a net increase of 356 dwelling units, 297 of which would be reserved for low- and moderate-income tenants who would be at or below 80% of AMI (236 on Projected Development Site 1 plus 24 on Projected Development Site 2) and would therefore require the preparation of a child care analysis which is provided below.

Other Community Facilities

The development of 356 dwelling units of housing on the project site would not be anticipated to exceed the thresholds of concern for any other community facilities and services. Based on the *CEQR Technical Manual*, the Proposed Actions would have no adverse impacts on libraries, health care facilities, or fire and police protection.

Public Schools

Existing Conditions

Primary Study Area (Sub-district Analysis)

The Rezoning Area is located in Bronx Community School District (CSD) 9, Sub-district 1, which is considered to be the primary study area for the analysis of elementary and intermediate schools.

Within CSD 9, Sub-district 1, there are 13 public elementary schools, 1 elementary/intermediate school, 6 intermediate schools, and 2 intermediate/high schools. Figure 6-1 illustrates the location of these schools and shows the boundaries of Sub-district 1.

Tables 6-1a and 6-1b provide a listing of the elementary and intermediate schools within the study area. The table identifies the schools by name, address, and grades served, and includes the latest available enrollment and school capacity numbers.

Elementary school capacity numbers are less than actual building capacities as they assume a class size reduction for Kindergarten through the third grades of 20 children per class, 28 children for grades 4-8; and 30 children for grades 9-12 ("target capacity").

Table 6-1a indicates that the elementary schools within the study area vary widely: some are operating at well over 100% capacity, while others are operating at roughly 75% capacity. Enrollments range from 61% capacity to 143% capacity. The elementary schools within the study area have a total enrollment of 6,099 students relative to a target capacity of 6,229 seats, with a net surplus of 130 seats. Table 6-1b indicates that four of the nine intermediate level schools in the study area are operating just over capacity. Capacity rates range from 37% to 107% of target capacity at individual middle school buildings. The intermediate level schools in the study area have a total enrollment of 3,065 students relative to a target capacity of 3,568 seats resulting in a net surplus of 434 seats.

Table 6-1a: Elementary Schools Existing Enrollment, Capacity, and Utilization

School Name	Address	Enroll-ment	Target Capacity	Available Seats	Utili-zation (%)
P.S. 11	1257 OGDEN AVE.	381	436	55	87%
P.S. 35	261 EAST 163 ST.	618	432	-186	143%
P.S. 53	360 EAST 168 ST.	611	1,008	397	61%
P.S. 53 MINISCHOOL #1	360 EAST 168 ST.	213	N/A	-213	N/A
P.S. 53 MINISCHOOL #2	360 EAST 168 ST.	213	N/A	-213	N/A
P.S. 73	1020 ANDERSON AVE.	474	644	170	74%
P.S. 73 MINISCHOOL	1020 ANDERSON AVE.	100	N/A	-100	N/A
P.S. 114	1155 CROMWELL AVE.	711	646	-65	110%
P.S. 126 (ECF)	175 WEST 166 ST.	579	936	357	62%
P.S./I.S. 218	1220 GERARD AVE.	695	665	-30	105%
THE FAMILY SCHOOL (P.S. 90)	1116 SHERIDAN AVE.	345	314	-31	110%
THE FAMILY SCHOOL (P.S. 90 MINISCHOOL)	1116 SHERIDAN AVE.	210	N/A	-210	N/A
GRANT AVENUE ELEMENTARY SCHOOL (I.S. 166)	250 EAST 164 ST.	455	580	125	78%
SHERIDAN ACADEMY FOR YOUNG LEADERS (P.S. 90)	1116 SHERIDAN AVE.	494	568	74	87%
ELEMENTARY SCHOOLS TOTAL		**6,099**	**6,229**	**-130**	**98%**

Table 6-1b: Intermediate Schools Existing Enrollment, Capacity, and Utilization

School Name	Address	Enroll-ment	Target Capacity	Available Seats	Utili-zation (%)
I.S. 22	270 EAST 167 ST.	420	394	-26	107%
P.S./I.S. 218	1220 GERARD AVE.	342	328	-14	104%
I.S. 323	270 EAST 167 ST.	401	551	150	73%
BRONX EARLY COLLEGE ACADEMY (I.S. 166)	250 EAST 164 ST.	239	296	57	81%
I.S. 328 (I.S. 145)	1000 TELLER AVE.	319	454	135	70%
I.S. 593 (I.S. 145)	1000 TELLER AVE.	45	122	77	37%
M.S. 594 (I.S. 145)	1000 TELLER AVE.	197	271	74	73%
THE HIGHBRIDGE GREEN SCHOOL	200 WEST 167 ST.	378	387	9	98%
SCIENCE AND TECHNOLOGY ACADEMY: A MOTT HALL SCHOOL (I.S. 166)	250 EAST 164 ST.	450	424	-26	106%
BRONX SCHOOL FOR LAW, GOVERNMENT AND JUSTICE (HS OF LAW, GOV'T & JUSTICE)	244 EAST 163 ST.	274	272	-2	101%
INTERMEDIATE SCHOOLS TOTAL		**3,065**	**3,499**	**434**	**88%**

None of the schools in the study area are low-performing public schools identified by the New York State Education Department (NYSED) as a Priority School.

Future No-Action Scenario

This section presents an analysis of public school enrollments and capacities for the Project Build Year of 2025 without the Proposed Actions. The analysis includes the study area of CSD 9 and is derived from the NYC DCP CEQR.app tool.

In the future and absent the actions, it is assumed that no new residential development would occur in the Rezoning Area by the project build year of 2025. However, based on the NYC DCP CEQR.app tool, additional student enrollments would occur in CSD 9 under the No-Build condition by the project build year of 2025 as presented in Table 6-2 below.

As outlined in the *CEQR Technical Manual*, No-Action school capacity changes considered in a community facilities analysis include information on proposed and adopted "Significant Changes in School Utilization" and the DOE's Five-Year Capital Plan. No changes related to decreases or

increases in school capacities within CSD 9 have been identified from a review of the "Significant Changes in School Utilization" and the DOE's 2020-2024 SCA Capital Plan.

Table 6-2: Estimated Public School Enrollment, Capacity, and Utilization
Future Without the Proposed Actions, 2025

Projected 2025 Enrollment	Students Introduced by No Action Residential Development	Total No Action Enrollment	Capacity	Available Seats	Utilization (%)
Elementary Schools					
5,890	437	6,327	6,229	-98	102%
Intermediate Schools					
2,241	152	2,393	3,499	1106	68%

As shown in Table 6-2, a shortfall of 98 seats is anticipated in elementary schools, while 1106 seats are anticipated to be available in intermediate schools in the study area.

Future With-Action Scenario

As stated above, applying the household multipliers for Bronx from Table 6-1a of the *CEQR Technical Manual* to the RWCDS of 356 dwelling units would result in the anticipated generation of approximately 79 elementary school and 33 middle school pupils. The Proposed Actions would not include the addition of any new schools or additional capacity in the school district.

Table 6-3 presents the anticipated student enrollments that would be generated by the Proposed Actions and the effect of these enrollments on the available capacity of the schools within CSD 9. The projected increase of 79 elementary and 33 middle school students in 2025 with the Proposed Actions would have a minor incremental impact upon the utilization rates of the schools in Sub-district 1. With the addition of these new enrollments, the elementary schools in CSD 9 would remain over capacity and intermediate schools would remain well under capacity. Based on *CEQR Technical Manual* criteria and as further explained below, it is not anticipated that the elementary school students that would be generated by the Proposed Actions would result in a significant impact on the elementary schools in the area.

Table 6-3: Estimated Public School Enrollment, Capacity, and Utilization
Future With the Proposed Actions, 2025

Projected Enrollment Without Project	Students Generated by Project	Projected Enrollment with Project	Projected Capacity	Available Seats	Utilization (%) with Project	Change in Utilization (%) from No Action
Elementary Schools						
6,327	79	6,406	6,229	-177	103%	1.27%
Intermediate Schools						

2,393	33	2,426	3,499	1073	69%	0.94%

According to the *CEQR Technical Manual*, a significant impact on schools may occur if two conditions are met. A significant impact may occur if the project results in a collective utilization rate of the elementary and/or intermediate schools in the study area that is equal to or greater than 100 percent in the With-Action Condition and if the project results in an increase of five percent or more in the collective utilization rate between the No-Action and With-Action conditions. With the Proposed Actions, the elementary and schools in the study area would be above 100 percent utilization (103%). However, the difference between the No-Action and With-Action utilization rate of the elementary schools would be only 1.96 percent. Therefore, the Proposed Actions would not be expected to result in a significant adverse impact on elementary or intermediate schools. No further analysis of the Proposed Actions on public schools is therefore required.

Publicly Funded Child Care Centers

Existing Conditions

The CEQR Technical Manual states that the study area for publicly funded group child care and Head Start centers is approximately 1.5 miles around a project site. Since there are no locational requirements for enrollment in day care centers, some parents/guardians choose a day care center close to their employment rather than their residence. Nevertheless, the centers closest to the Rezoning Area are more likely to be subject to increased demand. A listing of child care centers within 1.5 miles of the Rezoning Area is provided in Table 6-4 below. Figure 6-2, Publicly Funded Day Care Facilities Within 1.5 miles, illustrates the locations of these day care facilities. Information regarding existing day care facilities within the study area has been obtained from DCP based on Agency for Children's Services (ACS) data.

A summary of this analysis indicates that the 1.5-mile radius around the Rezoning Area is well serviced by existing day care facilities. There are 59 day care facilities within this radius area with an overall capacity of 4,883 slots. Under existing conditions, 4,212 of these slots were in use, resulting in an overall utilization rate of approximately 86% for the day care facility slots in the project study area.

Table 6-4: Existing Publicly Funded Group Child Care Facilities Within 1.5 Miles of Rezoning Area

Map. No.	Contractor Name	Program Address	Capacity	Enrollment	Utilization
1	1332 FULTON DAY CARE CTR IN	1332 FULTON AVE	97	77	79%
2	1332 FULTON DAY CARE CTR IN	421 EAST 161 STREET	154	97	63%
3	BABOVE WORLDWIDE INSTITUTE	1810 DAVIDSON AVE	108	96	89%
4	TRABAJAMOS COMMUNITY HS	940 E 156 ST.	26	25	96%
5	TREMONT CROTONA DCC INC	1600 CROTONA PK. E	104	74	71%
6	TREMONT MONTEREY DCC INC	1600 BATHGATE AVENUE	55	50	91%
7	BRONXWORKS INC	1130 GRAND CONCOURSE	55	54	98%
8	BROOKLYN-CHINESE AMERICAN	4202 8TH AVENUE	84	71	85%
9	CHILDREN'S AID SOCIETY, INC.	1515 SOUTHERN BOULEVARD	79	73	92%
10	CHILDREN'S AID SOCIETY, INC.	1919 PROSPECT AVE	54	54	100%

Map. No.	Contractor Name	Program Address	Capacity	Enrollment	Utilization
11	UNITED BRONX PARENTS INC	1332 FULTON AVE	70	26	37%
12	CLAREMONT NEIGHBORHOOD	1450 WEBSTER AVENUE	52	51	98%
13	CLAREMONT NEIGHBORHOOD	1240 WEBSTER AVENUE	53	49	92%
14	EAST SIDE HOUSE INC	414 MORRIS AVENUE	55	55	100%
15	EAST SIDE HOUSE INC	375 EAST 143RD ST.	74	73	99%
16	EAST TREMONT CC & DEV CTR I	1811 CROTONA AVENUE	56	45	80%
17	HELP DAY CARE	285 EAST 171ST STREET	53	49	92%
18	HELP DAY CARE	785 CROTONA PK NORTH	28	27	96%
19	HAC FAMILY SRVCS INC	1165 UNIVERSITY AVENUE	55	48	87%
20	HAC FAMILY SRVCS INC	800 CONCOURSE VILLAGE E.	84	73	87%
21	HAC FAMILY SRVCS INC	1181 NELSON AVE	47	42	89%
22	HAC FAMILY SRVCS INC	880 RIVER AVENUE	77	77	100%
23	HAC FAMILY SRVCS INC	1399 OGDEN AVENUE	64	64	100%
24	HAC FAMILY SRVCS INC	1594-98 TOWNSEND AVENUE	98	87	89%
25	HAC FAMILY SRVCS INC	383 EAST 162ND STREET	70	65	93%
26	HOMES FOR THE HOMELESS	730 KELLY STREET	20	16	80%
27	LA PENINSULA COMMUNITY ORG.	1717 FULTON AVE	100	70	70%
28	LA PENINSULA COMMUNITY ORG.	1054 INTERVALE AVE	106	105	99%
29	LA PENINSULA COMMUNITY ORG.	1871 WALTON AVE	76	75	99%
30	LA PENINSULA COMMUNITY ORG.	499 EAST 175 STREET	68	33	49%
31	LABOR BATHGATE COMM CHILD C	1638 ANTHONY AVENUE	67	52	78%
32	LUTHERAN SOCIAL SERVICES OF NY	110 WEST 146TH STREET	72	67	93%
33	LUTHERAN SOCIAL SERVICES OF NY	218 WEST 147 STREET	113	101	89%
34	LUTHERAN SOCIAL SERVICES OF NY	888 WESTCHESTER AVENUE	137	135	99%
35	LUTHERAN SOCIAL SERVICES OF NY	200 W TREMONT AVE	156	122	78%
36	MID BRONX SENIOR CITIZEN	1125 GRAND CONCOURSE	240	229	95%
37	MID BRONX SENIOR CITIZEN	100-120 EAST MT EDEN AVENUE	178	159	89%
38	MID BRONX SENIOR CITIZEN	1022 SUMMIT AVENUE	40	36	90%
39	PRINCE HALL SERVICE FUND IN	159-30 HARLEM RIV DRIVE	30	18	60%
40	PROMESA INCORPORATED	300 EAST 175TH STREET	105	101	96%
41	RENA DAY CARE CENTERS INC	639 EDGECOMBE AVENUE	136	88	65%
42	UNITED FEDERATION OF BLACK	474 WEST 159TH STREET	117	97	83%
43	W.H.E.D.C.O.	50 EAST 168 STREET	111	110	99%
44	SHARON BAPTIST BD OF DIRS INC.	507-509 EAST 165TH STREET	119	105	88%
45	SHARON BAPTIST BD OF DIRS INC.	279 EAST BURNSIDE AVE	103	103	100%
46	SHARON BAPTIST BD OF DIRS	1925 BATHGATE AVENUE	90	87	97%

Map. No.	Contractor Name	Program Address	Capacity	Enrollment	Utilization
	INC.				
47	SHELTERING ARMS D C SRVCS, INC	528 EAST 146TH STREET	45	34	76%
48	SHELTERING ARMS D C SRVCS, INC	500 BERGEN ST	25	23	92%
49	SHELTERING ARMS D C SRVCS, INC	669 LENOX AVENUE	84	79	94%
50	SHELTERING ARMS D C SRVCS, INC	565 MORRIS AVENUE	139	85	61%
51	SHELTERING ARMS D C SRVCS, INC	2967 FREDRICK DOUGLASS	55	36	65%
52	SOUTH BRONX HEAD START INC	1458 WEBSTER AVE	74	67	91%
53	SOUTH BRONX HEAD START INC	490 E 143RD	53	36	68%
54	SOUTH BRONX HEAD START INC	141 FEATHERBED LANE	66	64	97%
55	SOUTHEAST BX NGHBRHD CTRS I	909 TINTON AVE	54	48	89%
56	SOUTHEAST BX NGHBRHD CTRS I	749 EAST 163RD STREET	90	85	94%
57	THE SALVATION ARMY	425 EAST 159TH STREET	36	30	83%
58	TRABAJAMOS COMMUNITY HS	1997 BATHGATE AVENUE	135	125	93%
59	SOUTHEAST BX NGHBRHD CTRS I	3261 THIRD AVE	91	89	98%
	TOTAL		**4,883**	**4,212**	**86%**

Future No-Action Scenario

Since enrollment projections for child care facilities are not available, CEQR analysis assumes that the existing enrollment and capacity would stay the same for the build year and be the baseline for the No-Action Scenario, unless affordable housing is identified.

In the future and absent the actions, it is assumed that no new affordable residential development would occur either in the Rezoning Area or within the surrounding 400-foot radius project study area by the project build year of 2025.

Based on the above, the 1.5-mile radius around the Rezoning Area would remain well serviced by day care facilities in the future without the actions. As under the existing condition, 59 day care facilities would serve this radius area with an overall capacity of 4,883 slots. Approximately 4,212 of these slots would remain in use, resulting in an overall utilization rate of 86% of the day care facility slots in the project study area.

Future With-Action Scenario

The household multipliers for the Bronx from Table 6-1b of the *CEQR Technical Manual* have been applied to the 262 eligible dwelling units (i.e. those reserved for tenants at or below 80% of AMI) on the two Projected Development Sites. The 262 eligible dwelling units within the Rezoning Area would generate 36 children who would qualify for public child care. These 36 additional children when added to the no-action enrollment would result in a total enrollment with the proposed development of 4,248 children. Comparing this number to the capacity of 4,883 slots results in a utilization rate of 87%. This utilization rate is approximately 0.9% greater than the existing/no-action condition.

According to the *CEQR Technical Manual*, a significant impact on publicly financed child care services may occur if the following two conditions are met. A significant impact may occur if the project results in a collective utilization rate of the group child care/Head Start centers in the study area that is greater than 100 percent in the With-Action Scenario, and if the project results in an increase of 5% or more in the collective utilization rate of the child care/Head Start centers in the study area between the No-Action and With-Action Scenarios.

The Proposed Actions would result in an increase of 0.9% in the collective utilization rate of the child care/Head Start centers in the study area. At a utilization rate of 87%, the collective utilization rate of the group childcare/Head Start centers in the study area would not exceed 100 percent. Therefore, the project study area would not have a shortage of day care slots. Based on *CEQR Technical Manual* criteria, the Proposed Actions would not be expected to result in a significant adverse impact on publicly financed child care services and no further analysis would be required.

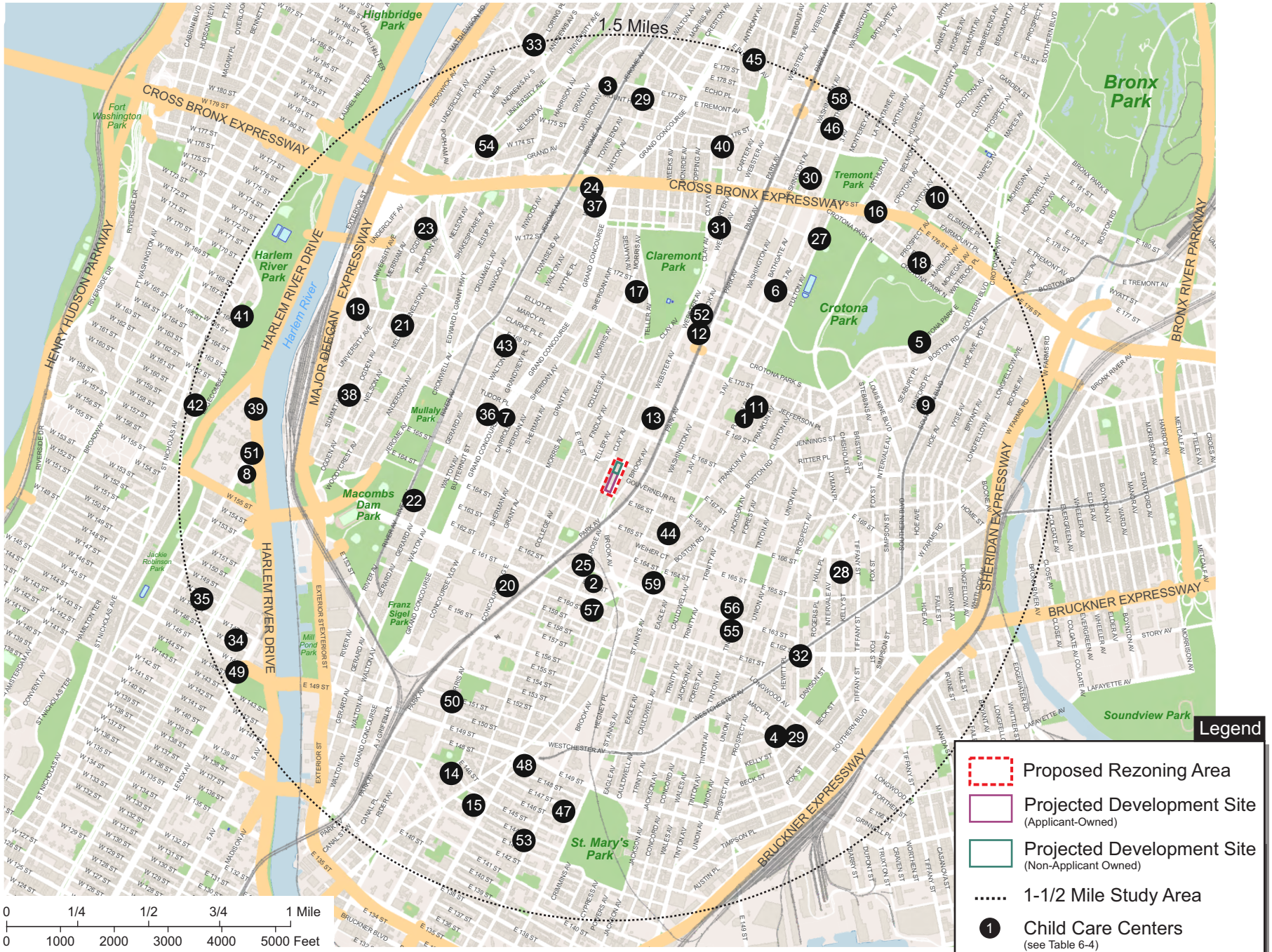
Conclusion

The proposed project would not physically displace or alter a community facility or cause a change that could affect the service delivery of a community facility. In addition, the development would not create a demand that would either overtax, or not be met by existing or proposed services or facilities. Development under the Proposed Actions would not adversely affect public schools, publicly financed child care services, hospitals and other health care facilities, public libraries, and police and fire protection services. Therefore, the project would have no potentially significant adverse impacts related to community facilities and services and further assessment is not warranted.

Figure 6-1: Public Elementary and Intermediate Schools Within CSD 9, Sub-district 1



Figure 6-2, Publicly Funded Day Care Facilities Within 1.5 Miles



7. OPEN SPACE

Introduction

For the purposes of CEQR, open space is defined as publicly- or privately-owned land that is publicly accessible and has been designated for leisure, play, or sport; or land that is set aside for the protection and/or enhancement of the natural environment. Under CEQR, an open space analysis is conducted to determine whether or not a Proposed Actions would have either a direct impact resulting from the elimination or alteration of open space or an indirect impact resulting from overtaxing the use of open space. The analyses focus only on officially designated existing or planned public open space. Open space may be public or private and may include active and/or passive areas. Active open space is the part of a facility used for active play such as sports or exercise and may include playground equipment, playing fields and courts, swimming pools, skating rinks, golf courses, lawns and paved areas for active recreation. Passive open space is used for sitting, strolling, and relaxation with benches, walkways, and picnicking areas. Certain spaces such as lawns can be used for both active and passive recreation.

An open space analysis may be necessary when an action would potentially have a direct or indirect effect on open space. A direct impact would physically change, diminish or eliminate an open space or reduce its utilization or aesthetic value. An indirect impact could result from an action introducing a substantial new user population that would create or exacerbate an overutilization of open space resources.

An open space analysis considers both direct and indirect open space impacts. There are no open space resources on or directly adjacent to the Project Area. There would be no direct open space impacts resulting from the Proposed Actions. Therefore, this section discussed potential indirect open space impacts of the Proposed Actions.

According to the *CEQR Technical Manual*, and indirect open space impact could occur if a proposed action would generate more than 200 residents or 500 workers. However, in an under-served area, even 50 additional residents or 125 additional employees could result in indirect open space impacts. The Project Area is located in an area that is neither well- nor under-served by public open spaces in Bronx Community District 4 and the Proposed Actions are anticipated to introduce approximately 1,032 new residents and 118 employees to the study area. Therefore, a preliminary analysis has been conducted to determine whether significant indirect open space impacts could occur as a result of the increased residential population.

Study Area

Open space study areas are defined to allow analysis of both the nearby open spaces and the population using the open spaces. They are generally defined by a reasonable walking distance that users would travel to reach local open space and recreation areas – typically 0.5 mile for residential users. The 0.5-mile radius is then adjusted by identifying all census tracts with at least 50 percent of their area within the generalized 0.5-mile study area. The boundary drawn around these census tracts becomes the open space study area. See Figure 7-1 for a map of the open space study area.

Existing Conditions

Study Area Population

The study area population was estimated using data from the 2018 U. S. Census ACS Data for the census tracts located fully or at least 50 percent within the one-half mile study area (See Figure 7-1). As shown in Table 7-1, in 2018, the study area contained a total of 88,274 residents within the 17 study area census tracts.

Table 7-1: Half-Mile Study Area Population (2016)

Census Tract	Population
135	3,541
141	5,865
143	1,399
145	8,004
147.01	7,120
149	4,769
173	5,689
175	7,223
177.01	4,812
177.02	5,786
179.01	5,006
179.02	3,701
181.01	3,107
181.02	5,791
183.01	4,022
183.02	3,814
185	8,625
Total	**88,274**

Source: U.S. Census Bureau, 2014-2018 American Community Survey 5-Year Estimates

Open Space Resources

Within the open space study area, there are 19 publicly accessible open space facilities. See Figure 4-1, Open Space Facilities and Census Tracts and Table 7-2, Inventory of Open Space Resources. The seven publicly owned and accessible facilities provide a total of 18.67 acres of open space, as shown in Table 7-2.

Open Space Ratio

Based on the calculation of the ratio of publicly accessible open space acres to the study area population, a determination of the adequacy of open space resources in the study area was quantified. The resultant computation for the study area was then compared with the median ratio for New York City, which is 1.5 acres per 1,000 residents, and with the City's planning goal as expressed in the *CEQR Technical Manual* of 2.5 acres per 1,000 population.

Table 7-2: Open Space Resources

Park Name	Park ID	Acreage	Location
A. Badillo Community Rose Garden	X350	1.38	E 163 St. at Melrose Av
Arcilla Playground	X219	1.38	E 164 St bet. Teller Av and Clay Av at Park Ave
Beatty Plaza	X062	0.10	E. 169 St and Franklin Ave
Behagen Playground	X166	3.35	Tinton Av bet. E 166 St and E 165 St
Charlton Garden	X086	0.49	E 164 St bet. Cauldwell Av and Boston Rd
Drew Playground	X021	0.94	Fulton Av bet. E 169 St and E 170 St
Dunbar Playground	X185	1.44	E 161 St at Trinity Av
Estella Diggs Park	X243	0.90	3 Av to Fulton Av bet. E 167 St and E 168 St
Franklin Memorial Garden	X318	0.12	Cauldwell Av bet. E 166 and E 165 St
Grant Park	X271	3.85	E 170 St bet. Sheridan Av and Morris Av
Hilton White Playground	X112	0.48	Cauldwell Ave bet. E. 161 St and E. 163 St.
Hines Park	X026	0.38	Fulton Av to Franklin Av bet. E 167 St and E 166 St
McKinley Square	X031	0.12	E. 169 St., Boston Rd., Clinton Ave.
Morgan Playground	X206	0.78	E 168 St bet. Park Av and Washington Av
Mott Playground	X115	0.98	Morris Av bet. Mc Clellan St and E 166 St
Railroad Park	X032	0.73	Coutlandt Av bet. E 161 St and E 162 St
Rev Lena Irons Unity Park	X286	0.34	E 168 St bet. Washington Av and 3 Av
Youth Village	X242	0.27	Home St bet. Boston Rd and Jackson Av
O'Neill Triangle	X053	0.64	Elton Av bet. E 161 St and E 162 St
Total acreage		**18.67**	

The *CEQR Technical Manual* considers an action to result in significant impacts to open space resources if it would decrease the open space ratio substantially, thereby reducing the availability of open spaces for an area's population. A decrease in the open space ratio of 5 percent or more is generally considered to be a significant adverse impact on open space resources. The open space study area exhibits an open space ratio of 0.2236 acres per 1,000 residents, (based on 18.67 acres of existing open space and the 2016 American Community Survey study area population estimate of 88,274 persons). Table 7-3 shows the calculation of open space ratios for the Existing and Future With-Action conditions.

Table 17-3: Open Space Ratios

	Existing/No-Action Conditions	Future With-Action
Publicly Accessible Open Space (Acreage)	18.67	18.67
Study Area Population	88,274 / 91,420	92,442
Open Space Ratio (Acres/1,000 Residents)	0.2115 / 0.2042	0.2019 / -1.13%

Note: No-Action condition conservatively assumes a continuous annual population growth of 0.5% in the Study Area

Future With-Action Condition

Study Area Population

The net increase of 356 dwelling units resulting from the Proposed Actions is expected to generate approximately 1,032 residents, based on the average household size of 2.90 residents in Bronx

Community District 4. Adding these residents to the Future No-Action population of 91,420 results in a future with-action population of 92,442.

Open Space Resources

The Department of Parks and Recreation (DPR) has recently completed construction of a new park within the open space study area: Yolanda Garcia Park (formerly, Melrose Commons Park). This park was unveiled to the public in June of 2019. An additional park, Melrose Commons Site 62, (is currently in the procurement stage and construction is anticipated to begin in 2021. Per DPR and EARD guidance, these open spaces will be considered only qualitatively for analysis purposes at this time.

Therefore, in the future with-action condition, the project study area would contain approximately 18.67 acres of open space, the same as under existing conditions.

Open Space Ratio

The projected open space ratio in the future with the Proposed Actions would be 0.2019 acres per 1,000 residents (based on 18.67 acres of open space and a study area population of 92,442), compared with the ratio of 0.2265 acres per 1,000 residents under existing and no-action conditions. This represents a decrease of approximately 0.0023 acres per 1,000 persons or a 1.13 percent reduction in the open space ratio. The community would continue to not meet DCP's open space planning goals. Table 7-3 shows the calculation of open space ratios for the Existing and Future With-Action conditions.

The Proposed Actions would result in a decrease of 1.13 percent in the open space ratio in the project study area. According to the *CEQR Technical Manual*, a detailed analysis is generally not necessary if the open space ration decreases by less than 5 percent. Additionally, the open space ratio would not decrease substantially relative to existing conditions where the open space ratio is already below average. It is also important to note the open spaces located just outside the boundary of the study area: Crotona Park (127.5 acres), Claremont Park (38.54 acres), Joyce Kilmer Park (6.88 acres), Macombs Dam Park (44.17 acres), Mullaly Park (15.05 acres), and Franz Siegel Park (15.99 acres) are all located within three blocks of the study area boundary. Thus, based on *CEQR Technical Manual* criteria and this preliminary analysis, the proposed project would not result in a significant adverse impact on open space resources.

A detailed open space assessment is not required as it has been determined that the project would not decrease the open space ratio by more than 5 percent.

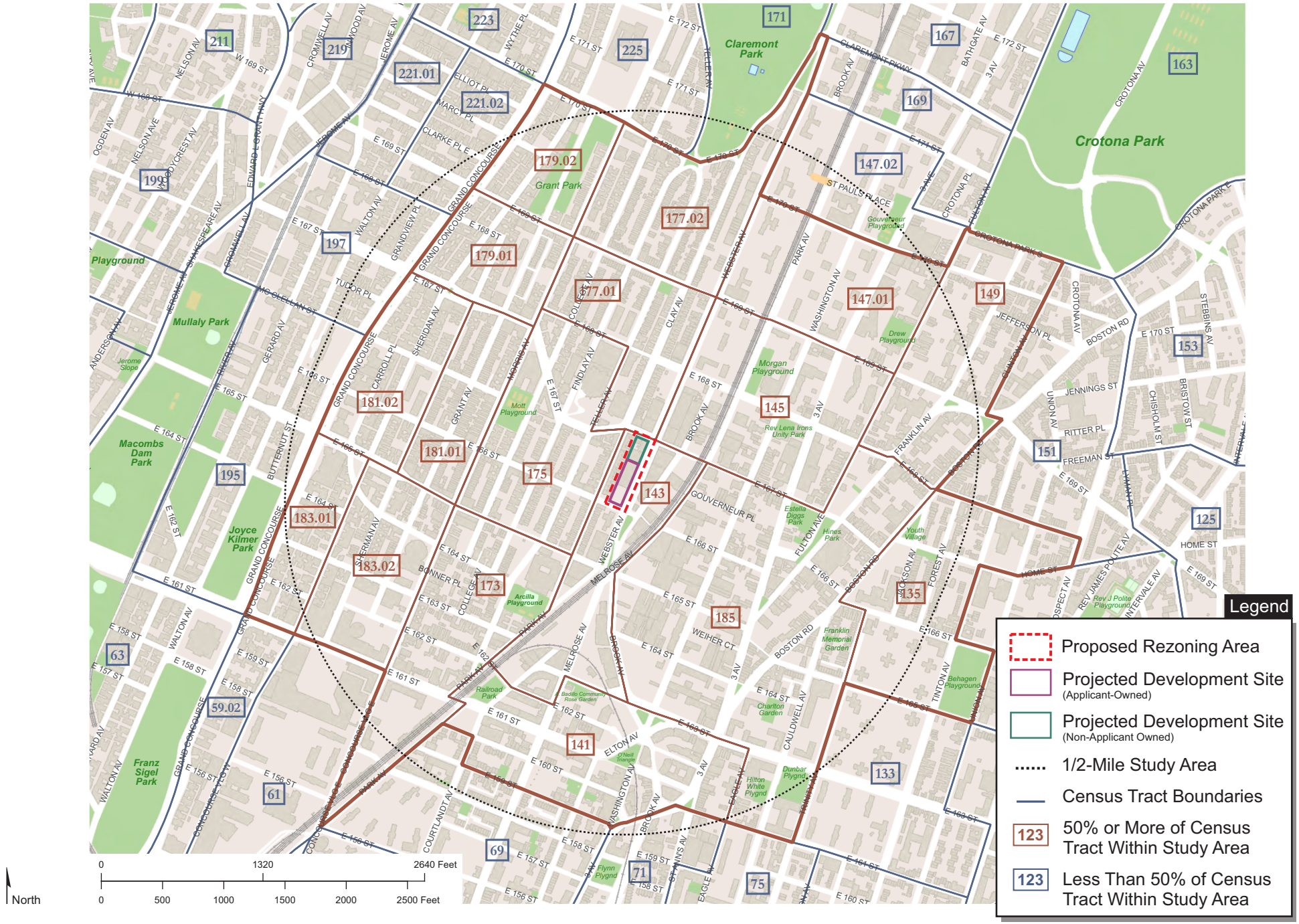
Due to the absence of significant direct impacts on any open space resource and the small decrease in the future with the action open space ratio, it is anticipated that the project would not have any potentially significant adverse open space impacts and further assessment is not warranted. No significant adverse impacts associated with open space would occur as a result of the Proposed Actions.

Conclusion

A detailed open space assessment is not required as it has been determined that the project would not decrease the open space ratio by more than 5 percent.

Due to the absence of significant direct impacts on any open space resource and the small decrease in the future with-action open space ratio, it is anticipated that the project would not have any potentially significant adverse open space impacts and further assessment is not warranted. No significant adverse impacts associated with open space would occur as a result of the Proposed Actions.

Figure 7-1: Open Space Study Area



8. SHADOWS

Introduction

Under CEQR, a shadow is defined as the circumstance in which a building or other built structure blocks the sun from the land. An adverse shadow impact is considered to occur when the shadow from a proposed project falls upon a publicly accessible open space, a historic landscape, or other historic resource if the features that make the resource significant depend on sunlight, or if the shadow falls on an important natural feature and adversely affects its uses or threatens the survival of important vegetation. An adverse impact would occur only if the shadow would fall on a location that would otherwise be in sunlight; the assessment therefore distinguishes between existing shadows and new shadows resulting from a proposed project. Finally, the determination of whether the impact of new shadows on an open space or a natural or historic resource would be significant is dependent on their extent and duration. In general, shadows on City streets and sidewalks or on other buildings are not considered significant under CEQR. In addition, shadows occurring within an hour and a half of sunrise or sunset generally are not considered significant under CEQR.

According to the 2014 *CEQR Technical Manual*, a preliminary shadow screening is not required unless the project would include a net height increase or addition of at least 50 feet or if it would contain shorter structures that might cast substantial new shadows on an adjacent park, sunlight-sensitive historic resource, or an important natural resource. The Project Area is adjacent to the Clay Avenue Historic District (New York City Historic District, National Register Historic District), which does not contain any sunlight-sensitive historic resources. In a letter dated July 3, 2019, and appended to this document, the NYC Landmarks Preservation Commission (LPC) stated that they reviewed the following analysis and had no concerns about potential shadow impacts on the historic district.

Thus, a shadows screening was conducted for potential impacts to open space resources, since the with-action scenario buildings on Projected Development Site 1 and 2 exceed 50 feet in height.

No-Action Scenario

There would be no change in the built form of the Project Area in the future without the Proposed Actions.

With-Action Scenario

The Proposed Actions would result in the development of two buildings in the Rezoning Area that would reach maximum heights of 145 feet. Based on *CEQR Technical Manual* guidelines, the longest shadow that any building would cast during the year (except within an hour and a half of sunrise or sunset which is not deemed to be of concern) is 4.3 times its height. Applying the 4.3 factor to the proposed maximum building height of 145 feet would result in a maximum shadow distance of approximately 623 feet.

Preliminary Screening Assessment: Tier 1 Screening

As shown in Tier I shadow diagram, there is one sunlight-sensitive resource that is located within the maximum shadow distance from the Development Site, a landscaped public plaza at the intersection of Webster and Brook Avenues.

Thus, a Tier 2 screening assessment was performed to assess potential impacts to this plaza.

Tier 2 Screening Assessment

Based on the Tier 1 assessment, which showed the potential for the longest shadow to reach a sunlight sensitive open space resource, a Tier 2 assessment was generated. A Tier 2 assessment locates the area south of a building that cannot be cast in shadow. This area in New York City lies between -108 and +108 degrees from true north. As shown in the attached Tier 2 Assessment, the plaza is located in this area that cannot be shaded. Therefore, there will be no significant adverse shadow impacts from the Proposed Actions.

Conclusion

Based on the Tier 1 and 2 analyses and the LPC's review thereof, there will be no significant adverse shadow impacts.

Figure 8-1: Tier 1 Screening Assessment

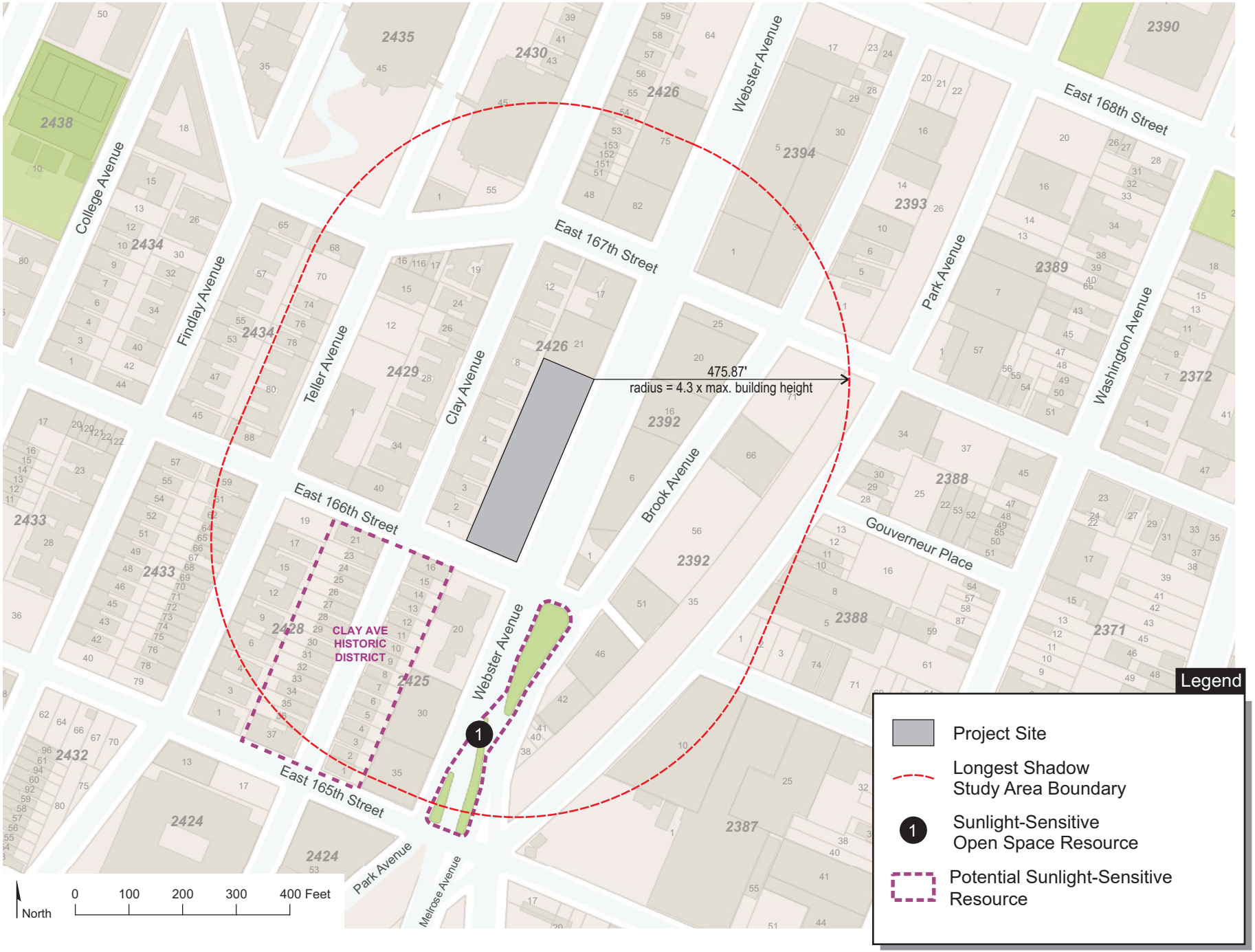


Figure 8-2: Tier 2 Screening Assessment



9. HISTORIC AND CULTURAL RESOURCES

Introduction

The 2014 *City Environmental Quality Review (CEQR) Technical Manual* identifies historic resources as districts, buildings, structures, sites, and objects of historical, aesthetic, cultural, and archaeological importance. This includes designated New York City Landmarks (NYCL); properties calendared for consideration as landmarks by the New York City Landmarks Preservation Commission (LPC); properties listed in the State/National Registers of Historic Places (S/NR) or contained within a district listed in or formally determined eligible for S/NR listing; properties recommended by the New York State Board for listing on the S/NR; National Historic Landmarks (NHL); and properties not identified by one of the programs listed above, but that meet their eligibility requirements. An assessment of historic/archaeological resources is usually needed for projects that are located adjacent to historic or landmark structures or within historic districts, or projects that require in-ground disturbance, unless such disturbance occurs in an area that has already been excavated.

Archaeological

The proposed project would involve construction potentially resulting in ground disturbance of a site that may not have previously experienced extensive excavation. In a letter dated January 22, 2018, and appended to this document, the New York City Landmarks Preservation Commission (LPC) stated that the Rezoning Area has no archaeological significance. No further analysis is necessary and there will be no significant adverse impacts to archaeological resources.

Architectural

The Project Area is separated from the Clay Avenue Historic District by East 116th Street. The historic district encompasses the eastern and western blockfronts of Clay Avenue between East 165th and East 166th Streets. (See attached map.) The district contains 32 residential buildings that were constructed between 1901 and 1910. The buildings include 28 semi-detached houses designed by architect Warren C. Dickerson; one single-family house designed by architect Charles S. Clark; and three apartment buildings designed by the firm of Neville & Bagge. The Dickerson houses are three-story rowhouses faced with red or beige brick, each with a high stone stoop with simple iron railings. The Neville & Bagge apartment buildings are “new law” tenements that are sited along the street and lot lines and include courtyards at the side and rear.

The buildings in the Clay Avenue Historic District do not depend on direct sunlight for their enjoyment by the public. They do not contain design elements that depend on the contract between light and dark design elements, nor do they include elaborate ornamentation or stained-glass windows.

As applicable, construction within the Project Area will comply with the NYC Department of Buildings Technical Policy and Procedure Notice (TPPN) #10/88, which requires a monitoring program during construction to reduce the likelihood of construction damage to adjacent NYC

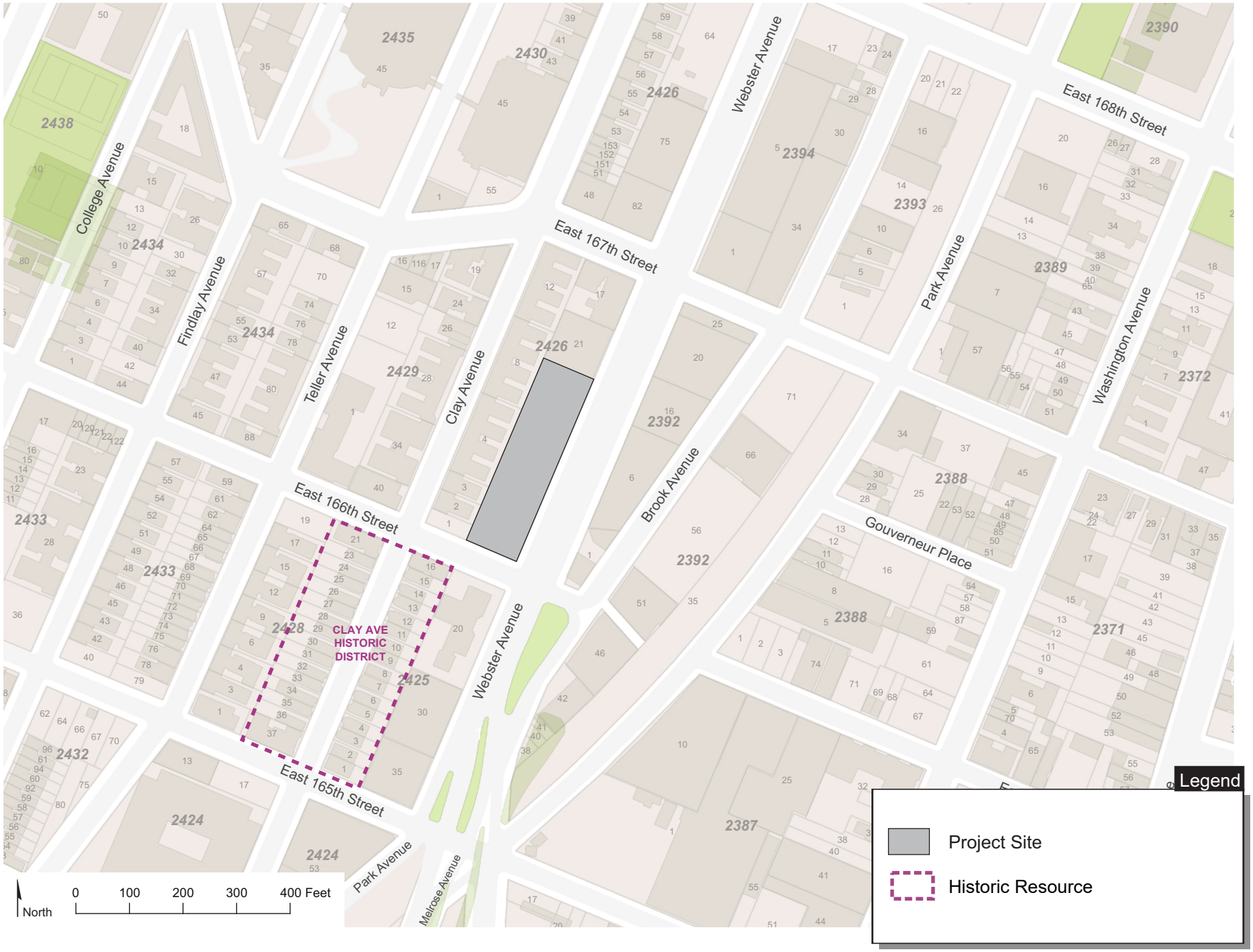
Landmarks and National Register-listed properties and to detect at an early stage the beginnings of damage so that construction procedures may be adjusted as necessary.

The structures that would be demolished as a result of the Proposed Actions do not have historic or cultural significance.

In a letter dated January 22, 2018, and appended to this document, the LPC stated that the Rezoning Area has no architectural significance and did not cite any concerns about the adjacent historic district.

No significant adverse impacts to architectural resources are anticipated to result from the Proposed Actions.

Figure 9-1: Historic Resources



10. URBAN DESIGN AND VISUAL RESOURCES

Introduction

An assessment of urban design is needed when a project may have effects on any of the elements that contribute to the pedestrian experience of public space. A preliminary assessment is appropriate when there is the potential for a pedestrian to observe, from the street level, a physical alteration beyond that allowed by existing zoning. An assessment would be appropriate for the following:

1. Projects that permit the modification of yard, height, and setback requirements; and

2. Projects that result in an increase in built floor area beyond what would be allowed 'as-of-right'.

The Proposed Actions are intended to facilitate the redevelopment of Projected Development Site 1 (Block 2426, Lot 25) with two adjacent residential buildings with ground-floor commercial space. The RWCDS consists of two residential buildings with ground floor commercial space: a 9-story building on the southern portion of the lot (with frontage on East 166th Street and Webster Avenue) and an 11-story building on the northern portion of the lot (with frontage on Webster Avenue). Building A would contain 109,062 gsf of floor area (72,889 zsf). It would contain 90 dwelling units and 10,890 gsf (10,890 zsf) of local retail (Use Group 5, 6) space on the ground floor. Building B would contain 171,238 gsf of floor area (117,963 zsf). It would contain 148 dwelling units and 19,298 gsf (19,298 zsf) of local retail (Use Groups 5, 6) space on the ground floor.

Together, the buildings would contain 280,300 gross square feet of floor area (221,040 zoning square feet, FAR 6.0), of which 216,215 gsf (190,852 zsf, FAR 5.18) would be residential and 30,188 gsf (30,188 zsf, FAR 0.82) would be commercial. The buildings would contain 238 dwelling units with an average size of 812 sf. Below grade, 30 accessory parking spaces would be provided for the commercial space and 43 non-accessory parking spaces would be provided. All dwelling units on Projected Development Site 1 are assumed to be affordable under MIH.

Two additional adjoining properties are anticipated for redevelopment (as Projected Development Site 2) as a result of the Proposed Actions, as descried below under Future With-Action Conditions.

Existing Conditions

The Project area is in the East Concourse neighborhood of Bronx Community District 4. The proposed rezoning affects the Webster Avenue frontage of Bronx Block 2426 between East 166th and East 167th Streets.

The Rezoning Area includes three tax lots: Block 2426, Lots 17, 21, and 25. These parcels combined contain a total lot area of approximately 56,840 square feet with frontage along three streets: 100 feet on East 166th Street; 568 feet on Webster Avenue; and 100 feet on East 167th Street. Webster Avenue is a 'wide' street with 100 feet in width, while East 166th Street is a 'narrow' street with 60 feet in width. East 167th Street is classified as a 'wide' street with 80 feet in width. The Project Area is zoned M1-1.

Applicant-controlled area:

- **Projected Development Site 1**: Block 2426, Lot 25 (1099 Webster Avenue) has an area of 36,840 square feet and is developed with a one-story, 21,800 square-foot building containing various automotive uses (0.59 FAR). The parcel is a corner lot with approximately 368 feet of frontage along Webster Avenue and 100 feet of frontage along East 166th Street. The southern portion of the lot, fronting on East 166th Street and Webster Avenue, is currently used as a private parking lot. The remainder of the lot is developed with a one-story, 21,800 square-foot building containing various automotive uses. The property has an FAR of 0.59, where 1.0 FAR is permitted for commercial/industrial uses and 2.4 is permitted for community facility uses in the underlying M1-1 zoning district.

Non-Applicant-controlled area:

- **Projected Development Site 2**: Block 2426, Lots 21 and 17 (1139-1147 Webster Avenue) consists of two tax lots. Lot 21 has an area of 10,000 square feet and is fully developed with a 10,000 square foot one-story commercial building. The interior lot has 100 feet of frontage on Webster Avenue. The property has an FAR of 1.0, where 1.0 FAR is permitted for commercial/industrial uses and 2.4 is permitted for community facility uses in the underlying M1-1 zoning district. Lot 17 has an area of 10,000 square feet and is developed with a 7,280 square foot one-story commercial building. The corner lot has 100 feet of frontage on East 167th Street and 100 feet of frontage on Webster Avenue. The property has an FAR of 0.73, where 1.0 FAR is permitted for commercial/industrial uses and 2.4 is permitted for community facility uses in the underlying M1-1 zoning district.

Future No-Action Condition

In the future without the Proposed Actions, no changes are anticipated to occur within the project area.

Future With-Action Condition

In the future with the Proposed Actions, the entire rezoning area is projected for redevelopment.

Projected Development Site 1 (Block 2426, Lot 25) would be redeveloped with two residential buildings to contain 238 dwelling units and ground floor commercial/retail space. This consists of a nine-story building on the southern portion of the lot (with frontage on East 166th Street and Webster Avenue) and an 11-story building on the northern portion of the lot (with frontage on Webster Avenue) with a maximum height of 145 and a street wall height of approximately 100 feet.

Together, the buildings would contain 280,300 gross square feet (gsf) of floor area (221,040 zoning square feet (zsf) of floor area, or 6.0 FAR), of which 216,215 gsf (190,852 zsf or 5.18 FAR) would be put to residential use and 30,188 gsf (30,188 zsf or 0.82 FAR) would be put to commercial use. Below grade, 30 accessory parking spaces would be provided for the commercial space and 43

parking spaces would be provided for the proposed residential use. All of the proposed 238 dwelling units would affordable to incomes below 80% AMI.

Because the Development Site is located in a Transit Zone and all of the proposed dwelling units would be considered affordable pursuant to MIH, no accessory parking spaces are required for the proposed residential use. For the proposed commercial use, one accessory space is required per 1,000 square feet of floor area in the proposed C2-4 zoning district, where 30 spaces are provided. The accessory parking area would be made accessible from a single curb cut located on the southern end of the zoning lot along the East 166th Street frontage.

Projected Development Site 2 is made up of two tax lots (Block 2426, Lots 17 and 21), which would be merged into a single, 20,000 sf lot, and redeveloped with a 9-story, 145-foot-tall residential building with ground floor commercial space and parking in the cellar. The building would contain 133,288 gsf of floor area (120,000 zsf, FAR 6.0), of which 116,263 gsf (102,975 zsf, FAR 5.15) would be residential and 17,025 gsf (17,025 zsf, FAR 0.85) would be commercial. The building would contain 118 dwelling units with an average size of 873 sf. Below grade, 47 accessory parking spaces would be provided for building residents and 17 accessory parking spaces would be provided for the commercial space. Because the MIH option has not been chosen, CEQR analyses will assume 20 percent affordability at 80 percent Area Median Income (AMI).

The Applicant's proposal for Projected Development Site 1, as well as any development occurring on the projected development sites, would adhere to the underlying floor area, yard, height, and setback regulations of the proposed zoning district. As shown in the attached streetscape diagrams, the buildings resulting from the Proposed Actions would not be out of scale with existing development in the study area. For example, as shown in the enclosed streetscape diagrams, the building directly opposite of Projected Development Site 1 on East 166th Street is a large, 9-story building with an FAR of 8.73.

The Applicant feels that the affected area is appropriate for a new higher-density mixed-use district that permits residential use, as the Development Site is currently underdeveloped and utilized predominantly as a parking lot and is located in close proximity to transit as well as being located along a wide commercial thoroughfare. Furthermore, the proposed higher-density contextual mixed-use district would result in a building with a more uniform street wall for a corner lot, which would improve the urban design of the affected block frontage compared to existing development. Many of the blocks surrounding the project area and within the study area are zoned R71. Thus, the increase in height and FAR plus the allowance of residential use permitted by the Proposed Actions is consistent with existing development and development controls in the area. The rezoning would bring the project area's development pattern in close conformance with other blocks in the area.

Conclusion

There are no visual resources, open spaces, or natural features in the project area that could be affected by the Proposed Actions. The proposed zoning is consistent in scale and use with the surrounding area, and there will be no significant adverse effects relating to urban design or visual character.

Webster Avenue facing south (Site at right)



No-Action Scenario

Webster Avenue facing south (Site at right)



With-Action Scenario

Webster Avenue facing north (Site at left)



No-Action Scenario

Webster Avenue facing north (Site at left)



With-Action Scenario

East 166th Street facing west (Site at right)



No-Action Scenario

East 166th Street facing west (Site at right)



With-Action Scenario

12. HAZARDOUS MATERIALS

Introduction

A hazardous materials assessment is conducted to determine whether the proposed project may increase the exposure of people or the environment to hazardous materials and, if so, whether this increased exposure would result in potential significant public health or environmental impacts.

This section examines the Proposed Actions' potential to cause a significant adverse hazardous materials impact by leading to redevelopment or other activities that could expose people to hazardous materials, either by introducing land uses that would involve the use or storage of such materials or by increasing pathways to exposure to existing hazardous materials that contaminate portions of the proposed rezoning area as a result of current or past activities. A hazardous material is any substance that poses a threat to human health or the environment; such substances typically include heavy metals, volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), polychlorinated biphenyls (PCBs), pesticides, dioxins, and other toxic, corrosive, or flammable waste products of industrial or other processes. Manufacturing operations, automotive repair shops, gasoline service stations, dry cleaners, exterminators, chemical laboratories, junk yards, solid waste transfer stations, welding shops, and printers are among those land uses that may be associated with subsequent hazardous materials contamination of soil or groundwater, as well as any land use with underground fuel storage tanks.

A Phase I Environmental Site Assessment (ESA) was conducted at Projected Development Site 1 in January 2018. Based on the findings of the Phase I ESA, a Phase II subsurface investigation was conducted on the site in July 2018.

Site Description

The property is a rectangular shaped 36,840 square foot lot. The northern two-thirds contain a 1-story, masonry and wood frame garage building. The building is occupied by Five Star Automotive Machine Shop, Inc., SB Auto Dealer General Mechanic and Transmission Center, Carlos Pena Mechanica En General & Mufflers, and Webster Transmission Corp. There are two small partial basement areas below the building, both containing a small, out of service boiler. The southern third of the lot contains a parking lot Paradise Parking). Most of the surface is paved with concrete.

The subject building was constructed in the early 1920's. Identified historical site uses include auto repair garages, automotive machine shops, auto body repairs, a dairy, retail auto parts store, restaurants and retail stores. Circle Dyeing and Finishing Corp., the Gotham Dyeing and Finishing Corp. and Rome Knitting Mills were identified as former occupants. These operations may have involved the storage and use of hazardous substances and petroleum products. No information regarding the current environmental status of the subject property is known.

Phase I ESA Findings and Recommendations

The Phase I ESA identified several Recognized Environmental Concerns (RECs) and recommended that a subsurface investigation be conducted. The RECs identified in the Phase I ESA are:

- The possible presence of ten or more petroleum underground storage tanks (USTs) that have not been closed or removed in accordance with New York City Fire Department and New York State Department of Environmental Conservation requirements.
- The potential for site contamination from past spills, leaks, or discharges of hazardous substances and/or petroleum products from leaking USTs, automotive machine repair and auto body operations.
- The potential for a vapor encroachment condition from past on-site auto-related operations, underground storage tanks, and potential off-site sources of contamination in the immediate vicinity of the property.
- The potential for ground water contamination in the immediate vicinity of the site from off-site sources such as USTs, industrial and manufacturing operations, auto repair operations and others.

Phase II Subsurface Investigation

A Phase 2 subsurface investigation work plan was developed based upon the property use current and historic uses and proposed new development plans. The scope of work was implemented to determine whether the subsurface soil, water and soil vapor quality conditions at the subject property. The scope of work included the following elements:

- Completed a geophysical investigation which included an electromagnetic survey and ground penetrating radar (GPR) survey.
- Performed thirteen (13) soil test borings (B-1, B-2, B-3, B-4, B-5, B-6, B-7, B-7, B-8, B-9, B-9, B-10, B-11, B-12 and B-13) and collected two soil samples from each soil boring location a surface (0 - 2ft) and a deeper sample from a depth from (12 - 14ft) which is the depth of the proposed foundation excavation.
- Installed four (4) temporary groundwater monitoring wells (GW-1, GW-2, GW-3 and GW-4).
- Collected seven (7) soil vapor samples (SV-1, SV-2, SV-3, SV-4, SV-5, SV-6 and SV-7) at a depth of the proposed building foundation depth (12 – 14ft).

Conclusions and Recommendations

Several roof top vents and surface fill-port remnants are located in the central and northern portions of the building and surface remote fillports remnants were identified in the building and concrete pavement of the south parking lot area. The geophysical survey was concentrated in these areas. The results of the survey indicated evidence of underground anomalies indicative of up to ten (10) underground storage tanks (USTs). None of these USTs are currently being used. It is likely these USTs historically stored gasoline, diesel and fuel oil used for vehicle fuel operations and on-site heating. No information regarding if these UST's currently contain product or have been abandoned is available.

The results of this subsurface investigation have found urban fill soil with semi-volatile Poly Aromatic Hydrocarbon (PAH) chemical compounds and total metals typically found in urban fill soils around the New York Metropolitan area. In addition, and based on observations noted in the

field (visual, olfactory and PID readings), nuisance characteristic (odors, visual observation and PID) petroleum or chemical type impacts at the site were identified in eight of the thirteen soil sampling locations. Laboratory results of soil collected from these areas did not detect elevated VOC's or SVOC's indicative of significant petroleum contamination above NYSDEC Part 375 unrestricted soil cleanup levels. The field observations made is potentially remnant petroleum contamination which is likely highly weathered and deteriorated. No free petroleum products were identified in ground in any of the four monitoring wells installed onsite.

Results of the soil vapor investigation identified volatile organic compounds (VOCs) above laboratory method detection limits. These VOC's are likely resulting from urban fill materials and potential petroleum impacted soils in onsite or adjacent and neighboring sites.

The USTs discovered on site should be registered and properly closed in accordance with NYSDEC Petroleum Bulk Storage Regulations. Under these regulations all petroleum products must be removed, the USTs cleaned out and properly abandoned or removed.

The Phase II report provided no recommendations for additional testing or remedial action being made at this time. Any soils exported offsite during construction of the new building foundation should be disposed in accordance with New York State Department of Environmental Conservation (NYSDEC) regulations. If contaminated soils are discovered, a spill incident report will be reported to the NYSDEC.

The new building construction will have an engineered vapor barrier with a minimum thickness of 20 mils under the foundation slab and the basement in order to prevent any potential vapor migration into the building structure.

A Remedial Action Plan (RAP) detailing the installation of a vapor barrier and a Construction Health and Safety Plan (CHASP) will be written describing the means and methods for the vapor barrier installation, removal of the USTs and excavation and disposal of impacted soils.

Correspondence with the New York City Department of Environmental Protection (DEP) is included as an appendix to this EAS.

16. TRANSPORTATION

Introduction

Pursuant to the guidance of the *2014 City Environmental Quality Review (CEQR) Technical Manual*, this section examines the potential effects of the Proposed Actions on the Project Area's transportation systems. Specifically, it compares conditions in the future with the Proposed Actions (the With-Action condition) with conditions in the future without the Proposed Actions (the No-Action condition). Based on the proposed mixed-use development increment trip generation screening (Tier 1) and trip assignment (Tier 2) analysis results, it was determined that the Proposed Actions would result in no significant adverse transportation-related impacts as summarized below.

Project Area

The project area is located within a block in the Bronx, bounded by Webster Avenue, a two-way northbound/southbound roadway, on the east, Clay Avenue, a one-way southbound roadway, on the west, East 167th Street, a two-way eastbound/westbound roadway, on the north and East 166th Avenue, a two-way eastbound/westbound roadway, on the south, as shown in **Figure 1**.

No-Action Conditions

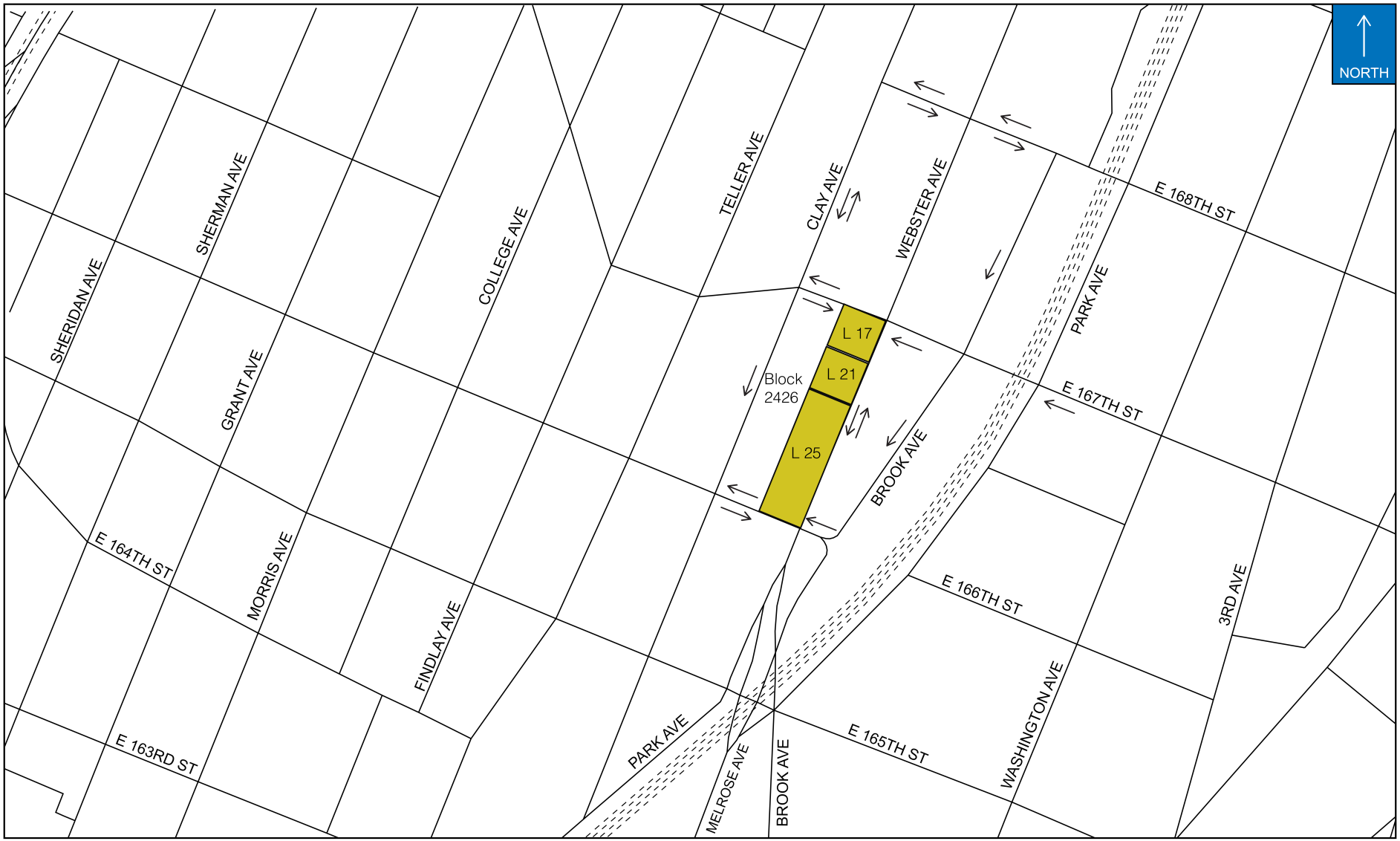
Absent the proposed action and under the future no-action scenario, the Project Area would include a total of 31,800 gsf of auto repair space and 7,280 gsf of restaurant space. As part of the no-action scenario, a total 60 accessory parking spaces would be provided.

Proposed Conditions

The Proposed Actions will facilitate the construction of the proposed mixed-use development, which would consist of a total of 353 dwelling units, 47,213 gsf of commercial local retail space (Use Group 6). As part of the proposed action, a total of 137 accessory parking spaces, including 60 parking spaces in the no-action scenario, would be provided and would be accessible from two curb cuts proposed along East 166th Street. A loading area would also be provided and would be accessible from a curb cut proposed along Webster Avenue.

The RWCDS development programs for both the proposed action and no-action scenarios are summarized in **Table 1. Table 1** also, illustrates the increment development program, which transportation analyses are based on, as described below in detail.

1099 Webster Avenue, Mixed-Use Development, Bronx NY



Projected Sites

Projected Sites and Street Direction

Figure 1

Transportation Analysis Framework

Based on the *CEQR Technical Manual*, transportation screening analysis is prepared for the difference between the proposed action and the no-action scenarios, or the increment development program. The following trip generation analysis (Tier 1) has been prepared for the increment development program, as detailed below. The proposed actions would include a net increase of 353 dwelling units, 47,213 gsf of commercial local retail space, a net increase of 77 accessory parking spaces a net decrease of 31,800 gsf of auto repair space and 7,280 gsf of restaurant space, as summarized in **Table 1**.

Table 1
No-Action, With-Action Scenarios and Increment by Development Sites

Project Development	Block	Lot	No-Action	With-Action	Increment
Development Site 1	2426	25			
Residential			0	235 d.u.	+235 d.u.
Local Retail			0	30,188 gsf	+30,188 gsf
Automotive Use			21,800 gsf	0	-21,800 gsf
Parking			51	73	+22
Development Site 2	2426	17 & 21			
Residential			0	118	+118
Local Retail			0	17,025	+17,025 gsf
Automotive Use			10,000 gsf	0	-10,000 gsf
Restaurant			7,280 gsf	0	-7,280 gsf
Parking			9	64	+55

Principal Conclusions

Traffic and Parking

Based on the trip generation analysis (Level One Screening), the proposed action would generate fewer than the *CEQR* 50-vehicle trip ends threshold during any peak hour time period. Therefore, and in accordance with the *CEQR Technical Manual* criteria, the project generated vehicular trips would not result in any conditions that would typically trigger the need for a detailed assessment of traffic and parking impacts.

Transit

Subway

Based on trip generation analysis (Level One Screening), the proposed action would generate fewer than 200 subway trip ends during any peak hour time period, and in accordance with the *CEQR Technical Manual* criteria, would not result in any conditions that would typically trigger the need for a detailed assessment of subway impacts

Bus
Based on trip generation analysis (Level One Screening), the proposed action would generate fewer than 50-bus trip ends, per line and direction during any peak hour time period, and in accordance with the *CEQR Technical Manual* criteria, would not result in any conditions that would typically trigger the need for a detailed assessment of bus impacts

Pedestrian
The proposed action would generate more than 200 pedestrian trip ends during Weekday AM, Midday, PM and Saturday peak hour time periods, and based on the *CEQR 200-pedestrian trip-ends threshold*, a Tier 2 analysis (pedestrian trip assignment) is warranted.

Based on a Tier 2 (trip assignment) analysis for the Weekday Midday peak hour (the highest peak hour), the proposed project pedestrian entrance/exit points, as shown in the proposed Site Plan, and pedestrian destinations, it is determined that pedestrian trip-ends at nine (9) pedestrian elements, three sidewalks, two crosswalks and four corner reservoirs in the project area would exceed the *CEQR 200-pedestrian trip-ends threshold* **(Figure 2)**, and detailed analysis is warranted according to the *CEQR guidelines*. The pedestrian elements to be analyzed are listed below.

- Webster Avenue and E 167th Street Intersection: Northwest and Southwest corner reservoirs
- Webster Avenue and E 166th Street Intersection: Northwest and Southwest corner reservoirs
- Webster Avenue and E 167th Street Intersection: West crosswalk
- Webster Avenue and E 166th Street Intersection: West crosswalk
- Webster Ave between E 166th and E 167th Streets: West sidewalk
- Webster Ave between E 165th and E 166th Streets: West sidewalk
- Webster Ave between E 167th and E 168th Streets: West sidewalk

Based on the detailed pedestrian analysis, described below, all analyzed pedestrian elements would operate at levels of service (LOS) B or better during the 2025 build condition. The proposed action would not result in significant adverse pedestrian impacts as is summarized below.

Build Year

Based on an estimated 18-month approval process (including the required certification regarding a transit easement) an 18-month construction period,on each of the two Projected Development Sites, the analysis year is assumed as 2025

Preliminary Analysis Methodology And Screening Assessment

The *CEQR Technical Manual* recommends a two-tier screening procedure for the preparation of a "preliminary analysis" to determine if quantified analyses of transportation conditions are warranted. As discussed below, the preliminary analysis begins with a trip generation analysis (Level 1) to estimate the volume of person and vehicle trips attributable to the Proposed Actions. If the Proposed Actions are expected to result in fewer than 50 peak hour vehicle trip ends and fewer than 200 peak hour transit or pedestrian trip ends, further quantified analyses are not warranted. When these thresholds are exceeded, detailed trip assignments (Level 2) are performed to estimate the incremental trips at specific transportation elements and to identify potential locations for further analyses. If the trip assignments show that the Proposed Actions would result in 50 or more peak hour vehicle trip ends at an intersection, 200 or more peak hour subway trip ends at a station, 50 or more peak hour bus trip ends in one direction along a bus route, or 200 or more peak hour pedestrian trip ends traversing a pedestrian element, then further quantified analyses may be warranted to assess the potential for significant adverse impacts on traffic, transit, pedestrians, and parking.

Level 1 Screening Assessment

A Level 1 trip generation screening assessment was conducted to estimate the numbers of person and vehicle trip-ends by mode expected to be generated by the Proposed Actions during the Weekday AM, Midday, PM, and Saturday peak hours **(Tables 2 through 4)**. These estimates were then compared to the *CEQR Technical Manual* thresholds to determine if a Level 2 screening and/or quantified operational analyses would be warranted.

Traffic and Parking

The proposed action would generate a total of -2 (-24 inbound and 22 outbound), 49 (24 inbound and 25 outbound), 9 (12 inbound and -3 outbound) and 10 (8 inbound and 2 outbound) vehicle trip ends, during the AM, Midday, PM and Saturday Midday peak hours, respectively as summarized **Table 4**.

Based on trip generation analysis (Level One Screening), the proposed action would generate fewer than the *CEQR 50-vehicle trip ends threshold* during any peak hour time period. Therefore, and in accordance with the *CEQR Technical*

Manual criteria, the project generated vehicular trips would not result in any conditions that would typically trigger the need for a detailed assessment of traffic and parking impacts.

Transit

Subway

The proposed action would generate a total of 129, 80, 128 and 101 subway trip ends during the AM, Midday, PM and Saturday Midday peak hour time periods, respectively, as summarized in **Table 3**. There is one (1) subway station for B, D and number 4 trains, located at intersection of East 167th Street and River Avenue in the study area.

The proposed action would generate fewer than 200 subway trip ends during any peak hour time period, and in accordance with the *CEQR Technical Manual* criteria, would not result in any conditions that would typically trigger the need for a detailed assessment of subway impacts.

Bus

The proposed action would generate a total of 66, 55, 78 and 69 bus trip ends during the AM, Midday, PM and Saturday Midday peak hour time periods, respectively, as summarized in **Table 3**. There are three (3) bus lines and six (6) directions, BX 35 (northbound and southbound along East 167th Street), BX 41 and BX 41-SBS (eastbound and westbound along Webster Avenue) in the study area, therefore no bus line would experience the *CEQR 50-bus trip ends threshold* per bus line per direction.

The proposed action would generate fewer than 200 bus trip ends/and 50 bus trip ends per bus per direction during each peak hour time period, and in accordance with the *CEQR Technical Manual* criteria would not result in any conditions that would typically trigger the need for a detailed assessment of bus impacts.

Pedestrian

The proposed action would generate a total of 413, 1,295, 837 and 892 pedestrian (bus, subway, walk and other) trip ends during the AM, Midday, PM and Saturday Midday peak hour time periods, respectively, as summarized in **Table 3**.

Level 2 Screening Assessment

The proposed action would generate more than 200 pedestrian trip ends during Weekday AM, Midday, PM and Saturday peak hour time periods. Based on the *CEQR Technical Manual guidelines*, a Tier 2 (trip assignment) analysis is prepared for the project area as shown in **Figure 2,** by using the Weekday Midday peak hour (the highest peak hour), the locations of the proposed project pedestrian entrance/exit points as shown in the proposed Site Plan, along east 166th and 167th Streets and Webster Avenue, and destinations such as bus stop, subway station and pedestrian attractions such as shops.

Based on a Tier 2 (trip assignment) analysis for the Weekday Midday peak hour (the highest peak hour), the proposed project pedestrian entrance/exit points, as shown in the proposed Site Plan, and pedestrian destinations, it is determined that pedestrian trip-ends at nine (9) pedestrian elements, three sidewalks, two crosswalks and four corner reservoirs in the project area would exceed the *CEQR 200-pedestrian trip-ends threshold* **(Figure 2)**, and detailed analysis is warranted according to the *CEQR guidelines*. The pedestrian elements to be analyzed are listed below.

- Webster Avenue and E 167th Street Intersection: Northwest and Southwest corner reservoirs
- Webster Avenue and E 166th Street Intersection: Northwest and Southwest corner reservoirs
- Webster Avenue and E 167th Street Intersection: West crosswalk
- Webster Avenue and E 166th Street Intersection: West crosswalk
- Webster Ave between E 166th and E 167th Streets: West sidewalk
- Webster Ave between E 165th and E 166th Streets: West sidewalk
- Webster Ave between E 167th and E 168th Streets: West sidewalk

Based on the detailed pedestrian analysis, described below, all analyzed pedestrian elements would operate at levels of service (LOS) B or better during the 2025 build condition. The proposed action would not result in significant adverse pedestrian impacts as is summarized below.

TRANSPORTATION PLANNING ASSUMPTIONS

Residential Development Space

2014 CEQR Technical Manual (table 16-2) were utilized for trip generation rates, including truck trips, daily temporal distribution and *2013-2017 American Community Survey (ACS) Journey-to Work (JTW) data for Census Tract #'s 141, 143,*

145, 173, 175, 177.01 and 185 in Bronx, NY for modal split information and vehicle occupancy rates, as is summarized in **Exhibit A, B** and **Table 2.**

The estimated modal split data for residential use found that approximately 17.4% would travel by car, 0.6 percent would travel by taxi, 22.2% would travel by bus, 44.3% would travel by subway, 15.5% would travel by foot and other mode of travel, such as bicycle, as shown in **Exhibits A and B and Table 2**.

Local Commercial Retail Space

2014 CEQR Technical Manual (table 16-2) were utilized for trip generation rates, including truck trips and daily temporal distribution. Modal split information and vehicle occupancy rates were estimated, utilizing NYCDOT (none transit zone) as is summarized in **Table 2.**

The estimated modal split results for local commercial retail use found that approximately 11% would travel by car, zero (0)% would travel by taxi, two (2)% would travel by bus, three (3)% would travel by subway and 84% would travel by foot. The above information is summarized in **Table 2**.

Auto Repair Space

Trip generation rates, daily temporal distribution, modal split information, vehicle occupancy rates and truck trip rates were estimated, utilizing recently approved *the Jerome Avenue Rezoning FEIS, 2018 (TABLE 13-8)* rates as is summarized in **Table 2.**

The estimated modal split results for auto repair use found that approximately 85% would travel by car, 5% would travel by taxi, 1% would travel by bus, 1% would travel by subway and 8% would travel by foot. The above information is summarized in **Table 2**.

Restaurant Space

Trip generation rates, daily temporal distribution, modal split information, vehicle occupancy rates and truck trip rates were estimated, utilizing recently approved *the Jerome Avenue Rezoning FEIS, 2018 (TABLE 13-8)* rates as is summarized in **Table 2.**

Figure 2 Project Generated Pedestrian Trips – Weekday Midday Peak Hour

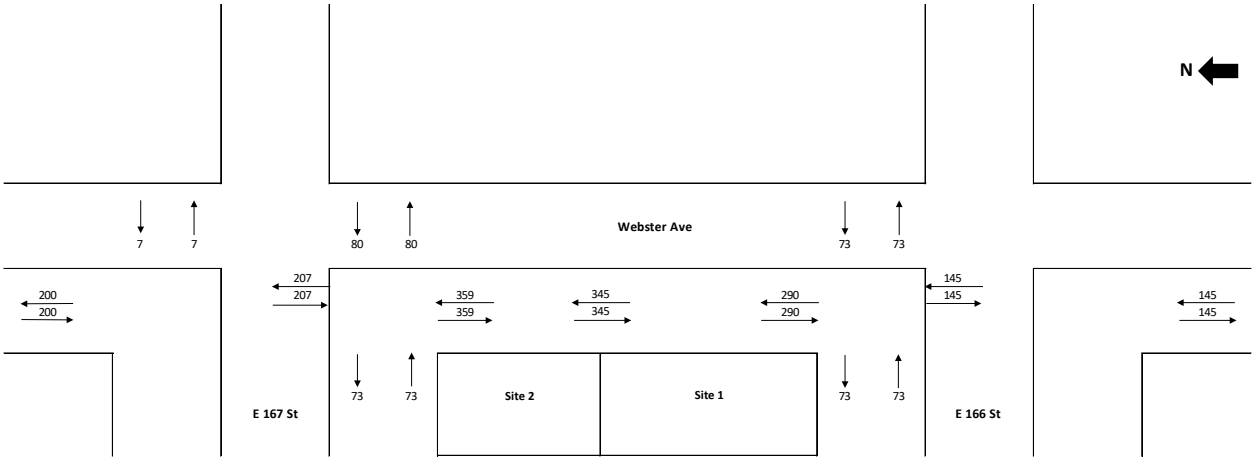


Figure. 2

Figure 3 2019 Existing Pedestrian Volumes – Weekday Midday Peak Hour

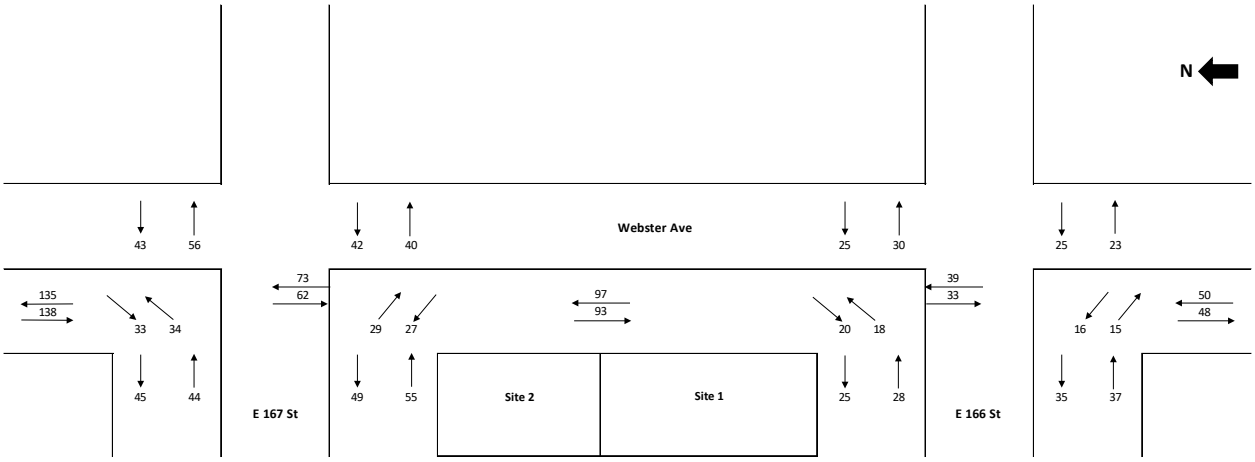


Figure. 3

The estimated modal split results for restaurant use found that approximately 25% would travel by car, 20% would travel by taxi, 5% would travel by bus, 30% would travel by subway and 20% would travel by foot. The above information is summarized in **Table 2**.

Pedestrian Analysis

2019 Existing Conditions

Pedestrian counts were conducted on Wednesday, May 8th 2019 at key locations in the project area during the (12n-2pm) weekday midday period. The weekday midday peak hour of 1:00 PM to 2:00 PM was identified as the highest peak hour and therefore, selected for analysis. The balanced 2019 pedestrian volume network for the existing weekday midday peak hour is shown in **Figure 3**. Detailed descriptions of the levels of service (LOS) for all nine pedestrian elements are presented in **Table 5**. All pedestrian elements are currently operating at LOS B or better, as summarized in **Table 5**.

Table 5: 2019 Existing Conditions Pedestrian Levels of Service (LOS)

Weekday Midday Peak Hour

Pedestrian Element	Effective Width (ft)	Volume (ped/hr)	Avg. Pedestrian Space (sf/ped)	LOS
Sidewalk				
Webster Ave. bet. E167th and E166th Streets-West Sidewalk	10	190	644.1	A
Webster Ave. bet. E167th and E168th Streets-West Sidewalk	10	273	437.7	B
Webster Ave. bet. E166th and E165th Streets-West Sidewalk	10	98	1,293.0	A
Crosswalk				
Webster Avenue and E 167th Street Intersection-West Crosswalk		135	555.0	A
Webster Avenue and E 166th Street Intersection-West Crosswalk		72	804.8	A

Figure 4 2025 No Build Pedestrian Volumes – Weekday Midday Peak Hour

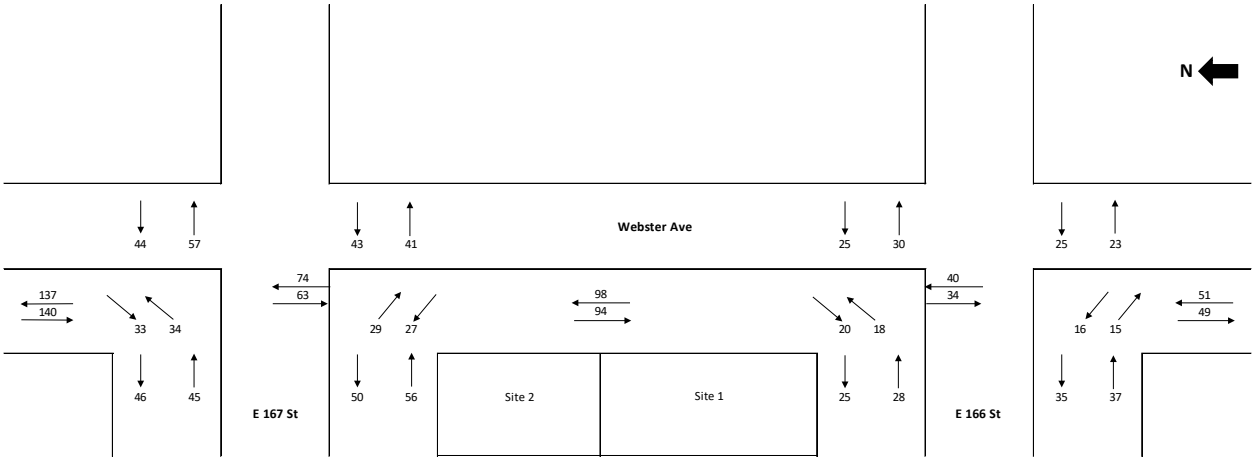


Figure. 4

Figure 5 2025 Build Pedestrian Volumes – Weekday Midday Peak Hour

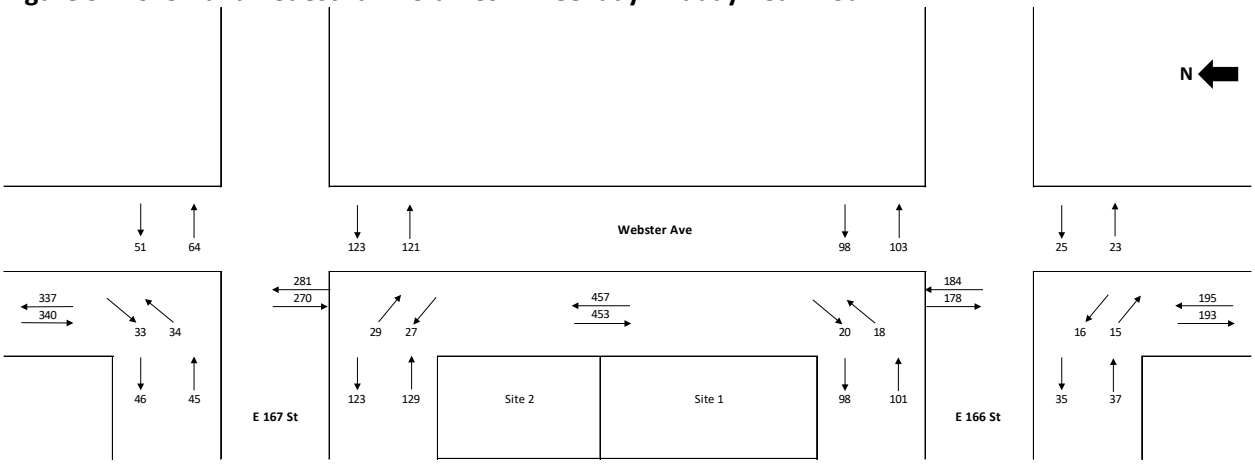


Figure. 5

Corner			
Webster Avenue and E 167th Street Intersection-Northwest Corner	67	777.9	A
Webster Avenue and E 167th Street Intersection-Southwest Corner	56	903.0	A
Webster Avenue and E 166th Street Intersection-Northwest Corner	38	776.5	A
Webster Avenue and E 166th Street Intersection-Southwest Corner	31	916.4	A

2025 No Build Conditions

The 2025 No-Build pedestrian volumes were determined by adding expected annual growth, 0.25% per year for a total of 1.50%, in overall pedestrian trips within the study area to the 2019 existing pedestrian volumes as well as incorporating pedestrian volumes from projects, expected to be completed by 2025 build year (*no major development is anticipated in the study area by the build year of 2025)*. The 2025 No Build pedestrian volume network for the weekday midday peak hour is shown in **Figure 4**. Detailed descriptions of the levels of service
(LOS) for all nine pedestrian elements are presented in **Table 6**. All pedestrian elements would operate at LOS B or better, as summarized in **Table 6.**

Table 6: 2025 No-Build Conditions Pedestrian Levels of Service (LOS)

Weekday Midday Peak Hour

Pedestrian Element	Effective Width (ft)	Volume (ped/hr)	Avg. Pedestrian Space (sf/ped)	LOS
Sidewalk				
Webster Ave. bet. E167th and E166th Streets-West Sidewalk	10	193	637.4	A
Webster Ave. bet. E167th and E168th Streets-West Sidewalk	10	277	431.4	B
Webster Ave. bet. E166th and E165th Streets-West Sidewalk	10	100	1,267.2	A

Crosswalk			
Webster Avenue and E 167th Street Intersection-West Crosswalk	137	546.8	A
Webster Avenue and E 166th Street Intersection-West Crosswalk	74	782.9	A

Corner

Webster Avenue and E 167th Street Intersection-Northwest Corner	68	767.3	A
Webster Avenue and E 167th Street Intersection-Southwest Corner	57	889.9	A
Webster Avenue and E 166th Street Intersection-Northwest Corner	38	767.4	A
Webster Avenue and E 166th Street Intersection-Southwest Corner	31	903.8	A

2025 Build Conditions

Project Generated Pedestrian Trips

The proposed action would generate a total of 413, 1,295, 837 and 892 pedestrian (bus, subway, walk and other) trip ends during the AM, Midday, PM and Saturday Midday peak hour time periods, respectively, as summarized in **Table 3**.

Based on the *CEQR Technical Manual guidelines*, a Tier 2 (pedestrian trip assignment) analysis is prepared for the project area as shown in **Figure 2,** by using the Weekday Midday peak hour (the highest peak hour), the locations of the proposed project pedestrian entrance/exit points as shown in the proposed Site Plan, along east 166th and 167th Streets and Webster Avenue, and destinations such as bus stop, subway station and pedestrian attractions such as shops.

The 2025 Build pedestrian volumes were determined by adding the project-generated pedestrian volumes **(Figure 2**) to the 2025 No-Build pedestrian volumes (**Figure 4**). The 2025 Build pedestrian volumes are shown in **Figure 5**. Based on the detailed pedestrian analysis, as summarized below in **Table 7**, all analyzed pedestrian elements would operate at levels of service (LOS) B or better during the 2025 build conditions. The proposed action would not result in significant adverse pedestrian impacts as is summarized below.

Table 7: 2025 Build Conditions Pedestrian Levels of Service (LOS)

Weekday Midday Peak Hour

Pedestrian Element	Effective Width (ft)	Volume (ped/hr)	Avg. Pedestrian Space (sf/ped)	LOS
Sidewalk				
Webster Ave. bet. E167th and E166th Streets-West Sidewalk	10	910	134.2	B
Webster Ave. bet. E167th and E168th Streets-West Sidewalk	10	677	176.3	B
Webster Ave. bet. E166th and E165th Streets-West Sidewalk	10	388	326.5	B

Crosswalk			
Webster Avenue and E 167th Street Intersection-West Crosswalk	551	132.5	A
Webster Avenue and E 166th Street Intersection-West Crosswalk	362	155.5	A

Corner			
Webster Avenue and E 167th Street Intersection-Northwest Corner	67	323.1	A
Webster Avenue and E 167th Street Intersection-Southwest Corner	56	283.4	A
Webster Avenue and E 166th Street Intersection-Northwest Corner	38	205.3	A
Webster Avenue and E 166th Street Intersection-Southwest Corner	31	300.9	A

Conclusions

In accordance with the threshold guidelines as detailed in the *2014 CEQR Technical Manual*, the proposed action is not expected to result in significant adverse impacts related to transit or pedestrian conditions. Specifically, the proposed action is unlikely to have a significant effect on traffic flow, parking and operating conditions, transit provision, and pedestrian.

Exhibit A

Modal Split Information

2013-2017 ACS 5-YEAR Journey-to-Work (JTW) for Census Tract numbers 141, 143, 145, 173, 175, 177.01 and 185 in Bronx, NY

1099 Webster Avenue, Bronx New York

2013-2017 ACS 5-Year, Journey-to-Work:

Census Tract	Total Workers	Car or Van Drive-Alone	Carpool	Bus	Street Car	Subway	R.R.	Ferry	Taxi	Motor cycle	Bicycle	Walked	Other Means	Worked @ Home	Total
141	**2270**	**437**	**27**	**497**	**0**	**956**	**32**	**0**	**0**	**0**	**0**	**290**	**0**	**31**	2,270
143	**391**	**41**	**6**	**31**	**7**	**162**	**54**	**0**	**0**	**0**	**0**	**90**	**0**	**0**	391
145	**2306**	**418**	**211**	**519**	**0**	**900**	**63**	**0**	**0**	**0**	**0**	**195**	**0**	**0**	2,306
173	**1920**	**39**	**43**	**495**	**0**	**1040**	**48**	**0**	**0**	**0**	**0**	**255**	**0**	**0**	1,920
175	2,537	271	33	719	0	909	110	0	8	0	0	286	0	201	2,537
177.01	1,956	288	266	311	0	698	94	0	14	0	58	175	52	0	1,956
185	3,195	411	40	646	6	1,282	112	0	66	0	0	455	0	177	3,195
Total	14,575	1,905	626	3,218	13	5,947	513	0	88	0	58	1,746	52	409	14,575
		0.131	***0.043***	***0.221***	***0.00***	***0.408***	***0.035***	***0.00***	***0.01***	***0.00***	***0.00***	***0.120***	***0.00***	***0.028***	***1.00***

Exhibit B

Vehicle Occupancy Information

2012-2016 ACS 5-YEAR Journey-to-Work (JTW) for Census Tract numbers 141, 143, 145, 173, 175, 177.01 and 185 in Bronx, NY

2012-2016 ACS-5 Year (JTW), Vehicle Occupancy Rate:

Census Tract	Total	Drove alone	Total carpool	2person	3 Person	4 Person	5 or 6 Persor	7 or more Person	Total
141	491	464	27	0	27	0	0	0	27
143	47	41	6	6	0	0	0	0	6
145	629	418	211	101	74	0	0	36	211
173	82	39	43	34	0	0	0	9	43
175	304	271	33	33	0	0	0	0	33
177.01	554	288	266	181	85	0	0	0	266
185	451	411	40	12	0	0	0	28	40
	2,558	1,932		184	62	0	0	10	2,188
Vehicle Occupancy =			**1.17**						

Modal Split summary

Auto	**0.174**
Taxi	**0.006**
Bus	**0.222**
Subway	**0.443**
Walk	**0.120**
Other	**0.036**
Total	**1.000**

Table 2 : Transportation Planning Factors

1099 Webster Avenue, Bronx NY

ALL SITES

Land Use:	Residential	Local Retail	Auto Repair	Restaurant
	d.u.	Space-sq.ft.	Space-sq.ft.	Space-sq.ft.
Size/Units:	353	47,213	-31,800	-7,280
	(1)	**(1)**	**(3)**	**(3)**
Trip Generation:				
Weekday	8.075	205	19.42	173
Saturday	9.6	240	19.42	181
	per 1,000 sq-	per 1,000 sq.fl	per 1,000 sq.ft.	per 1,000 sq.ft.
Linked-Trip:	0%	25%	0%	0%
Temporal Distribution:	**(1)**	**(1)**	**(3)**	**(3)**
AM Peak Hour	10%	3%	13.2%	0.9%
MD Peak Hour	5%	19%	11.0%	6.2%
PM Peak Hour	11%	10%	14.2%	8.3%
Saturday Midday Peak Hour	8%	10%	11%	11%
	(2)	**(4)**	**(3)**	**(3)**
Modal Split :	all periods	all periods	all periods	all periods
Auto	17.4%	11%	85%	25%
Taxi	0.6%	0%	5%	20%
Subway	44.3%	3%	1%	30%
Bus	22.2%	2%	1%	5%
Walk & Other	15.5%	84%	8%	20%
Total	100%	100%	100%	100%
	(3)	**(3)**	**(3)**	**(3)**
In/Out Splits:	In/Out	In/Out	In/Out	In/Out
AM Peak Hour	15/85	50/50	65/35	94/6
MD Peak Hour	50/50	50/50	50/50	50/50
PM Peak Hour	70/30	50/50	50/50	67/33
Saturday Midday Peak Hour	50/50	50/50	50/50	50/50
Vehicle Occupancy:	**(2)**	**(4)**	**(3)**	**(3)**
Auto	1.17	1.5	1.3	2.2
Taxi	1.40	1.4	1.3	2.3
Truck Trip Generation:	**(1)**	**(1)**	**(3)**	**(3)**
Weekday	0.06	0.35	0.89	3.6
Saturday	0.02	0.04	0.05	3.6
	per 1,000 sqf	per 1,000 s.f.	per 1,000 s.f.	per 1,000 s.f.
	(1)	**(1)**	**(3)**	**(3)**
AM Peak Hour	12%	8%	14%	6%
MD Peak Hour	9%	11%	9%	6%
PM Peak Hour	2%	2%	1%	1%
Saturday Midday Peak Hour	9%	11%	9%	6%
AM/MD/PM/Saturday Midday	50/50	50/50	50/50	50/50

Sources:

(1)-2014 CEQR Technical Manual, Table 16-2.

(2)-2013-2017 (ACS)-Journey-to-Work (JTW)Census Tract #'s 141, 143, 145, 173, 175, 177.01 and 185 in Bronx N.Y.

(3)_Jerome Avenue Rezoning FEIS, Table 13.8.

(4)-Based on Survey data provided by NYCDOT

Table 3 : Estimated Person Trips

1099 Webster Avenue, Bronx NY

ALL SITES

Land Use:	Residential d.u.	Local Retail Space sq.ft.	Auto Repair Space-sq.ft.	Restaurant Space-sq.ft.	Total Net Demand	
Size/Units:	353	47,213	-31,800	-7,280		
Peak hour Trips						
AM Peak Hour	285	218	-82	-11	410	
Midday Peak Hour	143	1379	-68	-78	1376	
PM Peak Hour	314	726	-88	-105	847	
Saturday Midday Peak Hour	271	850	-68	-145	908	
Person Trips:						
AM Peak Hour						
Auto	50	24	-69	-3	1	
Taxi	2	0	-4	-2	-5	
Subway	126	7	-1	-3	129	129
Bus	63	4	-1	-1	66	66
Walk & Other	44	183	-7	-2	218	218
Total	285	218	-82	-12	410	413
Midday Peak Hour						
Auto	25	152	-58	-20	99	
Taxi	1	0	-3	-16	-18	
Subway	63	41	-1	-23	80	80
Bus	32	28	-1	-4	55	55
Walk & Other	22	1159	-5	-16	1160	1160
Total	143	1379	-68	-78	1376	1295
PM Peak Hour						
Auto	55	80	-75	-26	34	
Taxi	2	0	-4	-21	-24	
Subway	139	22	-1	-32	128	128
Bus	70	15	-1	-5	78	78
Walk & Other	49	610	-7	-21	630	630
Total	314	726	-88	-105	847	837
Saturday Midday Peak Hour						
Auto	47	93	-58	-36	47	
Taxi	2	0	-3	-29	-31	
Subway	120	25	-1	-43	101	101
Bus	60	17	-1	-7	69	69
Walk & Other	42	714	-5	-29	721	721
Total	271	850	-68	-145	908	892

Table 4 : Estimated Vehicular Trips

1099 Webster Avenue, Bronx NY

ALL SITES

Land Use:	Residential d.u.	Local Retail Space sq.ft.	Auto Repair Space-sq.ft.	Restaurant Space-sq.ft.	Total Net Demand
Size/Units:	353	47,213	-31,800	-7,280	
Vehicular Trips					
AM Peak Hour					
Auto (Total)	42	16	-53	-1	4
Taxi	1	0	-3	-1	-3
Taxi (Balanced)	2	0	-6	-2	-6
Truck	3	1	-4	-2	-2
Truck(Balanced)	4	2	-4	-2	0
Total	48	18	-63	-5	-2
Inbound/Outbound Trips	***9/39***	***9/9***	***-39/-24***	***-3/-2***	***-24/22***
Midday Peak Hour					
Auto (Total)	21	101	-44	-9	69
Taxi	1	0	-3	-7	-9
Taxi (Balanced)	2	0	-6	-14	-18
Truck	2	2	-3	-2	0
Truck(Balanced)	2	2	-4	-2	-2
Total	25	103	-54	-25	49
Inbound/Outbound Trips	***12/13***	***51/52***	***-27/-27***	***-12/-13***	***24/25***
PM Peak Hour					
Auto (Total)	47	53	-57	-12	31
Taxi	1	0	-3	-9	-11
Taxi (Balanced)	2	0	-6	-18	-22
Truck	0	0	0	0	0
Truck(Balanced)	0	0	0	0	0
Total	49	53	-63	-30	9
Inbound/Outbound Trips	***34/15***	***27/26***	***-32/-31***	***-17/-13***	***12/-3***
Saturday Midday Peak Hour					
Auto (Total)	40	62	-44	-16	42
Taxi	1	0	-3	-13	-15
Taxi (Balanced)	2	0	-6	-26	-30
Truck	1	0	0	-2	-1
Truck(Balanced)	2	0	0	-4	-2
Total	44	62	-50	-46	**10**
Inbound/Outbound Trips	***22/22***	***31/31***	***-25/-25***	***-23/-23***	***5/5***

17. AIR QUALITY

Introduction

Ambient air quality describes pollutant levels in the surrounding environment to which the public has access. To assess potential health hazards due to ambient air quality, the impact of air pollutants emitted by motor vehicles (mobile source) and by fixed facilities (stationary source) are analyzed, where the effects of both the proposed project on ambient air quality and the ambient air quality effect on the proposed project are considered. The analysis framework, as mandated by the State Environmental Review Act, follows the *New York City Environmental Quality Review 2014 Technical Manual*. The potential air quality impacts of the following emissions are estimated following the procedures and methodologies prescribed in the *CEQR Technical Manual*:

- The potential for changes in vehicular travel associated with proposed development activities to result in significant mobile source (vehicular related) air quality impacts.
- The potential for emissions from the heating, ventilation and air conditioning (HVAC) systems of the proposed developments to significantly impact nearby existing or planned land uses.
- The potential for air toxic emissions released from existing industrial facilities to significantly impact the proposed development.
- The potential for significant air quality impacts from the emissions of facilities that require Prevention of Significant Deterioration permits (Title V), and facilities which require a state facility permit to significantly impact the proposed development.
- The potential for facilities' malodorous emissions to unreasonably interfere with the proposed project's occupant's comfortable enjoyment of life or their property.

Per *CEQR Technical Manual*, a project's effects on air quality are determined by comparing predictions made for the future No-Action and the future With-Action conditions. The existing condition does not serve as a baseline for determining if a proposed project would have a significant impact but is typically included in the analysis for informational purposes.

Project Area

The Project Area comprises Block 2426, Lot 17, 21, 25 in the East Concourse neighborhood of The Bronx, Community District #4. The Project Area is located on Webster Avenue between 166th and 167th Street, with frontage on Webster Avenue and 166th Street.

Existing Conditions

Lot 25 (the Project Site or Projected Development Site 1) has an area of 36,840 sf. The southern portion of the lot, fronting on East 166th Street and Webster Avenue, is used as a private parking lot, accommodating 60 vehicles. The remainder of the lot is developed with a one-story, 21,800 sf building containing various automotive uses.

Lot 21 (Projected Development Site 2) has an area of 10,000 sf and is fully developed with a 10,000 sq. ft. one-story commercial building containing an automotive tire store.

Lot 17 (Projected Development Site 2) has an area of 10,000 sf and is fully developed with a 7,280 sq. ft. one-story commercial building containing a restaurant.

Future No-Action

Absent the proposed action, no changes are anticipated in the Project Area and the affected properties would remain in their current conditions.

Future With-Action

Under the proposed rezoning action, the Project Area would be redeveloped with three buildings: Projected Development Site 1, the Applicant owned property, would be redeveloped with two mixed-use, predominantly residential, buildings; Projected Development Site 2 would be redeveloped with a mixed-use, predominantly residential, building.

Projected Development Site 1

Lot 25 (Projected Development Site 1) would be redeveloped with two mixed-use buildings; Building A and Building B. Together, the buildings would contain 280,000 gross square feet (gsf) of floor area. The buildings would contain 30 accessory parking spaces for the commercial space and 43 parking spaces for the proposed residential use. Projected Development Site 1 Reasonable Worst Case Development Scenario (RWCDS), under the proposed R7X/C2-4 district and Mandatory Inclusionary Housing Area (MIHA), is 145 feet tall buildings.

Building A, located on the southern portion of the lot, has 148 feet frontage on Webster Avenue. The nine-story building would contain 109,062 gsf of floor area, of which 10,890 gsf are local retail on the ground floor. The RWCDS of 145 feet tall building is considered for the air quality analysis.

Building B, located on the northern portion of the lot, has 220 feet frontage on Webster Avenue. The eleven-story building would contain 171,238 gsf of floor area, of which 19,298 gsf are local retail on the ground floor. The RWCDS of 145 feet tall building is considered for the air quality analysis.

Projected Development Site 2

Lots 17 and 21 (Projected Development Site 2) would be merged into a single, 20,000 sf lot, and redeveloped with a 9-story residential building with ground floor commercial space and parking in the cellar.

Projected Development Site 2 RWCDS, under the proposed R7X/C2-4 district and MIHA, would facilitate the development of a single mixed-use building, containing 133,288 gsf of floor area, of which 116,263 gsf would be residential and 17,025 gsf would be commercial. The building would rise to a height of 145 feet and would contain 118 dwelling units. 64 accessory parking spaces in total would be provided for building residents and for the commercial space.

Based on an estimated 18-month approval process and an 18-month construction period for each development site, the analysis year is assumed as 2025. **Table 17-1** presents a detailed summary of the Proposed Actions.

Table 17-1. Proposed Actions RWCDS

Development Site ID	Building ID	Building Height (ft)	Floor Area (gsf)	Parking Spaces
Projected Development Site 1	Building A	145	109,062	73
	Building B	145	171,238	
Projected Development Site 2	2426/17 and 21	145	133,288	64

AIR POLLUTANTS AND APPLICABLE STANDARDS/GUIDELINES

National Air Quality Standards

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

As required by the Clean Air Act, National Ambient Air Quality Standards (NAAQS) have been established for the criteria pollutants by EPA, and New York State has adopted the NAAQS as the State ambient air quality standards. The NO_2, $PM_{2.5}$, and PM_{10} standards, the pollutants for which a detailed analysis was conducted, together with their health-related averaging periods are presented in **Table 17-2**.

Table 17-2. National And New York States Ambient Air Quality

Pollutant	Averaging Period	National and State Standards
NO_2	1-Hour Concentration	0.10 ppm (188 $\mu g/m^3$)
	Annual Arithmetic Average	0.053 ppm (100 $\mu g/m^3$)
$PM_{2.5}$	24-Hour Concentration	35 $\mu g/m^3$
	Average of 3 Consecutive Annual Means	12 $\mu g/m^3$
PM_{10}	24-Hour Concentration	150 $\mu g/m^3$

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

and sunlight as these emissions travel downwind of a source). The 1-hour NO_2 NAAQS standard of 0.100 ppm (188 ug/m^3) is the 3-year average of the 98th percentile (8th Highest) of daily maximum 1-hour average concentrations in a year.

PM is an abbreviation for Particulate Matter. $PM_{2.5}$ is the abbreviation for fine Particulate Matter with a diameter smaller than 2.5 microns. PM_{10} is the abbreviation for fine Particulate Matter with a diameter smaller than 10 microns. PM is emitted into the atmosphere from a variety of sources. PM is produced by combustion, including vehicle exhaust, by chemical reactions between gases such as sulfur dioxide, nitrogen oxides, and volatile organic compounds, and abrasive processing operation such as grinding, sanding, and cutting materials.

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

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

As mentioned, New York State has adopted the national standard, NAAQS. In addition, the New York State Department of Environmental Conservation (NYSDEC) has established guidelines for maximum allowable concentration of "noncriteria pollutants," which are potentially toxic or carcinogenic pollutants. The maximum allowable guidelines set a maximum 1-hour and annual averaging time concentrations and are published in the DAR-1 AGC/SGC Table, where AGC/SGC refers to Annual and Short-term Guideline Concentrations. The most recent DAR-1 guidelines were created on August 10, 2016.

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

Background Concentrations

Determination of significant impact criteria is evaluated by adding the background concentrations, measured at the nearest NYSDEC monitoring station, to the concentrations of criteria pollutants in the ambient air of the existing and planned land uses.

Background concentrations of NO_2, PM_{10}, and $PM_{2.5}$—the criteria pollutants for which detailed analyses were conducted—were obtained from the NYSDEC's annual report for 2016 at the nearest monitoring stations. **Table 17-3** shows the background concentrations.

Table 17-3. Background Concentration at the Nearest Monitoring Stations (NYSDEC 2016 Report)

Pollutant	Averaging Period	Background Concentration	Monitoring Station
NO_2	1-Hour Concentration	120.9 µg/m³	IS 52
	Annual Arithmetic Average	36.7 µg/m³	
$PM_{2.5}$	24-Hour Concentration	21.9 µg/m³	IS 52
	Average of 3 Consecutive Annual Means	8.5 µg/m³	
PM_{10}	24-Hour Concentration	37 µg/m³	IS 52

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

- 24-hour $PM_{2.5}$ 6.55 µg/m³
- Annual $PM_{2.5}$ 0.3 µg/m³

MOBILE SOURCE

Introduction

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

Mobile Source Screen

Project-Generated Traffic

Per the *CEQR Technical Manual*, localized increases in CO and $PM_{2.5}$ levels may result from increased vehicular traffic volumes and changed traffic patterns in the study area as a consequence of the proposed development. As such, screening analyses for CO and $PM_{2.5}$ were carried out to determine whether the project-generated traffic have the potential to cause significant adverse impact. The project-generated traffic is the vehicular trips in any given hour, determined as the difference between the Future With No-Action and the Future With Action.

As outlined in the Transportation chapter, the proposed action would generate a total of -10 (-26 inbound and 16 outbound), 18 (10 inbound and 8 outbound), -9 (-1 inbound and -8 outbound) and -10 (-5 inbound and -5 outbound) vehicle trip ends, during the AM, Midday, PM and Saturday Midday peak hours, respectively.

For this area of the City, the threshold volume for a detailed analysis of CO concentration, using MOVES2014 and CAL3QHC, is an increment of 170 vehicles. $PM_{2.5}$ threshold criterion is an increment of applies heavy-duty diesel vehicles (HDDVs) screen.

The maximum trip generation increment between the Future With No-Action and the Future With Action of 18 vehicle trips during the Midday peak hour does not exceeds the threshold of 170 vehicular trip generation. Therefore, no CO detailed analysis is required.

According to *CEQR Technical Manual*, $PM_{2.5}$ detailed analysis is required if a threshold criterion, determined by project-generate peak hour HDDVs traffic or its equivalent in vehicular emission, is exceeded. The threshold criteria depend on the type of road and the incremental vehicular traffic as followed:

- 12 or more HDDV for paved roads with 5,000 vehicles;
- 19 or more HDDV for collector roads;
- 23 or more HDDV for principal and minor arterials; or
- 23 or more HDDV for expressways and limited access roads.

The maximum HDDVs trip generation increment between the Future With No-Action and the Future With Action is -2, -2, 0, and -1 during the AM, Midday, PM and Saturday Midday peak hours, respectively. These peak hours trip generations do not exceed the threshold criterion for paved roads with 5,000 vehicles—the most stringent road type criterion.

Therefore, no detailed air quality analysis is required, and no significant mobile source air quality impacts are expected as a result of the Proposed Actions.

Parking Garage

Based on CEQR guidance, the maximum capacities of parking garages are evaluated with a threshold criterion to predict whether the potential impacts associated with mobile source emissions are significant. The threshold criteria level, per CEQR guidelines, is 85 off-street parking spaces. If the threshold is met or exceeded, a detailed analysis is warranted.

As previously outlined, the No Action scenario (same as existing condition) would result in 60 spaces parking lot; the With Action Scenario would contain 73 and 64 spaces parking garages in Projected Development Site 1 and Projected Development

Site 2 respectively. The increment between the With Action and No Actions scenarios is 77 off-street parking spaces, less than the 85 parking spaces threshold criterion.

Therefore, no detailed air quality analysis is required, and no significant mobile source air quality impacts are expected as a result of the Proposed Actions.

PROJECT HVAC SYSTEMS

Introduction

Per *CEQR Technical Manual*, the HVAC analysis considers the potential for emissions from the HVAC system of the proposed project to significantly impact existing land uses (project-on-existing) and the potential of the proposed project to significantly impact each other (project-on-project).

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

Screening Analysis

The potential for stationary source emissions from heat and hot water systems to have a significant adverse impact on nearby receptors depends on the type of fuel that would be used, the height of the stack venting the emissions, the distance to the nearest building whose height is at least as great as the venting stack height, the building's residential or non-residential use, and the square footage of the development that would be served by the system. The *CEQR Technical Manual* provides a screening analysis based on these factors, which was utilized to determine the potential for significant impacts from the projected buildings' HVAC systems.

If the actual distance between a stack and an affected building is greater than the threshold distance for a building size, then that building passes the screening analysis (and no significant impact is predicted). However, if the actual distance is less than the threshold distance for a building, then there is a potential for a significant impact and a detailed analysis would be required.

The anticipated developments within the proposed rezoning area would consist of three buildings. Each of the three buildings would be equipped with their own separate natural gas fueled heat and hot water system. Therefore, screening analyses were performed for natural gas use and environmental designations added to specify use of natural gas only.

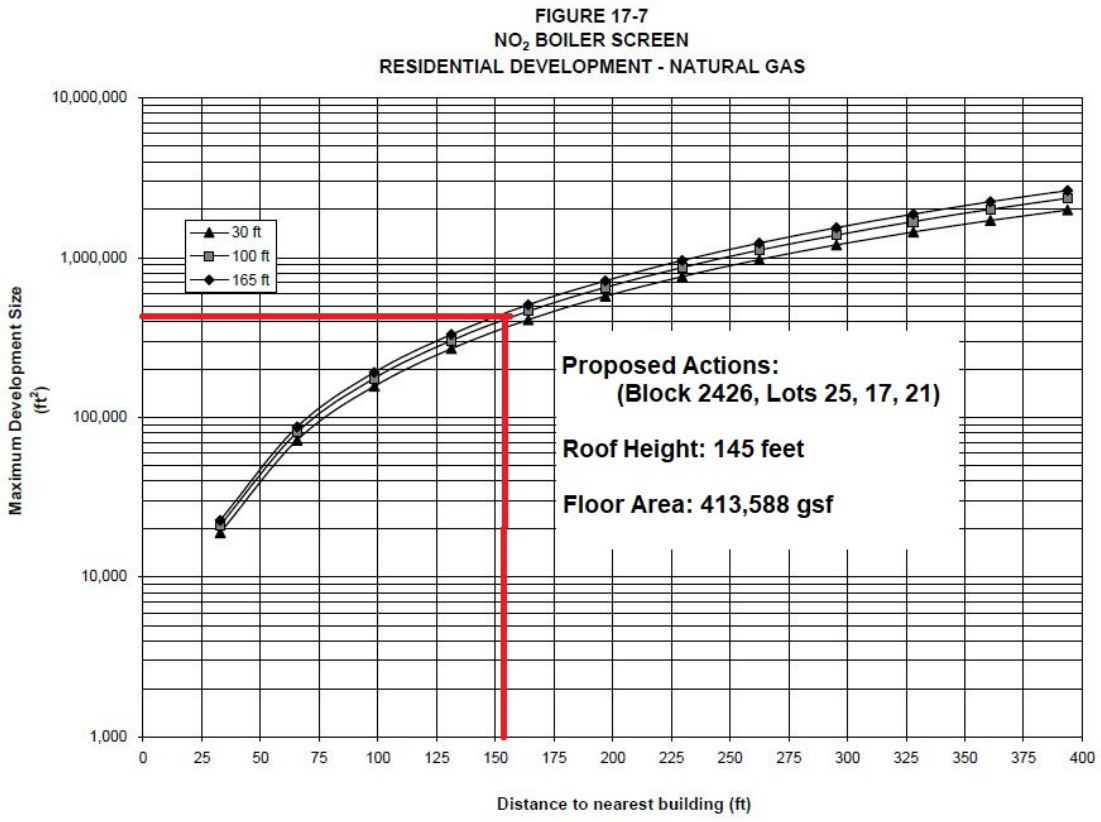
Per *CEQR Technical Manual*, the CEQR nomograph depicted on Figure 17-7 of the *CEQR Technical Manual Appendices* for a 100-foot stack height was applied (as the 100

feet curve height is closest to but not higher than the proposed stack height, as the CEQR screening procedure requires). This nomograph depicts the size of the development versus distance below which the potential impact can occur, and provides a conservative estimate of the threshold distance.

Project-on-Existing

Screening analysis is only applicable to a single smokestack. However, for purpose of a cumulative analysis, emissions from multiple stacks could be combined in a single stack situated as close as possible to the receiving building. As such, the combined square footage of the proposed project, 413,588 gsf, was used in the analysis of the potential impact on existing and planned land uses. **Figure 17-1** shows the screening analysis of the project-on-existing, where a 145 feet stack height, the developments RWCDS, was assumed.

Figure 17-1. The Proposed Project Minimum Distance - HVAC Screen Natural Gas Fuel Nomograph.



The screening analysis **Figure 17-1** nomograph shows that a detailed analysis would be required for any existing or planned land uses that is 145 feet or taller and at a distance of less than 155 feet from the proposed project. There is no existing land use 145 feet or taller at a distance of less than 155 feet from the proposed project. The nearest building of similar or greater height is the 13-story, 140-foot tall (plus difference in grade elevation), Triboro Center assistance living and medical center

located at 1160 Teller Avenue (Block 2430, Lot 45), and 177 feet north-west of Projected Development Site 2. As such, the Proposed Action passes the screening analysis on existing land uses.

Project-on-Project

As mentioned, screening analysis is only applicable to a single smokestack, and this CEQR screening procedure is applicable to buildings that are not less than 30 feet from the nearest building of similar or greater height. As the proposed developments are contiguous, the CEQR screening analysis is not applicable. As such, project-on-project detailed analyses were required.

Table 17-4 depicts the screening analyses results, where "Use AERMOD" indicate that a detailed analysis using AERMOD dispersion analysis is required.

Table 17-4. Screening Analysis Results

Receiving Building	Building Height (ft.)	Heated Area (sq. ft.)	Screen Distance (ft.)	Receptor Building (Site ID or Block/Lot)	Receiving Building Distance (ft.)	Pass/ Fail
Building A	145	109,062	N.A. < 30 ft.	Building B	0	Use AERMOD
Buildings B	145	171,238	N.A. < 30 ft.	Building A	0	Use AERMOD
				Projected Development Site 2	0	Use AERMOD
Projected Development Site 2	145	133,288	N.A. < 30 ft.	Building B	0	Use AERMOD
Proposed Project	145	413,588	155	(2430/45) 1160 Teller Avenue	177	Pass

Detailed Analysis

Three AERMOD cumulative impacts dispersion analyses were conducted: (i) Building A and Building B on Projected Development Site 2; (ii) Building B and Projected Development Site 2 on Building A; and, (iii) Building A and Projected Development Site 2 on Building B.

As previously mentioned, all developments heat and hot water systems are expected to be heated by natural gas. Per *CEQR Technical Manual*, the pollutants of concern for natural gas fueled boilers are NO_2 and $PM_{2.5}$. The proposed buildings emission rates were estimated as follows:

- Emission rates of NOx and $PM_{2.5}$ were calculated based on annual natural gas usage corresponding to the gross floor area of the buildings, EPA AP-42 emission factors for natural gas combustion in small boilers, and gross heating values of natural gas (1,020 Btu per million cubic feet).

- $PM_{2.5}$ emissions from natural gas combustion accounted for both filterable and condensable particulate matter.
- The natural gas fuel usage factor (59.1 cubic foot per square foot per year) was used to estimate annual natural gas usage for residential use and was calculated by dividing the energy consumption rate of 60.3 thousand Btu/ft^2 by the natural gas heating value of 1020 Btu/ft^3.

Table 17-5 shows the buildings NO_2 and $PM_{2.5}$ emission rates, both short-term and annual.

Table 17-5. Estimated Short-term and Annual Emission Rates of Each Building

Development ID	Floor Area	NO_2 Emission factor (g/s)		$PM_{2.5}$ Emission factor (g/s)	
	ft^2	1-hour	Annual	24-hour	Annual
Building A	109,062	3.38E-02	9.27E-03	2.57E-03	7.05E-04
Building B	171,238	5.31E-02	1.46E-02	4.04E-03	1.11E-03
Projected Development Site 2	133,288	4.14E-02	1.13E-02	3.14E-03	8.61E-04

AERMOD Model Setting and Inputs

AERMOD dispersion modeling analyses were conducted to estimate the NO_2 and $PM_{2.5}$ impacts concentrations using the latest version of EPA's AERMOD dispersion model version 16216r and AERMET version 14134. AERMOD's Tier 2 module was utilized for the 1-hour NO_2 analysis.

In accordance with CEQR guidance, this analysis was conducted assuming stack tip downwash, urban dispersion surface roughness, elimination of calms, and with and without downwash effect on plume dispersion. The models specified flat terrain and population of 2,000,000.

The diameter of the stacks and the exhaust's exit velocities were estimated based on values obtained from the NYCDEP "CA Permit" database for the corresponding boiler sizes (i.e., rated heat input or million Btu per hour). Boiler sizes were estimated based on the assumption that all fuel was consumed during the 100-day (or 2,400 hour) heating season. The stack exit temperature was assumed to be 300^0F (423^0K), which is appropriate for boilers.

The New York City Building Code (Building Code) requires that a rooftop stack should be at least 10 feet away from the edge of the roof and at least 3 feet higher than the roofline. As such, the HVAC stacks of each building were located on the buildings' highest level, 10 feet from the edge of the roof, and as close as possible to the receiving building. If a modeled pollutant concentration exceeded its significant impact criterion, the stack distance from the receiving building was increased, until the dispersion model showed no significant impact.

Receptors on the receiving buildings were placed on all floor levels, around the building envelope at 10 feet increments. Ground floor receptors were placed at 6 feet above grade. Second floor receptors were placed at heights of 20 feet, and receptors on higher floors were placed in 10 feet vertical increments, except the top floor where receptors were placed at a height of 142 feet above grade (3-foot below the buildings' roof tops). In addition, receptors were placed where buildings are contiguous.

AERMOD calculates concentrations according to the dispersion option, pollutant and averaging time, and output specified in the model, where the model is capable of handling multiple sources in a single run. As such, each pollutant was modeled separately and two stacks, one for the short-term and the other for annual averaging time were created. Each stack was placed in a different source group, providing for an independent impact concentration. For cumulative analyses, stacks modeling the same averaging time were also placed in the same source group.

All analyses were conducted using the latest five consecutive years of meteorological data (2013-2017). Surface data was obtained from La Guardia Airport and upper air data was obtained from Brookhaven station, New York. These meteorological data provide hour-by-hour wind speeds and directions, stability states, and temperature inversion elevations over the 5-year period. Meteorological data were combined to develop a 5-year set of meteorological conditions, which was used for the AERMOD modeling runs and Anemometer height of 9.4 meters was specified per Lakes Environmental Software Inc.

Per Lakes Environmental Inc., $PM_{2.5}$ special procedure which is incorporated into AERMOD calculates concentrations at each receptor for each year modeled, averages those concentrations across the number of years of data, and then selects the highest values across all receptors of the 5-year averaged highest values.

Results of Dispersion Analyses

As stated in the AERMOD Model Setting and Inputs section, each pollutant averaging time was modeled twice—with building wake effect enabled/disabled. The predicted concentration is the highest concentration of these. The results are compared with the 24-hour/annual $PM_{2.5}$ significant impact criteria, and the 1-hour/annual NO_2 NAAQS. Result of the HVAC NO_2 and $PM_{2.5}$ dispersion analyses are shown in **Table 17-6**.

Table 17-6. Detailed HVAC Analyses Results

Scenario ID	24-hr $PM_{2.5}$ Impact	Annual $PM_{2.5}$ Impact	1-hr NO_2 Impact		Annual NO_2 Impact
	µg/m³	µg/m³	µg/m³	Tier No.	µg/m³
Building A and Building B on Projected Development Site 2	2.69	0.11	179.6	2	38.0
Building A and Projected Development Site 2 on Building B	1.21	0.06	181.1	1	37.5
Building B and Projected Development Site 2 on Building A	1.58	0.07	182.3	2	37.5
Standard	**7.65**	**0.3**	**188**		**100**

The $PM_{2.5}$ impacts are less than the 24-hour and annual significant impact criterions of 7.65 µg/m³ and 0.3 µg/m³, respectively, and both the 1-hour and annual NO_2 predicted concentrations are less than the 1-hour and annual NO_2 NAAQS of 188 µg/m³ and 100 µg/m³, respectively.

Therefore, with (E) Designations in place, the HVAC systems emissions of the proposed project would not significantly impact any planned or existing land uses.

(E) Designation

The HVAC analysis for the Proposed Actions concluded that all the HVAC systems of the proposed buildings would need to be restricted to the exclusive use of natural gas, and the minimum heights of theses stacks would need to be restricted. The (E) Designation (E-576) language is as follows:

Projected Development Site 1 - Building A (Block 2426, Lot 25): Any new residential or commercial development on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating, air conditioning (HVAC) and hot water system to avoid any potential significant adverse air quality impacts. Stack shall be located at the building's highest level and at a minimum of 148 feet above grade to avoid any potential significant adverse air quality impact.

Projected Development Site 1 - Building B (Block 2426, Lot 25): Any new residential or commercial development on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating, air conditioning (HVAC) and hot water system to avoid any potential significant adverse air quality impacts. Stack shall be located at the building's highest level and at a minimum of 148 feet above grade to avoid any potential significant adverse air quality impact.

Projected Development Site 2 (Block 2426, Lot 17 and 21): Any new residential or commercial development on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating, air conditioning (HVAC) and hot water system to avoid any potential significant adverse air quality impacts. Stack

shall be located at the building's highest level and at a minimum of 148 feet above grade to avoid any potential significant adverse air quality impact.

INDUSTRIAL SOURCE

Introduction

As outlined in the *CEQR Technical Manual*, projects that would introduce new uses near industrial sources may result in potentially significant adverse air quality impacts. The study area considers industrial sources within 400 feet of the Project Area. Industrial sources are identified as commercial, industrial, or processing facilities that are likely to have New York City Department of Environmental Protection (DEP) processing permits. Information regarding potential emissions of toxic air pollutants from existing industrial sources within 400 feet of the Project Area, were developed using the following procedure:

A study area was developed that includes all nonresidential land uses located within 400 feet of the Project Area using the Zoning and Land Use application (ZoLa);

Google Street View and online searches were used to identify and categorize facilities;

A fieldwork investigation/observation, substantiated with photos, was conducted on March 20, 2018 to affirm the online study findings and to identify any other likely industrial source in the study area;

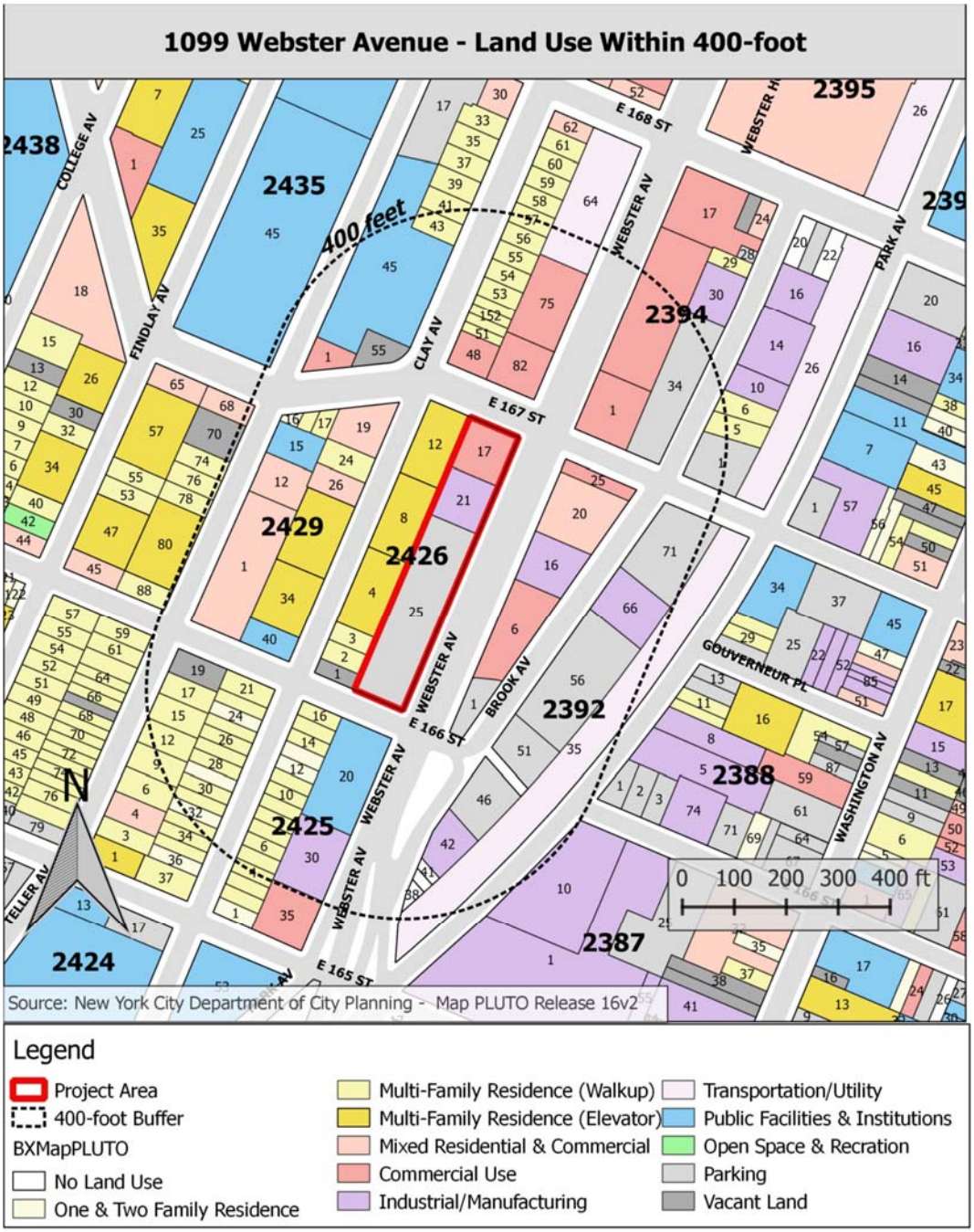
Facilities suspected as possible toxic air emitters based on their use were contacted to affirm the findings of the online and fieldwork observation/investigation;

The New York City Department of Environmental Protection (DEP) online Clean Air Tracking System (CATS) was consulted to determine whether air emissions permits had been issued for any of the nonresidential zoned lots; and

A formal request was sent to the DEP to review the current and expired status processing type permits identified in the DEP online CATS database (with blocks and lot numbers).

Figure 17-2, shows the 400-foot study area.

Figure 17-2. Land Use in the 400-foot Study Area



38 nonresidential land uses are located in the 400-foot study area. These lots were searched in the DEP online CATS database for processing permits, and the lots current use identified in the land survey study. **Table 17-7** show the current use on the lots in the study area, where entries are color coded according to their land use category.

Table 17-7. Land Survey Results of Nonresidential Land Uses in the 400-foot Study Area

Block	Lot	CATS info	Current Use (Land Survey)
2392	56	Cancelled: PA263673	Parking
	71	No Record	Parking
	6	No Record	Bottle redemption (recycling yard); Accounted; Auto part store; Supermarket
	42	No Record	L. Dilillo & Son - hardware & packaging store
	20	No Record	Medical offices
	51	No Record	Recharge Auto Body Repair (auto body); Best Graphic NY (printing)(1)
	1	No Record	K&a Auto Clinic (tire, wheel alignment, inspection station)
	16	No Record	Property for lease, currently operating as wholesale
	66	Cancelled: PA074888 Expired: CA268891	Storage facility
	25	No Record	(2)*restaurants/deli; nail saloon; hair saloon; offices 2nd floor
	46	No Record	Furniture and appliances store
	38	No Record	JJ&M Auto Mall (used car dealer yard/parking)
	41	No Record	
	40	No Record	
2393	1	No Record	Parking/used car dealer
2394	1	No Record	Small retail businesses and a restaurant
	5	No Record	Household retail stores
	34	No Record	Public parking facility
2425	20	Current: CR003916 Expired: CR156212	Residential 9-story building
	30	No Record	Storage facility
2426	48	No Record	Restaurants/delis; hair saloons
	1	No Record	New 4-Story residential under construction
	82	Expired: PA062498, CA245498 Cancelled: PA073690, CA148383	Dunkin Donuts, retail, live poultry, nail salon, deli, liquor store
	17	No Record	Projected Development
	75	No Record	Small retails
	21	No Record	Projected Development
	25	No Record	Projected Development
	64	Current: GB008309 Expired: GA005387	Car wash and gas station
2428	19	No Record	Parking
2429	1	Current: CA070196, CA114597, Cancelled: CA070296, CA109797	Residential 6-story building
	19	Current: CA083185, CB182107 Cancelled: CA539969	1st floor deli; residential above
	15	No Record	Religious facility
	12	No Record	Residential 7-story building
	40	No Record	New 3-story building - Community facility/place of worship
	26	No Record	2-story residential/office
2430	45	Expired: CA209371	Triboro Center - medical facility and old age home
	55	No Record	Outdoor garden/open space
	1	No Record	Laundromat

1. According to DEP site inspection, the Best Graphic NY facility has been closed and is out of business.

As seen in **Table 17-7**, the nonresidential land uses in the 400-foot study area include retail stores, medical facilities, commercial businesses, auto repair garages, parking lots, storage facilities, restaurants, light industrial uses, gas station, etc. Potential

emission sources addressed are DEP processing permits identified in the DEP online CATS database and land uses that emissions are expected due to the type of manufacturing process.

The DEP CATS database record search results show that eight facilities have or had operational permits from the DEP. Cancelled status permits are of emission points that no longer exist, and their status could not be changed without application for a new permit, hence no analysis is required. Expired status permit could be reinstated; permits with current status are active emission sources. From the expired and current status DEP permits, operational permits for combustion (those starting with a "C") are treated as HVAC systems of existing land uses, hence no analysis is required; gas station permits, those starting with a "G", are not analyzed under CEQR, hence no analysis is required. The one processing type permit, with an expired status, identified in the study area is PA062498. PA062498, registered to Professional Touch Cleaner, located at 397 East 167 Street (Block 2426, Lot 82), expired in 2014. As identified in the fieldwork observation, the facility no longer resides in this location; a nail salon operates from this location. As such, no analysis was required.

The fieldwork observation/investigation determined that the facilities, located at 1088 Brook Avenue (Block 2392, Lot 51), are potential toxic air emitters. The facilities are the Recharge Auto Body Repair and Best Graphic NY. However, the DEP performed a site inspection on Recharge Auto Body Repair and Best Graphic NY. The DEP site inspection determined that the NY Best Graphic has been closed and is out of business. Therefore, no analysis was required for the NY Best Graphic. The Recharge Auto Body Repair facility is discussed here:

Recharge Auto Body Repair

Per *CEQR Technical Manual*, projects that would result in new uses that may be adversely affected by air-born emissions from existing industrial sources require an assessment of both criteria and non-criteria pollutants emissions. If the industrial source does not have a NYS DEC or DEP permits, but emissions are expected due to the type of manufacturing process, a conservative emission analysis is appropriate.

The fieldwork observation and site study determined that the Recharge Auto Body Repair facility, located at 1088 Brook Avenue (Block 2392, Lot 51), is an auto body shop, specializing in auto body repair and color matching, hence the facility does not paint entire vehicles. The facility is situated 194 feet east of the Project Area, in a 14 feet high building (Department of Housing and Development database). Per 6 CRR-NY 212-1.2 the auto body facility and its stack are defined as process operation with a process emission source. However, the facility does not have a NYSDEC or DEP permit. As such, conservative assumptions, based on NYSDEC rules, data of coating substances, the facility feasible activity, and DEP permits of other auto body facilities in NYC, were made.

A review of 19 DEP permits for auto body facilities shows that most operate 4-6 hours per day (hr/day), 200-250 days per year (day/yr), and spray a maximum of 0.5 gallon per hour (gal/hr). The facilities maximum solids emission is 0.065 pounds per hour (lb/hr) and 97.6 pounds per year (lb/yr), and maximum volatile organic compounds (VOC) emission of 3.1 lb/hr and 4,650 lb/yr. The analysis assumed that the facility operates 6 hr/day and 312 day/yr as a conservative approach. As freshly applied coating substances require at least 1-hour of dry time in a dust free environment, 6 hr/day activity at maximum hourly emission is a conservative input for the annual emission rates.

The contaminants associated with auto body spray booths are solids (also named particulates) and solvents. Solvents are the VOC which evaporate during the spraying activity and while the coating substance dries. The solids that bind to the sprayed item dries to a hard surface. The coatings contain 30 to 85 percent solvents by volume and this amount is regulated by the EPA and NYS DEC. Per NYC DEP guidance and as outlined in the EPA AP-42, the analysis assumes that all VOCs are emitted. Each VOC contaminant is analyzed with the SGC/AGC guideline concentration. Particulates are fluid or solids particles grouped together. Per NYSDEC DAR-1, particulates are collectively analyzed with the more stringent concentration guideline. These two groups, solids and solvents emissions, are discussed here:

Recharge Auto Body Repair - Solids Emission

In a spray booth operation, the solids emission is the over sprayed amount, which is reduced by a filter. Per the NYS DEC and the EPA, spray-applied coating must be applied with high volume low pressure (HVLP) spray guns, or its equivalent in terms of transfer efficiency. Per NYC DEP, the over sprayed quantity is 60 percent. In other words, 40 percent of the solids sprayed are transferred onto the sprayed article. Per the National (Subpart 6H) and NYS DEC regulations, filters achieving 98 percent capture efficiency must be installed on the exhaust of all spray operations.

As previously discussed, the analysis assumed an hourly emission rate of 0.065 lb/hr, and the particulate annual emission rate applied 6 hr/day, 312 day/yr of operation. In accordance with NYC DEP, emissions of solids are analyzed as PM_{10} and $PM_{2.5}$. The particle size distribution was obtained from the EPA AP-42, *Appendix B1, Page B.1-12, Particle Size Distribution Data and Sized Emission Factors for Selected Sources, Table 4.2.2.8 Automobile and Light-Duty Track Surface Coating Operations, Automobile Spray Booths*. **Table 17-8** shows the PM_{10} and $PM_{2.5}$ emission rates.

Table 17-8. Recharge Auto Body Repair $PM_{10}/PM_{2.5}$ Emission Rate from the Spray Booth Operation

Contaminant	Permitted Emission Rate		Fraction of Particle Size	Emission rate			
				Short-term		Annual	
	lb/hr	lb/yr	Percent	lb/hr	g/s	lb/yr	g/s
$PM_{2.5}$	0.065	121.7	28.6	1.86E-02	2.34E-03	3.48E+01	5.01E-04
PM_{10}			46.7	3.04E-02	3.82E-03	5.68E+01	8.17E-04

Recharge Auto Body Repair - Solvents Emission

The mixture of different compounds identified collectively as solvents are VOC (New York identification number NY998-00-0). The VOC as a group does not have a guideline value in the NYSDEC DAR-1 database. As the composition of the coating substance was not known, a representative composition by percent weight was obtained from the approved CEQR action *139-01, 135-05, and 135-09 Northern Boulevard 07DCP029Q, Table 3, Typical Composition of VOC Emissions from Auto Spray Paint Booths* (hereinafter "Solow Report Table 3"). Table 3 of the Solow Report lists the composition of contaminants that make up the VOC (solvents) group and provides each compound weight percent. **Table 17-9** shows the ingredients that make up the VOC group along with their Chemical Abstract Service (CAS) number by percent weight, and the hourly and annual emission rates calculated as the percent of the total VOC. As previously discussed, a maximum VOC emission rate of 3.1 lb/hr was applied as a conservative approach, and 6 hr/day, 312 day/yr of operation applied for the annual emission rate, yielding an emission of 5,803 lb/yr.

Table 17-9. Recharge Auto Body Repair VOC Short-term and Annual Emission Rates from the Spray Booth Operation

Contaminant name	CAS No.	Percent Weight	1-Hour		Annual	
			lb/hr	g/s	lb/yr	g/s
Acetone	67-64-1	43%	1.33E+00	1.68E-01	2495.4	3.59E-02
Aromatic Petroleum Distillate	64742-94-5	10%	3.10E-01	3.91E-02	580.3	8.35E-03
Butane	106-97-8	11%	3.41E-01	4.30E-02	638.4	9.18E-03
Ethanol	64-17-5	2%	6.20E-02	7.81E-03	116.1	1.67E-03
Ethyl 3-Ethoxypropionate	763-69-9	9%	2.79E-01	3.52E-02	522.3	7.51E-03
Ethylbenzene	100-41-4	5%	1.55E-01	1.95E-02	290.2	4.17E-03
Methyl Ethyl Ketone	78-93-3	8%	2.48E-01	3.12E-02	464.3	6.68E-03
N-Butyl Acetate	123-86-4	5%	1.55E-01	1.95E-02	290.2	4.17E-03
Propane	74-98-6	11%	3.41E-01	4.30E-02	638.4	9.18E-03
Stoddard Solvent	8052-41-3	10%	3.10E-01	3.91E-02	580.3	8.35E-03
Toluene	108-88-3	10%	3.10E-01	3.91E-02	580.3	8.35E-03
Xylene	1330-20-7	10%	3.10E-01	3.91E-02	580.3	8.35E-03

Air Dispersion Analysis

AERMOD dispersion model version 16216r used to estimate the impact concentrations from the Recharge Auto Body Repair facility. The model was run with

a generic 1 gram per second emission rate and 1st highest output concentration for the 1-hour, 24-hour, and annual averaging times. The predicted concentrations of the 1 gram per second emission rates were multiplied by the calculated emission rates.

In accordance with CEQR guidance, these analyses were conducted assuming stack tip downwash, urban dispersion surface roughness, elimination of calms, and with and without downwash effect on plume dispersion. The models specified flat terrain and population of 2,000,000.

All analyses were conducted using the latest five consecutive years of meteorological data (2013-2017). Surface data was obtained from La Guardia Airport and upper air data was obtained from Brookhaven station, New York. Meteorological data were combined to develop a 5-year set of meteorological conditions, which was used for the AERMOD modeling runs and Anemometer height of 9.4 meters was specified per Lakes Environmental Software Inc.

The analysis assumed that pollutants are emitted through a single stack located as close as possible to the Project Area. The spray booth stack was assumed to be located 10 feet from the roofline facing the Project Area and 3 feet above the 14-foot rooftop. Other stack's parameters were obtained from the *CEQR Technical Manual* default values.

Receptors on the receiving buildings, Projected Development Site 1 and 2, were placed on all floor levels, around the buildings envelope at 10 feet increments. Ground floor receptors were placed at 6 feet above grade. Receptors on the second to top floors were placed at heights of 20-140 feet in 10-foot increment.

The AERMOD dispersion analysis results of the 1-gram per second emissions are displayed in **Table 17-10**, where the reported values are the maximum impact concentrations of the with and without building wake effect on plum dispersion.

Table 17-10. AERMOD Maximum Generic 1-Gram per Second Modeled Concentrations

Facility	1-Hour ($\mu g/m^3$)	24-Hour ($\mu g/m^3$)	Annual ($\mu g/m^3$)
Recharge Auto Body Repair	2,985	466	49.4

Air Dispersion Results

The $PM_{2.5}$ 24-hour and annual averaging times predicted concentrations were compared with the NYC Guidelines threshold criterions. The PM_{10} 24-hour averaging time predicted concentration was compared with the NAAQS. The VOC predicted concentrations were evaluated with the SGC/AGC guidelines. The impact concentrations of the non-criteria pollutants are displayed in Table **17-11**.

Table 17-11. Non-Criteria Pollutants Dispersion Analysis Results

Source	Contaminant name	CAS No.	1-Hour	SGC	Annual	AGC
			µg/m³	µg/m³	µg/m³	µg/m³
Recharge Auto Body Repair	Acetone	67-64-1	501.41	180000	1.77	30000.0
	Aromatic Petroleum Distillate	64742-94-5	116.61	N.A.	0.41	100.0
	Butane	106-97-8	128.27	238000	0.45	N.A.
	Ethanol	64-17-5	23.32	N.A.	0.08	45000.0
	Ethyl 3-Ethoxypropionate	763-69-9	104.95	140.0	0.37	64.0
	Ethylbenzene	100-41-4	58.30	N.A.	0.21	1000.0
	Methyl Ethyl Ketone	78-93-3	93.29	13000.	0.33	5000.0
	N-Butyl Acetate	123-86-4	58.30	95000.	0.21	17000.0
	Propane	74-98-6	128.27	N.A.	0.45	43000.0
	Stoddard Solvent	8052-41-3	116.61	N.A.	0.41	900.0
	Toluene	108-88-3	116.61	37000.	0.41	5000.0
	Xylene	1330-20-7	116.61	22000.	0.41	100.0

As seen in **Table 17-11** the VOCs predicted concentrations are below the AGC/SGC standards.

The impact concentrations of particulate matter, the criteria pollutants, are displayed in **Table 17-12**.

Table 17-12. Recharge Auto Body Repair Criteria Pollutants Dispersion Analysis Results

Criteria Pollutant and Averaging Time	Threshold Standard	Predicted Conc. (µg/m³)	Background Conc. (µg/m³)	Total Conc. (µg/m³)	Threshold Criteria (µg/m³)
$PM_{2.5}$ 24-Hour	*de minimis*	1.1	N.A.	**1.1**	**6.65**
$PM_{2.5}$ Annual	*de minimis*	0.03	N.A.	**0.03**	**0.3**
PM_{10} 24-Hour	NAAQS	1.78	37	**39**	**150**

As seen in **Table 17-14**, the $PM_{2.5}$ concentrations do not exceed the *de minimis* threshold standards and the PM_{10} concentration is within the NAQQS.

As the VOCs predicted concentrations are below the AGC/SGC standards and the particulate matter concentrations are below the NAAQS and/or *de minimis* guidelines, no significant toxic air quality impacts are predicted from the Recharge Auto Body Repair facility to the proposed project.

MAJOR AND LARGE SOURCES

As outlined in the *CEQR Technical Manual*, projects that would introduce new uses near major sources, large sources, and odor producing facilities may result in potentially significant adverse air quality impacts. The study area considers major sources, large sources, and odor producing facilities within 1,000 feet of the Project Area. Here, major emission sources are identified as those sources located at Title V facilities that require Prevention of Significant Deterioration permits; large emission sources are identified as sources located at facilities which require a State facility

permit, such as solid waste or medical waste incinerators, co-generation facilities, and asphalt and concrete plants, or power generating plants; odor producing facilities are operations that have the potential to cause discomfort, such as: solid waste management facilities, water pollution control plants (i.e., sewage treatment plants), and incinerators.

No existing large combustion sources, such as power plants, cogeneration facilities, etc., located within 1,000 feet of the Project Area were identified. In addition, no odor producing facility was identified within 1,000 feet of the Project Area. As such, no analysis was warranted.

CONCLUSION

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

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

19. NOISE

Introduction

The following noise monitoring was conducted on May 10, 2018 and May 15, 2018 in support of an Environmental Assessment Statement for a through lot building on 1099 Webster Avenue. The Applicant intends to add two new mix-use buildings in a single zoning tax lot (Block 2426, Lot 25, the "Development Site") centered around the intersection of Webster Avenue and East 166th Street. In addition to the Development Site, two adjacent lots not under the control of the Applicant to the north (Block 2426, Lot 17 and 21) would also be affected by the Proposed Actions. The Project Site, known as Block 2426, Lot 17, 21, and 25 on the New York City Tax Map, is situated on Webster Avenue between East 166th Street and East 167th Street within Bronx Community District 4. East 166th Street a two-way two-lane road with its intersections controlled by traffic lights. Webster Avenue is a two-way four lane road with its intersections controlled by traffic lights.

The Proposed Actions would add two new mix-use buildings on a single zoning and tax lot. The proposed development would not create a significant stationary noise generator. Additionally, project-generated traffic would not double vehicular traffic on nearby roadways, and therefore would not result in a perceptible increase in vehicular noise. Therefore, this noise assessment is limited to an assessment of ambient noise that could adversely affect occupants of the development.

Framework of Noise Analysis

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

Because the human ear can detect such a wide range of sound pressures, sound pressure is converted to sound pressure level (SPL), which is measured in units called decibels (dB). The decibel is a relative measure of the sound pressure with respect to a standardized reference quantity. Because the dB scale is logarithmic, a relative increase of 10 dB represents a sound pressure that is 10 times higher. However, humans do not perceive a 10-dB increase as 10 times louder. Instead, they perceive it as twice as loud.

Sound is often measured and described in terms of its overall energy, taking all frequencies into account. However, the human hearing process is not the same at all frequencies. Humans are less sensitive to low frequencies (less than 250 Hz) than mid-frequencies (500 Hz to 1,000 Hz) and are most sensitive to frequencies in the 1,000- to 5,000-Hz range. Therefore, noise measurements are often adjusted, or weighted, as a

function of frequency to account for human perception and sensitivities. The most common frequency weightings used are the A- and C-weightings. These weight scales were developed to allow sound level meters, which use filter networks to approximate the characteristic of the human hearing mechanism, to simulate the frequency sensitivity of human hearing. The A-weighting is the most commonly used for environmental measurements, and sound levels measured using this weighting are denoted as dBA. The letter "A" indicates that the sound has been filtered to reduce the strength of very low and very high frequency sounds, much as the human ear does. C-weighting gives nearly equal emphasis to sounds of most frequencies. Mid-range frequencies approximate the actual (unweighted) sound level, while the very low and very high frequency bands are significantly affected by C-weighting.

Table Noise-1: Noise Levels of Common Sources

Sound Source	**SPL (dB(A))**
Air Raid Siren at 50 feet	120
Maximum Levels at Rock Concerts (Rear Seats)	110
On Platform by Passing Subway Train	100
On Sidewalk by Passing Heavy Truck or Bus	90
On Sidewalk by Typical Highway	80
On Sidewalk by Passing Automobiles with Mufflers	70
Typical Urban Area	60-70
Typical Suburban Area	50-60
Quiet Suburban Area at Night	40-50
Typical Rural Area at Night	30-40
Isolated Broadcast Studio	20
Audiometric (Hearing Testing) Booth	10
Threshold of Hearing	0
Notes: A change in 3dB(A) is a just noticeable change in SPL. A change in 10 dB(A)Is perceived as a doubling or halving in SPL.	
Source: 2014 CEQR Technical Manual	

The following is typical of human response to relative changes in noise level:

- 3-dBA change is the threshold of change detectable by the human ear;
- 5-dBA change is readily noticeable; and
- 10-dBA change is perceived as a doubling or halving of the noise level.

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

- L_{eq} is the continuous equivalent sound level. The sound energy from the fluctuating SPLs is averaged over time to create a single number to describe the mean energy, or intensity, level. High noise levels during a measurement period will have a greater effect on the L_{eq} than low noise levels. L_{eq} has an advantage over other descriptors because L_{eq} values from various noise sources can be added and subtracted to determine cumulative noise levels.

- $L_{eq(24)}$ is the continuous equivalent sound level over a 24-hour time period.

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

The decrease in sound level caused by the distance from any single noise source normally follows the inverse square law (i.e., the SPL changes in inverse proportion to the square of the distance from the sound source). In a large open area with no obstructive or reflective surfaces, it is a general rule that at distances greater than 50 feet, the SPL from a point source of noise drops off at a rate of 6 dB with each doubling of distance away from the source. For "line" sources, such as vehicles on a street, the SPL drops off at a rate of 3 dBA with each doubling of the distance from the source. Sound energy is absorbed in the air as a function of temperature, humidity, and the frequency of the sound. This attenuation can be up to 2 dB over 1,000 feet. The drop-off rate also will vary with both terrain conditions and the presence of obstructions in the sound propagation path.

In 1983, the New York City Department of Environmental Protection (NYCDEP) adopted the City Environmental Protection Order-City Environmental Quality Review (CEPO-CEQR) noise standards at the exterior façade to achieve interior noise levels of 45 dB(A) or below. CEPOCEQR Noise Standards classify noise exposure into four categories: Acceptable, Marginally Acceptable, Marginally Unacceptable and Clearly Unacceptable. As noted in the *CEQR Technical Manual*, these standards are the basis for classifying noise exposure into the following categories based on the L10 measured directly outside the projected development site:

Table 19-2 *CEQR TM:* Attenuation Values to Achieve Acceptable Interior Noise Levels

	Marginally Unacceptable				Clearly Unacceptable
Noise Level with Proposed Project	$70 < L_{10} \leq 73$	$73 < L_{10} \leq 76$	$76 < L_{10} \leq 78$	$78 < L_{10} \leq 80$	$80 < L_{10}$
Attenuation[1]	(I) 28 dB(A)	(II) 31 dB(A)	(III) 33 dB(A)	(IV) 35 dB(A)	$36 + (L_{10} - 80)^2$ dB(A)

Notes:

[1] The above composite window-wall attenuation values are for residential dwellings. Commercial and office spaces/meeting rooms would be 5 dB(A) less in each category. All the above categories require a closed window situation and hence an alternate means of ventilation.

[2] Required attenuation values increase by 1 dB(A) increments for L_{10} values greater than 80 dBA.

Measurement Location and Equipment

Because the predominant noise sources in the area of the proposed project consist of vehicular movements and train movements, noise monitoring was conducted during peak vehicular travel periods (AM, Midday, and PM). Pursuant to CEQR Technical Manual Methodology, measurement periods of 1-hour each AM, Midday, and PM peak hours were conducted at the street frontages of the Project Site as well as the rear lot; Location One (1) was conducted for 1-hour periods on the sidewalk on the frontage of East 166th Street (Block 2426, Lot 25); Location Two (2) was conducted for 1-hour periods on the sidewalk on the southern frontage of Webster Avenue (Block 2426, Lot 25); Location Three (3) was conducted for 1-hour periods in the rear of the Development Site (Block 2426, Lot 25); Location Four (4) was conducted for 1-hour periods on the sidewalk on the northern Webster Avenue frontage of the Development Site (Block 2426, Lot 25); Location Five (5) was conducted for 1-hour periods on the sidewalk on the Webster Avenue frontage in front of a non-applicant controlled site (Block 2426, Lot 21). The monitoring locations at 1099 Webster Avenue is identified in Figure 1.

Noise monitoring was conducted using a Type 1 Casella CEL-633C sound meter with wind screen. The monitors were placed on a tripod at a height of approximately three feet above the ground, away from any other noise-reflective surfaces. The monitors were calibrated prior to and following each monitoring session. Periods of peak vehicular traffic around the subject site constitute a worst-case condition for noise at the project site. Noise meter calibration certification and back up data are provided separately.

Figure 1: Noise Monitoring Locations



Photo 1: ***Noise Monitoring Location One (1) at the Street Frontage of East 166th Street***

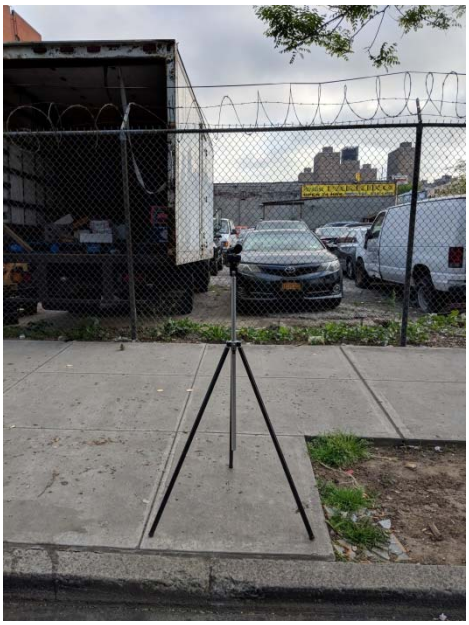


Photo 2: ***Noise Monitoring Location Two (2) at the Southern Street Frontage of Webster Avenue (Block 2426, Lot 25)***



Photo 3: ***Noise Monitoring Location Three (3) at the rear of the Development Site (Block 2426, Lot 25)***



Photo 4: ***Noise Monitoring Location Four (4) at the Northern Street Frontage of Webster Avenue (Block 2426, Lot 25)***



Photo 5: ***Noise Monitoring Location Five (5) at the Street Frontage of Webster Avenue in front of the non-applicant-controlled site (Block 2426, Lot 21)***



Measurement Conditions

Monitoring was conducted during typical midweek conditions, on Thursday, May 10, 2018 and Tuesday May 15th, 2018. The weather was dry and wind speeds were moderate during all monitoring periods. The sound meters were calibrated before and after each monitoring session.

Existing Conditions

Based on the noise measurements taken at the Project Site, the predominant source of noise is vehicular traffic. Although a train line is less than 1,500 feet from the site, no noticeable noise can be heard from the train at the Project Site.

Table Noise-1 contains the results for the measurements taken at the Project Site.
Note: **Bold** denotes L_{10} noise level exceedances, according to Table 19-2 of the *CEQR Technical Manual*

Table Noise-1 (1 of 1): Noise Levels (dB)

Location 1: *Noise Levels at the Street Frontage of East 166th Street*

Thursday, May 10th, 2018			
Time	7:30 am – 8:30 am	12:00 pm – 1:00 pm	4:30 pm – 5:30 pm
L_{max}	91.3	91.4	95.3
L_{10}	68	67.5	62.5
L_{eq}	65.4	65.6	64.4
L_{50}	62	67.5	56.5
L_{90}	57	56.5	54
L_{min}	51.7	48.6	50.8

Location 2: *Noise Levels at the Southern Street Frontage of Webster Ave (Block 2426, Lot 25)*

Thursday, May 10th, 2018			
Time	7:30 am – 8:30 am	12:00 pm – 1:00 pm	4:30 pm – 5:30 pm
L_{max}	82.7	97	99.2
L_{10}	59	69	69
L_{eq}	58	67.5	70
L_{50}	55	62.5	63
L_{90}	52.5	58.5	58.5
L_{min}	49.8	52	52.1

Location 3: *Noise Levels at the rear of the Development Site (Block 2426, Lot 25)*

Thursday, May 10th, 2018			
Time	7:30 am – 8:30 am	12:00 pm – 1:00 pm	4:30 pm – 5:30 pm
L_{max}	91.3	91.4	95.3
L_{10}	68	67.5	62.5
L_{eq}	65.4	65.6	64.4
L_{50}	62	61	56.5
L_{90}	57	56.5	54
L_{min}	52.8	48.6	50.8

Location 4: *Noise Levels at the Northern Street Frontage of Webster Ave (Block 2426, Lot 25)*

Tuesday May 15th, 2018			
Time	7:30 am – 8:30 am	12:00 pm – 1:00 pm	4:30 pm – 5:30 pm
L_{max}	93.5	98.2	98.9
L_{10}	**71.5**	**73**	68.5
L_{eq}	68.5	70.2	68.8
L_{50}	65.5	66	62.5
L_{90}	58.5	59.5	57
L_{min}	48.9	50.8	49.1

Location 5: *Noise Levels at the street frontage of Webster Ave at the non-applicant-controlled site (Block 2425, Lot 21)*

Tuesday May 15th, 2018			
Time	7:30 am – 8:30 am	12:00 pm – 1:00 pm	4:30 pm – 5:30 pm
L_{max}	94.4	106.1	104.9
L_{10}	**75**	**74**	**74.5**
L_{eq}	71.7	73	74.5
L_{50}	68.5	67	67.5
L_{90}	62	61	62
L_{min}	55	53.4	54.7

Table Vehicular-1 below contains the traffic counts taken at the Project Site:

Table Vehicular-1 (1 of 1): Traffic Counts and Vehicle Classifications

Location 1: *Traffic Counts at the Street Frontage of East 166th Street*

	7:30 am – 7:50 am	**12:00 pm – 12:20pm**	**4:30 pm – 4:50 pm**
Car/ Taxi	74	49	91
Van/Light Truck/SUV	80	41	88
Motorcycle	0	0	0
Heavy Truck	2	4	6
Bus	10	1	9
Train	0	0	0

Location 2: *Traffic Counts at the Southern Street Frontage of Webster Ave (Block 2426, Lot 25)*

	7:30 am – 7:50 am	**12:00 pm – 12:20pm**	**4:30 pm – 4:50 pm**
Car/ Taxi	99	82	96
Van/Light Truck/SUV	96	76	18
Motorcycle	0	0	0
Heavy Truck	12	15	1
Bus	24	7	12
Train	0	2	0

Location 4: *Traffic Counts at the Northern Street Frontage of Webster Ave (Block 2426, Lot 25)*

	7:30 am – 7:50 am	**12:00 pm – 12:20pm**	**4:30 pm – 4:50 pm**
Car/ Taxi	130	92	127
Van/Light Truck/SUV	104	100	125
Motorcycle	0	0	0
Heavy Truck	15	22	4
Bus	14	10	16
Train	0	0	0

Location 5: *Traffic Counts at the street frontage of Webster Ave at the non-applicant-controlled site (Block 2425, Lot 21)*

	7:30 am – 7:50 am	**12:00 pm – 12:20pm**	**4:30 pm – 4:50 pm**
Car/ Taxi	130	92	127
Van/Light Truck/SUV	104	100	125
Motorcycle	0	0	0
Heavy Truck	15	22	4
Bus	14	10	16
Train	0	0	0

Conclusions

The 2014 *CEQR Technical Manual* Table 19-2 contains noise exposure guidelines. For a residential use such as would occur under the Proposed Actions, an L_{10} of between 65 and 70 dB(A) is identified as marginally acceptable general external exposure. An L_{10} of between 70 and 73 dB(A) is identified as marginally unacceptable general external exposure. The highest recorded L_{10} at Location One (1) of the subject property was 68 dB during the morning monitoring period. The highest recorded L_{10} at Location Two (2) of the subject property was 69 dB during the midday and evening monitoring periods. The highest recorded L_{10} at Location Three (3) of the subject property was 68 dB during the morning monitoring period. The highest recorded L_{10} at Location Four (4) was 73 dB during the midday monitoring period. The highest recorded L_{10} at Location Five (5) was 75 dB during the morning monitoring period.

By the Build Year of 2025, it is projected that the maximum noise level at Monitoring Location #4 would exceed 73 dBA.

Based on these results, a window-wall attenuation would be required to achieve an acceptable interior noise exposure level of 45 dB(A).

The text of the E-Designation (E-576) would be as follows:

Block 2426, Lot 25 (Projected Development Site 1): To ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed-window condition with a minimum of 31 dBA window/wall attenuation on all facades facing Webster Avenue or East 167th Street or southern façade facing East 166th Street within 50 feet from Webster Avenue to maintain an interior noise level not greater than 45 dBA for residential uses or not greater than 50 dBA for commercial uses. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.

Block 2426, Lots 17 and 21 (Projected Development Site 2): To ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed-window condition with a minimum of 31 dBA window/wall attenuation on all facades to maintain an interior noise level not greater than 45 dBA for residential uses or not greater than 50 dBA for commercial uses. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.

With this level of noise attenuation, there would be no potential for adverse impacts related to noise.

AGENCY CORRESPONDENCE

NYC Environmental Protection

Vincent Sapienza, P.E.
Commissioner

Angela Licata
Deputy Commissioner of Sustainability

59-17 Junction Blvd.
Flushing, NY 11373

Tel. (718) 595-4398
Fax (718) 595-4422
alicata@dep.nyc.gov

October 24, 2019

Rachel Antelmi
Project Manager
Environmental Assessment and Review Division
New York City Department of City Planning
120 Broadway, 31st Floor
New York, NY 10271

Re: 1099 Webster Avenue Rezoning - Projected Development Site 1
Block 2426, Lot 25
CEQR # 19DCP115X

Dear Ms. Antelmi:

The New York City Department of Environmental Protection, Bureau of Sustainability (DEP) has reviewed the May 2019 Remedial Action Plan (RAP) and Construction Health and Safety Plan (CHASP) prepared by Environmental Studies Corporation on behalf of Webster 1099 Realty (applicant) for the above referenced project. It is our understanding that the applicant is seeking a zoning map amendment and zoning text amendment from the New York City Department of City Planning (DCP) to facilitate the development of two new mixed-use buildings on Block 2426, Lot 25 (Projected Development Site 1) containing ground floor commercial space, and 238 residential units on the upper floors in the East Concourse neighborhood of Bronx Community District 4. The proposed actions consist of a zoning map amendment from M1-1 to R7X/C2-4 and a zoning text amendment to make the Rezoning Area applicable as a Mandatory Inclusionary Housing Area, pursuant to an amendment of Appendix F of the New York City Zoning Resolution. Projected Development Site 1 would consist of a 9-story building on the southern portion of the lot (with frontage on East 166th Street and Webster Avenue) and an 11-story building on the northern portion of the lot (with frontage on Webster Avenue). Below grade, 30 accessory parking spaces would be provided for the commercial space and 43 parking spaces would be provided for the residential use. In addition, Block 2426, Lots 17 and 21 (Projected Development Site 2), which are not under the control of the applicant, are anticipated to be redeveloped under the with-action scenario.

The May 2019 RAP proposes the removal and closure of underground storage tanks in accordance with applicable local, State and Federal laws and regulations; transportation and off-site disposal of soil in accordance with applicable laws and regulations; stockpiled soil will be covered with appropriately anchored plastic tarps; dust control; air monitoring; if de-watering into New York City sewer drains is anticipated during the proposed construction, a New York City Department of Environmental Protection Sewer Discharge Permit will be obtained prior to the start of any de-watering

activities; installation of 2 feet of imported certified clean soil in landscaped areas; and installation of a vapor barrier system consisting of a Stego Wrap 20-mil or similar below the slab throughout the full building area and outside all sub-grade foundation sidewalls. The May 2019 CHASP addresses worker and community health and safety during redevelopment.

Based upon our review of the submitted documentation, we have the following comments and recommendations to DCP:

RAP

- DCP should inform the applicant that the proposed vapor barrier should be used unless an amendment is approved by DEP.

- DCP should inform the applicant that for all areas, which will be landscaped or covered with grass (not capped), a minimum of two (2) feet of DEP approved clean fill/top soil must be imported from an approved facility/source and graded across all landscaped/grass covered areas of the site not capped with concrete/asphalt. The clean fill/top soil must be segregated at the source/facility, have qualified environmental personnel collect representative samples at a frequency of one (1) sample for every 250 cubic yards, analyze the samples for Target Compound List (TCL) volatile organic compounds by United States Environmental Protection Agency (EPA) Method 8260, semi-volatile organic compounds by EPA Method 8270, pesticides by EPA Method 8081, polychlorinated biphenyls by EPA Method 8082, and Target Analyte List (not TCL) metals by a New York State Department of Health Environmental Laboratory Approval Program certified laboratory, compared to New York State Department of Environmental Conservation (NYSDEC) 6 NYCRR Part 375 Environmental Remediation Programs. Upon completion of the clean fill/top soil investigation activities, the applicant should submit a detailed clean soil report to DEP for review and approval prior to importation and placement on-site. The report should include, at a minimum, an executive summary, narrative of the field activities, laboratory data, and comparison of soil analytical results (i.e., NYSDEC 6 NYCRR Part 375 Environmental Remediation Programs).

DEP finds the May 2019 RAP and CHASP for the proposed project acceptable, as long as the aforementioned information is incorporated into the RAP. DCP should instruct the applicant that at the completion of the project, a Professional Engineer (P.E.) certified Remedial Closure Report should be submitted to DEP for review and approval for the proposed project. The P.E. certified Remedial Closure Report should indicate that all remedial requirements have been properly implemented (i.e., installation of vapor barrier; transportation/disposal manifests for removal and disposal of soil in accordance with New York State Department of Environmental Conservation regulations; and two feet of DEP approved certified clean fill/top soil capping requirement in any landscaped/grass covered areas not capped with concrete/asphalt, etc.).

Future correspondence and submittals related to this project should include the following CEQR # **19DCP115X**. If you have any questions, you may contact Mohammad Khaja-Moinuddin at (718) 595-4445.

Sincerely,

Wei Yu
Deputy Director, Hazardous Materials

c: R. Weissbard
M. Khaja-Moinuddin
T. Estesen
M. Wimbish
R. Lucas
O. Abinader – DCP

Landmarks Preservation Commission

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

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

ENVIRONMENTAL REVIEW

Project number: DEPARTMENT OF CITY PLANNING / LA-CEQR-X
Project: 1099 WEBSTER AVENUE
Date received: 1/22/2018

Properties with no Architectural or Archaeological significance:

1) ADDRESS: 1099 WEBSTER AVENUE, BBL: 2024260025
2) ADDRESS: 1147 WEBSTER AVENUE, BBL: 2024260017
3) ADDRESS: 1139 WEBSTER AVENUE, BBL: 2024260021



1/24/2018

SIGNATURE DATE

Gina Santucci, Environmental Review Coordinator

File Name: 32957_FSO_DNP_01242018.doc

Landmarks Preservation Commission

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

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

ENVIRONMENTAL REVIEW

Project number: DEPARTMENT OF CITY PLANNING / 19DCP115X
Project: 1099 WEBSTER AVENUE
Date Received: 7/3/2019

Comments:

The LPC is in receipt of the Shadows Chapter within the EAS of 6/19/19. There are no concerns.

Gina Santucci 7/3/2019

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 32957_FSO_GS_07032019.docx

ILLUSTRATIVE PLANS


MUFFLER





TEN99

1099-1135 WEBSTER AVE
BRONX, NY

AUFGANG ARCHITECTS

05.22.17

PROGRESS SET
R7X W/ C2-4
VERSION

RENDERING

C-100.00

EX. ZONE: M1-1
REZONE: R7X/C2-4 05.22.17
BLOCK: 2426 LOT: 25



CLAY AVENUE

VACANT LOT

EXISTING 6 STORY BLDG.

EXISTING 6 STORY BLDG.

EXISTING 6 STORY BLDG.

EXISTING 6 STORY BLDG.

60'-0"

368.4'

E.166TH STREET
(NARROW STREET)

PARKING ENTRANCE

RESIDENTIAL ENTRANCE

ROOF OVER 8TH FLOOR

BUILDING "A"
OUTDOOR RECREATION AREA
OVER 1ST FLOOR

BUILDING "B"
OUTDOOR RECREATION AREA OVER 1ST FLOOR

40'-0"
REAR YARD

100.0'

50'-0"

60'-0"

10'-0"
SETBACK

15'-0"
SETBACK

BUILDING "A"
ROOF OVER 9TH FLOOR

BUILDING "B"
ROOF OVER 11TH FLOOR

ROOF OVER 7TH FLOOR

ROOF OVER 8TH FLOOR

ROOF OVER 1ST FLOOR

ROOF OVER 8TH FLOOR

ROOF OVER 10TH FLOOR

ROOF OVER 9TH FLOOR

ROOF OVER 10TH FLOOR

ROOF OVER 8TH FLOOR

COMMERCIAL ENTRANCE

RESIDENTIAL ENTRANCE

LOADING ENTRANCE

BLDG. A
148'-0"

BLDG. B
220'-5"

WEBTER AVENUE
(WIDE STREET)

SCHEMATIC PLOT PLAN
SCALE:1/32" = 1'-0"

TEN99

1099-1135 WEBSTER AVE
BRONX, NY

AUFGANG ARCHITECTS

05.22.17

PROGRESS SET
R7X W/ C2-4
VERSION

SCHEMATIC
PLOT PLAN

A-100.00

EX.ZONE: M1-1
REZONE: R7X/C2-4 05.22.17
BLOCK: 2426 LOT: 25



ALL FIGURES ARE PRELIMINARY AND APPROXIMATE. LOT AREAS AND EXISTING FLOOR AREAS ARE SUBJECT TO SURVEY CONFIRMATION. FINAL AREAS AND LOT ANGLES TO BE VERIFIED BY COMPLETE SURVEY

SITE DATA		LIST OF REQUIRED ACTIONS		QUALITY HOUSING PROGRAM
Block:	2426	1. Rezone to R7X Special mixed use district with C2-4 overlay	CONSTR. CLASS: 1-B 2HR RATED	
Lots:	25		BUILDING CODE OCCUPANCY GROUP R-2	
Street Address:	1099 Webster Ave 10458	**TRANSIT ZONE	BUILDING TO BE FULLY SPRINKLERED	
Existing Zoning:	M1-1	*** 100% OF DU ASSUMED ABOVE RESTRICTED HOUSING UNITS	BUILDING TO BE DESIGNED	
Proposed Zoning:	R7X / C2-4		PER 2014 NYC BUILDING CODE	
	Inclusionary Housing		PER NYC ENERGY CODE	
Community District:	4, BRONX			
Zoning Section Map:	3c			
Zoning Lot Area:	36,840.00			

ZR - Section	Title	Permitted / Required		Exist to Remain	Proposed	Total	Compliance / Notes
22-10, 32-00	USES	USE GROUP 1, 2, 3, 4, 5, 6, 6C, 7, 8, 9, & 14			2 & 6		OK
23-011	QUALITY HOUSING PROGRAM	R7X			YES		OK
23-32	MIN LOT AREA	1,700 CORNER LOT = 10,000 SQ. FT. INTERIOR LOT = 26,840 SQ. FT. TOTAL = 36,840 SQ. FT.					OK
23-154, 33-121	FAR	R7X / C2-4					
		RESIDENTIAL BONUS - INCLUSIONARY	6		5.18		OK
		COMMERCIAL	2		0.82	6.00	OK
		COMMUNITY FACILITY	6		0		OK
35-30, 33-122, 33-123 23-154	FLOOR AREA	R7X / C2-4 RESIDENTIAL 36,840.00 X 6 =	221040.00		190852		OK
		COMMERCIAL 36,840.00 X 2 =	73680.00		30188		OK
		COMMUNITY FACILITY N/A			N/A		OK
		TOTAL 36,840.00 X 6 =	221040		221040		OK
23-153	LOT COVERAGE						
		CORNER LOT 100% =	10,000.00		7578.00		OK
		INTERIOR LOT 70% =	18,788.00		15969.00		OK
	YARD REGULATION						
N/A		FRONT YARD	NONE		NONE		OK
23-46		SIDE YARD	NONE		NONE		OK
23-533		REAR YARD	30'-0"		40'-0"		OK
23-53		REQUIRED REAR YARD EQUIVALENT					OK
23-531, 33-261		EXCEPTED THROUGH LOTS			N/A		OK
	HEIGHT & SETBACKS						
23-664		MIN BASE	60'-0"		101'-4"		OK
23-664		MAX BASE	105'-0"		101'-4"		OK
23-664		MAX BUILDING	145'-0"		110'-8"		OK
23-692, 35-23	HEIGHT LIMITATION FOR NARROW BLDGS.	STREET WALL IS LESS THAN 45' IN WIDTH			N/A		R7-2, R7D, R7X, R8, R9 & R10

TEN 99

1099-1135 WEBSTER AVE
BRONX, NY

AUFGANG ARCHITECTS

05.22.17

PROGRESS SET
R7X W/ C2-4
VERSION

ZONING
ANALYSIS

A-101.00

EX ZONE: M1-1
REZONE: R7X/C2-4 05.22.17
BLOCK: 2426 LOT: 25



	STREET WALL LOCATION						
23-664		ENTIRE STREET FRONTAGE			YES		OK
		WITHIN 8' OF STREET LINE			YES		OK
	SETBACKS						
23-664		10'-0" SETBACK @ WIDE STREETS			10'-0"		OK
23-664		15'-0" SETBACK @ NARROW STREETS			15'-0"		OK
	PERMITTED OBS						
23-62		PERMITTED OBSTRUCTIONS - DORMERS			NO		OK
	DENSITY						
23-22		R7X = 6.80	2.80		2.36		OK
23-84	OUTER COURT REQ						
		NARROW/WIDE OUTER COURT			N/A		OK
23-851	INNER COURT REQ						
		1,200 SQ FT MIN AND 30' MIN DIMENSION			YES		OK
23-87	PERMITTED OBS						
	INCOURTS	FENCE OPEN TERRACES SOLAR ENERGY SYSTEMS ETC			YES		OK
	SPECIAL PROVISIONS						
23-693		ADJACENT TO R1-R5 THROUGH R8B			N/A		OK
23-87		YARDS ADJACENT TO R1-R5			N/A		OK
23-82		SHALLOW INTERIOR LOTS - LESS THAN 70' DEEP			N/A		OK
23-83 / 33-25		THROUGH LOTS			N/A		OK
23-84		REAR YARDS PROVISIONS			N/A		OK
32-42		LOCATION WITHIN BUILDINGS			YES		
	ACCESS OF OFF-STREET PARKING						
25-251		RESIDENTIAL TRANSIT ZONE	0			73	"OK"
36-21		COMMERCIAL 1 X 1000 SQ FT	30	REQ PARKING	73		OK
36-21		COMM FAC 1 X 1000 SQ FT	0	REQ PARKING			OK
25-61	PARKING LOCATION						
		ON SITE			YES		OK
36-711	BICYCLE PARKING						
		RESIDENTIAL 50%	118	REQ PARKING	118	123	OK
		COMMERCIAL 15-0"	5	REQ PARKING	5		OK
		COMM FAC 15-0"	0	REQ PARKING			OK
36-62	REQ OFF-STREET LOADING BERTH						
		RESIDENTIAL NOT REQUIRED	0	REQUIRED			OK
		COMMERCIAL MORE THAN 25,000	1	REQUIRED	1	1	OK
		COMM FAC	0	REQUIRED			OK
	LOADING BERTH REQ						
36-683		LOCATION - 60' FROM RESIDENTIAL DISTRICT BOUNDARY			YES		OK
36-684		SURFACING - ASPHALT			YES		OK
36-685		SCREENING - PLANTING STRIP OR WALL BARRIER			YES		OK
73	PARKING SPACES	28-48	SQ FT	362	SQ FT PER CAR		

TEN 99

1099-1135 WEBSTER AVE
BRONX, NY

AUFGANG ARCHITECTS

05.22.17

PROGRESS SET
R7X W/ C2-4
VERSION

ZONING
ANALYSIS

A-101.00a

EX ZONE: M1-1
REZONE: R7X/C2-4 05.22.17
BLOCK: 2426 LOT: 25





TAX MAP

BUILDING A QUALITY HOUSING DEDUCTIONS									
FLOOR	GROSS SQ. FT.	COMMERICAL SQ. FT.	PARKING / LOADING SQ. FT.	RESIDENTIAL GROSS SQ. FT.	CORRIDOR 50%	ZONE GREEN SQ. FT.	REFUSE MECH.	LAUNDRY REC	TOTAL ZONING RESIDENTIAL
C	14800		10398	4402					
1	14800	10890	1920	1990					1200
2	10413			10413	478	113	81	2420	7321
3	10413			10413	478	113	81		9741
4	10413			10413	478	113	81		9741
5	10413			10413	478	113	81		9741
6	10413			10413	478	113	81		9741
7	10413			10413	478	113	81		9741
8	9181			9181	478	113	73		8517
9	7803			7803	478	113	64		7148
TOTAL	109062	10890	12318	81452	3824	903	626	2420	72889



ZONING MAP

BUILDING B QUALITY HOUSING DEDUCTIONS									
FLOOR	GROSS SQ. FT.	COMMERICAL SQ. FT.	PARKING SQ. FT.	RESIDENTIAL GROSS SQ. FT.	CORRIDOR 50%	ZONE GREEN SQ. FT.	REFUSE & MECH.	LAUNDRY & REC	TOTAL ZONING RESIDENTIAL
C	22040		16050	5990					
1	22040	19298	1127	1615					1615
2	13134			13134	565	113	100	3064	9293
3	13134			13134	565	113	100		12357
4	13134			13134	565	113	100		12357
5	13134			13134	565	113	100		12357
6	13134			13134	565	113	100		12357
7	13134			13134	565	113	100		12357
8	13134			13134	565	113	100		12357
9	12299			12299	565	113	94		11527
10	11901			11901	565	113	91		11132
11	11020			11020	565	113	85		10257
TOTAL	171238	19298	17177	134763	5650	1129	968	3064	117963

EXISTING ZONE - M1-1
PROPOSED REZONE - R7X W/ C2-4 OVERLAY
(INCLUSIONARY HOUSING)

BUILDING A					
	0BR	1BR	2BR	3BR	TOTAL
1ST FLOOR					
2ND FLOOR					
3RD FLOOR					
4TH FLOOR					
5TH FLOOR					
6TH FLOOR					
7TH FLOOR					
8TH FLOOR					
9TH FLOOR					
TOTAL					
PERCENTAGE					

BUILDING B					
	0BR	1BR	2BR	3BR	TOTAL
1ST FLOOR					
2ND FLOOR					
3RD FLOOR					
4TH FLOOR					
5TH FLOOR					
6TH FLOOR					
7TH FLOOR					
8TH FLOOR					
9TH FLOOR					
10TH FLOOR					
TOTAL					
PERCENTAGE					

BUILDING A & B					
	0BR.	1BR.	2BR.	3BR.	TOTAL
TOTAL	12	132	72	22	238
PERCENTAGE	5%	55%	30%	9%	100%

ALL FIGURES ARE PRELIMINARY AND APPROXIMATE. LOT AREAS AND EXISTING FLOOR AREAS ARE SUBJECT TO SURVEY CONFIRMATION. FINAL AREAS AND LOT ANGLES TO BE VERIFIED BY COMPLETE SURVEY.

TEN99

1099-1135 WEBSTER AVE
BRONX, NY

AUFGANG ARCHITECTS

05.22.17

PROGRESS SET
R7X W/ C2-4
VERSION

ZONING
ANALYSIS

A-102.00

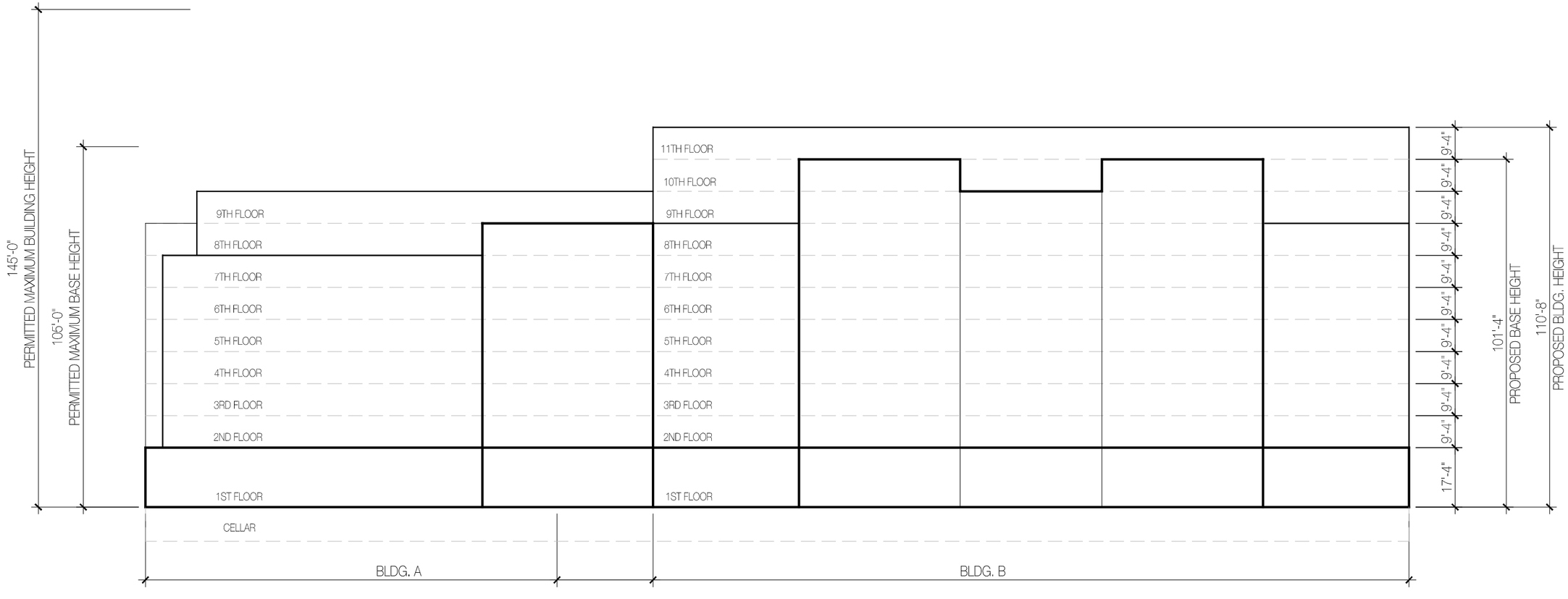
EX.ZONE: M1-1
REZONE: R7X/C2-4 05.22.17
BLOCK: 2426 LOT: 25



TEN99

1099-1135 WEBSTER AVE
BRONX, NY

AUFGANG ARCHITECTS



SCHEMATIC HEIGHT DIAGRAM
SCALE:1/32" = 1'-0"

05.22.17

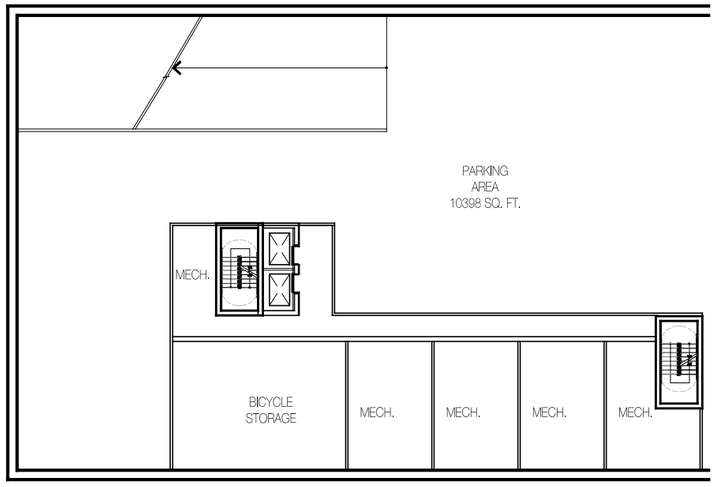
PROGRESS SET
R7X W/ C2-4
VERSION

SCHEMATIC
HEIGHT
DIAGRAM

A-103.00

EX ZONE: M1-1
REZONE: R7X/C2-4 05.22.17
BLOCK: 2426 LOT: 25

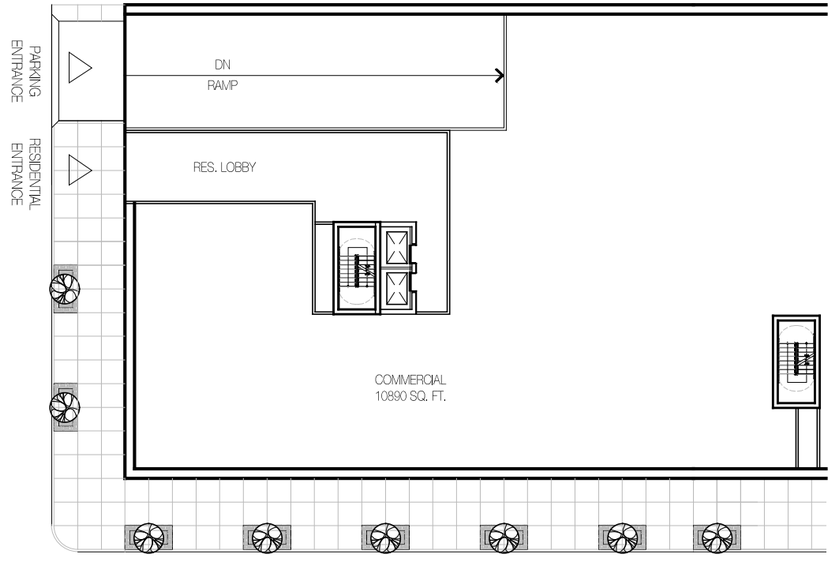




BLDG. A SCHEMATIC CELLAR PLAN

SCALE: 1/32" = 1'-0"

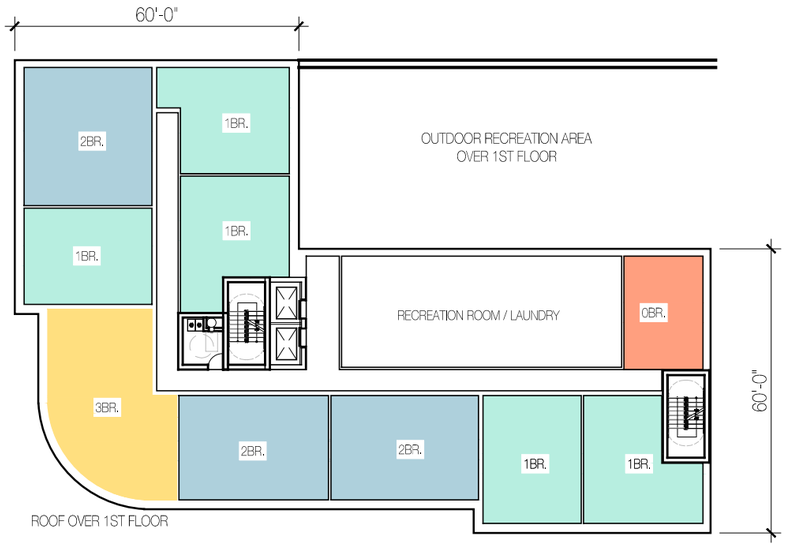
GROSS SQ. FT. = 14800 SQ. FT.



BLDG. A SCHEMATIC
1ST FLOOR PLAN

SCALE: 1/32" = 1'-0"

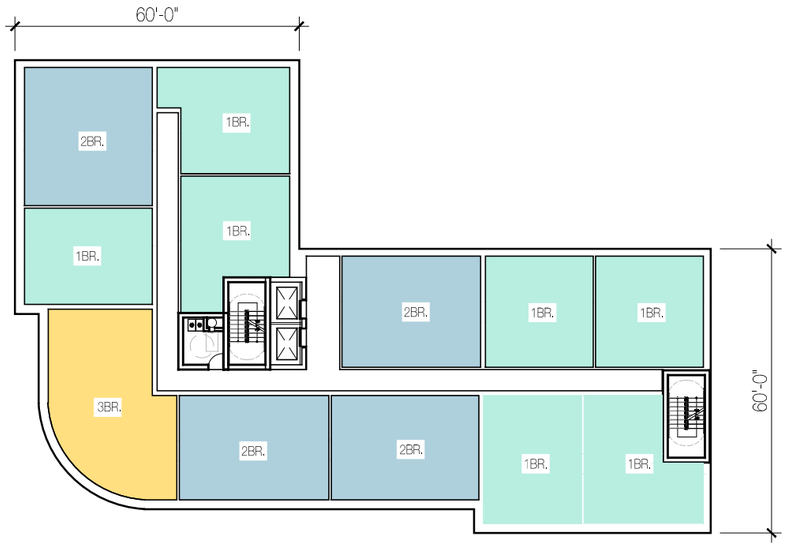
GROSS SQ. FT. = 14800 SQ. FT.



BLDG. A SCHEMATIC
2ND FLOOR PLAN

SCALE: 1/32" = 1'-0"

GROSS SQ. FT. = 10395 SQ. FT.



BLDG. A SCHEMATIC TYP.
3RD TRHU 7TH FLOOR PLAN

SCALE: 1/32" = 1'-0"

GROSS SQ. FT. = 10395 SQ. FT.

TEN99

1099-1135 WEBSTER AVE
BRONX, NY

AUFGANG ARCHITECTS

05.22.17

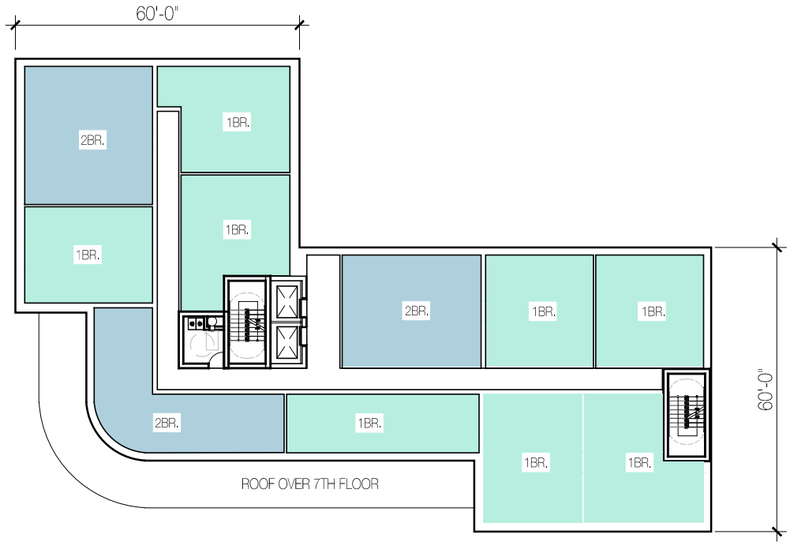
PROGRESS SET
R7X W/ C2-4
VERSION

SCHEMATIC
FLOOR PLANS
BLDG. A

A-104.00

EX.ZONE: M1-1
REZONE: R7X/C2-4 05.22.17
BLOCK: 2426 LOT: 25

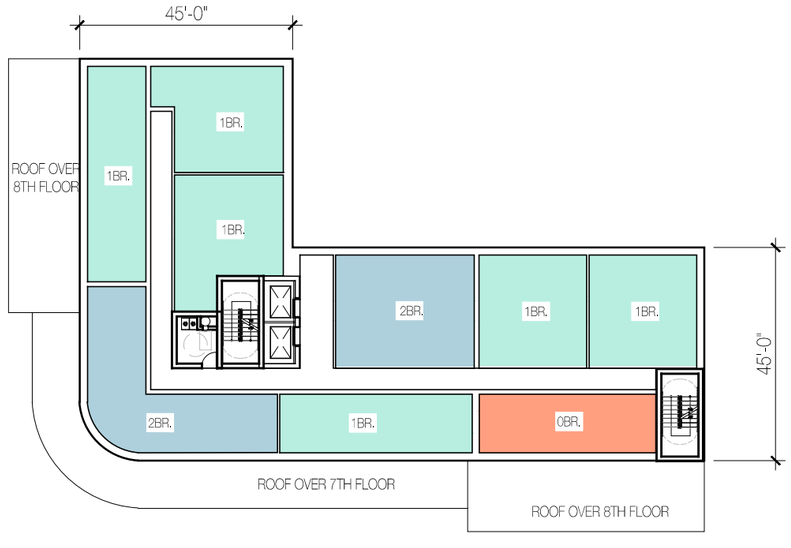




BLDG. A SCHEMATIC 8TH FLOOR PLAN

SCALE: 1/32" = 1'-0"

GROSS SQ. FT. = 9246 SQ. FT.



BLDG. A SCHEMATIC 9TH FLOOR PLAN

SCALE: 1/32" = 1'-0"

GROSS SQ. FT. = 7692 SQ. FT.

TEN99

1099-1135 WEBSTER AVE
BRONX, NY

AUFGANG ARCHITECTS

05.22.17

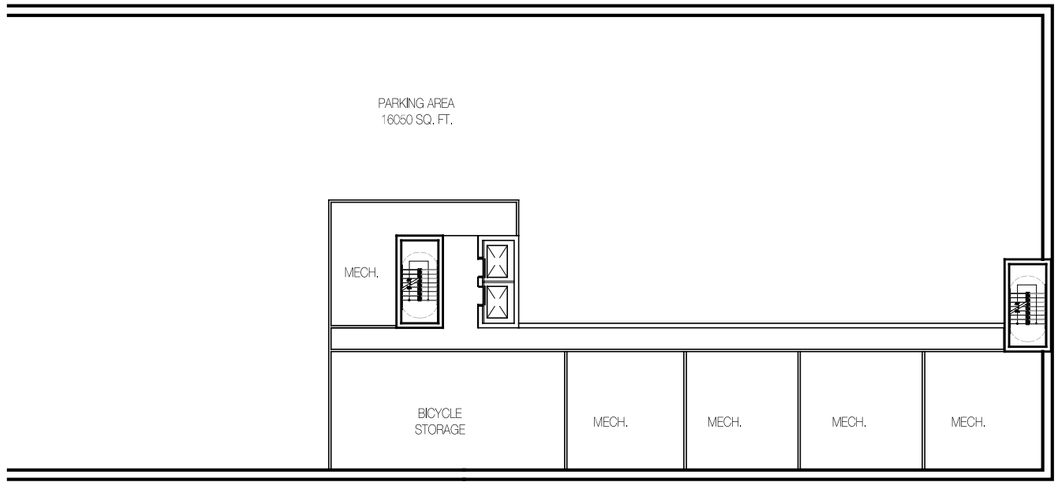
PROGRESS SET
R7X W/ C2-4
VERSION

SCHEMATIC
FLOOR PLANS
BLDG. A

A-105.00

EX. ZONE: M1-1
REZONE: R7X/C2-4 05.22.17
BLOCK: 2426 LOT: 25

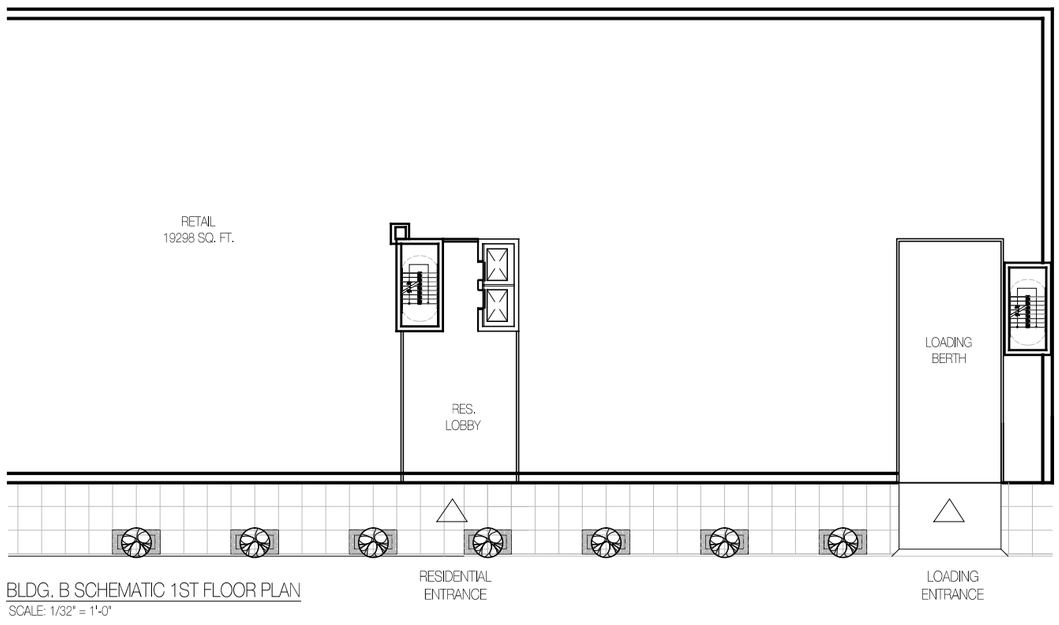




BLDG. B SCHEMATIC CELLAR PLAN

SCALE: 1/32" = 1'-0"

GROSS SQ. FT. = 22040 SQ. FT.



BLDG. B SCHEMATIC 1ST FLOOR PLAN

SCALE: 1/32" = 1'-0"

GROSS SQ. FT. = 22040 SQ. FT.

TEN99

1099-1135 WEBSTER AVE

BRONX, NY

AUFGANG ARCHITECTS

05.22.17

PROGRESS SET
R7X W/ C2-4
VERSION

SCHEMATIC
FLOOR PLANS
BLDG. B

A-106.00

EX.ZONE: M1-1

REZONE: R7X/C2-4 05.22.17

BLOCK: 2426 LOT: 25





BLDG. B SCHEMATIC
2ND FLOOR PLAN
SCALE: 1/32" = 1'-0"

GROSS SQ. FT. = 13172 SQ. FT.



BLDG. B SCHEMATIC TYP. FLOOR PLAN
(3RD - 8TH)
SCALE: 1/32" = 1'-0"

GROSS SQ. FT. = ~~13172 SQ. FT.~~

TEN99

1099-1135 WEBSTER AVE
BRONX, NY

AUFGANG ARCHITECTS

05.22.17

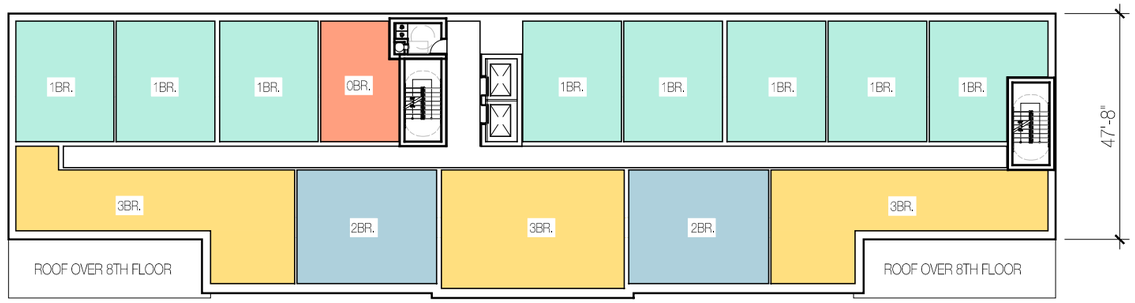
PROGRESS SET
R7X W/ C2-4
VERSION

SCHEMATIC
FLOOR PLANS
BLDG. B

A-107.00

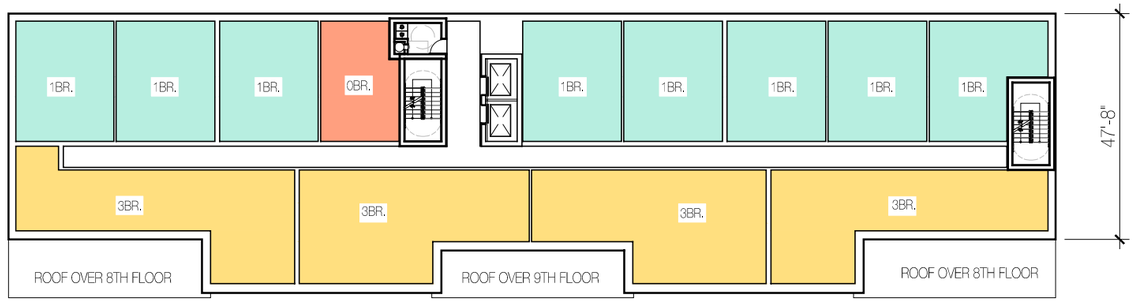
EX. ZONE: M1-1
REZONE: R7X/C2-4 05.22.17
BLOCK: 2426 LOT: 25





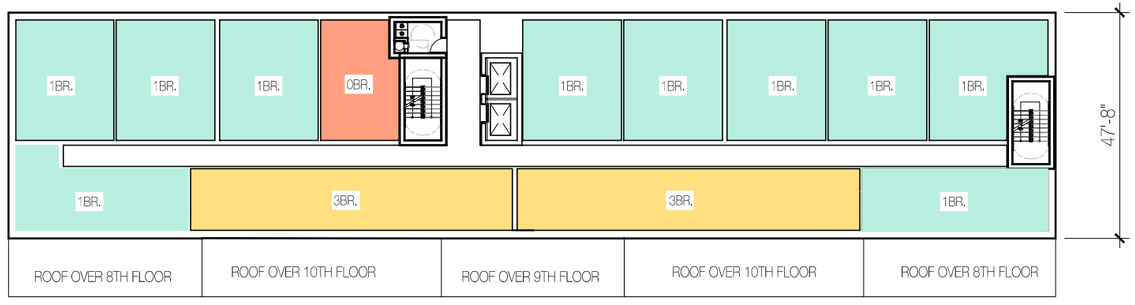
BLDG. B SCHEMATIC 9TH FLOOR PLAN
SCALE: 1/32" = 1'-0"

GROSS SQ. FT. = 12165 SQ. FT.



BLDG. B SCHEMATIC 10TH FLOOR PLAN
SCALE: 1/32" = 1'-0"

GROSS SQ. FT. = 11775 SQ. FT.



BLDG. B SCHEMATIC 11TH FLOOR PLAN
SCALE: 1/32" = 1'-0"

GROSS SQ. FT. = 10538 SQ. FT.

TEN 99

1099-1135 WEBSTER AVE
BRONX, NY

AUFGANG ARCHITECTS

05.22.17

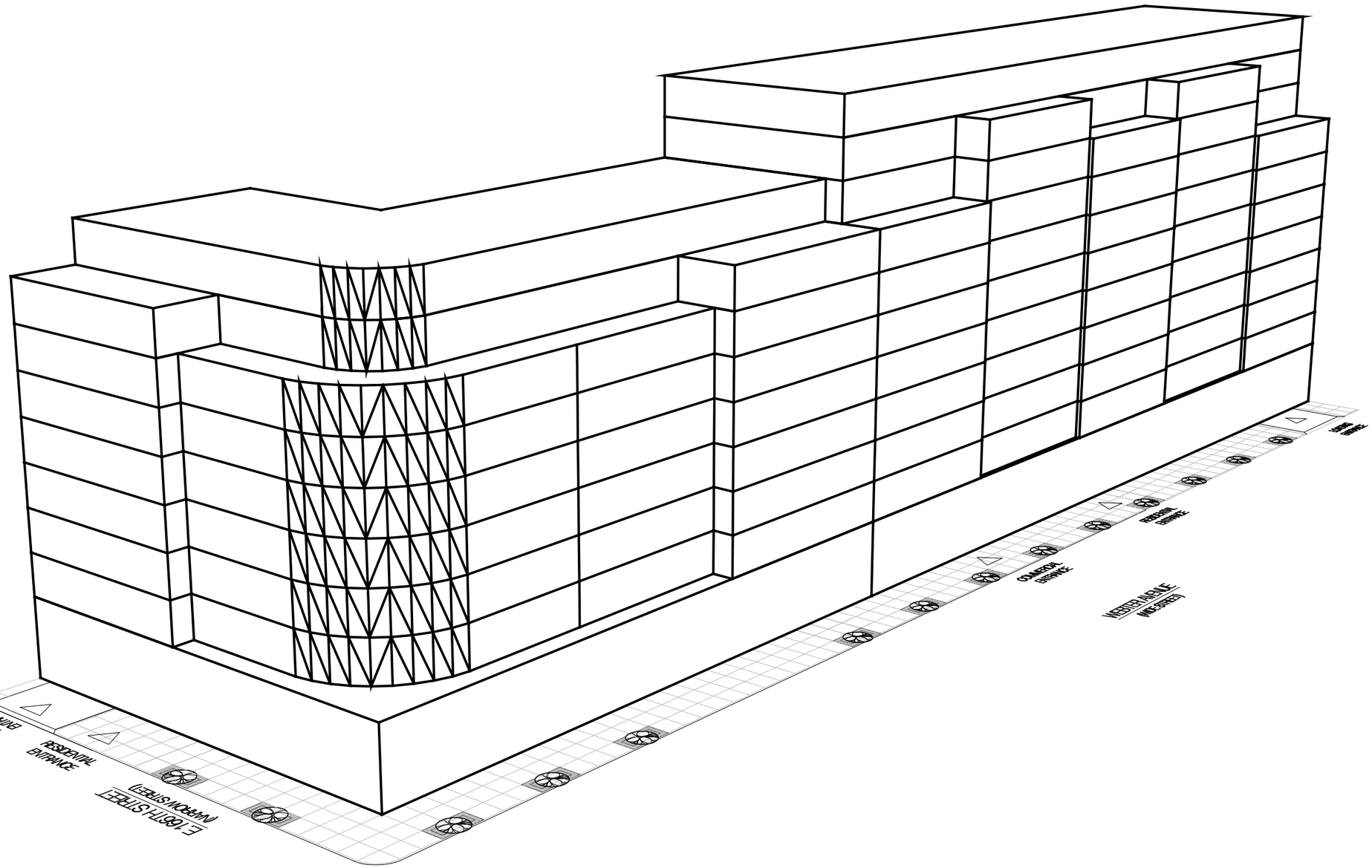
PROGRESS SET
R7X W/ C2-4
VERSION

SCHEMATIC
FLOOR PLANS
BLDG. B

A-108.00

EX. ZONE: M1-1
REZONE: R7X/C2-4 05.22.17
BLOCK: 2426 LOT: 25





TEN99

1099-1135 WEBSTER AVE
BRONX, NY

AUFGANG ARCHITECTS

05.22.17

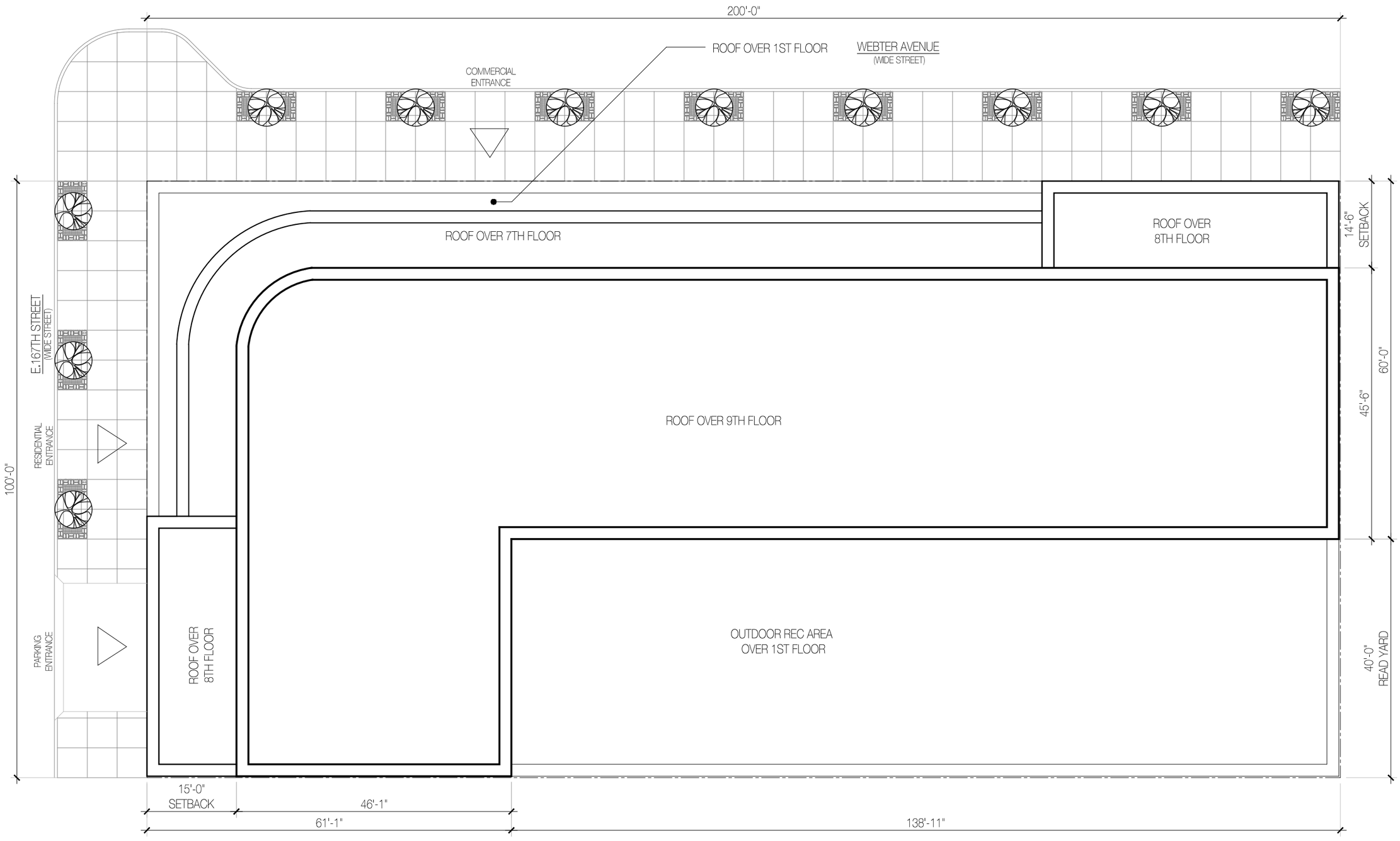
PROGRESS SET
R7X W/ C2-4
VERSION

MASSING
STUDY

A-109.00

EX. ZONE: M1-1
REZONE: R7X/C2-4 05.22.17
BLOCK: 2426 LOT: 25





SCHEMATIC PLOT PLAN
SCALE - 1/16" = 1'-0"

ELEVEN 49

1149 WEBSTER AVE
BRONX, NY

AUFGANG ARCHITECTS

02.06.18

PROGRESS SET
R7X W/ C2-4
VERSION

SCHEMATIC
PLOT PLAN

A-100.00

EX.ZONE: M1-1
REZONE: R7X/C2-4 02.05.18
BLOCK: 2426 LOT: 17, 21



ALL FIGURES ARE PRELIMINARY AND APPROXIMATE. LOT AREAS AND EXISTING FLOOR AREAS ARE SUBJECT TO SURVEY CONFIRMATION. FINAL AREAS AND LOT ANGLES TO BE VERIFIED BY COMPLETE SURVEY

SITE DATA		LIST OF REQUIRED ACTIONS		QUALITY HOUSING PROGRAM
Block:	2426	1. Rezone to R7X Special Inclusionary Area C2-4 overlay	CONST. CLASS: 1-B 2HR RATED	
Lots:	17 & 21	TBD	BUILDING CODE OCCUPANCY GROUP R-2	
Street Address:	1149 WEBSTER AVE	TRANSIT ZONE	BUILDING TO BE FULLY SPRINKLERED	
Existing Zoning:	M1-1		BUILDING TO BE DESIGNED	
Proposed Zoning:	R7X WITH C2-4 OVERLAY		PER 2014 NYC BUILDING CODE	
	Inclusionary Housing		PER NYC ENERGY CODE	
Community District:	4, BRONX			
Zoning Section Date:	3d			
Existing Lot Area:	20,000.00			

ZR - Section	Title	Permitted / Required	Ex.to Remain	Proposed	Total	Compliance / Notes
23-10, 32-00	USES	USE GROUP 1, 2, 3, 4, 5, 6, 6C, 7, 8, 9 & 11		2 & 6		OK
23-011	QUALITY HOUSING PROGRAM	R8A		YES		OK
23-02	MIN LOT AREA	1,700 CORNER LOT = 10,000 SQ. FT. INTERIOR LOT = 2[illegible] SQ. FT. TOTAL = 36,[illegible] SQ. FT.				OK
23-151, 33-121	FAR	R7X /C2-4 RESIDENTIAL RESIDENTIAL (BONUS - INCLUSIONARY) COMMERCIAL COMMUNITY FACILITY	6 2 3	6.0 0.5	6	OK OK OK
33-00, 33-122, 33-123, 23-151	FLOOR AREA	R7X /C2-4 RESIDENTIAL 20,000.00 X 6 = 120,000.00 COMMERCIAL 20,000.00 X 2 = 30,000.00 COMMUNITY FACILITY N/A TOTAL 20,000.00 X 6 = 120,000		102,[illegible] 1,702 N/A 120,000		OK OK OK OK
23-151	LOT COVERAGE	CORNER LOT 100% = 18,000.00 INTERIOR LOT 70% = 15,[illegible].00		[illegible] [illegible]		OK OK
N/A 23-36 23-633	YARD REGULATION	FRONT YARD SIDE YARD REAR YARD	NONE NONE 30'-0"	NONE NONE 30'-0"		OK OK OK
23-53 23-531, 33-291		REQUIRED REAR YARD EQUIVALENT EXCEPTED THROUGH LOTS		N/A		OK OK
N/A 23-662 23-663 23-662, 33-23	HEIGHT & SETBACKS HEIGHT LIMITATION FOR NARROW BLDGS.	MIN BASE MAX BASE MAX BUILDING STREET WALL IS LESS THAN ST. WIDTH	60'-0" 105'-0" 145'-0" 11	[illegible] [illegible] [illegible] N/A		OK OK OK R7-2, R7D, R7X, R8, R9 & R10
23-661	STREET WALL LOCATION	ENTIRE STREET FRONTAGE [illegible] SYMMETRY OF STREET LINE		YES YES		OK OK
23-661 23-661	SETBACKS	10'-0" SETBACK @ WIDE STREETS 15'-0" SETBACK @ NARROW STREETS		13'-6" N/A		OK OK
23-62	PERMITTED OBS	PERMITTED OBSTRUCTIONS - DORMERS		NO		OK
23-22	DENSITY	R7X = 0.87	1:1	1:10		OK
23-51	OUTER COURT REQ	NARROW WIDE OUTER COURT		N/A		OK

ELEVEN 49

1149 WEBSTER AVE
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AUFGANG ARCHITECTS

02.06.18

PROGRESS SET
R7X W/ C2-4
VERSION

ZONING
ANALYSIS

A-101.00

EX.ZONE: M1-1
REZONE: R7X/C2-4 02.05.18
BLOCK: 2426 LOT: 17, 21



23-851	INNER COURT REG.								
		1,200 SQ. FT. (MIN) AND 30' MIN DIMENSION					YES		OK
23-87	PERMITTED OBS								
	IN COURTS	FENCE, OPEN TERRACES, SOLAR ENERGY SYSTEMS, ETC.					YES		OK
	SPECIAL PROVISIONS								
23-693		ADJACENT TO R1 THROUGH R6B					N/A		OK
23-51		YARDS ADJACENT TO R1 THROUGH R5					N/A		OK
23-52		SHALOW INTERIOR LOTS - LESS THAN 70' DEEP					N/A		OK
23-53, 33-28		THROUGH LOTS					N/A		OK
23-54		REAR YARDS PROVISIONS					N/A		OK
32-42		LOCATION WITHIN BUILDINGS					YES		
	ACCESSORY OFF-STREET PARKING								
25-23	80% = 94 D.U.	RESIDENTIAL	50%	47	REQ. PARKING		47		OK - MARKET RATE
25-251	20% = 24 D.U.	RESIDENTIAL	TRANSIT ZONE					64	OK - AFFORDABLE
36-21		COMMERCIAL	1 X 1000 SQ. FT.	17	REQ. PARKING		17		OK
36-21		COMM. FAC.	1 X 1000 SQ. FT.	0	REQ. PARKING				OK
25-51	PARKING LOCATION								
		ON SITE					YES		OK
36-711	BICYCLE PARKING								
		RESIDENTIAL	50%	59	REQ. PARKING		59	61	OK
		COMMERCIAL	1E-04	2	REQ. PARKING		2		OK
		COMM. FAC.	1E-04	0	REQ. PARKING				OK
36-62	REQ. OFF-STREET LOADING BERTH								
		RESIDENTIAL	NOT REQUIRED	0	REQUIRED				OK
		COMMERCIAL	MORE THAN 25,000	0	REQUIRED		0	0	OK
		COMM. FAC.		0	REQUIRED				OK
	LOADING BERTH REQ.								
36-683		LOCATION - 60' FROM RESIDENTIAL DISTRICT BOUDARY					YES		OK
36-684		SURFACING - ASPAHLT					YES		OK
36-685		SCREENING - PLANTINF STRIP OR WALL BARRIER					YES		OK
64	PARKING SPACES	16925	SQ. FT.			264	SQ. FT. PER CAR (ATT. PARKING)		

ELEVEN 49

1149 WEBSTER AVE
BRONX, NY

AUFGANG ARCHITECTS

02.06.18

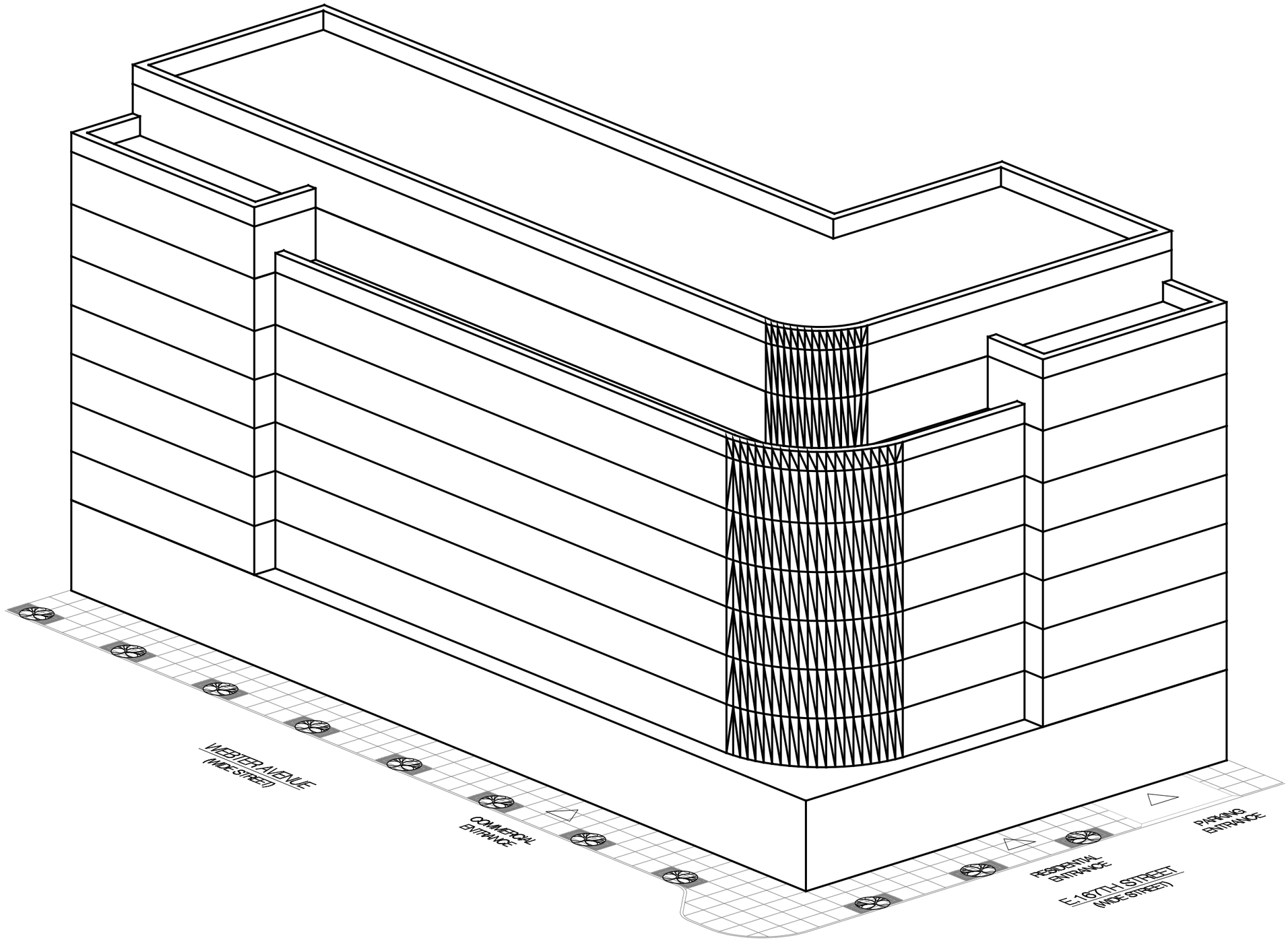
PROGRESS SET
R7X W/ C2-4
VERSION

ZONING ANALYSIS

A-102.00

EX. ZONE: M1-1
REZONE: R7X/C2-4 02.05.18
BLOCK: 2426 LOT: 17, 21





ELEVEN 49

1149 WEBSTER AVE
BRONX, NY

AUFGANG ARCHITECTS

02.06.18

PROGRESS SET
R7X W/ C2-4
VERSION

3D MASSING
STUDY

A-103.00

EX. ZONE: M1-1
REZONE: R7X/C2-4 02.05.18
BLOCK: 2426 LOT: 17, 21

