CITY PLANNING COMMISSION
CITY OF NEW YORK

OFFICE OF THE CHAIR

April 3, 2017

REVISED NEGATIVE DECLARATION

(Supercedes the Negative Declaration issued on November 14, 2016)[1]

Project Identification
CEQR No. 17DCP025X
ULURP Nos. 170140ZMX, N170141ZRX
SEQRA Classification: Unlisted

Lead Agency
City Planning Commission
22 Reade Street
New York, NY 10007
Contact: Robert Dobruskin
(212) 720-3423

Name, Description and Location of Proposal:

600 East 156th Street Rezoning

The applicant, 600 Associates LLC, is seeking a Zoning Map Amendment from M1-1 to an R8A zoning district affecting 600 East 156th Street (Block 2624, Lot 41, the "Project Site"), located in the Melrose neighborhood of Bronx, Community District 1. The applicant also seeks a Zoning Text Amendment to Appendix F to establish a Mandatory Inclusionary Housing (MIH) Area (Option 1) coterminous with the Project Site. MIH Option 1 requires that at least 25 percent of the residential floor area be reserved for residents with incomes averaging 60 percent Area Median Income (AMI), with ten percent of units affordable at 40 percent AMI. The proposed actions would facilitate a proposal by the applicant to construct a twelve-story, 211,414 gross square foot (gsf), mixed use residential and community facility building comprised of 175 units of affordable housing and an approximately 480-seat charter school on the applicant's property at 600 East 156th Street. The applicant intends to seek public financing from the New York City Department of Housing Preservation and Development (HPD) and the New York City Housing Development Corporation (HDC). The proposed project has undergone a coordinated environmental review with HPD and HDC acting as involved agencies.

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[1] Since Certification of the Proposed Actions on November 14, 2016, the applicant has revised the proposed development and With-Action Scenario assumed for analysis. The revised proposal includes an increase in the number of units from 170 to 175; an increase in the number of school seats from 350 to 480; and an overall increase in the development in gross square footage from 211,300 gsf to 211,414 gsf. This Revised Negative Declaration reflects the revised With-Action Scenario as noted in the Supporting Statement of this document.

The project site has 23,000 square feet of lot area and is currently developed with a 22,750 gsf building consisting of 90 public parking spaces (Use Group 8) and 2,700 gsf of office space (Use Group 6), as well as an at-grade vehicle storage lot. The M1-1 zoning district currently mapped on the Project Site allows a maximum floor area ratio (FAR) of 1.0 for manufacturing and commercial uses and 2.4 FAR for limited Community Facility uses. Schools and residential uses are not permitted in M1-1 districts. M1-1 districts permit light industrial uses, such as woodworking shops, repair shops and wholesale service and storage facilities. The maximum allowable building height in M1-1 districts is based on a sky-exposure plane, which begins 30 feet above the street line. The Project Site is located in a predominantly residential neighborhood, which includes several existing community facility uses.

The proposed actions would rezone the Project Site to R8A, allowing residential use and increasing the permitted FAR to 7.2 with affordable housing provided pursuant to the MIH program. Community Facility uses, including schools, are permitted up to 6.5 FAR. The maximum allowable building height in R8A districts is 145 feet.

Upon approval of the proposed actions, the applicant intends to demolish the existing structure on the Project Site and develop a 211,414 gsf mixed-use building with 180,019 gsf of residential floor area (comprised of 175 affordable units pursuant to the MIH program) and a 31,395 gsf, 480-seat charter elementary school. While the exact income mix of the affordable units has not yet been determined, it is expected that the units will be affordable to low- and moderate-income households. The proposed project does not include accessory parking spaces. As the Project Site is located within the Transit Zone, parking is not required for affordable residences. Parking is not required for schools located in R8A districts.

Absent the proposed actions, the existing conditions on the Project Site would remain. The Project Site would remain occupied by a two-story 22,750 gsf building and open vehicle storage.

The proposed project is expected to be completed by 2019.

To avoid the potential for significant adverse impacts related to hazardous materials and noise, an (E) designation (E-398) has been incorporated into the proposed actions, as described below. The Project Site was accepted in the New York State Department of Environmental Coordination's (NYSDEC) Brownfield Cleanup Program (BCP), which is a voluntary program in which a property owner/developer enters into an agreement with NYSDEC to conduct investigation and remediation. It is the applicant's intent to fully remediate the Project Site in accordance with BCP requirements prior to construction of the proposed project. However, as the BCP is a voluntary program, an (E) designation (E-398) related to hazardous materials will be assigned to ensure that the Project Site would not be developed unless remedial measures are implemented, should the application fall out of the voluntary BCP. As the Project Site fronts East 156th Street, a heavily trafficked thoroughfare, a noise analysis was prepared in accordance with the guidelines of the CEQR Technical Manual. An (E) designation (E-398) related to noise will be assigned because the exterior noise levels represented

in the Environmental Assessment Statement analysis exceed acceptable CEQR noise thresholds.

The (E) designation requirements related to hazardous materials would apply to the Project Site:

Block 2624, Lot 41 (Projected Development Site 1)

The (E) designation text related to hazardous materials is as follows:

Task 1-Sampling Protocol

The applicant submits to OER, for review and approval, a Phase I of the site along with a soil, groundwater and soil vapor testing protocol, including a description of methods and a site map with all sampling locations clearly and precisely represented. If site sampling is necessary, no sampling should begin until written approval of a protocol is received from OER. The number and location of samples should be selected to adequately characterize the site, specific sources of suspected contamination (i.e., petroleum based contamination and non-petroleum based contamination), and the remainder of the site's condition. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of sampling data. Guidelines and criteria for selecting sampling locations and collecting samples are provided by OER upon request.

Task 2-Remediation Determination and Protocol

A written report with findings and a summary of the data must he submitted to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving such results, a determination is made by OER if the results indicate that remediation is necessary. If OER determines that no remediation is necessary, written notice shall be given by OER.

If remediation is indicated from test results, a proposed remediation plan must be submitted to OER for review and approval. The applicant must complete such remediation as determined necessary by OER. The applicant should then provide proper documentation that the work has been satisfactorily completed.

A construction-related health and safety plan should be submitted to OER and would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil, groundwater and/or soil vapor. This plan would be submitted to OER prior to implementation.

The (E) designation requirements related to noise would apply to the Project Site:

Block 2624, Lot 41 (Projected Development Site 1)

The (E) designation text related to noise is as follows:

> **In order to ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed-window condition with a minimum of 28 dB(A) window/wall attenuation on northern, western and eastern facades in order to maintain an interior noise level of 45 dB(A). In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning or air conditioning sleeves containing air conditioners.**

Statement of No Significant Effect:

The Environmental Assessment and Review Division of the Department of City Planning, on behalf of the City Planning Commission, has completed its technical review of the Revised Environmental Assessment Statement, dated March 31, 2017, prepared in connection with the ULURP Application (Nos. 170140ZMX and N170141ZRX). The City Planning Commission has determined that the proposed action will have no significant effect on the quality of the environment.

Supporting Statement:

The above determination is based on an environmental assessment which finds that:

1. An Environmental Assessment Statement (EAS) was completed on November 11, 2016 and a Negative Declaration was issued on November 14, 2016 for the applicant's original application. A Revised EAS dated March 31, 2017 addresses a revision to the applicant's proposed development and the With-Action Scenario assumed for analysis. The original EAS analyzed a 211,300 gsf development comprised of 170 units of affordable housing, and a 32,500 gsf, 350-seat charter school. The Revised EAS considers the applicant's revised proposal and revised With-Action Scenario, a 211,414 gsf development comprised of 175 units of affordable housing (an increase of 5 units), and a 31,395 gsf, 480-seat charter school (an increase of 130 school seats). As detailed in the Revised EAS, it was determined that the change in the applicant's proposed development and With-Action Scenario would not have the potential for significant adverse impacts and would not alter the conclusions of the previous environmental review.

2. The (E) designation (E-398) for hazardous materials and noise would ensure that the proposed actions would not result in significant adverse impacts.

3. No other significant effects on the environment which would require an Environmental Impact Statement are foreseeable.

This Negative Declaration has been prepared in accordance with Article 8 of the Environmental Conservation Law 6NYCRR part 617.

Should you have any questions pertaining to this Negative Declaration, you may contact Stephanie Shellooe at (212) 720-3328.

Olga Abinader, Deputy Director
Environmental Assessment & Review Division
Department of City Planning

Date: March 31, 2017

Marisa Lago, Chair
City Planning Commission

Date: April 3, 2017