Chapter 2: Land Use, Zoning, and Public Policy

2.1 Introduction

Per the 2014 *City Environmental Quality Review* (CEQR) *Technical Manual* guidelines, a land use analysis evaluates the uses and development trends in the areas that may be affected by a proposed action and determines whether the Proposed Actions are compatible with those conditions or may affect them. Similarly, the analysis considers the Proposed Actions' compliance with, and effect on, the area's zoning and other applicable public policies.

As described in Chapter 1, "Project Description," the Jerome Avenue Rezoning consists of a series of land use actions (collectively, the "Proposed Actions") intended to facilitate the implementation of the objectives of the Jerome Avenue Neighborhood Plan (the "Plan"). The affected area comprises an approximately 92-block area primarily along Jerome Avenue and its east west commercial corridors in Bronx Community Districts (CDs) 4, 5, and 7 (the "rezoning area"). The rezoning area is generally bounded by 184th Street to the north and East 165th Street to the south, and also includes portions of 183rd Street, Burnside Avenue, Tremont Avenue, Mount Eden Avenue, 170th Street, Edward L. Grant Highway, and East 167th Street.

The Proposed Actions include:

- Zoning map amendments to rezone portions of existing C4-4, M1-2, R8, C8-3, and R7-1 districts and C1-4 and C2-4 commercial overlays with R7A, R8A, R9A, R7D, and C4-4D districts and C2-4 commercial overlays.
- Zoning text amendments to:
    - Establish the Special Jerome Avenue District, coterminous with the rezoning area. The proposed special district would include regulations that would add controls to the ground floors of buildings within mapped commercial overlays and districts, modify height and bulk regulations on lots fronting the elevated rail line, modify bulk regulations on irregular lots, and establish controls, such as discretionary review provisions, for transient hotels.
    - Establish proposed R7A, R7D, R8A, R9A, and C4-4D districts as Mandatory Inclusionary Housing areas, applying the Mandatory Inclusionary Housing program to require a share

of new housing to be permanently affordable where significant new housing capacity would be created.

- City Map changes to:
    - Map Block 2520, Lot 19 as parkland. This city-owned parcel is located one block outside of the rezoning area and is bounded by West 170th Street, Nelson Avenue, Shakespeare Avenue, and Corporal Fischer Place in the Highbridge neighborhood of the Bronx, Community District 4.
    - De-map Corporal Fischer Place (street) between Nelson Avenue and Shakespeare Avenue, which is adjacent to the parcel to be mapped as park land as described above (Block 2520, Lot 19), and map it as parkland.

The Proposed Actions seek to realize the vision for the rezoning area as an active, vibrant and inviting mixed use corridor with opportunities for residents to live and work and meet their day-to-day needs within their own community.

2.2 Principal Conclusions

A detailed land use and zoning assessment indicates that no significant adverse impacts on land use, zoning, or public policy are anticipated in the future with the Proposed Actions in the primary study area (coterminous with the rezoning area) or ¼-mile (secondary) study area in the 2026 analysis year. The Proposed Actions would not directly displace any land uses so as to adversely affect surrounding land uses, nor would it generate land uses that would be incompatible with land uses, zoning, or public policy in the secondary study area. The Proposed Actions would not create land uses or structures that would be incompatible with the underlying zoning or conflict with public policies applicable to the primary or secondary study areas.

The Proposed Actions would result in an overall increase in residential, commercial, and community facility uses throughout the primary study area, when compared to conditions in the future without the Proposed Actions. The Proposed Actions would change zoning designations within the primary study area in a manner that is intended to create opportunities for permanently affordable housing, to ensure that new buildings reflect existing neighborhood context, and to improve the public realm by encouraging non-residential ground floor uses and a consistent streetscape. The Proposed Actions would support the development of new permanently affordable housing construction by mapping new zoning districts to permit residential development in areas where none is currently permitted, as well as permit residential development at higher densities where it is already permitted.

2.3 Methodology

REASONABLE WORST-CASE DEVELOPMENT SCENARIO (RWCDS)

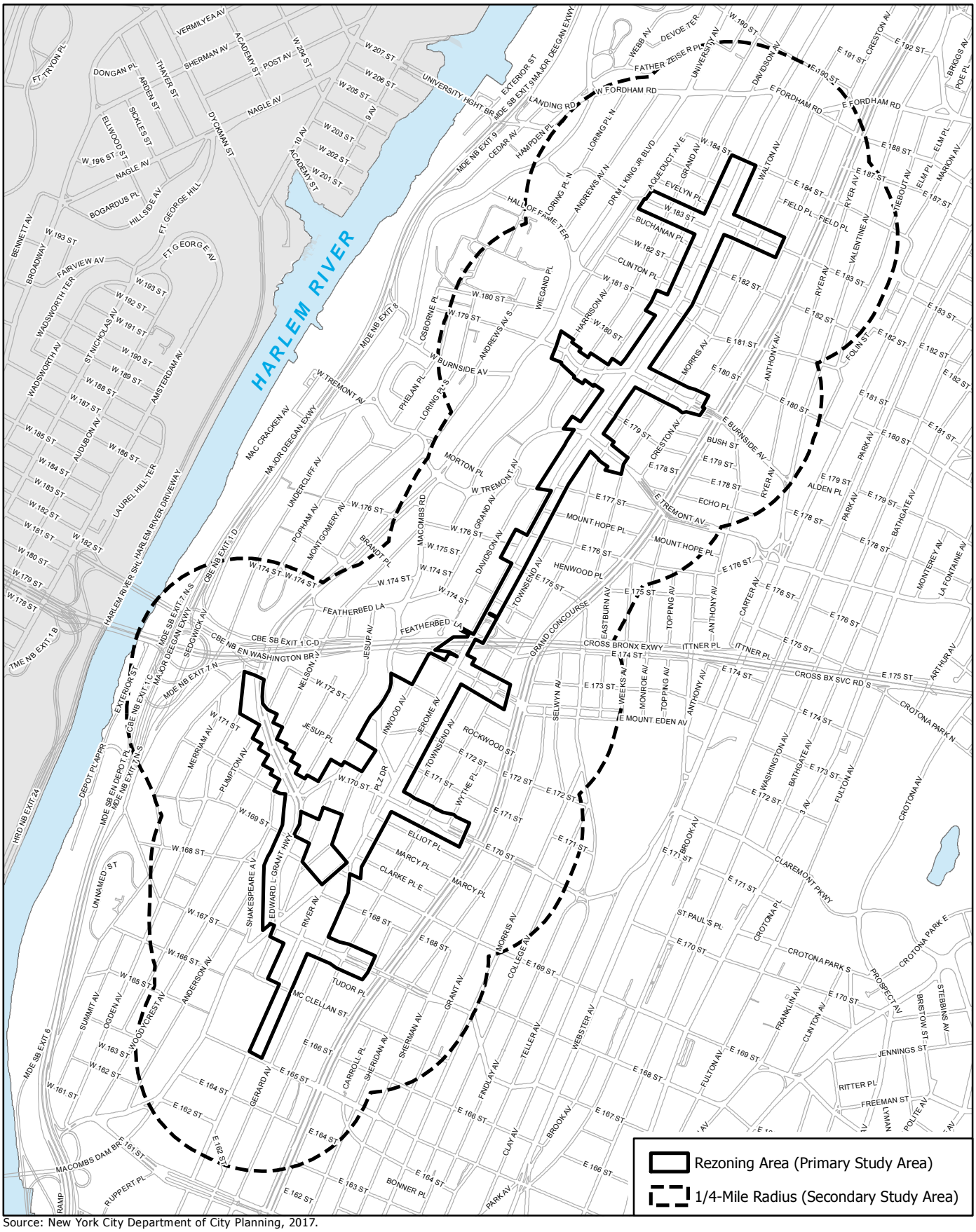
The purpose of this chapter is to examine the effects of the Proposed Actions on land use, zoning, and public policy and determine whether or not they would result in any significant adverse impacts. As described in Chapter 1, "Project Description," in order to assess the possible effects of the Proposed Actions, a reasonable worst-case development scenario (RWCDS) was established for both the current zoning (No-Action) and proposed zoning (With-Action) conditions for the 2026 analysis year.

The RWCDS identified both projected and potential development sites. The incremental difference between the No-Action and With-Action conditions on the projected development sites forms the basis of the impact category analyses in this chapter. Potential development sites are not included in the land use, zoning, and public policy analysis because development is less likely on these sites within the foreseeable future.

LEVELS OF ANALYSIS

Per the guidance of the *CEQR Technical Manual*, a preliminary assessment, which includes a basic description of existing and future land uses and zoning, should be provided for all projects that would affect land use or would change the zoning on a site, regardless of the project's anticipated effects. The Proposed Actions exceed preliminary assessment thresholds; because the Proposed Actions include area-wide zoning map and text amendments. Therefore, detailed land use and zoning assessments are warranted and have been prepared for the Proposed Actions. A detailed public policy analysis also has been prepared in order to determine the potential of the Proposed Actions to alter or conflict with applicable public policies.

Per the guidance of the *CEQR Technical Manual*, the detailed analysis describes existing conditions and anticipated future conditions to a level of detail necessary to understand the relationship of the Proposed Actions to such conditions. The detailed analysis assesses the nature of any changes to these conditions that could be created by the Proposed Actions in the 2026 analysis year for a primary study area (coterminous with the rezoning area) and a secondary study area surrounding the primary study area (refer to Figure 2-1, "Land Use, Zoning, and Public Policy Study Areas").



Source: New York City Department of City Planning, 2017.

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Figure 2-1

LAND USE, ZONING, AND PUBLIC POLICY STUDY AREAS

Jerome Avenue Rezoning EIS

Existing land uses were identified through review of a combination of sources including 2016 field surveys and secondary sources, comprising the City's Primary Land Use Tax Lot Output (PLUTO™) data files, online Geographic Information Systems (GIS) databases such as the New York City Open Accessible Space Information System (OASIS, http://www.oasisinyc.net), and NYCityMap (http://gis.nyc.gov/doitt/nycitymap). Other publications and approved environmental review documents that have been completed for projects in the area were also consulted. New York City Zoning Maps and the Zoning Resolution of the City of New York (ZR) were consulted to describe existing zoning districts in the study areas and provided the basis for the zoning evaluation of the future No-Action and With-Action conditions. Applicable public policies were identified, and a public policy analysis was prepared to determine the potential for the Proposed Actions to alter or conflict with applicable public policies.

STUDY AREAS

Per the guidance of the *CEQR Technical Manual*, the appropriate study area for land use and zoning is related to the type and size of the project being proposed and the location and neighborhood context of the area that could be affected by the project. Per the guidance of the *CEQR Technical Manual*, land use, zoning, and public policy are addressed and analyzed for two geographical areas: (1) the primary study area, which is coterminous with the rezoning area, and (2) a secondary ¼-mile study area, which encompasses areas that have the potential to experience indirect impacts as a result of the Proposed Actions (refer to Figure 2-1, "Land Use, Zoning, and Public Policy Study Areas").

As described in Chapter 1, "Project Description," the rezoning area comprises an approximately 92-block area, primarily along Jerome Avenue and its east-west commercial corridors, generally bounded by 184th Street to the north and East 165th Street to the south. The secondary study area extends an approximate ¼-mile from the boundary of the primary study area and is generally bounded by 190th Street to the north, East 162nd Street to the south, Webster Avenue to the east, and the Harlem River to the west. The secondary study area has been established in accordance with *CEQR Technical Manual* guidelines and can be seen on Figure 2-1, "Land Use, Zoning, and Public Policy Study Areas."

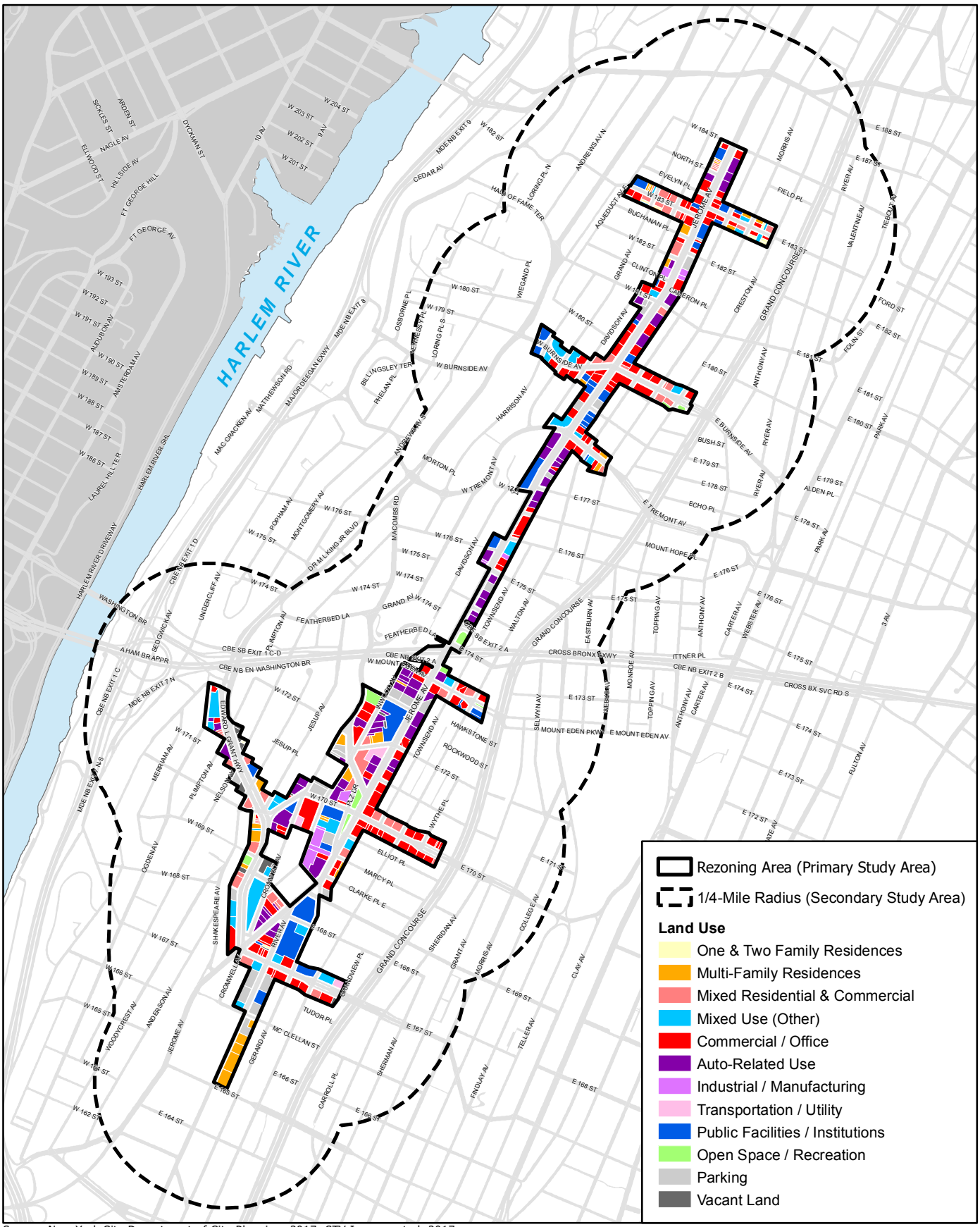
2.4 Detailed Assessment

EXISTING CONDITIONS

Land Use

Primary Study Area

As presented on Figure 2-2, "Primary Study Area Land Uses," and in Table 2-1a, "Existing Land Uses within the Primary Study Area," the primary study area comprises of a mix of land uses, with commercial/office buildings the most predominant, accounting for 28.9 percent of total lots, 25.9 percent of the total lot area, and 19.8 percent of the total built floor area. Mixed use buildings account for the second highest percentage of primary study area lots and total lot area, at 20 and 19.7 percent, respectively; however, mixed use buildings account for the highest percentage of total built floor area at 34.8 percent within the primary study area. Auto-related uses account for the third highest percentage of primary study area lots and total lot area (15.2 and 15.1 percent, respectively), while representing a smaller percentage (7.6 percent) of the total built floor area. Residential uses occupy 12.3 percent of the primary study area lots, 10 percent of total lot area, and 16 percent of total built floor area. Public facilities and institutions occupy 8.3 percent of the primary study area lots, 14.1 percent of the total lot area, and 15.5 percent of the total built floor area. The remaining land uses in the primary study area include parking facilities (7.7 percent of the total lot area), industrial/manufacturing uses (2.5 percent of the total lot area), vacant land (1.9 percent of the total lot area), open space (1.7 percent of the total lot area), and transportation/utility uses (1.4 percent of the total lot area).



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

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Figure 2-2

Jerome Avenue Rezoning EIS

PRIMARY STUDY AREA LAND USES

Table 2-1a: Existing Land Uses within the Primary Study Area

Land Use	Number of Lots	Percentage of Total Lots (%)	Lot Area (sf)	Percentage of Total Lot Area (%)	Building Area (sf)	Percentage of Total Building Area (%)
Residential	55	12.3	416,521	10.0	1,158,165	16.0
One and Two-Family Buildings	*18*	*4.0*	*38,659*	*0.9*	*31,961*	*0.4*
Multi-Family Walkup Buildings	*25*	*5.6*	*152,588*	*3.7*	*357,871*	*4.9*
Multi-Family Elevator Buildings	*12*	*2.7*	*225,274*	*5.4*	*768,333*	*10.6*
Mixed Use	89	20.0	822,961	19.7	2,513,597	34.8
Residential and Commercial	*54*	*12.1*	*415,505*	*10.0*	*1,511,251*	*20.9*
*Other**	*35*	*7.8*	*407,456*	*9.8*	*1,002,346*	*13.9*
Commercial/Office Buildings	129	28.9	1,083,330	25.9	1,428,225	19.8
Auto-Related Uses	68	15.2	631,662	15.1	547,064	7.6
Industrial/Manufacturing	10	2.2	103,407	2.5	247,530	3.4
Transportation/Utility	3	0.7	56,678	1.4	41,330	0.6
Public Facilities and Institutions	37	8.3	589,932	14.1	1,121,303	15.5
Open Space	9	2.0	72,342	1.7	4,609	0.1
Parking Facilities	30	6.7	321,263	7.7	109,568	1.5
Vacant Land	16	3.6	77,394	1.9	59,075	0.8
Total	***446***	***100.0***	***4,175,490***	***100.0***	***7,230,466***	***100.0***

Notes: *Mixed Use (Other) includes a community facility in combination with residential and/or commercial uses.
Source: New York City MapPLUTO, 2016; STV Incorporated, 2017.

For purposes of describing existing and future land use conditions in greater detail, the primary study area is described, following, according to two subareas: a "northern" subarea, which is the portion of the rezoning area north of the Cross-Bronx Expressway (bounded by 184th Street), and a "southern" subarea, which is the portion of the rezoning area south of the Cross Bronx Expressway (bounded by East 165th Street). Table 2-1b, "Existing Land Uses within the Primary Study Area Subareas," provides land uses in each of these two subareas.

North of the Cross-Bronx Expressway (Northern Subarea)

The portion of the rezoning area north of the Cross-Bronx Expressway has a higher percentage of commercial/office buildings than the area to the south. Commercial uses comprise the majority of the northern subarea's lots (31.6 percent), 33.5 percent of the subarea's total lot area, and 23 percent of the subarea's building area. This subarea includes several commercial corridors including 183rd Street, Burnside Avenue, and Tremont Avenue. Commercial uses are located along both Jerome Avenue and the commercial corridors, and include a mix of fast food restaurants, supermarkets, delis, salons, laundromats, and local retail stores.

The northern subarea includes a higher percentage of residential uses than is found in the southern subarea, with residential uses making up 14.4 percent of the northern subarea's lots. The residential uses north of the Cross-Bronx Expressway are primarily multi-family residential buildings, which are scattered throughout the subarea.

There is a higher percentage of public facilities and institutional uses in the northern subarea than in the southern subarea. While only comprising 11.5 percent of the subarea's lots, public facilities and institutional uses represent 14.9 percent of the total lot area and 18.1 percent of the total building area in this subarea. Institutional uses north of the Cross-Bronx Expressway include a Salvation Army Donation Center, EMS Station 19, U.S. Post Office, Morris Heights Health Center, Susan's Place Community Health Center, Davidson Community Center, Montefiore Medical Center, Iglesia Pentecostal, I.S. 206-Ann Mersereau, P.S. 315-The Lab School, and a Pre-K facility.

Although the northern subarea includes a lower percentage of auto-related uses (12.4 percent) than is found in the southern subarea, there is a higher percentage of total lot area (17.7 percent) and total built area (10.2 percent) for auto-related uses in the northern subarea compared to the southern subarea. The auto-related uses north of the Cross-Bronx Expressway are found along Jerome Avenue, and include auto repair shops, auto body centers, and car wash/oil change service facilities.

Open space resources are limited within the rezoning area, overall, with three located north of the Cross-Bronx Expressway. These open space resources in the northern subarea include Mount Hope Garden, Devanney Triangle, and Jennie Jerome Playground.

Parking facilities, accounting for 5.3 percent of the total lots in the northern subarea, are scattered along Jerome Avenue north of the Cross-Bronx Expressway and include licensed parking lots and unpaved lots.

The northern subarea includes three subway stations (183rd Street, Burnside Avenue, and 176th Street), which are served by the #4 elevated train along Jerome Avenue.

South of the Cross-Bronx Expressway (Southern Subarea)

Commercial uses comprise the majority of the southern subarea's lots (26.7 percent), 21.3 percent of the subarea's total lot area, and 17.7 percent of the subarea's building area. This portion of the rezoning area south of the Cross-Bronx Expressway includes several commercial corridors - Mount Eden Avenue, 170th Street, 167th Street, and Edward. L Grant Highway. Commercial uses are primarily found along these commercial corridors and along Jerome Avenue in this southern subarea, and include a mix of fast food restaurants, pharmacies, banks, grocery stores, laundromats, hair salons, and retail stores.

While the southern subarea has a higher percentage of auto-related uses (17.8 percent) than is found in the northern subarea, it has a lower percentage of total lot area (13.5 percent) and total built area (5.9 percent). Auto-related uses include auto repair facilities, gas station, livery service accessories, and tire shops; these use are more dominant in the center of this subarea along Jerome Avenue, Cromwell Avenue, and Inwood Avenue.

While the southern subarea has fewer residential buildings than the northern subarea, it has a higher percentage of total lot area (11.5 percent) and total built area (19.1 percent). The majority of the

residential buildings in the southern subarea are multi-family buildings (both walk-up and elevator buildings), and they are located primarily along River Avenue and Edward L. Grant Highway.

Although the northern subarea has a higher percentage of institutional uses than this portion of the rezoning area south of the Cross-Bronx Expressway, the southern subarea contains several large institutional facilities, including the 44th Precinct of the NYPD, Morrisania Diagnostic and Treatment Center, and Rafael Hernandez Dual Language Magnet School. Other public facilities/institutions scattered throughout this subarea include New Settlement Community Center, Joy Fellowship Church, Family Life Academy Charter School, Latino Pastoral Action Center Urban Ministry Complex, Kingdom Hall of Jehovah's Witnesses, and Volunteers of America.

Open space resources in this subarea include Roberto Clemente Community Garden, Keltch Park, Goble Playground, Jerome Playground South, and Mount Eden Malls.

Parking facilities account for 8.1 percent of the total lots in this subarea and are located primarily along Jerome Avenue, Inwood Avenue, and Cromwell Avenue.

There is also a substantial amount of vacant land in the southern subarea, as compared to the northern subarea; 6.4 percent of the southern subarea's lots are vacant, comprising 2.9 percent of the subarea's total lot area. Vacant lots are located primarily along Edward L. Grant Highway.

The southern subarea has a higher percentage of industrial/manufacturing built area (208,780 sf) than the northern subarea. These uses are located along Inwood Avenue and include Receiving Plaza Packaging Corporation and Steel Welding Gates.

The portion of the rezoning area south of the Cross-Bronx Expressway includes three subway stations (Mount Eden Avenue, 170th Street, and 167th Street), which are served by the #4 elevated train along Jerome Avenue and River Avenue.

Table 2-1b: Existing Land Uses within the Primary Study Area Subareas

Land Use	Number of Lots	Percentage of Total Lots (%)	Lot Area (sf)	Percentage of Total Lot Area (%)	Building Area (sf)	Percentage of Total Building Area (%)
North of the Cross Bronx Expressway (Northern Subarea)						
Residential	30	14.4	120,041	7.5	318,125	11.3
One & Two-Family Buildings	*12*	*5.7*	*30,078*	*1.9*	*22,513*	*0.8*
Multi-Family Walkup Buildings	*15*	*7.2*	*61,713*	*3.9*	*191,612*	*6.8*
Multi-Family Elevator Buildings	*3*	*1.4*	*28,250*	*1.8*	*104,000*	*3.7*
Mixed Use	43	20.6	291,982	18.3	975,024	34.5
Residential & Commercial	*26*	*12.4*	*152,105*	*9.6*	*576,510*	*20.4*
*Other**	*17*	*8.1*	*139,877*	*8.8*	*398,514*	*14.1*
Commercial/Office Buildings	66	31.6	533,958	33.5	649,952	23.0
Auto-Related Uses	26	12.4	281,621	17.7	288,246	10.2
Industrial/Manufacturing	5	2.4	30,000	1.9	38,750	1.4
Transportation/Utility	0	0.0	0	0.0	0	0.0
Public Facilities & Institutions	24	11.5	237,523	14.9	512,712	18.1
Open Space	3	1.4	21,848	1.4	-	0.0
Parking Facilities	11	5.3	72,236	4.5	44,418	1.6
Vacant Land	1	0.5	2,510	0.2	-	0.0
Subarea Total	***209***	***100.0***	***1,591,719***	***100.0***	***2,827,227***	***100.0***
South of the Cross Bronx Expressway (Southern Subarea)						
Residential	25	10.6	296,480	11.5	840,040	19.1
One & Two-Family Buildings	*6*	*2.5*	*8,581*	*0.3*	*9,448*	*0.2*
Multi-Family Walkup Buildings	*10*	*4.2*	*90,875*	*3.5*	*166,259*	*3.8*
Multi-Family Elevator Buildings	*9*	*3.8*	*197,024*	*7.6*	*664,333*	*15.1*
Mixed Use	46	19.5	530,979	20.6	1,538,573	34.9
Residential & Commercial	*28*	*11.9*	*263,400*	*10.2*	*934,741*	*21.2*
*Other**	*18*	*7.6*	*267,579*	*10.4*	*603,832*	*13.7*
Commercial/Office Buildings	63	26.7	549,372	21.3	778,273	17.7
Auto-Related Uses	42	17.8	350,041	13.5	258,818	5.9
Industrial/Manufacturing	5	2.1	73,407	2.8	208,780	4.7
Transportation/Utility	3	1.3	56,678	2.2	41,330	0.9
Public Facilities & Institutions	13	5.5	352,409	13.6	608,591	13.8
Open Space	5	2.1	50,494	2.0	4,609	0.1
Parking Facilities	19	8.1	249,027	9.6	65,150	1.5
Vacant Land	15	6.4	74,884	2.9	59,075	1.3
Subarea Total	***236***	***100.0***	***2,583,771***	***100.0***	***4,403,239***	***100.0***

Notes: *Mixed Use (Other) includes a community facility in combination with residential and/or commercial uses.

Source: New York City MapPLUTO, 2016; STV Incorporated, 2017.

Secondary Study Area

The secondary study area includes portions of eight generally defined neighborhoods including: Fordham Manor, University Heights, Fordham Heights, Morris Heights, Mount Hope, Mount Eden, Highbridge, and Concourse (see Figure 2-3, "Land Use, Zoning, and Public Policy Study Area Neighborhoods").

As presented on Figure 2-4, "Secondary Study Area Land Uses," and in Table 2-2, "Existing Land Uses within the Secondary Study Area," similar to the primary study area, the secondary study area comprises

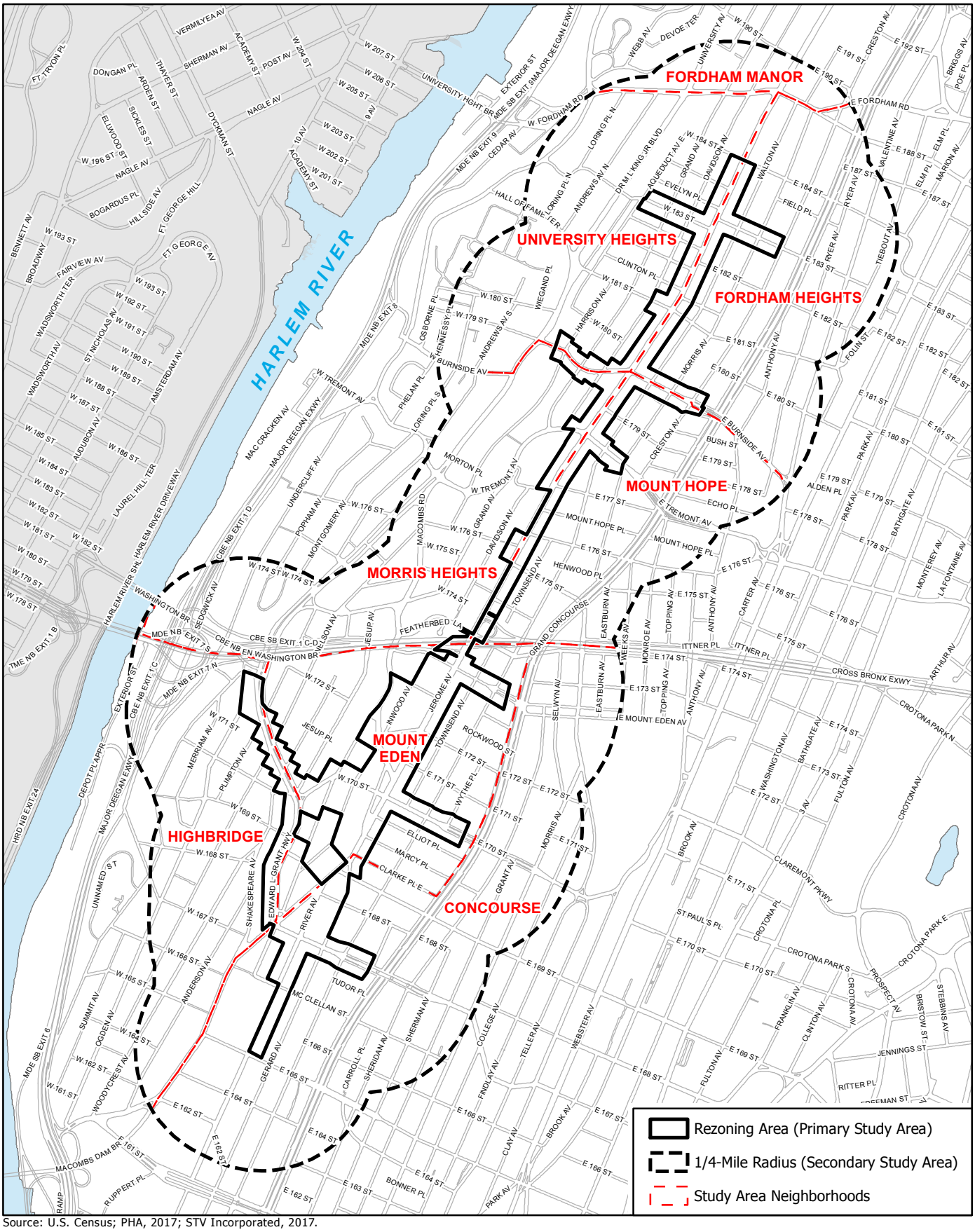
a mix of uses, with residential uses the most prevalent, representing a higher percentage of the secondary study area's lots (71.3 percent) as compared to the primary study area's lots (12.3 percent). Commercial/office buildings represent a smaller percentage of total lots in the secondary study area (4.4 percent) as compared to the primary study area (28.9 percent). Similar to the primary study area, mixed uses represent the second highest percentage of secondary study area lots and built area (9.3 and 20 percent, respectively). While public facilities and institutions occupy only 4.5 percent of total lots in the secondary study area, they account for the second highest percentage of total lot area (15.5 percent). All other uses are represented in the secondary study area, with none comprising a significant portion of the lots.

Table 2-2: Existing Land Uses within the Secondary Study Area

Land Use	Number of Lots	Percentage of Total Lots (%)	Lot Area (sf)	Percentage of Total Lot Area (%)	Building Area (sf)	Percentage of Total Building Area (%)
Residential	2,891	71.3	16,429,443	50.0	51,865,499	64.4
One & Two-Family Buildings	*1,174*	*29.0*	*2,943,173*	*9.0*	*2,898,163*	*3.6*
Multi-Family Walkup Buildings	*1,313*	*32.4*	*7,545,540*	*22.9*	*23,897,100*	*29.7*
Multi-Family Elevator Buildings	*404*	*10.0*	*5,940,730*	*18.1*	*25,070,236*	*31.1*
Mixed Use	377	9.3	4,075,836	12.4	16,242,299	20.2
Residential & Commercial	*337*	*8.3*	*3,744,383*	*11.4*	*14,981,853*	*18.6*
*Other**	*40*	*1.0*	*331,453*	*1.0*	*1,260,446*	*1.6*
Commercial/Office Buildings	177	4.4	1,449,221	4.4	2,343,056	2.9
Auto-Related	19	0.5	200,519	0.6	252,393	0.3
Industrial/Manufacturing	11	0.3	248,399	0.8	66,546	0.1
Transportation/Utility	23	0.6	277,760	0.8	26,032	0.0
Public Facilities & Institutions	183	4.5	5,112,260	15.5	7,404,155	9.2
Open Space	126	3.1	3,619,616	11.0	1,665,630	2.1
Parking Facilities	101	2.5	848,508	2.6	619,775	0.8
Vacant Land	147	3.6	618,101	1.9	0	0.0
Total	***4,055***	***100.0***	***32,879,663***	***100.0***	***80,485,385***	***100.0***

Notes: *Mixed Use (Other) includes a community facility in combination with residential and/or commercial uses

Source: New York City MapPLUTO, 2016.



Source: U.S. Census; PHA, 2017; STV Incorporated, 2017.

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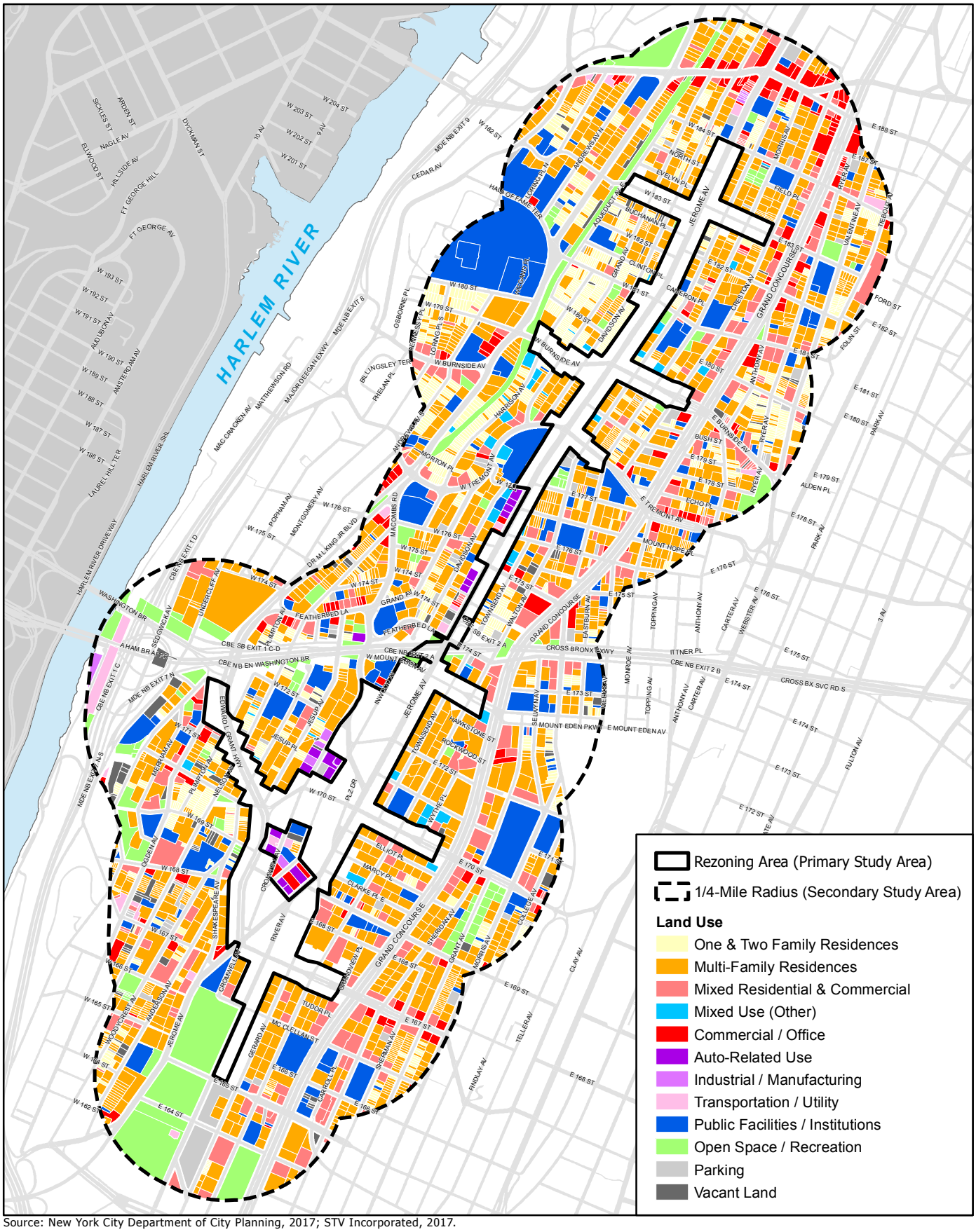
Figure 2-3

LAND USE, ZONING, AND PUBLIC POLICY STUDY AREA NEIGHBORHOODS



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

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Figure 2-4

Jerome Avenue Rezoning EIS

SECONDARY STUDY AREA LAND USES

The secondary study area includes six subway stations (Fordham Road, 182nd-183rd streets, Tremont Avenue, 174th-175th streets, 170th Street, and 167th Street) which are served by the B and D subway lines along the Grand Concourse.

Fordham Manor

The Fordham Manor neighborhood within the secondary study area primarily consists of multi-family residential buildings, as well as commercial uses located along East Fordham Road. Open space resources within this subarea include the northern portion of Aqueduct Walk, Devoe Park, and Muller Triangle. There is also one public institution/facility, ABC Training Center Inc., located along Jerome Avenue north of East Fordham Road. There are no transportation/utility, industrial/manufacturing, or auto-related uses in this subarea, as well as no vacant lots. There is one parking facility located adjacent to the ABC Training Center to the north.

University Heights

The University Heights neighborhood within the secondary study area primarily consists of one- and two-family, as well as multi-family, residential buildings occupying small lots. There are also several institutional uses located within this subarea, including Bronx Community College which dominates the western portion of the neighborhood. Other institutional uses include St. Nicholas of Tolentine Church, P.S. 15, Bronx Household of Faith, University Heights Presbyterian Church, P.S. 91, and P.S. 206. Open spaces within the neighborhood include Aqueduct Walk, which runs north-south on Aqueduct Avenue, as well as Davidson Playground, Grand Playground, and Jardin De Las Rosas. There are also several vacant lots located along Buchanan Place and Aqueduct Avenue. Finally, commercial and mixed uses dominate the northern part of the neighborhood along West Fordham Road.

Fordham Heights

The Fordham Heights neighborhood within the secondary study area is primarily consists of multi-family residential buildings occupying a variety of lot sizes. There are several smaller open spaces located within this neighborhood, including Slattery Playground, Bergen Triangle, Morris Garden, and Walton Park. The Grand Concourse is a defining feature of this neighborhood and is occupied by commercial and mixed use buildings. There are also several institutional uses within this subarea, including Fordham Lutheran Church, East Fordham Academy for the Arts, P.S. 209, J.H.S. 115, P.S. 9, Elementary School for Math, Science, and Technology, and P.S. 279. There are minimal vacant lots and parking facilities within this subarea. Similar to Mount Hope Subarea, commercial uses dominate the northern part of the subarea along East Fordham Road.

Morris Heights

The Morris Heights neighborhood within the secondary study area is primarily consists of multi-family residential buildings, with one- and two-family residences along Harrison Avenue. The Sedgwick Houses, located in the southwest corner of the subarea, are a multi-family housing complex that are bordered by Sedgwick Playground to the south. Additional open spaces within this subarea include the

southern portion of Aqueduct Walk, Morton Playground, University Malls, Galileo Playground, Half-Nelson Playground, and Featherbed Triangle. There are several institutional uses within the subarea along West Tremont Avenue, including P.S. 306, P.S. 204, J.H.S. 82, and P.S. 232. The few commercial uses that exist can be found along West Burnside Avenue, and include delis, restaurants, pharmacies, and beauty salons. Finally, there are several other mixed uses within this neighborhood, particularly along Harrison Avenue and West Tremont Avenue. These uses include residential/community facility mixed uses that contain facilities such as daycares, after school programs, rehabilitation facilities, and medical offices.

Mount Hope

The Mount Hope neighborhood within the secondary study area primarily consists of multi-family residential buildings, with one- and two-family residences located along Townsend Avenue and Morris Avenue. Open spaces within this subarea include Mount Hope Garden, Devanney Triangle, Richman (Echo) Park, Echo Triangle, Mount Hope Playground, Townsend Garden, Cleopatra Playground, and Peace Park. Two larger institutional uses, St. Margaret Mary's School, and P.S. 117, are located within this neighborhood, as well as several smaller uses, including Pilgrim Congregation Church, Tremont Presbyterian Church, Fountain Spring Baptist Church, and Tremont Monterey Daycare. There are limited commercial uses, vacant lots, and parking facilities within this subarea. Existing mixed uses can be found along the northern border of this subarea along East Burnside Avenue and the Grand Concourse.

Mount Eden

The Mount Eden neighborhood within the secondary study area primarily consists of multi-family residential buildings, particularly along the Grand Concourse. There are several open spaces located in the northern portion of this neighborhood, including Plimpton Playground, Inwood Park, and Jerome Playground South. Several institutional uses occupy large lots in the western portion of this neighborhood, including Volunteers of America, First Ghana Seventh-Day Adventist Church, West Bronx Recreation Center, and P.S. 199. In addition, there are industrial/manufacturing and auto-related uses, including auto repair shops, located along Cromwell Avenue and Inwood Avenue. Commercial and mixed uses are limited in this neighborhood, with a few mixed uses located along the Grand Concourse.

Highbridge

The Highbridge neighborhood within the secondary study area is made up of a variety of land uses, with residential uses, including one- and two-family and multi-family, dominating the area. There are also a large amount of open space resources, including Bridge Playground, Ogden Plimpton Playground, Corporal Irwin Fischer Park, Mosaic Success Garden, Merriam Playground, Martin Luther King Triangle, Las Casitas Community Garden, Nelson Playground, Jerome Slope, and several other community gardens. This neighborhood also contains several institutional uses, including the Highbridge Community Life Center, Help Project Samaritan, Good Shepherd Services, Sacred Heart School, Siena House, Woodycrest United Methodist Church, and P.S. 126. There are small vacant lots scattered throughout the neighborhood, with a large portion located along Dr. Martin Luther King Jr. Boulevard.

Commercial and mixed uses are also scattered throughout the neighborhood and are primarily found on commercial corridors such as West 167th Street and West 168th Street.

Concourse

The Concourse neighborhood within the secondary study area primarily consists of multi-family residential buildings, large institutional uses, and several open space uses. The open spaces located within this neighborhood include Claremont Park, Grant Park, Joyce Kilmer Park, and Mullaly Park. Institutional uses are located primarily to the east of the Grand Concourse and include Bronx Lebanon Hospital Center and Surgery Center, Mount Gilead Baptist Church, P.S. 70, Bronx High School of Business, Sheridan Academy for Young Leaders, and Mid-Bronx CCRP Headstart. There is a high number of mixed use buildings (residential/commercial) located within this neighborhood, with the majority located on or within close proximity to the Grand Concourse. There are also several other mixed uses located on East 171st Street an, Elliot Place, and Clarke Place East. Vacant lots and parking facilities are scarce within this neighborhood.

Zoning

Primary Study Area

As shown on Figure 2-5, "Existing Zoning," the primary study area is mapped with a mix of commercial and residential zoning districts, and one manufacturing district, which are described in greater detail below.

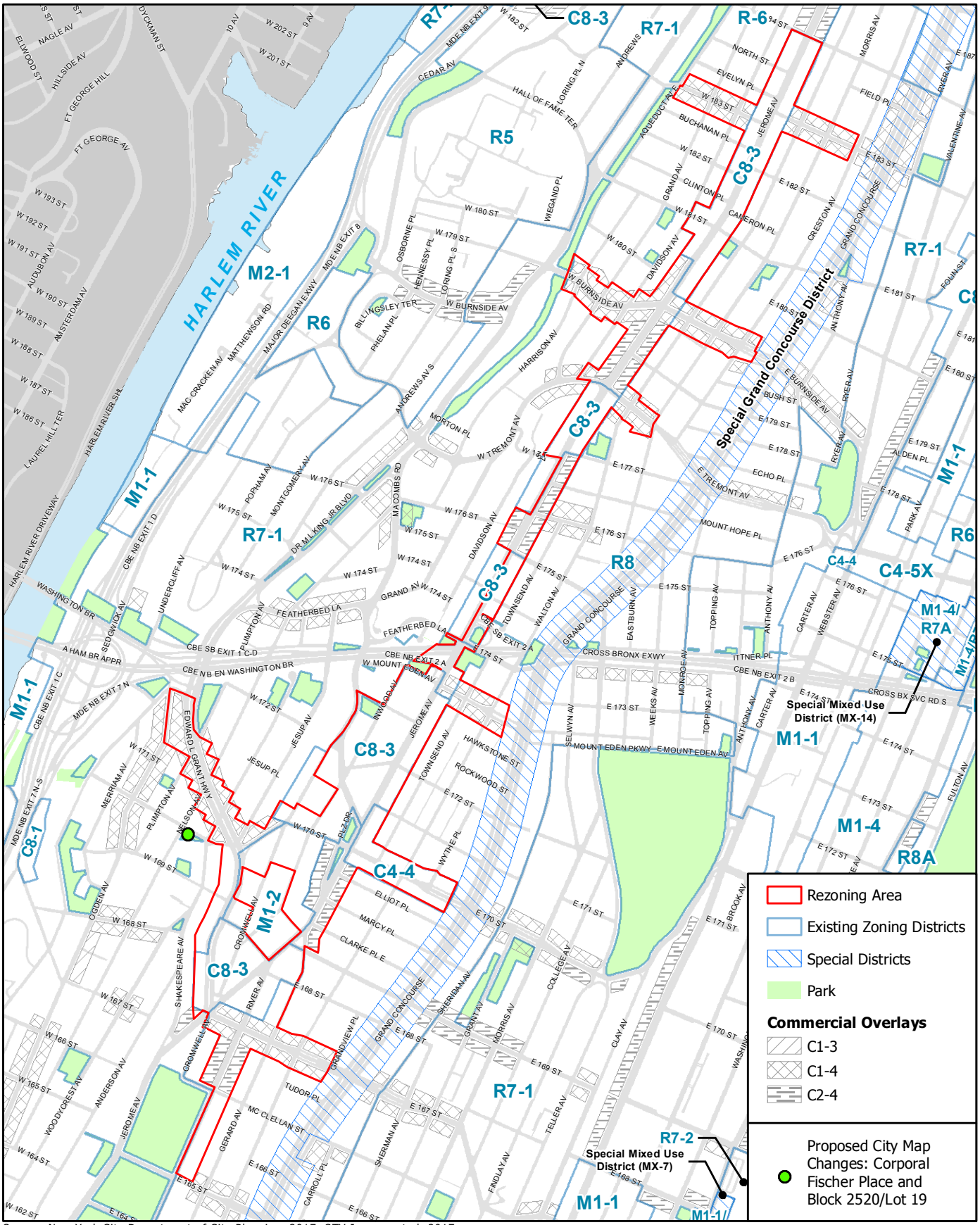
C8-3

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

C4-4

There is one C4-4 commercial zoning district in the primary study area, which is mapped along East 170th Street, between the Grand Concourse and Jerome Avenue. C4-4 districts permit commercial uses at a maximum FAR of 3.4, residential uses at a maximum FAR of 3.44 (or 4.0 through the Inclusionary Housing Program), and community facilities at a maximum FAR of 6.5. C4 districts are regional commercial districts, which permit uses such as specialty and department stores that serve a larger area

and generate more activity than local retail. Use Groups 5, 6, 8, 9, 10, and 12, which include most retail establishments, are permitted in C4 districts. Uses that would interrupt the desired continuous retail frontage, such as Use Group 7 (home maintenance and repair service stores), are not allowed.



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

N

0 0.25 0.5 Mile

Figure 2-5

EXISTING ZONING

R8

A R8 residential zoning district is mapped along a portion of Jerome Avenue between West 170th Street and East 169th Street, a portion of River Avenue between East 168th Street and East 165th Street, and the following streets (all east of Jerome Avenue) including East 183rd Street, East Burnside Avenue, East Tremont Avenue, East Mount Eden Avenue, and East 167th Street. R8 districts are higher-density residential districts that allow for apartment buildings ranging from mid-rise, eight- to ten-story buildings to much taller buildings set back from the street on large zoning lots. New buildings in R8 districts may be developed under either Height Factor regulations or the optional Quality Housing regulations.

Under Height Factor regulations, R8 districts permit residential development at a maximum FAR of 6.02. Under R8 Height Factor regulations, buildings have no fixed height limits and building envelopes are regulated by a sky exposure plan and open space ratio. Maximum building height is determined by the sky exposure plane after a maximum base height of 85 feet or 9 stories, (whichever is less). Community facility uses are permitted in R8 districts up to a maximum FAR of 6.5. Parking is required for 40 percent of the residential units except that no parking is required for income or age-restricted units.

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

R7-1

R7-1 residential zoning districts are mapped along three portions of Jerome Avenue and the following streets (all west of Jerome Avenue) including West 183rd Street, West Burnside Avenue, and Edward L. Grant Highway. R7 districts are medium-density apartment house districts. The Height Factor regulations for R7 districts encourage taller buildings with less lot coverage on larger lots. The optional Quality Housing regulations allow for lower buildings with greater lot coverage.

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

Under R7 Quality Housing regulations, buildings have a maximum residential FAR of 3.44 on narrow streets (i.e., less than 75 feet wide), with a maximum base height of 65 feet and a maximum building height of 75 feet; buildings have a maximum residential FAR of 4.0 within 100 feet of wide streets (i.e.,

75 feet wide or greater) with a maximum base height of 75 feet and a maximum building height of 85 feet (with a qualifying ground floor). Community facility uses are permitted in R7-1 districts up to a maximum FAR of 4.8.

M1-2

A M1-2 manufacturing zoning district is mapped west of Jerome Avenue, between West 170th Street and West 169th Street, and permits manufacturing and commercial uses at a maximum FAR of 2.0. M1-2 districts also permit community facility uses at a maximum FAR of 4.8. M1 districts have a base height limit, above which a structure must fit within a sloping sky exposure plane; this base height is 60 feet, or 4 stories, whichever is less, in M1-2 districts. M1-2 districts are subject to parking requirements based on the type of use and size of an establishment. M1-2 districts generally allow one- or two-story warehouses for light industrial uses, including repair shops and wholesale service facilities, as well as self-storage facilities and hotels. M1 districts are intended for light industry; however, heavy industrial uses are permitted in M1 districts as long as they meet the strict performance standards set forth in the Zoning Resolution of the City of New York (ZR). No new residential uses are permitted.

Commercial Overlays

Commercial overlays are mapped along streets that serve local retail needs and are found within residential districts. Typical uses include neighborhood grocery stores, restaurants, and beauty parlors. In mixed use buildings, commercial uses are limited to one or two floors and must always be located below the residential use. As shown on Figure 2-5, "Existing Zoning," C1-4 and C2-4 commercial overlays are mapped within the primary study area over both R7-1 and R8 residential districts.

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

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

Secondary Study Area

Zoning classifications within the secondary study area are shown on Figure 2-5 and listed in Table 2-3, "Existing Zoning Districts within the Secondary Study Area." Residential districts in the secondary study area include a R8 district, which is mapped to the east of the primary study area, and R7-1 districts, which are mapped both west of the primary study area and along the eastern border of the secondary study area. A R6 district is mapped in the northwestern portion of the secondary study area and a R5 district is mapped along the western border of the secondary study area. Commercial districts include

C8-3 districts mapped along Jerome Avenue, a C8-1 district mapped along the western border of the secondary study area, and a C4-4 district mapped in the northeastern portion of the secondary study area. Commercial overlays are mapped within the secondary study area and include C1-4 and C2-4 districts. A M1-1 manufacturing district is mapped along the western border of the secondary study area, adjacent to the Harlem River.

As shown on Figure 2-5, "Existing Zoning," the Special Grand Concourse District runs through the eastern portion of the secondary study area and extends almost the entire length of the Grand Concourse from Mosholu Parkway to East 151st Street. The Special Grand Concourse District (C) is a special purpose district established to protect the distinctive Art Deco composition and scale of the apartment buildings that line this wide thoroughfare. It does so by establishing bulk and design regulations and limiting commercial uses to specific locations. The district consists of a Residential Preservation Area and three commercial areas where commercial uses are limited to designated locations in order to preserve the boulevard's traditional residential character.

Table 2-3: Existing Zoning Districts within the Secondary Study Area

Name	Definition/General Use	Maximum FAR
Residential Districts		
R5	R5 districts allow a variety of housing at a higher density than permitted in R3-2 and R4 districts and typically produce three- and four-story attached houses and small apartment houses. R5 districts provide a transition between lower- and higher-density neighborhoods.	R: 1.25[1]; C: 0.0; CF: 2.0; M: 0.0
R6	R6 districts are widely mapped in built-up medium-density areas. The character of R6 districts can range from neighborhoods with a diverse mix of building types and heights to large-scale "tower in the park" developments. Developers can choose between standard Height Factor regulations or optional Quality Housing regulations.	R: 2.43/3.0[2]; C: 0.0 ; CF: 4.8; M: 0.0
R7-1	R7 districts are medium-density apartment house districts. Developers can choose between standard Height Factor regulations or optional Quality Housing regulations.	R: 3.44/4.0[3]; C: 0.0; CF: 4.8; M: 0.0
R8	R8 districts typically produce apartment buildings that can range from mid-rise, eight- to ten-story buildings to much taller buildings set back from the street on large zoning lots. Developers can choose between standard Height Factor regulations or optional Quality Housing regulations.	R: 6.02/7.20[4]; C: 0.0; CF: 6.5; M: 0.0
Commercial Districts		
C1-4 & C2-4 (overlays)	C1 and C2 commercial overlays are mapped within residential districts along streets that serve local retail needs. In mixed use buildings, commercial uses are limited to one or two floors and must always be located below the residential uses. C2 commercial overlay districts permit a slightly wider range of uses than C1 districts.	R & CF: Same as underlying R district; C: 1.0 within R1-R5 districts & 2.0 within R6-R10 districts; M: 0.0
C4-4	C4 districts permit Use Groups 5, 6, 8, 9, 10, and 12, which include most retail establishments. Uses that would interrupt the desired continuous retail frontage, such as Use Group 7, are not allowed. C4-4 districts are mapped in more densely built areas.	R: 3.44/4.0[5]; C: 3.4; CF: 6.5; M: 0.0
C8-1	C8 districts bridge commercial and manufacturing uses and provide for automotive and other heavy commercial services that often require large amounts of land.	R: 0.0; C: 1.0; CF: 2.4; M: 0.0
C8-3		R: 0.0; C: 2.0; CF: 6.5; M: 0.0

Table 2-3 (continued): Existing Zoning Districts within the Secondary Study Area

Manufacturing Districts		
M1-1	M1 districts are often buffers between M2 or M3 districts and adjacent residential or commercial districts. M1 districts typically include light industrial uses, which must meet the stringent M1 performance standards.	R: 0.0; C:1.0; CF: 2.4[6]; M: 1.0
Special Purpose District		
C	Special Grand Concourse District	
Special Purpose Subdistrict		
Special Grand Concourse District - Residential Preservation Area		

Notes:
R=Residential; C=Commercial; CF=Community Facility; M=Manufacturing
[1] On blocks entirely within an R5 district, optional infill regulations may be used to develop higher density residential buildings in predominantly built-up areas. The maximum residential FAR may increase to 1.65 in R5 districts where infill regulations apply.
[2] Residential FAR may be increased up to 3.0 on wide streets outside the Manhattan Core under Quality Housing Program regulations.
[3] Residential FAR may be increased up to 4.0 on wide streets outside the Manhattan Core under Quality Housing Program regulations.
[4] Residential FAR may be increased up to 7.2 on wide streets outside the Manhattan Core under Quality Housing Program regulations.
[5] FAR may differ with Inclusionary Housing Program bonus.
[6] Nursing homes and non-profit residential facilities limited to residential FAR, except by special permit.

Source: Zoning Resolution of the City of New York

Public Policy

Public policies applicable to the primary and secondary study areas are discussed below. The Proposed Actions' consistency with each of these policies is assessed in "The Future with the Proposed Actions (With-Action Condition)" section of this chapter.

Primary Study Area

Housing New York

On May 5th, 2014, the City released *Housing New York: A Five-Borough, Ten-Year Plan* to build and preserve 200,000 units of affordable housing throughout New York City. *Housing New York* has laid out a blueprint for preserving and constructing affordable housing; fostering thriving and inclusive neighborhoods; and creating stable and caring environments for homeless individuals, seniors, and others who have special needs. The housing plan builds upon ideas for new programs or improvements of existing programs proposed by industry leaders, advocates, and experts. The plan outlines more than 50 initiatives to support the administration's goal of building or preserving 200,000 units of high-quality affordable housing to meet the needs of more than 500,000 people. These initiatives follow five guiding policies and principles: fostering diverse, livable neighborhoods; preserving the affordability and quality of the existing housing stock; building new affordable housing for all New Yorkers; promoting homeless, senior, supportive, and accessible housing; and refining City financing tools and expanding funding

sources for affordable housing. The Jerome Avenue Neighborhood Planning Study is a part of *Housing New York*.

Vision Zero

On February 18, 2014, the City released the *Vision Zero Action Plan*, which seeks to eliminate all deaths from traffic crashes regardless of whether on foot, bicycle, or inside a motor vehicle. Vision Zero programs combine strong enforcement and better roadway engineering with improved emergency response and high visibility behavior campaigns to discourage dangerous behavior on roads and streets. The *Vision Zero Action Plan* outlines 63 separate initiatives spread across the Mayor's Office and a number of City agencies including the New York City Department of Transportation (DOT), the New York Police Department (NYPD), and the Taxi and Limousine Commission (TLC).

One of the Vision Zero initiatives includes the release of the *Vision Zero Borough Pedestrian Safety Action Plan* for the Bronx in 2015. This plan is one of a set of five plans, each of which analyzes the unique conditions of one New York City borough and recommends actions to address the borough's specific challenges to pedestrian safety. Each borough plan was shaped by community input from the Vision Zero Pedestrian Safety Workshops held across the five boroughs and thousands of comments collected via an interactive, online Vision Zero Public Input Map. The *Vision Zero Borough Pedestrian Safety Action Plan* for the Bronx pinpoints the conditions and characteristics of the Bronx's pedestrian fatalities and severe injuries; it also identifies corridors, intersections, and areas that disproportionately account for the Bronx's pedestrian fatalities and severe injuries and strategically prioritizes them for safety interventions. The plan also recommends a series of actions that intend to alter the physical and behavioral conditions on the Bronx's streets that lead to pedestrian fatality and injury. The plan identified four "Priority Corridors" within the primary study – East 170th Street (Clay Avenue to University Avenue), East 167th Street (Jerome Avenue to Boston Road), Tremont Avenue (Schurz Avenue to Sedgwick Avenue), and East 165th Street (Jerome Avenue to 3rd Avenue) - and three "Priority Corridors" within the secondary study area - Fordham Road (Bronx River Parkway to University Heights Bridge), Grand Concourse (East 138th Street to Mosholu Parkway), and University Avenue (Sedgwick Avenue to Fordham Road). In addition, eight intersections within the secondary study area were identified as "Priority Intersections": East 170th Street and Grand Concourse, University Avenue and West Fordham Road, Grand Concourse and Monroe Avenue and East Tremont Avenue, West Fordham Road and Grand Avenue, East Burnside Avenue and Grand Concourse, East 183rd Street and Grand Concourse, West 183rd Street and Dr. Martin Luther King, Jr. Boulevard, and East 182nd Street and Grand Concourse.

OneNYC

On April 22, 2015, the City released *One New York: The Plan for a Strong and Just City*, a comprehensive plan for a sustainable and resilient city for all New Yorkers that addresses the profound social, economic, and environmental challenges ahead. *OneNYC* builds on prior long-term sustainability plans

for New York City. Growth, sustainability, and resiliency remain at the core of OneNYC but with the poverty rate remaining high and income inequality continuing to grow, equity was added as a guiding principle throughout the plan. In addition, *OneNYC* recognizes the importance of the City's strength as being essential for the strength of the region and that the plan was a citywide effort of multiple city agencies working together to develop new initiatives.

OneNYC contains over 200 separate initiatives that take an integrated approach to promoting the City's growth, equity, sustainability, and resiliency.

The four visions outlined in the plan are to make New York City:

- A Growing, Thriving City by fostering industry expansion and cultivation, promoting job growth, creating and preserving affordable housing, supporting the development of vibrant neighborhoods, increasing investment in job training, expanding high-speed wireless networks, and investing in infrastructure.

- A Just and Equitable City by raising the minimum wage, expanding early childhood education, improving health outcomes, making streets safer, and improving access to government services.

- A Sustainable City by reducing greenhouse gas emissions, diverting organics from landfills to attain Zero Waste, remediating contaminated land, and improving access to parks.

- A Resilient City by making buildings more energy efficient, making infrastructure more adaptable and resilient, and strengthening coastal defenses.

As the *CEQR Technical Manual* has yet to be updated to address the approach of *OneNYC*, the *PlaNYC* sustainability assessment, as described below, would continue to be utilized on large publicly-sponsored projects.

PlaNYC

On April 22, 2007, the City released the first *PlaNYC: A Greener, Greater New York*, which focused on responsibly meeting the City's growing population and infrastructure needs, and included the City's initial sustainability strategy. *PlaNYC* outlined measures to address the City's aging infrastructure, support parks, improve the quality of life and health for New Yorkers, and for the first time ever, commit to a goal for reducing greenhouse gas emissions. The plan, launching over 127 initiatives, brought together over 25 city agencies to work toward the vision of a greener, greater New York.

The update to *PlaNYC* in 2011 expanded on these initiatives by strengthening the City's commitment to environmental stability and livable neighborhoods, launching brownfield cleanups, and improving the quality of the City's air and water. The updated plan built up the progress and lessons of the four years since the release of *PlaNYC* in 2007. In the 2011 update, elements of the plan were organized into ten

categories – housing and neighborhoods, parks and public space, brownfields, waterways, water supply, transportation, energy, air quality, solid waste, and climate change – with corresponding goals and initiatives for each category.

Per the guidance of the *CEQR Technical Manual*, a project is generally considered consistent with *PlaNYC*'s goals if it includes one or more of the following elements:

- *Land Use:* pursue transit-oriented development; preserve and upgrade current housing; promote walkable destinations for retail and other services; reclaim underutilized waterfronts; adapt outdated buildings to new uses; develop underused areas to knit neighborhoods together; deck over rail yards, rail lines, and highways; extend the Inclusionary Housing Program in a manner consistent with such policy; preserve existing affordable housing; and redevelop brownfields.

- *Open Space:* complete underdeveloped destination parks; provide more multi-purpose fields; install new lighting at fields; create or enhance public plazas; plant trees and other vegetation; upgrade flagship parks; convert landfills into parkland; increase opportunities for water-based recreation; and conserve natural areas.

- *Water Quality:* expand and improve wastewater treatment plants; protect and restore wetlands, aquatic systems, and ecological habitats; expand and optimize the sewer network; build high level storm sewers; expand the amount of green, permeable surfaces across the City; expand the Bluebelt system; use "green" infrastructure to manage stormwater; be consistent with the Sustainable Stormwater Management Plan; build systems for on-site management of stormwater runoff; incorporate planting and stormwater management within parking lots; build green roofs; protect wetlands; use water-efficient fixtures; and adopt a water conservation program.

- *Transportation:* promote transit-oriented development; promote cycling and other sustainable modes of transportation; improve ferry services; make bicycling safer and more convenient; enhance pedestrian access and safety; facilitate and improve freight movement; maintain and improve roads and bridges; manage roads more efficiently; increase capacity of mass transit; provide new commuter rail access to Manhattan; improve and expand bus service; improve local commuter rail service; and improve access to existing transit.

- *Air Quality:* promote mass transit; use alternative fuel vehicles; install anti-idling technology; use retrofitted diesel trucks; use biodiesel in vehicles and in heating oil; use ultra-low sulfur diesel and retrofitted construction vehicles; use cleaner-burning heating fuels; and plant street trees and other vegetation.

- *Energy:* exceed the energy code; improve energy efficiency in historic buildings; use energy efficient appliances, fixtures, and building systems; participate in peak load management systems, including smart metering; repower or replace inefficient and costly in-City power plants; build distributed generation power units; expand the natural gas infrastructure; use renewable energy; use natural gas; install solar panels; use digester gas for sewage treatment plants; use energy from solid waste; and reinforce the electrical grid.

- *Natural Resources:* plant street trees and other vegetation; protect wetlands; create open space; minimize or capture stormwater runoff; and redevelop brownfields.

- *Solid Waste:* promote waste prevention opportunities; increase the reuse of materials; improve the convenience and ease of recycling; create opportunities to recover organic material; identify additional markets for recycled materials; reduce the impact of the waste systems on communities; and remove toxic materials from the general waste system.

New York City Food Retail Expansion to Support Health Program

The New York City Food Retail Expansion to Support Health (FRESH) program was created in 2009 to promote the establishment and expansion of neighborhood grocery stores in underserved communities by providing zoning and financial incentives to eligible grocery store operators and developers. The primary and secondary study areas are located within a designated FRESH-eligible area.

The FRESH program is a joint effort sponsored by DCP and the Economic Development Corporation (EDC), which seeks to incentivize the establishment of neighborhood full-line grocery stores in low-income and underserved communities. When a full-line grocery store is included in a new building or expansion or conversion of an existing building, the program offers additional floor area in mixed use buildings, reduces parking requirements, and allows larger stores to locate as-of-right in light manufacturing areas. Stores that benefit from the program must be located in FRESH-eligible areas and must meet the following criteria:

- Provide a minimum of 6,000 sf of retail space for a general line of food and non-food grocery products intended for home preparation, consumption, and utilization;

- Provide at least 50 percent of a general line of food products intended for home preparation, consumption, and utilization;

- Provide at least 30 percent of retail space for perishable goods that include dairy, fresh produce, fresh meats, poultry, fish, and frozen foods; and

- Provide at least 500 sf of retail space for fresh produce.

Financial incentives are available to eligible grocery store operators and developers to facilitate and encourage FRESH Food Stores in the designated area. These incentives include real estate tax reductions, sales tax exemptions, floor area bonuses, and mortgage recording tax deferrals.

New York Empowerment Zone

As shown on Figure 2-6, "New York Empowerment Zone and Business Improvement Districts," the South Bronx portion of the New York Empowerment Zone (NYEZ) includes the Highbridge neighborhood, which comprises a portion of the southern end of the primary study area. Empowerment Zones were introduced in 1993 by the U.S. Department of Housing and Urban Development (HUD) to encourage business growth and economic development in low-income communities. The New York Empowerment Zone, created to revitalize Upper Manhattan and the South Bronx, is an economic development initiative which uses public funds and tax incentives to encourage private investments in these areas.

Secondary Study Area

In addition to the public policies described above, the secondary study area also includes the New York Empowerment Zone, two Business Improvement Districts (BIDs), and the Special Grand Concourse District, which are described in greater detail below.

New York Empowerment Zone

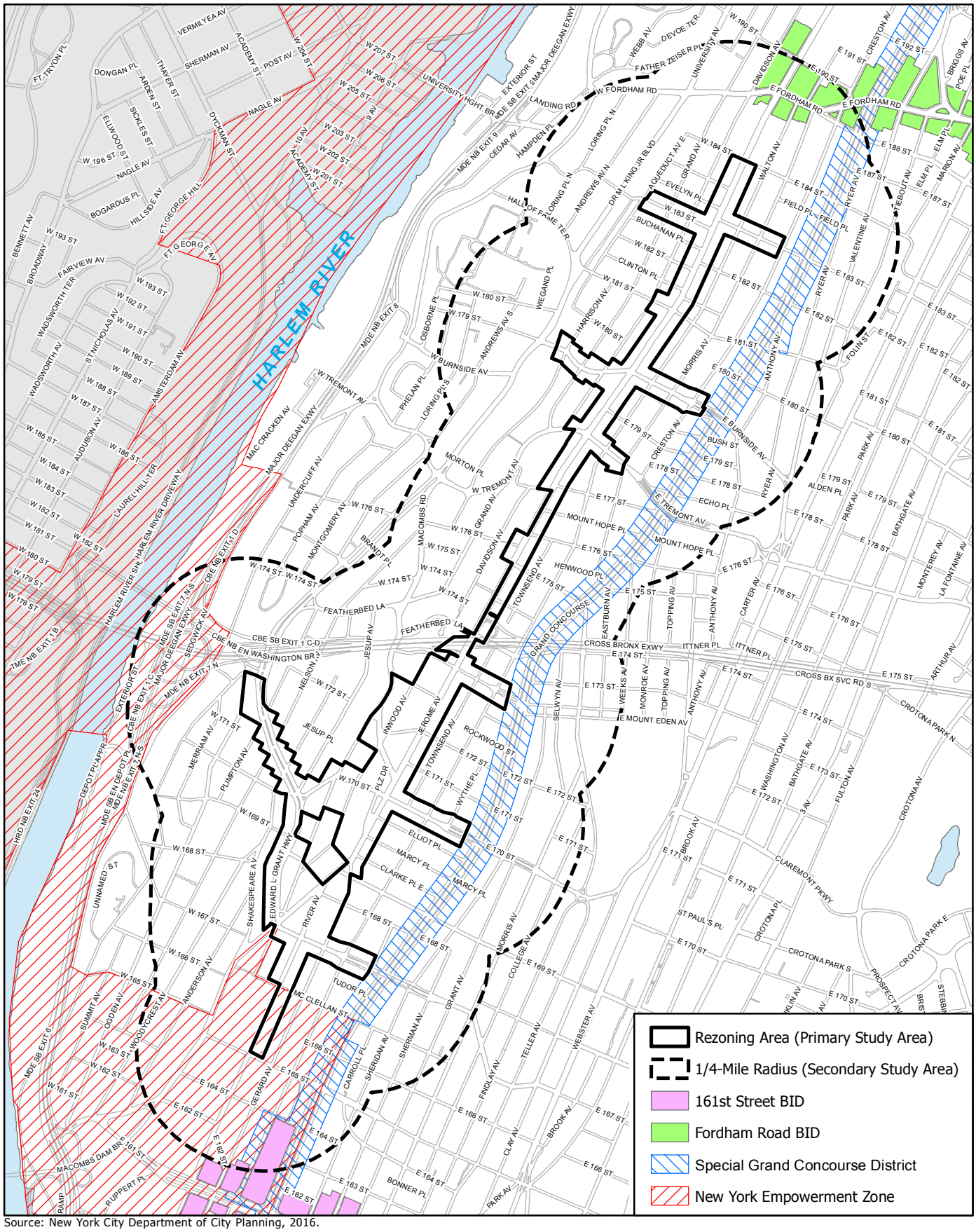
As shown on Figure 2-6, "New York Empowerment Zone and Business Improvement Districts," in addition to being partially located within the southern portion of the primary study area, a portion of the New York Empowerment Zone also falls within the southern portion of the secondary study area.

Business Improvement Districts

As shown on Figure 2-6, portions of the secondary study area fall within two Business Improvement Districts (BIDs); the Fordham Road BID and the 161st Street BID. BIDs are public/private partnerships in which property and business owners elect to make a collective contribution to the maintenance, development, and promotion of their commercial district. BIDs seek to revitalize neighborhoods and catalyze economic development, and offer supplemental services such as: sanitation and maintenance; public safety and hospitality; marketing and promotions; capital improvements; beautification; district representation; and business development. The Fordham Road BID, established in 2004, covers approximately 26 blocks and is generally bounded by Bedford Park Boulevard to the south, East 182nd Street to the south, Southern Boulevard to the east, and Davidson Avenue to the west. The 161st Street BID, established in 2005, covers approximately 14 blocks and is generally bounded by 164th Street to the north, 156th Street to the south, Concourse Village/Morris Avenue to the east, and River Avenue to the west.

Special Grand Concourse District

As shown on Figure 2-6, the eastern portion of the secondary study area includes the Special Grand Concourse District, which extends almost the entire length of the Grand Concourse from Mosholu Parkway to East 151st Street. The Special Grand Concourse District is a special purpose district established to protect the distinctive Art Deco composition and scale of the apartment buildings that line this wide thoroughfare. The district consists of a Residential Preservation Area and three commercial areas where commercial uses are limited to designated locations in order to preserve the boulevard's traditional residential character.



Source: New York City Department of City Planning, 2016.

N

0 0.25 0.5 Mile

Jerome Avenue Rezoning EIS

Figure 2-6

NEW YORK EMPOWERMENT ZONE, BUSINESS IMPROVEMENT DISTRICTS, & SPECIAL GRAND CONCOURSE DISTRICT

THE FUTURE WITHOUT THE PROPOSED ACTIONS (NO-ACTION CONDITION)

Land Use

Primary Study Area

In the 2026 future without the Proposed Actions, it is expected that the current land use trends and general development patterns would continue. These trends and patterns are characterized by a mix of uses, including mixed use, residential, and community facility development. As indicated in Table 2-4, "Development Projects in the Future without the Proposed Actions," nine of the 45 projected development sites are expected to be redeveloped, or undergo conversion, in the future without the Proposed Actions. Table 2-4, "Development Projects in the Future without the Proposed Actions," summarized the incremental development anticipated on these nine projected development sites in the future without the Proposed Actions.[1] No-Action development on these nine projected development sites would result in a net 773,203 sf of market-rate residential floor area (734 dwelling units [DUs]), 89,327 sf of commercial uses, and 36,120 sf of community facility uses on the projected development sites.

In addition to the as-of-right development anticipated on some of the projected development sites in the RWCDS, three other sites in the primary study area are expected to be developed in the future without the Proposed Actions (see Figure 2-7, "No-Action Development Sites," and Table 2-4, "Development Projects in the Future without the Proposed Actions"). A new mixed use development with 29 residential units, a 25,324 sf community facility (transitional housing), and a 5,000 sf medical office is planned at 1285 Edward L. Grant Highway. A new 9,695 sf commercial (local retail) development at 1384 Nelson Avenue is expected to be completed by 2017 and a new mixed use development at 1448 Plimpton Avenue with 61 residential units and a 22,557 sf community facility (community center) is expected to be completed by the end of 2017.

In total, the new primary study area No-Action developments would introduce an estimated 2,392 new residents and 610 new workers to the primary study area.

[1] Although construction of the anticipated No-Action developments would likely be completed intermittently by the 2026 analysis year, for purposes of this assessment, a 2026 build year is assumed for all projected development sites' No-Action development.

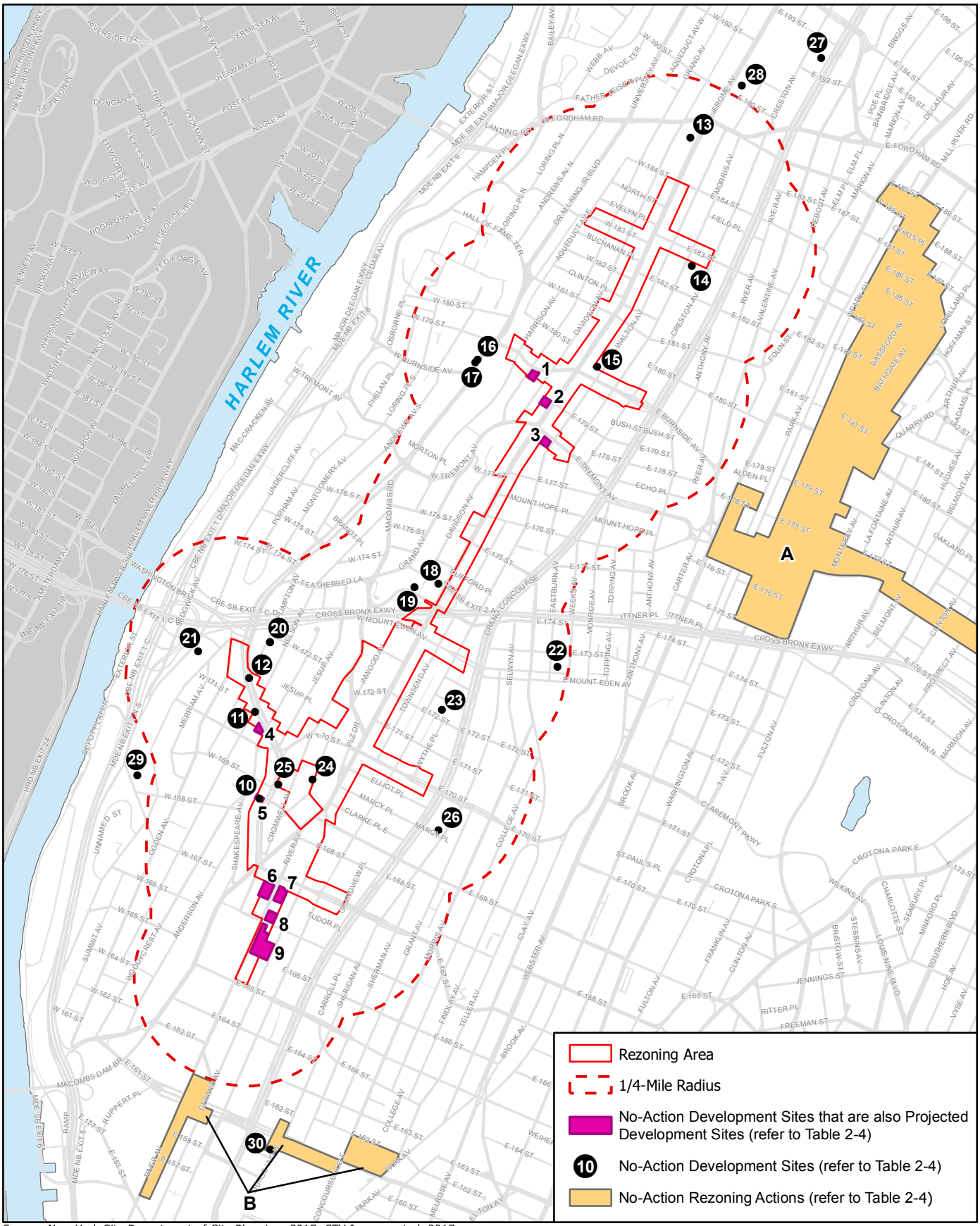
Secondary Study Area

Fourteen known and anticipated developments are expected in the ¼-mile secondary study area, including seven residential developments, three commercial developments, three mixed use developments, and one community facility (community center).

In total, the new secondary study area No-Action developments will introduce an estimated 1,926 new residents and 541 new workers to the secondary study area.

Other Developments Outside of the Study Areas

For the purposes of other analyses that have a larger study area, such as community facilities and open space, Figure 2-7 and Table 2-4 also identify five new residential and mixed use developments anticipated to occur within a ¼-mile to a ½-mile of the primary study area.



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

Figure 2-7

Jerome Avenue Rezoning EIS

NO-ACTION DEVELOPMENT SITES

Table 2-4: Development Projects in the Future without the Proposed Actions

Map No.[1]	Project Name/Address	Development Proposal Program	Build Year	Estimated Net Residents[2, 3]	Estimated Net Workers[4,5]
Primary Study Area (Rezoning Area)					
1	Projected Development Site 10 - 40 West Burnside Avenue	A new mixed-use development with 22,575 sf of residential (23 DUs), a 19,425 sf FRESH supermarket, and 53 parking spaces	2026	70	60
2	Projected Development Site 13 - 1985 Jerome Avenue	A new mixed-use development with 36,836 sf of residential (37 DUs), 6,500 sf of retail, and 29 parking spaces	2026	113	22
3	Projected Development Site 17 - 10 East Tremont Avenue	A new mixed-use development with 59,712 sf of residential (60 DUs) and 9,631 sf of retail	2026	184	31
4	Projected Development Site 31 - 1355 Grant Avenue	A new community facility development (house of worship) with a total floor area of 36,120 sf and 36 parking spaces	2026	0	109
5	Projected Development Site 38 - Edward L. Grant Highway	A new residential development with a total floor area of 12,953 sf (13 DUs)	2026	37	1
6	Projected Development Site 41 - River Avenue	A new mixed-use development with 139,590 sf of residential (140 DUs), 22,950 sf of retail, and 79 parking spaces	2026	402	77
7	Projected Development Site 42 - 1184 River Avenue	A new mixed-use development with 110,767 sf of residential (111 DUs), 18,211 sf of retail, and 63 parking spaces	2026	319	60
8	Projected Development Site 44 - 1150 River Avenue	A new mixed-use development with 76,967 sf of residential (77 DUs), 12,610 sf of retail, and 28 parking spaces	2026	221	42
9	Projected Development Site 45 - River Avenue; 1083 Gerard Avenue; 1079 Gerard Avenue	A new residential development with a total floor area of 412,803 sf (273 DUs) and 185 parking spaces	2026	783	15
10	1285 Edward L. Grant Highway	A new mixed-use development with 29 DUs, 25,324 sf of community facility (transitional housing), and a 5,000 sf medical office	2026	85	96
11	1384 Nelson Avenue	A new commercial (local retail) development with a total floor area of 9,695 sf	2017	0	29
12	1448 Plimpton Avenue	A new mixed-use development with 61 DUs and 22,557 sf of community facility (community center)	2017	178	68
Net Incremental Development for Primary Study Area		*Residential = 863,203 sf (824 DUs)* *Commercial = 99,022 sf* *Community Facility = 89,001 sf*		2,392	610

Table 2-4 (continued): Development Projects in the Future without the Proposed Actions

Secondary Study Area (1/4-Mile Radius)					
13	2429 Jerome Avenue	A new mixed-use development with 7,640 sf of commercial (local retail) and 24,956 sf of community facility (Pre-K school)	2019	0	98
14	2264 Morris Avenue	A new mixed-use development with 94 DUs and 14,751 sf of community facility (transitional housing)	2018	288	44
15	2065 Walton Avenue	A new residential development with 90 DUs	2017	275	0
16	1953 University Avenue	A new commercial (local retail) development with a total floor area of 19,490 sf	2017	0	58
17	1959 University Avenue	A new commercial (local retail) development with a total floor area of 10,000 sf	2018	0	30
18	1665 Jerome Avenue	A new residential development with 71 DUs	unknown	217	0
19	29 Featherbed Lane	A new residential development with 59 DUs	2018	181	0
20	1450 Plimpton Avenue	A new residential development with 62 DUs	2017	181	0
21	1434 Undercliff Avenue	A new mixed-use development with 30 DUs and 49,111 sf of community facility (transitional housing)	2017	219	147
22	235 Mt. Eden Parkway	A new residential development with 92 DUs	2018	269	0
23	111 East 172nd Street	A new residential development with 126 DUs	2018	368	0
24	1337 Inwood Avenue	A new community facility (community center) with a total floor area of 12,696 sf	2019	0	38
25	1302 Edward L. Grant Highway	A new commercial development with a total floor area of 89,078 sf, including one floor of office space and five floors of warehouse space	2019	0	267
26	201 Marcy Place	A new residential development with 74 DUs	2017	216	0
Net Incremental Development for Secondary Study Area		*Residential = 698,000 sf (698 DUs)* *Commercial = 126,208 sf* *Community Facility = 101,514 sf*		1,926	541

Table 2-4 (continued): Development Projects in the Future without the Proposed Actions

Beyond the Secondary Study Area but within a 1/2-Mile Radius of the Primary Study Area					
27	2605 Grand Concourse	A new residential development with 94 DUs	2018	270	0
28	2500 Jerome Avenue	A new mixed-use development with 104 DUs and 4,632 sf of community facility (day care)	unknown	298	14
29	237 West 167th Street	A new residential development with 35 DUs	2019	102	0
30	859 Concourse Village West	A new mixed-use development with 85 hotel rooms, 31,499 sf of commercial (local retail), and 2,586 sf of community facility (community center)	2018	0	8
Rezoning Actions in the Project Vicinity					
A	Third Avenue/Tremont Avenue Rezoning				
B	161st Street/River Avenue Rezoning				

Notes:
[1] Refer to Figure 2-7.
[2] Net residents for developments 1-9 were sourced from the RWCDS.
[3] Net residents for developments 10-30 were calculated by multiplying the number of dwelling units by the average household size of the development's Community District (2.87 persons per DU for residential units in Bronx Community District 7, 3.06 persons per DU for residential units in Bronx Community District 5, and 2.92 person per DU for residential units in Bronx Community District 4).
[4] Net workers for development 1-9 were sourced from the RWCDS.
[5] Net workers for developments 10-30 were based on standard industry rates of one employee per 250 sf of office, three employees per 1,000 sf of retail/supermarket/restaurant uses, one employee per 25 DUs, one employee per 2.67 hotel rooms (and 400 sf per hotel room), one employee per 1,000 sf of auto-related and industrial uses, one employee per 15,000 sf of warehouse uses, three employees per 1,000 sf of all other community facility uses, and one employee per 50 parking spaces (except where otherwise noted).

Source: DCP; STV Incorporated, 2017.

Zoning

Primary Study Area

In the No-Action condition, no known changes to existing zoning designations are planned within the primary study area.

Secondary Study Area

In the No-Action condition, no known changes to existing zoning designations are planned within the secondary study area.

Public Policy

There are no planned changes in public policy applicable to the primary or secondary study areas.

THE FUTURE WITH THE PROPOSED ACTIONS (WITH-ACTION CONDITION)

As described in detail in Chapter 1, "Project Description," the Proposed Actions include zoning map and text amendments affecting approximately 92 blocks along Jerome Avenue and its east west commercial corridors, bounded by 184th Street and East 165th Street. This section describes the land use and zoning conditions that would result from the Proposed Actions by 2026 and evaluates the potential for the Proposed Actions to result in significant adverse impacts related to land use and zoning and their consistency with the applicable public policies described earlier in this chapter.

Land Use

Primary Study Area

The Proposed Actions would result in changes to some land uses in the primary study area from the No-Action condition. As described in Chapter 1, "Project Description," the proposed zoning actions are being proposed to facilitate the implementation of the Jerome Avenue Neighborhood Plan, which seeks to: create opportunities for new affordable housing and community facilities, including new parkland; establish requirements that a share of housing remain permanently affordable; diversify area retail; support small businesses and entrepreneurs; and promote a safe and walkable pedestrian realm.

Table 2-5, "2026 RWCDS No-Action and With-Action Land Uses," provides a summary of the RWCDS for the 45 projected development sites compared to the No-Action condition. As indicated in the table, the total development expected to occur on the projected development sites under the With-Action condition would consist of approximately 4,811,851 sf of floor area, including 4,103,185 sf of residential floor area (4,008 DUs), 553,474 sf of commercial uses, 155,192 sf of community facility uses, as well as 1,162 accessory parking spaces. The projected incremental (net) change between the No-Action and With-Action conditions that would result from the Proposed Actions would be 3,208,424 sf of residential floor area (3,228 DUs), 72,273 sf of community facility uses, 20,866 sf of commercial uses, and 217 accessory parking spaces, as well as a net reduction of 47,795 sf of industrial uses. The difference between the total built square footage in the No-Action and With-Action conditions would be approximately 3,253,768 sf.

Secondary Study Area

The Proposed Actions are not expected to affect land use patterns in the secondary study area, which is predominantly residential and more built-out. The consistency of the Proposed Actions on secondary study area land uses is discussed in the "Assessment" section.

Table 2-5: 2026 RWCDS No-Action and With-Action Land Uses

Land Use	No-Action Conditions	With-Action Condition	No-Action to With-Action Increment
Residential			
Total Residential	**894,761 sf**	**4,103,185 sf**	**+ 3,208,424 sf**
	(780 DUs)	(4,008 DUs)	(+ 3,228 DUs)
Commercial			
Local Retail	207,719 sf	443,916 sf	+ 236,197 sf
FRESH Supermarket	28,405 sf	51,562 sf	+ 23,157 sf
Restaurant	2,260 sf	13,891 sf	+ 11,631 sf
Auto-Related	98,002 sf	0 sf	- 98,002 sf
Office	4,818 sf	44,105 sf	+ 39,287 sf
Warehouse	168,650 sf	0 sf	- 168,650 sf
Garage	22,154 sf	0 sf	- 22,154 sf
Other Commercial	600 sf	0 sf	- 600 sf
Total Commercial	**532,608 sf**	**553,474 sf**	**+ 20,866 sf**
Other Uses			
Industrial	47,795 sf	0 sf	- 47,795 sf
Community Facility	82,919 sf[1]	155,192 sf[2]	+ 72,273 sf
Total Floor Area	**1,558,083 sf**	**4,811,851 sf**	**+ 3,253,768 sf**
Parking			
Parking Spaces	945	1,162	+ 217

Notes:
[1] Includes 36,120 sf of house of worship uses, 6,000 sf of medical office uses, 2,016 sf of day care center uses, 15,800 sf of Pre-K School uses and 22,983 sf of other community facility uses.
[2] Includes 53,896 sf of house of worship uses, 8,500 sf of medical office uses, 15,800 sf of Pre-K school uses, 23,099 of day care center uses and 53,896 sf of community center uses.

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

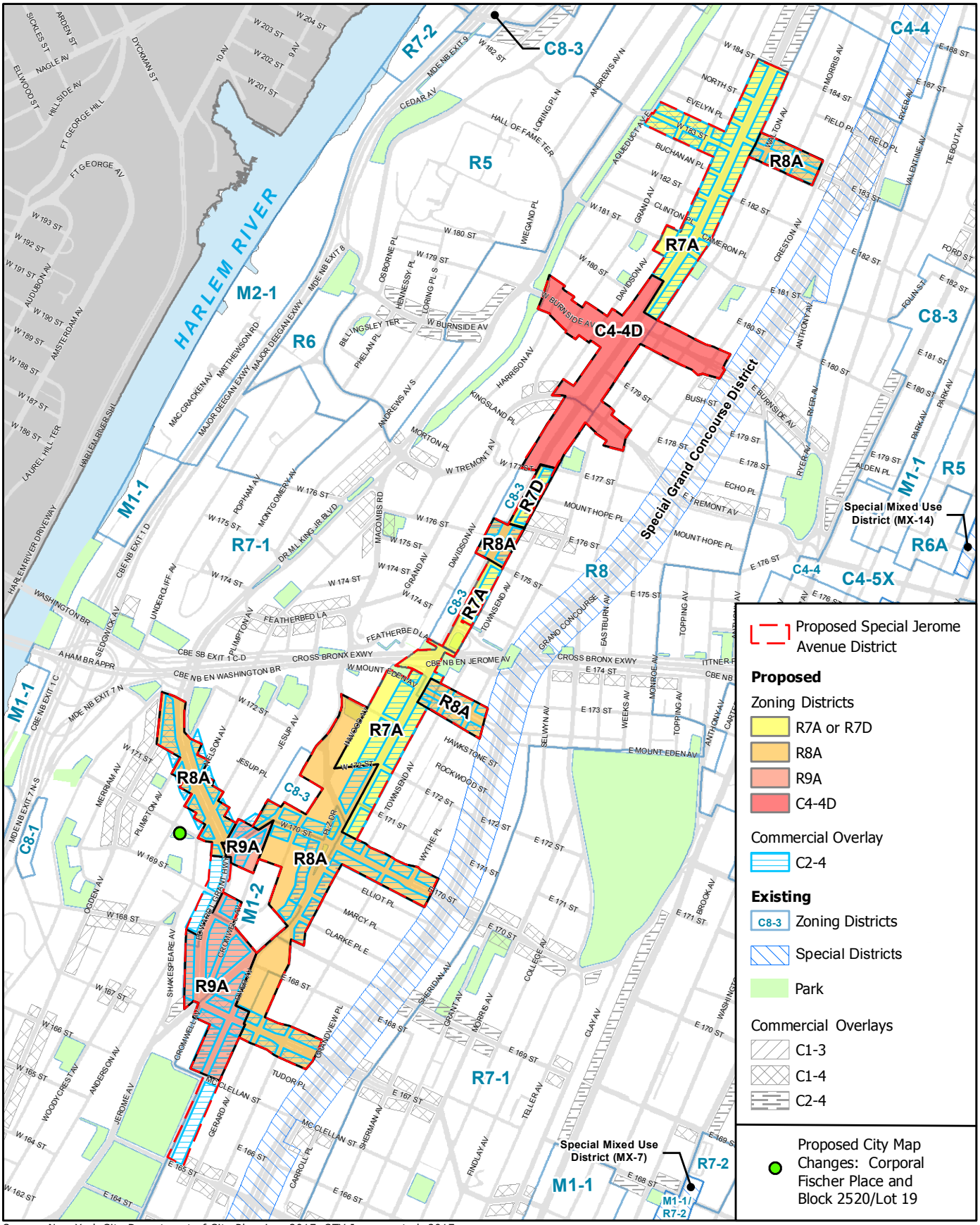
Zoning

Primary Study Area

The primary study area is coterminous with the proposed rezoning area. Zoning changes under the Proposed Actions are presented on Figure 2-8, "Proposed Zoning," and listed in Table 2-6, "Proposed Primary Study Area Zoning Districts."

Proposed Zoning Map Changes

The proposed rezoning would replace portions of existing C4-4, M1-2, R8, C8-3, and R7-1 districts with R7A, R8A, R9A, R7D, and C4-4D districts and C2-4 commercial overlays.



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

N

0 0.25 0.5 Mile

Figure 2-8

PROPOSED ZONING

Table 2-6: Proposed Primary Study Area Zoning Districts

Name	Definition/General Use	Maximum FAR under MIH Program
Residential Districts		
R7A	R7A contextual districts must follow Quality Housing bulk regulations, producing high lot coverage seven- and eight-story apartment buildings, blending with existing buildings in established neighborhoods.	R: 4.6; C: 0.0; CF: 4.0; M: 0.0
R7D	R7D districts promote new contextual development along transit corridors. Quality Housing bulk regulations, mandatory in R7D districts, produce ten-story buildings set at or near the street line.	R: 5.6; C: 0.0 ; CF: 4.2; M: 0.0
R8A	R8A is a contextual district where the Quality Housing bulk regulations, which are mandatory, typically result in high lot coverage ten- to 12-story apartment buildings set at or near the street line. Limitations on the base height and maximum building height of new buildings ensure compatibility with existing buildings on the street.	R: 7.2; C: 0.0; CF: 6.5; M: 0.0
R9A	R9A contextual districts must follow Quality Housing bulk regulations, typically resulting in high lot coverage, 14- to 15-story buildings set at or near the street line.	R: 8.5; C: 0.0; CF: 7.5; M: 0.0
Commercial Districts		
C2-4 (overlay)	C2 commercial overlays are mapped within residential districts along streets that serve local retail needs. In mixed use buildings, commercial uses are limited to one or two floors and must always be located below the residential uses. C2 districts permit a slightly wider range of uses than C1 districts.	R and CF: Same as underlying R district; C: 2.0 within R6-R10 districts; M: 0.0
C4-4D	C4-4D districts are contextual districts mapped in regional commercial centers that are located outside of the central business districts. Use Groups 5, 6, 8, 9, 10, and 12, which include most retail establishments, are permitted in C4 districts. Uses that would interrupt the desired continuous retail frontage (such as Use Group 7) are not allowed.	R: 7.2; C: 3.4; CF: 6.5; M: 0.0
Special Purpose District		
141-00	Special Jerome Avenue District	
Notes: R=Residential; C=Commercial; CF=Community Facility; M=Manufacturing		

Source: Zoning Resolution of the City of New York

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

An R7A district is proposed to cover portions of two full and 17 partial blocks in two areas, as follows:

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

R7A allows medium-density apartment buildings at a maximum FAR of 4.0 for residential uses and 4.6 for residential uses in areas mapped with Inclusionary Housing. R7A districts permit community facility FARs up to 4.0. The R7A district allows base heights between 40'-75' in areas mapped with Inclusionary

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

Proposed R7D (Existing R7-1)

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

R7D allows medium-density apartment buildings at a maximum FAR of 5.6 for residential uses in areas mapped with Inclusionary Housing. R7D districts permit community facility FARs up to 4.2. The R7D district allows base heights between 60'-95' for areas mapped with Inclusionary Housing. Above the base height, buildings would be required to set back either 10' or 15' depending on if they front onto wide or narrow streets, respectively. After setting back, maximum building heights in the district are set at 115' in Inclusionary Housing zones, for buildings with qualifying ground floors. Alternate base height, setback and overall building height rules, described in detail below, would apply to any lot fronting the elevated rail line along River Avenue and Jerome Avenue. Buildings are required to be no closer to the street line than the street wall of an adjacent building. If located within a commercial overlay, buildings are required to locate 100 percent of the street wall on the street line along wide streets, and are required to locate at least 70 percent of the street wall within eight feet of the street line on narrow streets. Within 100' of street lines along the elevated rail structure along Jerome or River Avenue, or in Subdistrict A, these street wall rules are generally relaxed by the Special District rules. Interior or through lots generally allow up to 65 percent lot coverage and corner lot lots permit up to 100 percent coverage. R7D districts require a 30' rear yard for the residential portions of any building. Parking is required for 50 percent of the residential units except that no parking is required for income or age-restricted units.

Proposed R8A (Existing M1-2, C8-3, C4-4, R7-1, R8)

A R8A zoning district is proposed along six partial blocks fronting on East Mt. Eden Avenue between Jerome Avenue and the Grand Concourse and 13 partial blocks fronting on Edward L. Grant Highway

between West 170th Street, and the Cross-Bronx Expressway, along one full and two partial blocks at 176th Street and Jerome Avenue, and along five full and 18 partial blocks bounded by Goble Place to the north, East 167th Street to the south, Grand Concourse to the east, and Macombs Road to the west.

R8A allows medium-density apartment buildings at a maximum FAR of 6.02 for residential uses and 7.2 for residential uses in areas mapped with Inclusionary Housing. R8A districts permit community facility FARs up to 6.5. The R8A district allows base heights between 60'-105' for areas mapped with Inclusionary Housing. Above the base height, buildings would be required to set back either 10' or 15' depending on if they front onto wide or narrow streets, respectively. After setting back, maximum building heights in the district are set at 145' in Inclusionary Housing zones, for buildings with qualifying ground floors. Alternate base height, setback and overall building height rules, described in detail below, would apply to any lot fronting the elevated rail line along River Avenue and Jerome Avenue. New structures would be required to locate at least 70 percent of the street wall within eight feet of the street line. If located within a commercial overlay, buildings are required to locate 100 percent of the street wall on the street line along wide streets, and are required to locate at least 70 percent of the street wall within eight feet of the street line on narrow streets. Within 100' of the street lines along the elevated rail structure along Jerome or River Avenue, or in Subdistrict A, these street wall rules are generally relaxed by the Special District rules. Interior or through lots generally allow up to 65 percent lot coverage and corner lot lots permit up to 100 percent coverage. R8A districts require a 30' rear yard for the residential portions of any building. Parking is required for 40 percent of the residential units except that no parking is required for income or age-restricted units.

Proposed R9A (Existing C8-3, M1-2, R7-1, and R8)

An R9A zoning district is proposed for three full and 6 partial blocks in two areas, as follows:

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

R9A allows high-density apartment buildings at a maximum FAR of 8.5 for residential uses in areas mapped with Inclusionary Housing. R9A districts permit community facility FARs up to 7.5. The R9A district allows base heights between 60'-125' for areas mapped with Inclusionary Housing. Above the base height, buildings would be required to set back either 10' or 15' depending on if they front onto wide or narrow streets, respectively. After setting back, maximum building heights in the district are set at 175' on wide streets and 165' on narrow streets in Inclusionary Housing zones. Alternate base height, setback and overall building height rules, described in detail below, would apply to any lot fronting the elevated rail line along River Avenue and Jerome Avenue. New structures would be required to locate at least 70 percent of the street wall within eight feet of the street line. If located within a commercial

overlay, buildings are required to locate 100 percent of the street wall on the street line along wide streets, and are required to locate at least 70 percent of the street wall within eight feet of the street line on narrow streets. Within 100' of street lines along the elevated rail structure along Jerome or River Avenue, or in Subdistrict A, these street wall rules are generally relaxed by the Special District rules. Interior or through lots generally allow up to 65 percent lot coverage and corner lot lots permit up to 100 percent coverage. R9A districts require a 30' rear yard for the residential portions of any building. Parking is required for 40 percent of the residential units except that no parking is required for income or age-restricted units.

Proposed C4-4D (Existing C8-3, R7-1, and R8)

A C4-4D is proposed for 21 partial blocks bounded by East 181st Street to the north, East 177th Street to the south, Creston Avenue to the East, and Aqueduct Avenue East to the west.

C4-4D is an R8A equivalent, and is a mid-density commercial district that permits residential uses up to 7.20 FAR in areas designated as part of the Inclusionary Housing program, commercial uses up to 3.4 FAR, and community facilities up to 6.5 FAR. Residential and mixed use buildings developed within the district are subject to bulk regulations governed by the R8A district. The off-street parking requirement is typically one space per 1,000 square feet of commercial and community facility uses. Parking is required for 40 percent of the residential units except that no parking is required for income or age-restricted units.

Proposed C2-4 Commercial Overlays

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

- *13 blocks generally bound between 184th Street and Burnside Avenue, along the eastern and western frontages of Jerome Avenue;*
- *Two blocks generally bound between 175th Street and the Cross-Bronx Expressway, along the eastern frontage of Jerome Avenue;*
- *Eight blocks generally bound between the Cross-Bronx Expressway and 170th Street, along the eastern and western frontages of Jerome Avenue;*
- *Twelve blocks generally bound between the Grand Concourse and Edward L. Grant Highway along the northern and southern frontages of 170th Street;*

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

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

Proposed Zoning Text Amendments

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

Special Jerome Avenue District

A special district known as the Special Jerome Avenue District would be mapped coterminous with the rezoning area. The special district would allow for special bulk modifications to be made for zoning lots fronting the elevated rail. On such lots, a minimum and maximum base height of 15 and 30 feet, respectively, would be established along the elevated. Above the base height, a minimum set back of 10 feet would be required on wide streets, and 15 feet on narrow streets. On such lots, to provide architectural flexibility and encourage better design, an additional two stories would be permitted up to 20’ in allowable height.

The proposed special district would also modify streetwall requirements and increase maximum permitted heights for irregular lots within R9A districts. These modifications would adjust for irregularities such as acute corner conditions, varied topography, and other site encumbrances. The modifications and waivers associated with the special district would not increase buildable floor area on any lot, rather create flexibility in building design to encourage desirable outcomes in the architectural quality of developments and the associated public realm.

The proposed special district would impose controls at the ground floor of all commercial overlay and full commercial districts: along Jerome Avenue from East 167th Street to East 183rd Street and the

commercial corridors of East 167th Street, East 170th Street, Mount Eden Avenue, Burnside Avenue, Tremont Avenue, East 183rd Street, and East 184th Street. The controls would foster a safe and walkable pedestrian experience along these corridors by establishing regulations requiring mandatory active, non-residential uses on the ground floor, minimum levels of transparency, and limiting curb cuts, where appropriate.

Finally, the proposed special district would impose appropriate controls on transient hotels to ensure consistency with the goals and objectives of the rezoning.

Mandatory Inclusionary Housing

All or portions of the proposed R7A, R7D, R8A, R9A, and C4-4D zoning districts would be mapped as Mandatory Inclusionary Housing Areas setting mandatory affordable housing requirements pursuant to the Mandatory Inclusionary Housing program (see Figure 2-9, "Proposed Mandatory Inclusionary Housing Areas"), and would require the following:

- Amendment to Appendix F adding the proposed R7A, R7D, R8A, R9A, and C4-4D to the list and maps of Mandatory Inclusionary Housing Areas.
- Text amendment to permit legally required windows less than 30 feet from the lot line of Corporal Fischer Park.

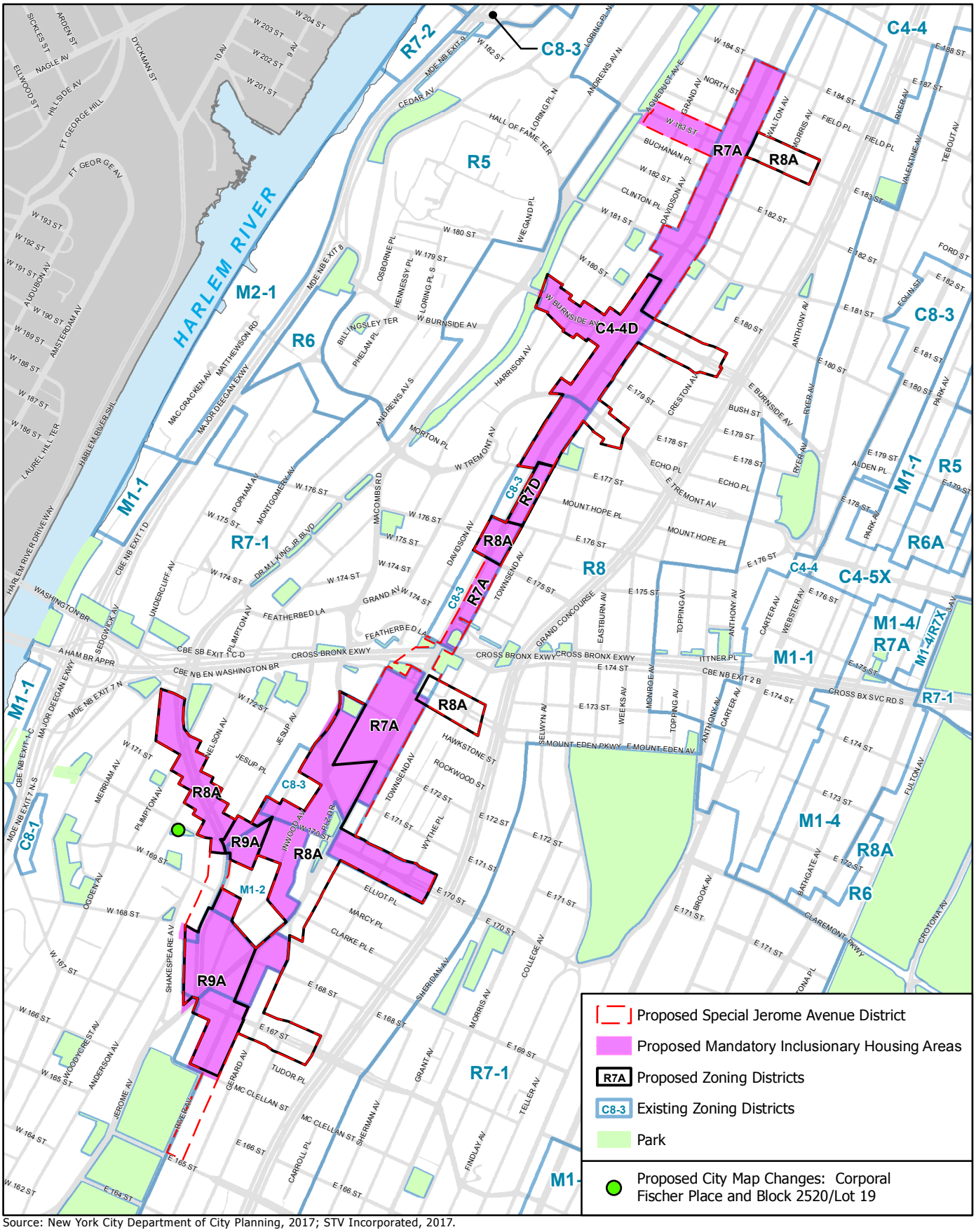
Proposed City Map Changes

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

- Map Block 2520, Lot 19 as parkland. This city-owned parcel is located one block outside of the rezoning area and is bounded by West 170th Street, Nelson Avenue, Shakespeare Avenue, and Corporal Fischer Place in the Highbridge neighborhood of the Bronx, Community District 4.
- De-map Corporal Fischer Place (street) between Nelson Avenue and Shakespeare Avenue, which is adjacent to the parcel to be mapped as park land, as described above (Block 2520, Lot 19), and map it as parkland.

Secondary Study Area

The Proposed Actions would not alter zoning designations within the approximate ¼-mile secondary study area surrounding the primary study area. The consistency of the Proposed Actions on zoning in the secondary study area is discussed in the "Assessment" section, below.



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

N

0 0.25 0.5 Mile

Figure 2-9

PROPOSED MANDATORY INCLUSIONARY HOUSING AREAS

Public Policy

No changes to the applicable primary or secondary study area public policies are proposed as part of the Proposed Actions. The consistency of the Proposed Actions on the applicable primary and secondary study area public policies are discussed in the "Assessment" section below.

Assessment

Land Use and Zoning

Primary Study Area

According to the criteria set forth in Section 410 in Chapter 4 of the *CEQR Technical Manual*, the Proposed Actions would not result in significant adverse impacts on land use or zoning. The Proposed Actions would introduce zoning changes that would be in keeping with the City's land use, zoning, and public policy objectives for the area.

The proposed zoning map and zoning text amendments would facilitate the development of mixed use buildings with active ground floors that promote retail continuity and a consistent streetscape, with a wide variety of local retail and services to support the surrounding neighborhoods. In addition, they would support regional commercial uses in a targeted, transit-rich location and the facilitation of new open space to serve area residents and workers. As the rezoning area is home to few publicly-owned sites, new opportunities for affordable housing along Jerome Avenue can only be realized through permitting of housing as a legal use in zoning. Mapping residential districts where no housing was previously allowed would provide quality housing options for current and future residents at a range of income levels.

As described previously, in this chapter and in Chapter 1, "Project Description," the existing zoning in the primary study area does not permit the full range of options to fulfill the visions of the Jerome Avenue Neighborhood Plan. Residential development is currently not permitted in key nodes along the corridor and in areas that can accommodate growth and density. Commercial and retail development is limited in many parts of the study area. The streetscape is inconsistent as it is interrupted by uses that illegally occupy the sidewalk and the street and do not promote pedestrian safety or walkability. Many areas where residential development is permitted are characterized by underutilized properties developed with single-story commercial uses.

The land use actions proposed by DCP are in response to the planning framework identified in the Jerome Avenue Neighborhood Plan. The Proposed Actions are intended to facilitate a development pattern which meets the long term community vision for the Jerome Avenue corridor as a mixed use residential and commercial activity center which supports the needs of the surrounding neighborhoods. The Jerome Avenue Neighborhood Plan includes the following land use objectives:

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

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

The Proposed Actions are intended to promote new development specifically along major corridors that currently contain few residential units. Residential areas in the surrounding neighborhood would not be rezoned to allow for greater density, in recognition of the existing character of these residential areas, and so the rezoning would not promote additional development in these areas.

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

Ensure that new buildings fit into existing neighborhood contexts

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

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

The #4 elevated train along Jerome Avenue is at the heart of the study area. To facilitate development along and adjacent to the elevated rail, the Proposed Actions would include special zoning bulk

provisions within the Special Jerome Avenue District for setbacks along the elevated rail line and would require nonresidential ground-floor uses in all commercial districts.

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

The Proposed Actions would implement commercial overlays that would facilitate local retail to serve the shopping and service needs of area residents and workers, allow for a greater range of commercial uses, and as well as provide continuity in the pedestrian realm. In specified locations, the Special Jerome Avenue District will require all new developments to provide non-residential uses on the ground floor and meet lighting, glazing, and transparency requirements. The requirements would enhance the existing streetscape, match existing mixed use buildings in the area, and provide an improved pedestrian experience.

Anchor the Jerome corridor and surrounding neighborhoods by permitting more intensive uses in two nodes

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

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

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

As described previously in this chapter, the study area includes C8-3 and M1-2 zoning districts that have been in place since 1961. These areas include a number of auto-related businesses ranging from auto repair, auto glass, audio sales, tire shops and parking facilities (both surface lots and structured garages). Many of these businesses have been in existence for decades and, during the outreach process, community stakeholders identified a goal to preserve areas for these businesses to remain and expand. The Proposed Actions identify areas for growth and development to facilitate new residential, commercial and community facility uses. Four areas within the study area boundary were designated for no changes to the existing zoning to support the preservation of these unique businesses in the

study area. These areas were carefully selected based on the number and types of businesses, locations off major streets, and unique site conditions that would impede redevelopment.

Jerome Avenue Neighborhood Plan

As described previously in this chapter, the Jerome Avenue Neighborhood Planning Study is a part of *Housing New York*. This study took a broad, comprehensive look at current and future community needs to identify a wide range of strategies and investments, including key land use and zoning changes, to support Jerome Avenue's growth and vitality. The Jerome Avenue Neighborhood Planning Study includes strategies to: preserve and create affordable housing; foster jobs and economic opportunity; invest in services and infrastructure; and promote growth of livable neighborhoods. To engage community members over the past three years, DCP has organized a range of events, including walking tours, visioning sessions, surveys, small group discussions, mobile office hours, workshops, and focus groups. DCP has also partnered with multiple city agencies throughout the study. The study takes a broad look at the needs of the community and, through the community outreach process, has developed a vision for the study area which has resulted in the Jerome Avenue Neighborhood Plan. The Plan provides a number of strategies to spur affordable housing, economic development, improve health and quality of life, investment in the public realm, in addition to proposed land use actions that accommodate the need for high quality affordable housing and retail uses.

Conclusion

The Proposed Actions would support and advance the specific goals of the proposal, identified through the Jerome Avenue Neighborhood Planning Study's planning and engagement framework. The land use actions would result in there being additional capacity for permanently affordable housing. Further, the land use actions would respond to the elevated rail structure, maintaining existing zoning controls where appropriate and desired, shaping the commercial and retail landscape and surrounding public areas, and controlling the heights, bulks and quality of the interior spaces in buildings. However, it is the Plan's overarching strategies and coordinated investments that all work with the land use actions and zoning changes to fulfill the neighborhood vision identified through the Jerome Avenue Neighborhood Plan. For these reasons, the Proposed Actions are considered to be compatible and consistent with existing land use and zoning, and the Proposed Actions would have no significant adverse impact on land use and zoning in the primary study area.

Secondary Study Area

The proposed zoning districts, which would be limited to the primary study area, also would be compatible with the zoning districts that would remain unaffected in the surrounding secondary study area; therefore, the Proposed Actions would not affect the relationship between the primary and secondary study areas. Medium-density apartment buildings that are expected to be introduced as a result of the Proposed Actions within the primary study area are compatible with those residential uses

in surrounding neighborhoods comprising the secondary study area. In addition, the Proposed Actions would facilitate the development of Jerome Avenue corridor as a mixed use residential and commercial activity center which would support the needs of the surrounding neighborhoods. Therefore, the Proposed Actions would not result in any significant adverse impacts on land use and zoning in the secondary study area.

Public Policy

Housing New York

The Proposed Actions are a direct result of the goals and principles outlined in *Housing New York* and support this public policy. As described previously in this chapter, *Housing New York*'s five guiding policies and principles are: fostering diverse, livable neighborhoods; preserving the affordability and quality of the existing housing stock; building new affordable housing for all New Yorkers; promoting homeless, senior, supportive, and accessible housing; and refining City financing tools and expanding funding sources for affordable housing.

The Proposed Actions would change zoning designations within the rezoning area and, as a result, would support the development of new permanently affordable housing construction. In addition, the proposed R7A, R7D, R8A, R9A, and C4-4D zoning districts would be mapped as Mandatory Inclusionary Housing Areas setting mandatory affordable housing requirements pursuant to the Mandatory Inclusionary Housing program. The development and construction of new affordable housing under the Proposed Actions is a key component of the policies and principles outlined in *Housing New York*. Therefore, the Proposed Actions would be consistent with this policy.

Vision Zero

As described previously in this chapter, the *Vision Zero Action Plan* seeks to eliminate all deaths from traffic crashes regardless of whether on foot, bicycle, or inside a motor vehicle. The plan identified four "Priority Corridors" within the primary study area and three "Priority Corridors" within the secondary study area. In addition, eight intersections within the secondary study area were identified as "Priority Intersections."

As discussed in Chapter 13, "Transportation," nine intersections within the traffic and pedestrian study area were identified as "high crash locations," as defined by the *CEQR Technical Manual*. These nine intersections had five or more pedestrian/bicyclist-related crashes within a consecutive 12-month period. Of the nine high crash locations, three intersections are anticipated to see substantial increases in pedestrian traffic and/or turning vehicles conflicting with pedestrians as a result of the Proposed Actions. Improvements that could be employed to increase pedestrian/bicyclist safety at high crash locations could include high-visibility crosswalk striping, installation of signs warning turning vehicles to yield to pedestrians in the crosswalk, yield to bicyclist signs, signs warning pedestrians not to cross at specific locations, increased lighting, and implementation of protective safety elements for those

standing in bus stop areas. As the Proposed Actions are not expected to significantly worsen pedestrian ad vehicular safety conditions, the Proposed Actions would be consistent with this public policy.

OneNYC

The Proposed Actions are consistent with the goals of OneNYC as they would help create and preserve affordable housing and support the development of vibrant neighborhoods. The Jerome Avenue Neighborhood Plan would seek to create parkland and promote a safe and walkable pedestrian realm, all key goals of OneNYC. Therefore, the Proposed Actions would be consistent with this policy.

PlaNYC

Land Use

The Proposed Actions would be consistent with *PlanNYC*'s land use goals. The Proposed Actions would encourage increased development in an area of the Bronx served by three subway lines and multiple bus routes. The proposed rezoning would encourage mixed use development, including residential, commercial, and community facility uses, thereby promoting walkable destinations for retail and other services. The proposed R7A, R7D, R8A, R9A, and C4-4D zoning districts, which would be mapped as Mandatory Inclusionary Housing Areas, would require a share of new housing to be permanently affordable where significant new housing capacity is developed. Therefore, the Proposed Actions would be consistent with the Land Use component of this policy.

Open Space

The Proposed Actions would include changes to the City Map to facilitate the development of Corporal Fischer Park to serve areas residents and workers in the Highbridge neighborhood. In addition, as required by the Zoning Resolution of the City of New York (ZR), and in the interest of creating an attractive and active streetscape, one street tree would be provided for every 25 feet of newly developed street frontage within the primary study area, as per ZR Sections 33-03 and 26-41. Therefore, new street trees are expected to be provided as part of development resulting from the Proposed Actions.

Through direct investment in an open space resource, and complying with street planting requirements mandated by the Zoning Resolution, the Proposed Actions would be consistent with *PlaNYC*'s open space goals.

Water Quality

Developments facilitated by the Proposed Actions would have to comply with all applicable regulations regarding the implementation of low-flow, water efficient fixtures, as per the New York City Plumbing Code, Local Law 33 of 2007 and the United States Environmental Protection Agency's (EPA's) WaterSense Program. All development facilitated by the Proposed Actions would comply with the City's

laws and regulations. Therefore, the Proposed Actions are consistent with PlanNYC's water quality goals.

Transportation

The Proposed Actions would support PlanNYC's transportation goals by facilitating transit-oriented development in an area served by three subway lines and multiple bus routes. Vibrant, mixed use buildings with active ground floors that offer a wide variety of local retail and services to support the surrounding neighborhoods are a key part of livable communities, providing destinations within walking distance and reducing the need for vehicle trips outside of the neighborhood. In addition, the Proposed Actions would leverage its transit access to support regional retail uses such as entertainment uses and office space.

As described in Chapter 13, "Transportation," the Proposed Actions are not expected to significantly worsen pedestrian and vehicular safety conditions. Therefore, the Proposed Actions would be consistent with PlanNYC's transportation goals.

Air Quality

The Proposed Actions would meet *PlaNYC*'s air quality goals by promoting the use of mass transit through encouraging development in close proximity to existing and planned commuter rail, subway, and bus stops. In addition, as discussed above, one street tree would be provided for every 25 feet of newly development street frontage within the primary study area, in conformance with ZR Sections 33-03 and 26-41.

Energy

Development facilitated by the Proposed Actions would be required to meet the more stringent green building practices established in the 2010 update to the New York City Building Code as part of the Greener, Greater Buildings Law. The updated Building Code requires energy audits and benchmarking for larger buildings, among other requirements.

In addition, new construction and substantial rehabilitation projects receiving funding from the New York City Department of Housing Preservation and Development (HPD) are required to comply with its uniform green building policy to ensure that the City's investment in affordable housing goes towards buildings that achieve deeper affordability through lowered utility bills and healthier living environments. The 2011 Enterprise Green Communities Criteria constitute the only comprehensive green building framework designed for affordable housing and provide proven, cost-effective standards for creating healthy and energy-efficient homes.

Natural Resources

The Proposed Actions would facilitate the redevelopment of brownfields. All new development would be required to ensure a maximum stormwater release rate of 0.25 cubic feet per second (cfs) or ten percent of the allowable flow from their respective sites pursuant to the 2012 amendment to Title 15, Chapter 31 of the Rules of the City of New York (RCNY), the existing rules governing house and site connections to the City's sewer system. In addition, as discussed above, one street tree would be provided for every 25 feet of newly developed street frontage within the primary study area, in conformance with ZR Sections 33-03 and 26-41. As such, the Proposed Actions are consistent with *PlaNYC*'s natural resources goals.

Solid Waste

As discussed in further detail in Chapter 11, "Solid Waste and Sanitation Services," the Proposed Actions would not result in any significant adverse impacts to the City's solid waste system. Developments within the primary study area would be subject to mandatory recycling requirements. As such, the Proposed Actions would be consistent with *PlaNYC*'s solid waste management goals.

New York City Food Retail Expansion to Support Health Program

The primary and secondary study areas are located within a designated FRESH-eligible area. The Proposed Actions would establish several commercial zones and commercial overlays (refer to "Zoning" section, above) within which FRESH supermarkets could be developed as-of-right. Under the RWCDS, it is anticipated that a 10,625-sf FRESH supermarket would be developed on Projected Development Site 3, a 17,817-sf FRESH supermarket would be developed on Projected Development Site 17, a 6,120-sf FRESH supermarket would be developed on Projected Development Site 20, and a 17,000-sf FRESH supermarket would be developed on Projected Development Site 25, representing, in total, a net addition of 23,157 of FRESH supermarket uses over the No-Action condition. As such, the Proposed Actions would not alter or conflict with the objectives of the FRESH program, and the Proposed Actions would be consistent with this policy.

New York Empowerment Zone

As noted in the "Existing Conditions" section, above, the southern portion of the primary and secondary study areas are part of the South Bronx portion of the New York Empowerment Zone (NYEZ), which encourages business growth and economic development in low-income communities. The Proposed Actions are expected to facilitate a significant amount of new development, introducing an estimated 974 new jobs over the No-Action condition. As such, the Proposed Actions would be consistent with this public policy.

Business Improvement Districts

As noted in the "Existing Conditions" section, above, portions of two BIDS are located in the secondary study area. They would not be directly affected by the Proposed Actions, and the Proposed Actions would not alter or conflict with their policies. In addition, the additional density facilitated by the Proposed Actions would create support for new and existing businesses, which would support the creation or expansion of Business Improvement Districts and/or merchants associations to further support retail growth along the commercial corridors. Therefore, the Proposed Actions would be consistent with this policy.

Special Grand Concourse District

The Special Grand Concourse District is located within the eastern portion of the secondary study area, as noted in the "Existing Conditions" section, and would not be directly affected by the Proposed Actions. The Proposed Actions are considered compatible with the Special Grand Concourse District as both the proposed rezoning and the Special Grand Concourse District provide building height limits and encourage appropriate development that would match existing neighborhood context.