# 815 Hutchinson River Parkway Rezoning
## Environmental Assessment Statement

**CEQR Number: 26DCP106X**

**Prepared For:**
**Simone Development**

**Prepared By: Environmental Studies Corporation**

**Lead Agency:**
**NYC Dept. of City Planning**

**February 24, 2026**

# 815 Hutchinson River Parkway Rezoning

## Environmental Assessment Statement

### CEQR No.: 26DCP016X

## Table of Contents


I. Environmental Assessment Statement (EAS) Form

II. Project Description

III. Technical Analysis

IV. Attachments

Appendix A – Architectural Plans

Appendix B – Waterfront Revitalization Program

Appendix C - Historic & Cultural Resources

Appendix D – Transportation

Appendix E - Disadvantaged Communities Assessment

# Section I – EAS Form

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

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

## Part I: GENERAL INFORMATION

**PROJECT NAME** 815 Hutchinson River Parkway Rezoning

**1. *Reference Numbers***

| CEQR REFERENCE NUMBER (to be assigned by lead agency) | BSA REFERENCE NUMBER (if applicable) |
|---|---|
| 26DCP016X | |
| ULURP REFERENCE NUMBER (if applicable) | OTHER REFERENCE NUMBER(S) (if applicable) |
| 240161ZMX | (*e.g.*, legislative intro, CAPA) Project ID: 2021X0247 |

| **2a. *Lead Agency Information*** | | | **2b. *Applicant Information*** | | |
|---|---|---|---|---|---|
| NAME OF LEAD AGENCY<br>Department of City Planning | | | NAME OF APPLICANT<br>MD Hutch Owner LLC | | |
| NAME OF LEAD AGENCY CONTACT PERSON<br>Stephanie Shellooe, AICP, Director, EARD | | | NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON<br>Hiram Rothkrug, Environmental Studies Corp. | | |
| ADDRESS 120 Broadway, 31st Floor | | | ADDRESS 55 Water Mill Lane | | |
| CITY New York | STATE NY | ZIP 10001 | CITY Great Neck | STATE NY | ZIP 11021 |
| TELEPHONE 212-720-3328 | EMAIL<br>sshellooe@planning.nyc.gov | | TELEPHONE 718-343-0026 | EMAIL<br>hrothkrug@environmentalstudiescorp.com | |

**3. *Action Classification and Type***

***SEQRA Classification***

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

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

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

**4. *Project Description***

The Applicant, MD Hutch Owner LLC, proposes a rezoning from M1-2 to C8-3 (the Proposed Action) to the Project Area defined as Bronx Block 5559, Lot 7501 (Projected Development Site 1) in the Ferry Point neighborhood of Bronx Community District 10.

The Proposed Action would facilitate the conversion of portions of the existing 410,404 gross square foot (gsf) commercial shopping center located on the Site, which is currently prohibited from providing individual retail establishments that exceed 10,000 zoning square feet (zsf). No new development is proposed with the Proposed Action but several establishments on the Development Site would now be permitted as Use Group VI general retail/office uses totaling approximately 49,560 gsf in floor area. Specifically, spaces for a Petco establishment (10,400 gsf), a TJ Maxx (28,400 gsf), a former Party City store to be converted to a supermarket (10,760 gsf), and the existing Target (162,820 gsf) would exceed 10,000 square feet.

With approval of the Proposed Action, the 410,404 gsf building would contain 254,235 gsf of retail/office space comprised of 231,461 gsf of retail floor area, a 10,760 gsf supermarket, and 12,014 gsf of office space. The building would also contain 39,705 gsf of retail storage space, 19,480 gsf dedicated to a receiving area with ten loading bays, and 96,984 gsf of accessory parking as under the currently existing condition. The building would continue to provide 875 off-street parking spaces in the cellar and on the first floor within 96,984 gsf of floor area. The building would remain with a maximum height of approximately 37 feet, and no new construction would occur.

The existing M1-2 zoning does not allow additional expansion of commercial uses within the Project Area because of the high parking requirements in the district. Further, Use Group VI food stores and most retail establishments over 10,000 square feet are not permitted as-of-right in M1 districts and require a special permit from the CPC.

***Project Location***

| BOROUGH Bronx | COMMUNITY DISTRICT(S) 10 | STREET ADDRESS 815 Hutchinson River Parkway |
|---|---|---|
| TAX BLOCK(S) AND LOT(S) Block 5559, Lot 7501 | | ZIP CODE 10465 |

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS The Project Area is bounded by Lafayette Avenue to the north, the Hutchinson River Parkway to the east, Wenner Place to the south, and Brush Avenue to the west. The Project Area includes frontage on all of these roadways.

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY M1-2 | ZONING SECTIONAL MAP NUMBER 7a

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

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

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

***Board of Standards and Appeals*:** ☐ YES ☒ NO

☐ VARIANCE (use)
☐ VARIANCE (bulk)
☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:
SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

***Department of Environmental Protection*:** ☐ YES ☒ NO ☐ Cogeneration Facility ☐ Title V Permit

***Other City Approvals Subject to CEQR*** (check all that apply)

☐ LEGISLATION ☐ FUNDING OF CONSTRUCTION, specify:
☐ RULEMAKING ☐ POLICY OR PLAN, specify:
☐ CONSTRUCTION OF PUBLIC FACILITIES ☐ FUNDING OF PROGRAMS, specify:
☐ 384(b)(4) APPROVAL ☐ PERMITS, specify:
☐ OTHER, explain:

***Other City Approvals Not Subject to CEQR*** (check all that apply)

☐ PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC) ☐ LANDMARKS PRESERVATION COMMISSION APPROVAL
☐ OTHER, explain:

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

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

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

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

***Physical Setting*** (both developed and undeveloped areas)

Total directly affected area (sq. ft.): 343,891 Waterbody area (sq. ft.) and type: 0
Roads, buildings, and other paved surfaces (sq. ft.): 343,891 Other, describe (sq. ft.): 0

**7. *Physical Dimensions and Scale of Project*** (if the project affects multiple sites, provide the total development facilitated by the action)

SIZE OF PROJECT TO BE DEVELOPED (gross square feet): 0
NUMBER OF BUILDINGS: 1 GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): 410,404
HEIGHT OF EACH BUILDING (ft.): 37 NUMBER OF STORIES OF EACH BUILDING: 1

Does the proposed project involve changes in zoning on one or more sites? ☒ YES ☐ NO
If "yes," specify: The total square feet owned or controlled by the applicant: 343,891
The total square feet not owned or controlled by the applicant: 0

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

**8. *Analysis Year*** CEQR Technical Manual Chapter 2

ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2027

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 0

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

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE:

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

☒ RESIDENTIAL ☒ MANUFACTURING ☒ COMMERCIAL ☒ PARK/FOREST/OPEN SPACE ☒ OTHER, specify: community facilities, parking, vacant land

**DESCRIPTION OF EXISTING AND PROPOSED CONDITIONS**

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

| | EXISTING CONDITION | NO-ACTION CONDITION | WITH-ACTION CONDITION | INCREMENT |
|---|---|---|---|---|
| **LAND USE** | | | | |
| ***Residential*** | ☐ YES ☒ NO | ☐ YES ☒ NO | ☐ YES ☒ NO | |
| If "yes," specify the following: | | | | |
| Describe type of residential structures | | | | |
| No. of dwelling units | | | | |
| No. of low- to moderate-income units | | | | |
| Gross floor area (sq. ft.) | | | | |
| ***Commercial*** | ☒ YES ☐ NO | ☒ YES ☐ NO | ☒ YES ☐ NO | |
| If "yes," specify the following: | | | | |
| Describe type (retail, office, other) | retail, office + access. stg. | retail, office + access. stg. | retail, office + access. stg. | |
| Gross floor area (sq. ft.) | 293,940 | 293,940 | 293,940 | 0 |
| ***Manufacturing/Industrial*** | ☐ YES ☒ NO | ☐ YES ☒ NO | ☐ YES ☒ NO | |
| If "yes," specify the following: | | | | |
| Type of use | | | | |
| Gross floor area (sq. ft.) | | | | |
| Open storage area (sq. ft.) | | | | |
| If any unenclosed activities, specify: | | | | |
| ***Community Facility*** | ☐ YES ☒ NO | ☐ YES ☒ NO | ☐ YES ☒ NO | |
| If "yes," specify the following: | | | | |
| Type | | | | |
| Gross floor area (sq. ft.) | | | | |
| ***Vacant Land*** | ☐ YES ☒ NO | ☐ YES ☒ NO | ☐ YES ☒ NO | |
| If "yes," describe: | | | | |
| ***Publicly Accessible Open Space*** | ☐ YES ☒ NO | ☐ YES ☒ NO | ☐ YES ☒ NO | |
| If "yes," specify type (mapped City, State, or Federal parkland, wetland—mapped or otherwise known, other): | | | | |
| ***Other Land Uses*** | ☒ YES ☐ NO | ☒ YES ☐ NO | ☒ YES ☐ NO | |
| If "yes," describe: | 116,464 gsf access. parking + loading | 116,464 gsf access. parking + loading | 116,464 gsf access. parking + loading | 0 |
| **PARKING** | | | | |
| ***Garages*** | ☒ YES ☐ NO | ☒ YES ☐ NO | ☒ YES ☐ NO | |
| If "yes," specify the following: | | | | |
| No. of public spaces | 0 | 0 | 0 | 0 |
| No. of accessory spaces | 261 | 261 | 261 | 0 |
| Operating hours | 7 AM - 11 PM daily | 7 AM - 11 PM daily | 7 AM - 11 PM daily | |
| Attended or non-attended | non-attended | non-attended | non-attended | |
| ***Lots*** | ☒ YES ☐ NO | ☒ YES ☐ NO | ☒ YES ☐ NO | |
| If "yes," specify the following: | | | | |
| No. of public spaces | 0 | 0 | 0 | |
| No. of accessory spaces | 614 | 614 | 614 | 0 |
| Operating hours | 7 AM - 11 PM daily | 7 AM - 11 PM daily | 7 AM - 11 PM daily | |
| ***Other*** (includes street parking) | ☐ YES ☒ NO | ☐ YES ☒ NO | ☐ YES ☒ NO | |
| If "yes," describe: | | | | |
| **POPULATION** | | | | |
| ***Residents*** | ☐ YES ☒ NO | ☐ YES ☒ NO | ☐ YES ☒ NO | |
| If "yes," specify number: | | | | |

| | EXISTING CONDITION | NO-ACTION CONDITION | WITH-ACTION CONDITION | INCREMENT |
|---|---|---|---|---|
| Briefly explain how the number of residents was calculated: | | | | |
| ***Businesses*** | ☒ YES ☐ NO | ☒ YES ☐ NO | ☒ YES ☐ NO | |
| If "yes," specify the following: | | | | |
| No. and type | retail stores, office & restaurants | retail stores, office & restaurants | retail stores, supermarket, office & restaurants | supermarket |
| No. and type of workers by business | 277 retail; 48 office | 277 retail; 48 office | 264 retail; 48 office; 32 supermarket | -13 retail, 0 office, +32 supermarket |
| No. and type of non-residents who are not workers | | | | |
| Briefly explain how the number of businesses was calculated: | 1 worker per 875 SF destination retail; 1 worker per 333 SF supermarket; and 1 worker per 250 SF office. | | | |
| ***Other*** (students, visitors, concert-goers, *etc.*) | ☐ YES ☒ NO | ☐ YES ☒ NO | ☐ YES ☒ NO | |
| If any, specify type and number: | | | | |
| Briefly explain how the number was calculated: | | | | |
| **ZONING** | | | | |
| Zoning classification | M1-2 | M1-2 | C8-3 | -M1-2, +C8-3 |
| Maximum amount of floor area that can be developed | 1,650,676 | 1,650,676 | 2,235,291 | 584,615 |
| Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project | Residential, commercial retail, comm facility, lt manuf, open space, parking, vacant; R-4, R-4A, C2-1, M1-1, M1-2, M2-1 | Residential, commercial retail, comm facility, lt manuf, open space, parking, vacant; R-4, R-4A, C2-1, M1-1, M1-2, M2-1 | Residential, commercial retail, comm facility, lt manuf, open space, parking, vacant; R-4, R-4A, C2-1, C8-3, M1-1, M1-2, M2-1 | C8-3 |
| Attach any additional information that may be needed to describe the project.<br><br>If your project involves changes that affect one or more sites not associated with a specific development, it is generally appropriate to include total development projections in the above table and attach separate tables outlining the reasonable development scenarios for each site. | | | | |

## Part II: TECHNICAL ANALYSIS

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

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

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

| | YES | NO |
|---|---|---|
| enhance, or otherwise protect it? | | |
| **iv. Indirect Business Displacement** | | |
| ○ Would the project potentially introduce trends that make it difficult for businesses to remain in the area? | ☐ | ☒ |
| ○ Would the project capture retail sales in a particular category of goods to the extent that the market for such goods would become saturated, potentially resulting in vacancies and disinvestment on neighborhood commercial streets? | ☐ | ☒ |
| **v. Effects on Industry** | | |
| ○ Would the project significantly affect business conditions in any industry or any category of businesses within or outside the study area? | ☐ | ☒ |
| ○ Would the project indirectly substantially reduce employment or impair the economic viability in the industry or category of businesses? | ☐ | ☒ |
| **3. *COMMUNITY FACILITIES*:** CEQR Technical Manual Chapter 6 | | |
| **(a) Direct Effects** | | |
| ○ Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, health care facilities, day care centers, police stations, or fire stations? | ☐ | ☒ |
| **(b) Indirect Effects** | | |
| **i. Early Childhood Programs** | | |
| ○ Would the project result in 20 or more eligible children under age 6, based on the number of low or low/moderate income residential units? (See Table 6-1 in Chapter 6) | ☐ | ☒ |
| ○ If "yes," would the project result in a collective utilization rate of the Early Childhood Programs in the study area that is greater than 100 percent? | ☐ | ☒ |
| ○ If "yes," would the project increase the collective utilization rate by 5 percent or more from the No-Action scenario? | ☐ | ☒ |
| **ii. Public Schools** | | |
| ○ Would the project result in 50 or more elementary or middle school students, or 150 or more high school students based on number of residential units? (See Table 6-1 in Chapter 6) | ☐ | ☒ |
| ○ If "yes," would the project result in a utilization rate of the elementary or middle schools that is equal to or greater than 100 percent? | ☐ | ☒ |
| ○ If "yes," would the project generate 100 or more elementary or middle school students past the 100% utilization rate? | ☐ | ☒ |
| ○ If "yes," would the project result in a utilization rate of the high schools that is equal to or greater than 100 percent? | ☐ | ☒ |
| ○ If "yes," would the project increase the high school utilization rate by 5 percent or more from the No-Action scenario? | ☐ | ☒ |
| **iii. Libraries** | | |
| ○ Would the project result in a 5 percent or more increase in the ratio of residential units to library branches? (See Table 6-1 in Chapter 6) | ☐ | ☒ |
| ○ If "yes," would the project increase the study area population by 5 percent or more from the No-Action levels? | ☐ | ☒ |
| ○ If "yes," would the additional population impair the delivery of library services in the study area? | ☐ | ☒ |
| **iv. Health Care Facilities** | | |
| ○ Would the project result in the introduction of a sizeable new neighborhood? | ☐ | ☒ |
| ○ If "yes," would the project affect the operation of health care facilities in the area? | ☐ | ☒ |
| **v. Fire and Police Protection** | | |
| ○ Would the project result in the introduction of a sizeable new neighborhood? | ☐ | ☒ |
| ○ If "yes," would the project affect the operation of fire or police protection in the area? | ☐ | ☒ |
| **4. *OPEN SPACE*:** CEQR Technical Manual Chapter 7 | | |
| **(a)** Would the project change or eliminate existing open space? | ☐ | ☒ |
| **(b)** Would the project generate more than 200 additional residents or 500 additional employees? | ☐ | ☒ |
| **5. *SHADOWS*:** CEQR Technical Manual Chapter 8 | | |
| **(a)** Would the proposed project result in a net height increase of any structure of 50 feet or more? | ☐ | ☒ |
| **(b)** Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource? | ☐ | ☒ |
| **(c)** If "yes" to either of the above questions, attach supporting information explaining whether the project's shadow would reach any sunlight-sensitive resource at any time of the year. | | |

| | YES | NO |
|---|---|---|
| **6. *HISTORIC AND CULTURAL RESOURCES***: CEQR Technical Manual Chapter 9 | | |
| **(a)** Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; that is listed or eligible for listing on the New York State or National Register of Historic Places; or that is within a designated or eligible New York City, New York State or National Register Historic District? (See the GIS System for Archaeology and National Register to confirm) | ☐ | ☒ |
| **(b)** Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated? | ☐ | ☒ |
| **(c)** If "yes" to either of the above, list any identified architectural and/or archaeological resources and attach supporting information on whether the proposed project would potentially affect any architectural or archeological resources. | | |
| **7. *URBAN DESIGN AND VISUAL RESOURCES***: CEQR Technical Manual Chapter 10 | | |
| **(a)** Would the proposed project introduce a new building, a new building height, or result in any substantial physical alteration to the streetscape or public space in the vicinity of the proposed project that is not currently allowed by existing zoning? | ☐ | ☒ |
| **(b)** Would the proposed project result in obstruction of publicly accessible views to visual resources not currently allowed by existing zoning? | ☐ | ☒ |
| **(c)** If "yes" to either of the above, please provide the information requested in Chapter 10. | | |
| **8. *NATURAL RESOURCES***: CEQR Technical Manual Chapter 11 | | |
| **(a)** Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of Chapter 11? | ☐ | ☒ |
| ○ If "yes," list the resources and attach supporting information on whether the project would affect any of these resources. | | |
| **(b)** Is any part of the directly affected area within the Jamaica Bay Watershed? | ☐ | ☒ |
| ○ If "yes," complete the Jamaica Bay Watershed Protection Plan Project Tracking Form and submit according to its instructions. | | |
| **9. *HAZARDOUS MATERIALS***: CEQR Technical Manual Chapter 12 | | |
| **(a)** Would the proposed project allow commercial or residential uses in an area that is currently, or was historically, a manufacturing area that involved hazardous materials? | ☐ | ☒ |
| **(b)** Would the proposed project introduce new activities or processes using hazardous materials and increase the risk of human or environmental exposure? | ☐ | ☒ |
| **(c)** Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts? | ☐ | ☒ |
| **(d)** Would the project require soil disturbance in a manufacturing area or any development on or near a manufacturing area or existing/historic facilities listed in the Hazardous Materials Appendix (including nonconforming uses)? | ☐ | ☒ |
| **(e)** Would the project result in the development of a site where there is reason to suspect the presence of hazardous materials, contamination, illegal dumping or fill, or fill material of unknown origin? | ☐ | ☒ |
| **(f)** Would the project result in development on or near a site that has or had underground and/or aboveground storage tanks (*e.g.*, gas stations, oil storage facilities, heating oil storage)? | ☐ | ☒ |
| **(g)** Would the project result in renovation of interior existing space on a site with the potential for compromised air quality; vapor intrusion from either on-site or off-site sources; or the presence of asbestos, PCBs, mercury or lead-based paint? | ☐ | ☒ |
| **(h)** Would the project result in development on or near a site with potential hazardous materials issues such as government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, coal gasification or gas storage sites, railroad tracks or rights-of-way, or municipal incinerators? | ☐ | ☒ |
| **(i)** Has a Phase I Environmental Site Assessment been performed for the site? | ☒ | ☐ |
| ○ If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify: Not relevant to the Proposed Action as no new development or soils disturbance would occur. | ☐ | ☐ |
| **(j)** Based on the Phase I Assessment, is a Phase II Investigation needed? Not relevant to the Proposed Action as no new development or soils disturbance would occur. | ☐ | ☐ |
| **10. *WATER AND SEWER INFRASTRUCTURE***: CEQR Technical Manual Chapter 13 | | |
| **(a)** Would the project result in water demand of more than one million gallons per day? | ☐ | ☒ |
| **(b)** If the proposed project located in a combined sewer area, would it result in at least 1,000 residential units or 250,000 square feet or more of commercial space in Manhattan, or at least 400 residential units or 150,000 square feet or more of commercial space in the Bronx, Brooklyn, Staten Island, or Queens? | ☐ | ☒ |
| **(c)** If the proposed project located in a separately sewered area, would it result in the same or greater development than that listed in Table 13-1 in Chapter 13? | ☐ | ☒ |
| **(d)** Would the project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase? | ☐ | ☒ |
| **(e)** If the project is located within the Jamaica Bay Watershed or in certain specific drainage areas, including Bronx River, Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek, would it involve development on a site that is 1 acre or larger where the amount of impervious surface would increase? | ☐ | ☒ |

| | YES | NO |
|---|---|---|
| **(f)** Would the proposed project be located in an area that is partially sewered or currently unsewered? | ☐ | ☒ |
| **(g)** Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or contribute contaminated stormwater to a separate storm sewer system? | ☐ | ☒ |
| **(h)** Would the project involve construction of a new stormwater outfall that requires federal and/or state permits? | ☐ | ☒ |
| **(i)** If "yes" to any of the above, conduct the appropriate preliminary analyses and attach supporting documentation. | | |
| **11. *SOLID WASTE AND SANITATION SERVICES***: CEQR Technical Manual Chapter 14 | | |
| **(a)** Using Table 14-1 in Chapter 14, the project's projected operational solid waste generation is estimated to be (pounds per week): 19,274 | | |
| ○ Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week? | ☐ | ☒ |
| **(b)** Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City? | ☐ | ☒ |
| ○ If "yes," would the proposed project comply with the City's Solid Waste Management Plan? | ☐ | ☒ |
| **12. *ENERGY***: CEQR Technical Manual Chapter 15 | | |
| **(a)** Using energy modeling or Table 15-1 in Chapter 15, the project's projected energy use is estimated to be (annual BTUs): 54,991,030 | | |
| **(b)** Would the proposed project affect the transmission or generation of energy? | ☐ | ☒ |
| **13. *TRANSPORTATION***: CEQR Technical Manual Chapter 16 | | |
| **(a)** Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16? | ☒ | ☐ |
| **(b)** If "yes," conduct the appropriate screening analyses, attach back up data as needed for each stage, and answer the following questions: | | |
| ○ Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour? | ☐ | ☒ |
| If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? ***It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16 for more information.* | ☐ | ☒ |
| ○ Would the proposed project result in more than 200 subway/rail, bus trips, or 50 Citywide Ferry Service ferry trips per project peak hour? | ☐ | ☒ |
| If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction), 200 subway/rail trips per station or line, or 25 or more Citywide Ferry Service ferry trips on a single route (in one direction), or 50 or more passengers at a Citywide Ferry Service landing? | ☐ | ☒ |
| ○ Would the proposed project result in more than 200 pedestrian trips per project peak hour? | ☐ | ☒ |
| If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, bus stop, or Citywide Ferry Service landing? | ☐ | ☒ |
| **14. *AIR QUALITY***: CEQR Technical Manual Chapter 17 | | |
| **(a)** *Mobile Sources*: Would the proposed project result in the conditions outlined in Section 210 in Chapter 17? | ☐ | ☒ |
| **(b)** *Stationary Sources*: Would the proposed project result in the conditions outlined in Section 220 in Chapter 17? | ☒ | ☐ |
| ○ If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17? (Attach graph as needed) | ☐ | ☒ |
| **(c)** Does the proposed project involve multiple buildings on the project site? | ☐ | ☒ |
| **(d)** Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements? | ☐ | ☒ |
| **(e)** Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts? | ☐ | ☒ |
| **(f)** If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation. | | |
| **15. *GREENHOUSE GAS EMISSIONS***: CEQR Technical Manual Chapter 18 | | |
| **(a)** Is the proposed project a city capital project or a power generation plant? | ☐ | ☒ |
| **(b)** Would the proposed project fundamentally change the City's solid waste management system? | ☐ | ☒ |
| **(c)** Would the proposed project result in the development of 350,000 square feet or more? | ☐ | ☒ |
| **(d)** If "yes" to any of the above, would the project require a GHG emissions assessment based on guidance in Chapter 18? | ☐ | ☒ |
| ○ If "yes," would the project result in inconsistencies with the City's GHG reduction goal? (See Local Law 22 of 2008; § 24-803 of the Administrative Code of the City of New York). Please attach supporting documentation. | ☐ | ☒ |
| **16. *NOISE***: CEQR Technical Manual Chapter 19 | | |
| **(a)** Would the proposed project generate or reroute vehicular traffic? | ☒ | ☐ |
| **(b)** Would the proposed project introduce new or additional receptors (see Section 114 in Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed | ☐ | ☒ |

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

## 20. *APPLICANT'S CERTIFICATION*

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

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

| APPLICANT/REPRESENTATIVE NAME | SIGNATURE | DATE |
|---|---|---|
| John Strauss, Environmental Studies Corp. | John Strauss | February 24, 2026 |

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

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

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

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

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

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

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

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

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

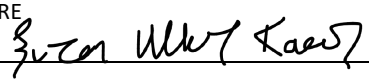
☐ **Conditional Negative Declaration:** A *Conditional Negative Declaration* (CND) may be appropriate if there is a private applicant for an Unlisted action AND when conditions imposed by the lead agency will modify the proposed project so that no significant adverse environmental impacts would result.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

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

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

| TITLE | LEAD AGENCY |
|---|---|
| Deputy Director, Environmental Assessment and Review Division | City Planning Commission |
| NAME | DATE |
| Evren Ulker-Kacar, AICP | February 26, 2026 |

SIGNATURE



## NEGATIVE DECLARATION

**Statement of No Significant Effect**

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

**Reasons Supporting this Determination**

The above determination is based on information contained in this EAS, which finds the proposed actions sought before the City Planning Commission would not have a significant adverse impact on the environment. Reasons supporting this determination are noted below.

**Land Use, Zoning, and Public Policy**

A detailed analysis of land use, zoning, and public policy is included in the EAS. The Applicant, MD Hutch Owner, LLC, is seeking a zoning map amendment (the "Proposed Action") to rezone an M1-2 district to a C8-3 district on Block 5559, Lot 7501 (Projected Development Site 1) in the Ferry Point neighborhood of Bronx Community District 10. The Proposed Action would not result in any development but is sought to permit Use Group VI uses in excess of 10,000 gross square feet (gsf) within the existing shopping center on Projected Development Site 1. The existing development would continue to consist of 410,404 gsf and 875 off-street parking spaces at the cellar and ground levels. The building's height of 37 feet would not change and no new construction would occur, but spaces within the shopping center would be converted to accommodate retail and office uses in excess of 10,000 square feet. The Proposed Actions would not introduce inconsistent land uses to the study area. Further, the proposed C8-3 district allows for automotive and heavy commercial services, including shopping centers, and would be consistent with the existing uses on site and in the study area. Finally, the Proposed Actions are consistent with relevant public policies. The conversion of the existing shopping center could allow for the introduction of a FRESH store in area lacking in supermarkets with fresh produce. The Proposed Action would also be consistent with the *Rebuild, Renew, Reinvent: A Blueprint for New York City's Economic Recovery* program and new businesses on site would be permitted to take advantage of development, loan, and assistance initiatives. Finally, the Projected Development Site is within the Coastal Zone Boundary and the Proposed Action would be consistent with the policies set forth in the New York City Waterfront Revitalization Program (WRP #20-199). The Proposed Action would not result in significant adverse impacts land use, zoning, and public policy.

**Air Quality**

A detailed analysis of air quality is included in the EAS. Because the Proposed Action would not facility any incremental off-street parking spaces a detailed parking facility analysis is unwarranted. Additionally, the project-generated peak hour heavy-duty diesel vehicles traffic screens out of additional analysis. However, the Projected Development Site is located in close proximity to the Hutchinson River Parkway, defined as an atypical roadway or other major mobile source of pollutants. As a result, a detailed atypical roadway analysis is included in the EAS. The detailed analysis concludes that pollutant concentrations in the with action condition are within National Ambient Air Quality Standards and no significant adverse impacts related vehicle emissions on the adjacent roadway would occur. Because the Proposed Action would not result in new construction, a detailed heating/hot water, ventilation, and air conditioning (HVAC) analysis was not required. In addition, a screening was conducted for nearby existing industrial sources and none were identified. As a result, no significant adverse impacts related to air quality would occur.

**Disadvantaged Communities Assessment**

The EAS includes an assessment of effects on Disadvantaged Communities (DACs). The Projected Development Site is located within a census tract identified as having comparatively higher burdens and vulnerabilities. The ½ mile study area also contains census tracts identified as having both comparatively higher and lower vulnerabilities. Approval of the Proposed Action would facilitate the conversion of an existing shopping center to allow as-of-right retail establishments exceeding 10,000 zoning square feet and would not result in significant adverse impacts related to any CEQR analysis areas. The Proposed Action would not create, exacerbate, or contribute to any environmental burdens, nor would increase the vulnerability of nearby disadvantaged communities.

*No other significant effects upon the environment that would require the preparation of a Draft Environmental Impact Statement are foreseeable. This Negative Declaration has been prepared in accordance with Article 8 of the New York State Environmental Conservation Law (SEQRA). Should you have any questions pertaining to this Negative Declaration, you may contact Jameson Mitchell at +1 212-720-3422.*

| TITLE | LEAD AGENCY |
|---|---|
| Deputy Director, Environmental Assessment and Review Division | Department of City Planning on behalf of the City Planning Commission<br>120 Broadway, 31st Fl. New York, NY 10271 \| 212.720.3493 |
| NAME<br>Evren Ulker-Kacar, AICP | DATE<br>2/26/2026 |
| SIGNATURE<br> | |
| TITLE<br>Chair, City Planning Commission | |
| NAME<br>Daniel R. Garodnick | DATE<br>3/2/2026 |
| SIGNATURE | |

# Section II - Project Description

## Project Description

### Proposed Action

MD Hutch Owner LLC, (the "Applicant") seeks a zoning map amendment to facilitate the development of a site located in the Ferry Point neighborhood of Bronx Community District 10. The Applicant seeks the following action:

1) A zoning map amendment to rezone an M1-2 district to a C8-3 district

### Project Area

The action described above (the "Proposed Action") affects an area that is bound by Lafayette Avenue to the north, the Hutchinson River Parkway to the east, Wenner Place to the south, and Brush Avenue to the west. This area includes Bronx Block 5559, Lot 7501 totaling 343,891 square feet in size. The area described above is referred to as the "Project Area". The approval of the Proposed Action would facilitate development in the Project Area.

The entirety of the Project Area is owned by the Applicant and is referred to as "Projected Development Site 1". The approval of the Proposed Action would facilitate development on this site (See Reasonable Worst-Case Development Scenario below).

### Proposed Development

The proposed zoning map amendment is sought to permit Use Group VI uses in excess of 10,000 gross square feet (gsf) in size within the existing building in the Project Area. The 254,235 gsf of commercial space on the building's two floors (cellar and first floor) would consist of Use Group VI retail and commercial office uses.

The Proposed Action is sought to facilitate the conversion of portions of the existing commercial shopping center located on the Site, which is currently prohibited from providing individual retail establishments that exceed 10,000 zoning square feet (zsf). No new development or additional floor area is proposed with the Proposed Action but several establishments on the Development Site would now be permited as Use Group VI general retail/office uses totaling approximately 49,560 gsf in floor area. Specifically, spaces for a Petco establishment (10,400 gsf), a TJ Maxx (28,400 gsf), a former Party City store to be converted to a supermarket (10,760 gsf), and the existing Target (162,820 gsf) would exceed 10,000 square feet. It should be noted the Target store is located below grade and is permitted as-of-right under the current zoning.

The building would contain 254,235 gsf of retail/office space comprised of 242,221 gsf of retail floor area and 12,014 gsf of office space as it does currently. The building would also contain 39,705 gsf of retail storage space and 19,480 gsf dedicated to a receiving

area with ten loading bays as under the currently existing condition. In addition, a former 10,760 gsf Party City store would be converted to a supermarket. The building would continue to provide 875 off-street parking spaces in the cellar and on the first floor within 96,984 gsf of floor area. In total, the building would contain 410,404 gsf of building floor area as it does currently. The building would remain with a maximum height of approximately 37 feet. No new construction would occur in the Project Area with the Proposed Development which would facilitate the as-of-right conversion of existing commercial spaces throughout the building.

**Purpose and Need**

The existing M1-2 zoning does not allow additional expansion of commercial uses within the Project Area because of the high parking requirements in the district. Further, Use Group VI food stores and most retail establishments over 10,000 square feet are not permitted as-of-right in M1 districts and require a special permit from the CPC. It is the Applicant's opinion that the proposed C8-3 district would better reflect the commercial uses in the Project Area allowing for greater flexibility for the existing commercial spaces in terms of size and use.

# Reasonable Worst-Case Development Scenario (RWCDS)

Discretionary actions sometimes permit a range of project characteristics, or development scenarios, to occur even though the action may be sought in order to facilitate a specific development. From the range of possible scenarios that are considered reasonable and likely, the scenario with the worst environmental consequences is chosen to present a conservative analysis. This development scenario is considered to be the Reasonable Worst-Case Development Scenario (RWCDS). By analyzing the potential for adverse impacts of the RWCDS, the EAS ensures that, regardless of which scenario occurs, its impacts would be no worse than those considered in the environmental review. The EAS analyzes the incremental differences between the future with approval of the Proposed Action (where the RWCDS occurs), the "With-Action condition", and the future without the approval of the Proposed Actions (where the RWCDS does not occur), the "No-Action condition".

**Development Sites**

As discussed above, the Proposed Action would affect one lot - Bronx Block 5559, Lot 7501. The entirety of the Project Area is owned by the Applicant (MD Hutch Owner LLC) and is referred to as "Projected Development Site 1". The proposed development described above is expected to occur on this site and would be the same as the Future With-Action condition upon which all EAS analyses would be based. See "Future With-Action" below.

**Existing Conditions**

As discussed above, the Project Area is zoned M1-2 and includes Bronx Block 5559, Lot 7501. The Project Area has a lot area of approximately 343,891 square feet (sf), and is

currently occupied by the Throgs Neck Shopping Center. The Project Area is bound by Lafayette Avenue to the north, the Hutchinson River Parkway to the east, Wenner Place to the south, and Brush Avenue to the west.

The existing M1-2 zoning of the Project Site permits Use Group I open uses, some community facility Use Group IIIB uses, and retail, office, commercial, general service and infrastructure, assembly, storage, and manufacturing Use Groups IV through X. The district is intended to accommodate light industrial uses, such as woodworking shops, repair shops, and wholesale service and storage facilities, while also permitting most retail and office uses. Some uses are subject to maximum size restrictions or other additional conditions. The maximum manufacturing and commercial FAR in M1-2 districts is 2.0 while UG 4 community facilities are permitted up to a maximum FAR of 4.8. The maximum commercial development on the Project Site would be 687,782 zsf. Building heights and setbacks are controlled by a sky exposure plane, although few buildings in M1-2 districts rise above two stories.

The Site has historically been zoned M1-2 as designated in the 1961 Zoning Resolution when the area was more industrial/manufacturing in nature with warehouse uses lining Westchester Creek. The Project Area was vacant until it was improved with a shopping center in 2013, which is permitted as-of-right in the M1-2 zoning district, and the site has been used for retail purposes since that time.

Prior to the construction of the existing shopping center, the property was occupied by a 1-story (plus basement) commercial/warehouse building. This building was constructed in 1967 and was demolished in 2012. Identified former occupants of this building include Franklin Stores (1967-1978), Franklin and Barker Stores (1981-1983), La Salle Industries (1986-1988), and the U.S. Postal Service mail processing facility (1991-2011). The nature of operations of La Salle industries is not known, however, and according to the New York State Department of State Business Entity database, the original name of La Salle Industries was Direct Mail Associates, Inc. Therefore, it is considered likely that the operations of La Salle Industries involved direct mail marketing. According to New York City Department of Buildings (NYCDOB) records, the operations in the former building included printing in the basement.

From the 1930s to the time of the construction of the former commercial/warehouse building in 1967, the property contained a residential dwelling on the extreme southeast corner of the lot, and the rest of the property was vacant, undeveloped land. From at least 1898 to the 1920s, the property was used for residential and agricultural purposes.

Throgs Neck Shopping Center is a commercial retail center containing approximately 410,404 gsf of floor area (98,286 of commercial zsf or 0.286 FAR) and is 37 feet in height. The building contains a 312,118 gsf cellar level and a 98,286 gsf/zsf first floor level. The cellar level of the building contains the anchor retail store and one additional retail store while the first floor of the building contains six retail spaces plus the lobby area for the cellar level anchor store. There is 153,935 gsf of retail space and 2,014 gsf of office space

in the cellar and 88,286 gsf of retail floor area and 10,000 gsf of office floor area on the first floor for a total of 254,235 gsf of retail sales and commercial office floor area. The cellar level of the building also contains 39,705 gsf of retail storage area, 19,480 gsf of loading/receiving area, and 96,984 gsf of accessory parking area. The first floor of the building consists of 98,286 gsf of retail and office floor area adjoined by rooftop accessory parking. The development on the Project Site consists of interconnected commercial spaces and parking developed on a concrete platform which functions as a single structure. Table 1 below provides the breakdown of uses by floor area.

**Table 1 - Throgs Neck Shopping Center**
**Square Footage of Existing Uses**

| Uses | Size (Square Feet) |
|---|---|
| Cellar Level | |
| Retail | 153,935 |
| Office | 2,014 |
| Retail Storage | 39,705 |
| Receiving/Loading | 19,480 |
| Accessory Parking | 96,984 |
| Sub-Total | 312,118 |
| First Floor | |
| Retail | 88,286[1] |
| Office | 10,000 |
| Sub-Total | 98,286 |
| GRAND TOTAL | 410,404 |

The Throgs Neck Shopping Center includes a parking and loading area in the cellar of the structure. The building contains 875 parking spaces, of which 606 parking spaces are located on the roof of the structure, and ten loading berths which are located at the southwest corner of the cellar area between the anchor retail store and the smaller retail store in the cellar. The site is accessible via several existing curb cuts. The main loading area and cellar parking level are accessible via curb cuts on Brush Avenue. There are a total of 7 curb cuts on Brush Avenue corresponding to loading bays and access ramps to

[1] Includes a former Party City store to be converted to a supermarket (10,760 gsf).

cellar level parking. Additionally, there is one curb cut on Hutchinson River Parkway (slip road) and one additional curb cut on Lafayette Avenue allowing for access to the surface level parking spaces. 26 bicycle parking spaces are required to be provided for the retail sales area of the building.

Most recently, the tenants of the shopping center included Target (the anchor tenant), Petco, Applebee's, Chipotle, T.J. Maxx, Five Guys, Starbucks, other smaller miscellaneous retail outlets (check cashing, beauty supply, and liquor store), and three medical office uses.

**Future No Action Scenario**

In the future, if the Proposed Action is not approved (the No-Action condition), development would not occur within the Project Area. As discussed above in the purpose and need section, the current M1-2 zoning allows for light industrial and commercial uses at 2.0 FAR. As illustrated in Table 1 above, approximately 76% of the floor area in the Shopping Center is located below ground, which contributes to the gross floor area but not the zoning floor area.

Although the Shopping Center building does not maximize available FAR, any expansion in the No-Action condition would need to provide additional parking spaces which cannot be accommodated on the site. As the existing Throgs Neck Shopping Center was constructed in 2013, it is not reasonable to assume that the site would be entirely demolished and reconfigured to accommodate future expansion. Therefore, it is assumed that the No-Action conditions would be the same as the existing conditions on this site.

**Future With-Action Scenario**

In the future, if the Proposed Action is approved, the Proposed Development described above would be established on Projected Development Site 1. The building floor areas under the Future With Action Scenario (RWCDS) on Projected Development Site 1 would be the same as the Proposed Development and would serve as the basis for all EAS analyses. However, the Proposed Action would facilitate the conversion of portions of the existing commercial shopping center located on the Site, which is currently prohibited from providing individual retail establishments that exceed 10,000 zsf. No new development or additional floor area is proposed with the Proposed Action but several establishments on the Development Site would now be permited as Use Group VI general retail/office uses totaling approximately 49,560 gsf in floor area. Specifically, spaces for a Petco establishment (10,400 gsf), a TJ Maxx (28,400 gsf), a former Party City store to be converted to a supermarket (10,760 gsf), and the existing Target (162,820 gsf) would exceed 10,000 square feet. It should be noted the Target store is located below grade and is permitted as-of-right under the current zoning.

The building would contain 254,235 gsf of retail/office space comprised of 231,461 gsf of retail floor area, a 10,760 gsf supermarket, and 12,014 gsf of office space. The building would also contain 39,705 gsf of retail storage space and 19,480 gsf dedicated to a

receiving area with ten loading bays as under the currently existing condition. The building would continue to provide 875 off-street parking spaces in the cellar and on the first floor within 96,984 gsf of floor area. In total, the building would contain 410,404 gsf of building floor area as it does currently. The building would remain with a maximum height of approximately 37 feet. No new construction would occur in the Project Area with the Proposed Development which would facilitate the as-of-right conversion of existing commercial spaces throughout the building. The total FAR under the Future With-Action Scenario would be 0.286 based on a zoning floor area of 98,286 of commercial zsf.

Table 2 below details the increment between the No-Action and the With-Action conditions. This increment would typically be the subject of the analysis presented in Part III (Technical Analysis) but for the Proposed Action there is no incremental change in total floor area. There is an increase of 10,760 gsf of supermarket floor area and a corresponding decrease of 10,760 gsf of destination retail floor area. The Technical Analysis focuses on the four individual stores that exceed 10,000 zsf and total 49,560 gsf of floor area that would now be permitted as Use Group VI general retail/office uses.

**Table 2 – Analysis Framework**

| Land Use | No-Action | With-Action | Increment |
|---|---|---|---|
| Supermarket (gsf) | 0 | 10,760 | + 10,760 |
| Destination Retail (gsf)[2] | 242,221 | 231,461 | -10,760 |
| Retail Accessory Storage (gsf) | 39,705 | 39,705 | 0 |
| Commercial Office (gsf) | 12,014 | 12,014 | 0 |
| Accessory Parking | 875 | 875 | 0 |

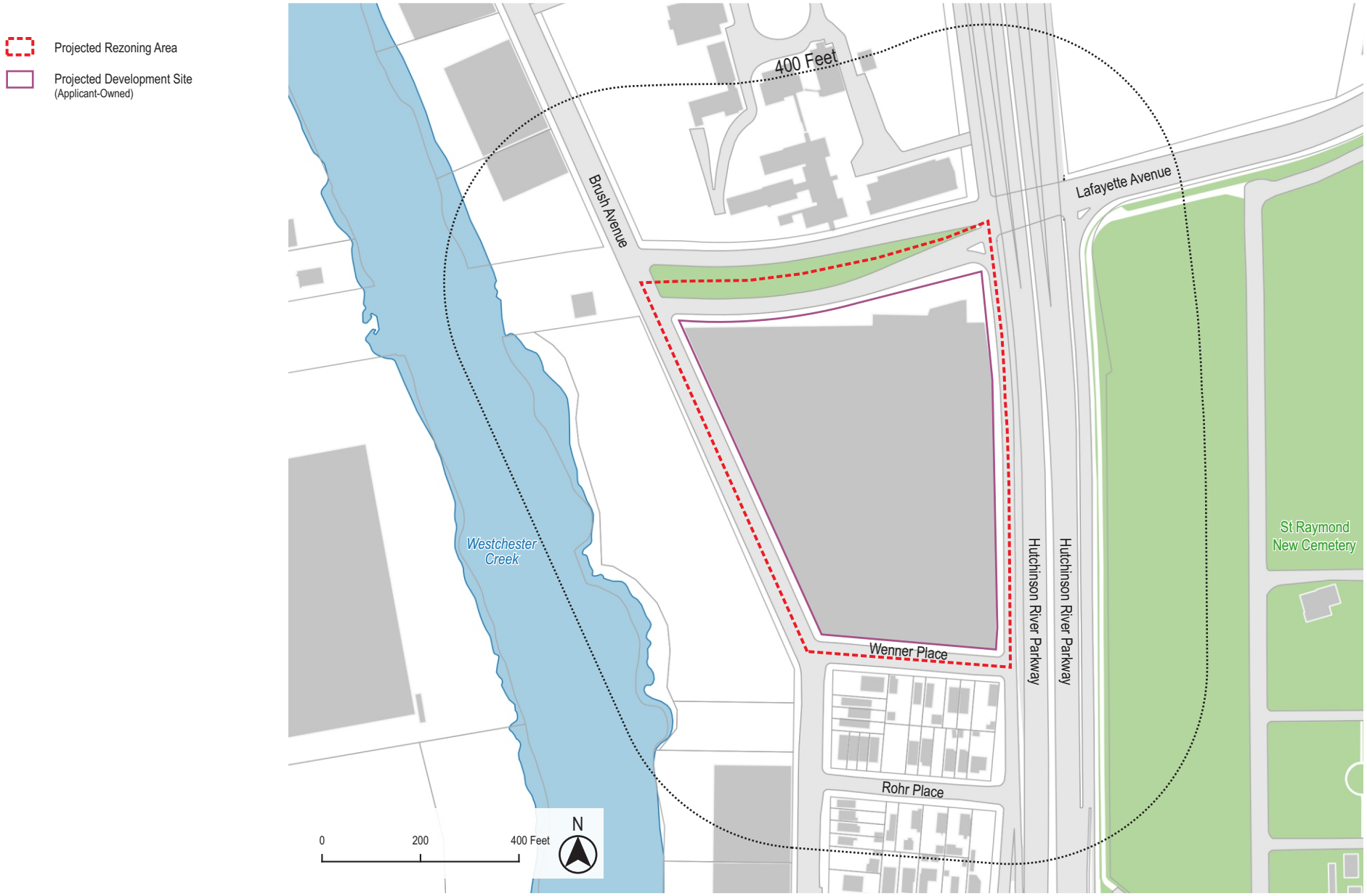
## Analysis Year

Based on an estimated duration of eighteen months for the pre-certification process and a seven-month Uniform Land Use Review Procedure (ULURP) process, the proposed development is expected to be complete in 2027. It is estimated that the conversion of the existing retail space to the proposed supermarket will take approximately 11 months based on approximately one month of work per 1,000 gsf. All construction work will be interior to the existing structure. The Build Year, or Analysis Year, used in this EAS reflects the date when all development expected to occur with the approval of the Proposed Action is completed and occupied. The Build Year, or Analysis Year, used in this EAS is 2027.

[2] Does not include accessory storage area, accessory parking, and loading gsf

# 815 Hutchinson River Parkway, Bronx

Figure 1: Site Location

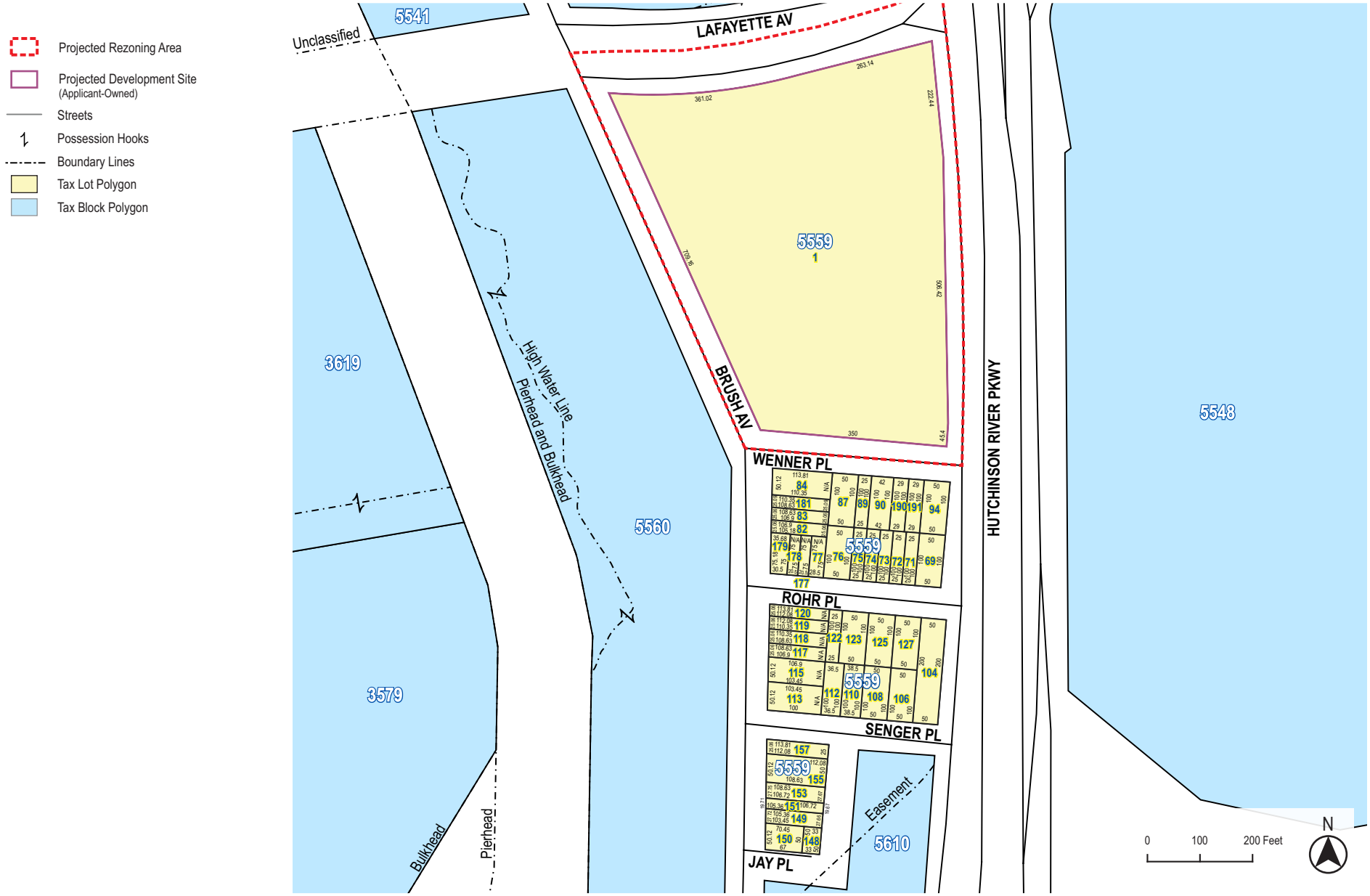



Data Source: MapPLUTO 2024v1

Urban Cartographics

# 815 Hutchinson River Parkway, Bronx

Figure 2: Tax Map

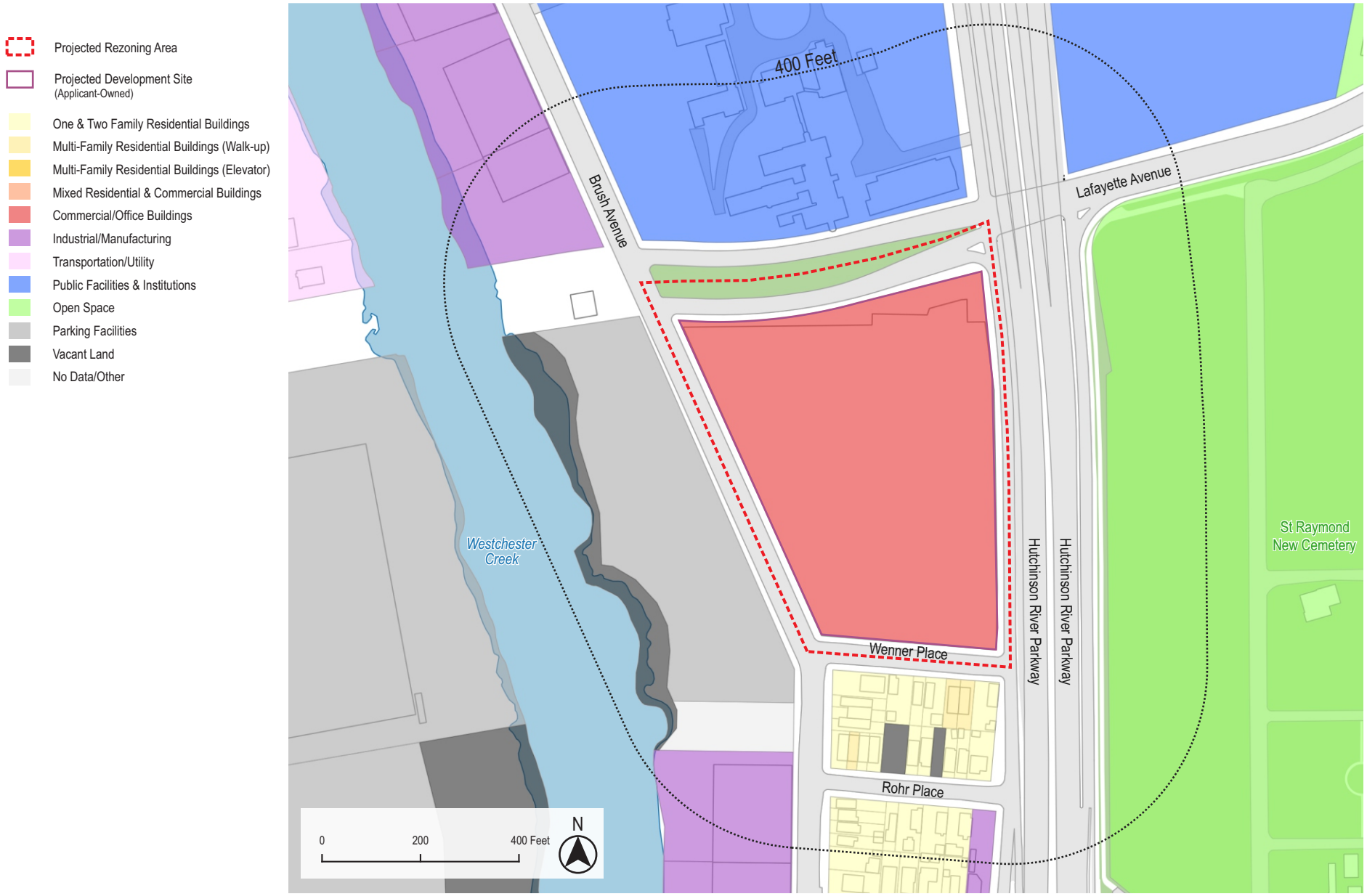



Data Source: MapPLUTO 2024v1, NYC DOF Digital Tax Map 4/5/24

Urban Cartographics

# 815 Hutchinson River Parkway, Bronx

Figure 3: Land Use Map




Data Source: MapPLUTO 2024v1, NYC DOF Digital Tax Map 4/5/24

Urban Cartographics

**815 Hutchinson River Parkway, Bronx**

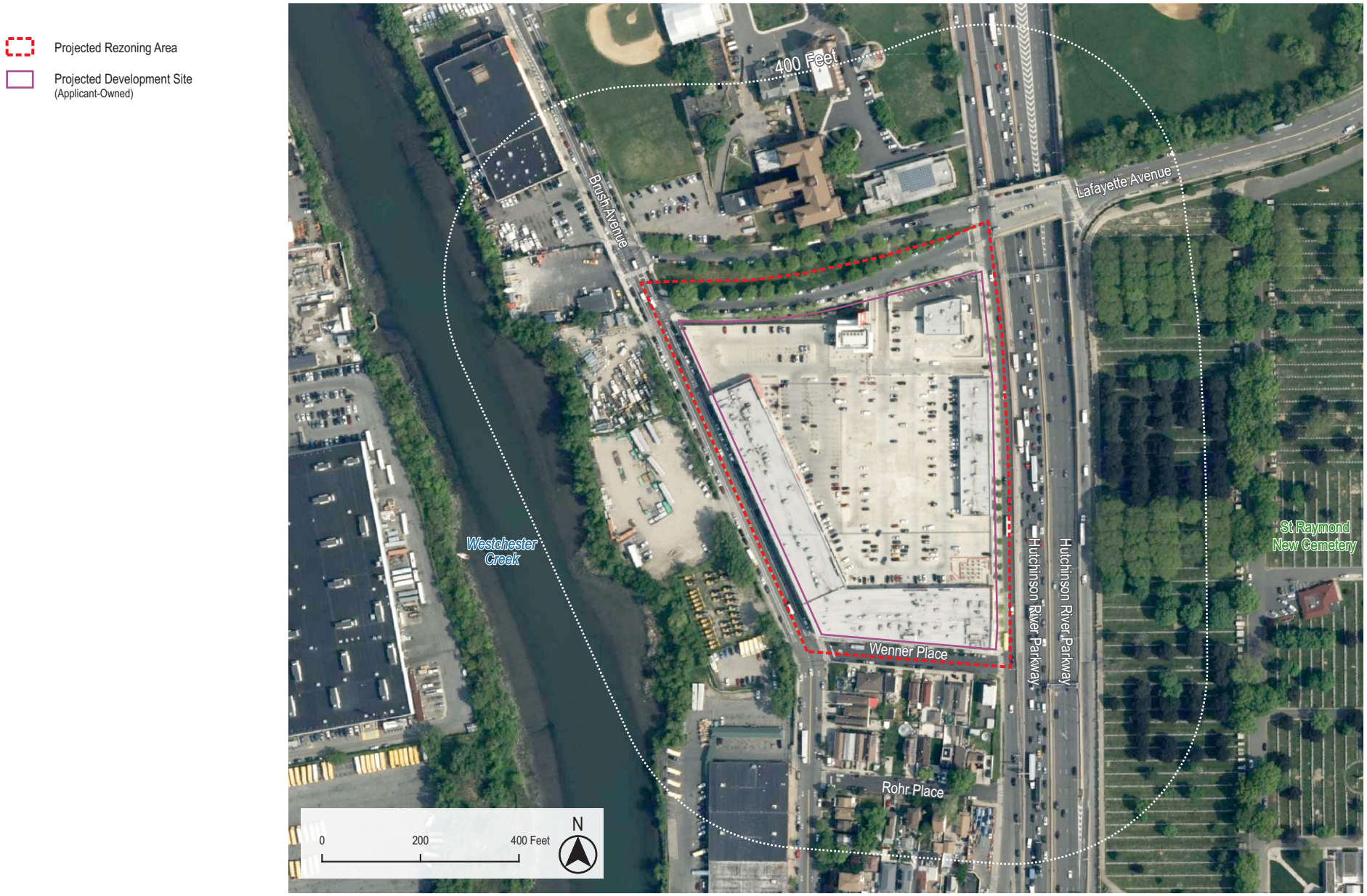
Figure 4: Zoning Map




Urban Cartographics

# 815 Hutchinson River Parkway, Bronx

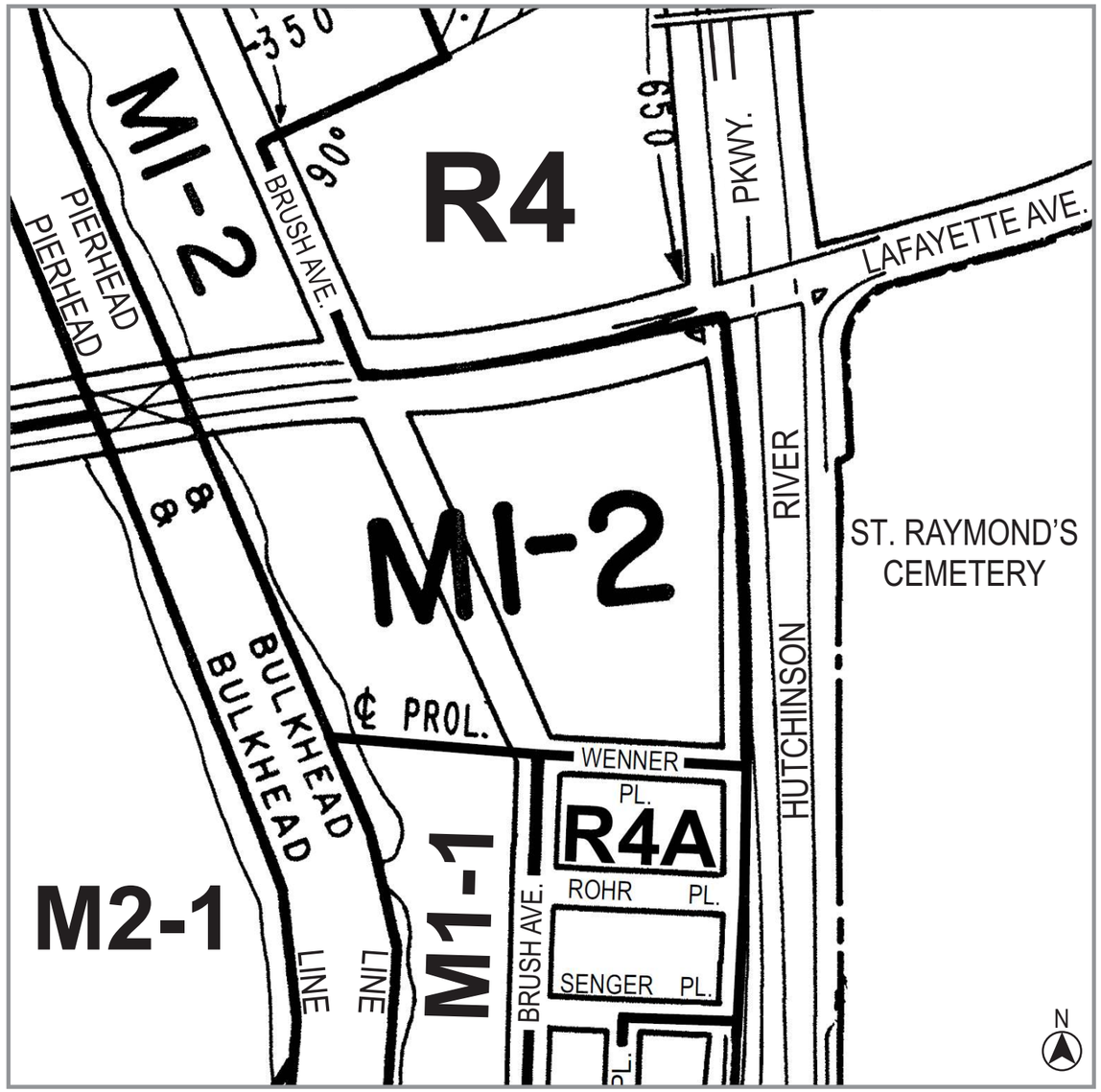
Figure 5: Aerial Map



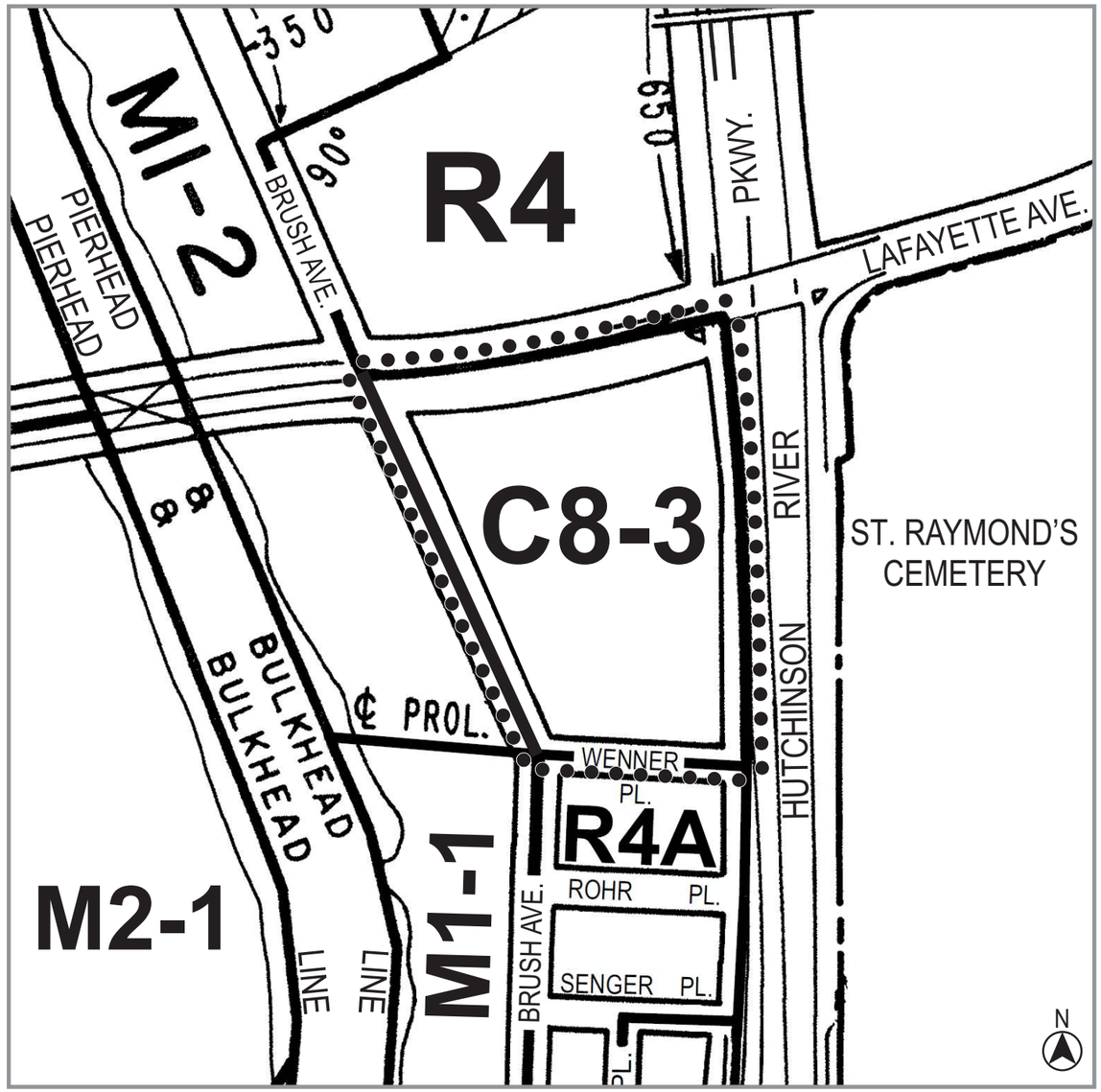

Imagery Source: 2024 Bing, Microsoft Corporation

Urban Cartographics

# Zoning Change Map




Current Zoning Map (7a)




Proposed Zoning Map (7a) - Area being rezoned is outlined with dotted lines

Rezoning from M2-1 to C8-3

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

**NOTE:** Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.




1. View of Hutchinson River Parkway facing south from Lafayette Avenue (Development Site at right).




2. View of the Development Site facing southwest from the intersection of Lafayette Avenue and Hutchinson River Parkway.



3. View of Lafayette Avenue facing southwest from Hutchinson River Parkway (Development Site at left).






4. View of the sidewalk along the west side of Hutchinson River Parkway facing south from Lafayette Avenue (Development Site at right).




5. View of the sidewalk along the south side of Lafayette Avenue facing southwest from Hutchinson River Parkway (Development Site at left).




6. View of the intersection of Lafayette Avenue and Hutchinson River Parkway facing northeast from the Development Site.

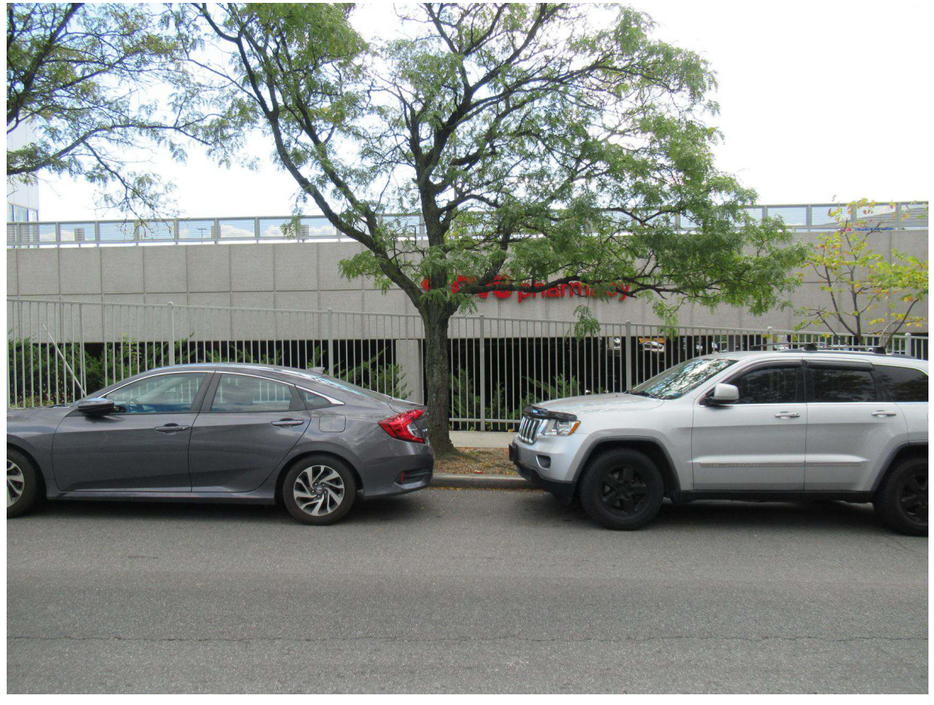





7. View of the Development Site facing southwest from Lafayette Avenue.




8. View of the Development Site facing south from Lafayette Avenue.



9. View of the Development Site facing south from Lafayette Avenue.





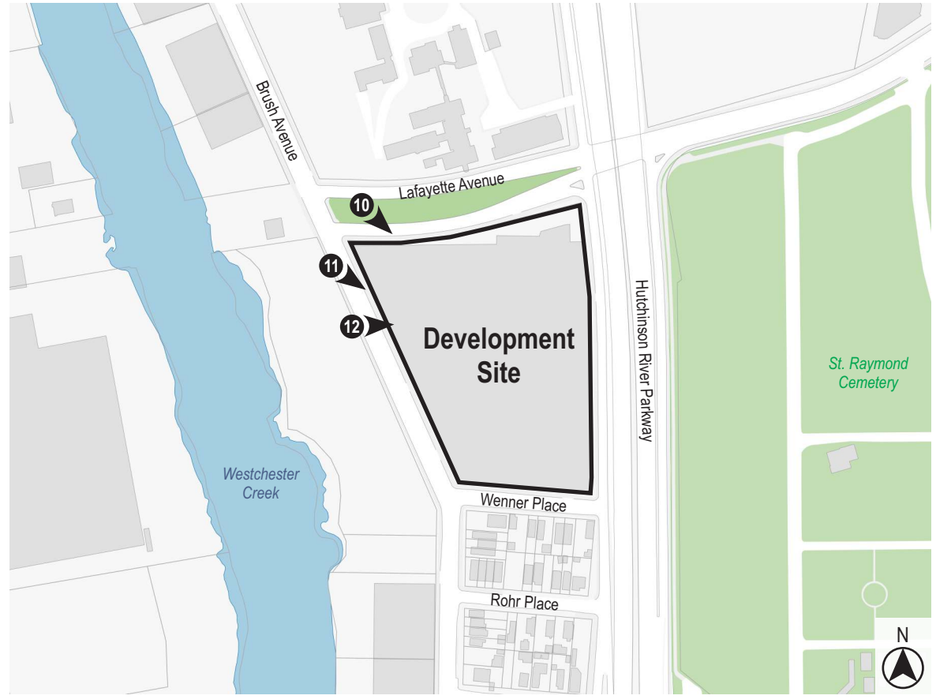
10. View of the Development Site facing southeast from Lafayette Avenue.




11. View of the Development Site facing southeast from Brush Avenue.




12. View of the Development Site facing east from Brush Avenue.






13. View of Brush Avenue facing southeast from Lafayette Avenue (Development Site at left).




14. View of the Development Site facing southeast from the intersection of Brush Avenue and Lafayette Avenue.




15. View of Lafayette Avenue facing east from Brush Avenue (Development Site at right).






16. View of the sidewalk along the south side of Lafayette Avenue facing east from Brush Avenue (Development Site at right).

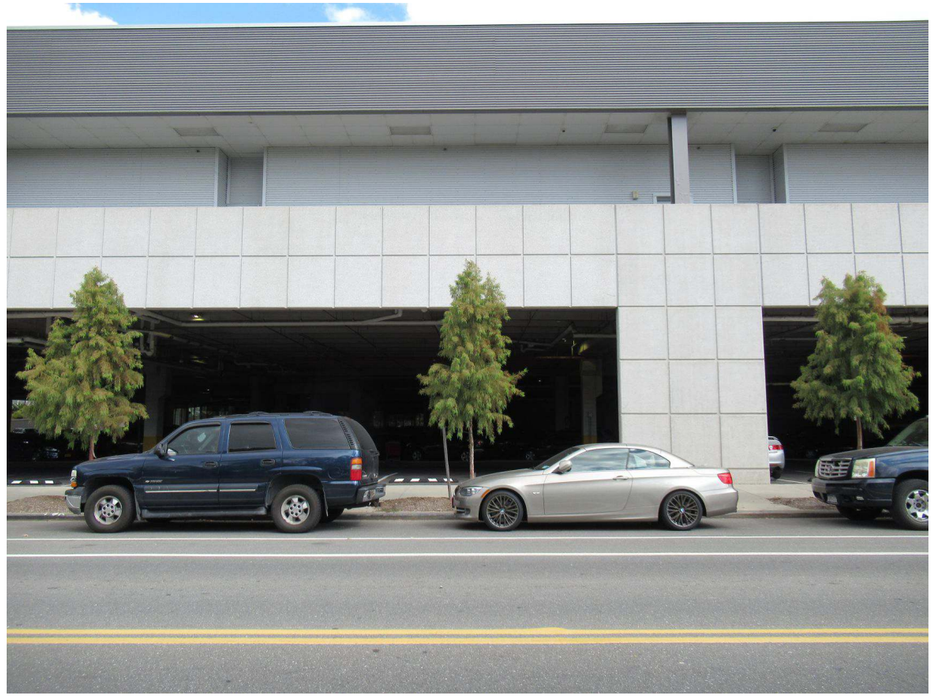


17. View of the intersection of Brush Avenue and Lafayette Avenue facing northwest from the Development Site.



18. View of the sidewalk along the east side of Brush Avenue facing southeast from Lafayette Avenue (Development Site at left).





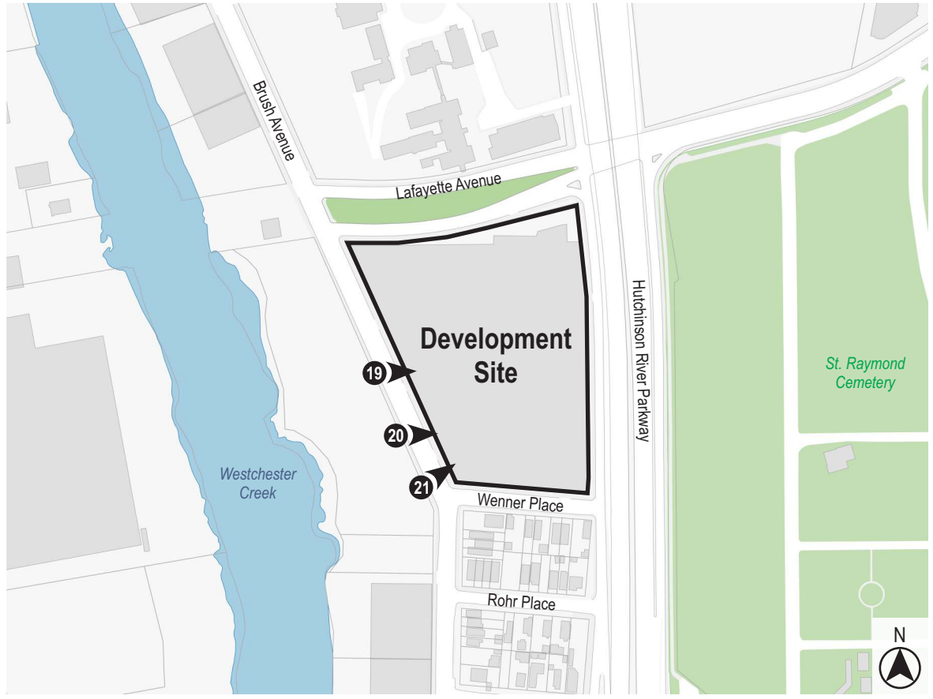
19. View of the Development Site facing east from Brush Avenue.



20. View of the Development Site facing east from Brush Avenue.



21. View of the Development Site facing northeast from Brush Avenue.





22. View of the sidewalk along the east side of Brush Avenue facing northwest from Wenner Place (Development Site at right).



23. View of the west side of Brush Avenue facing southwest from the Site.




24. View of the sidewalk along the north side of Wenner Place facing east from Brush Avenue (Development Site at left).






25. View of Brush Avenue facing northwest from Wenner Place (Development Site at right).



26. View of the Development Site facing northeast from the intersection of Wenner Place and Brush Avenue.

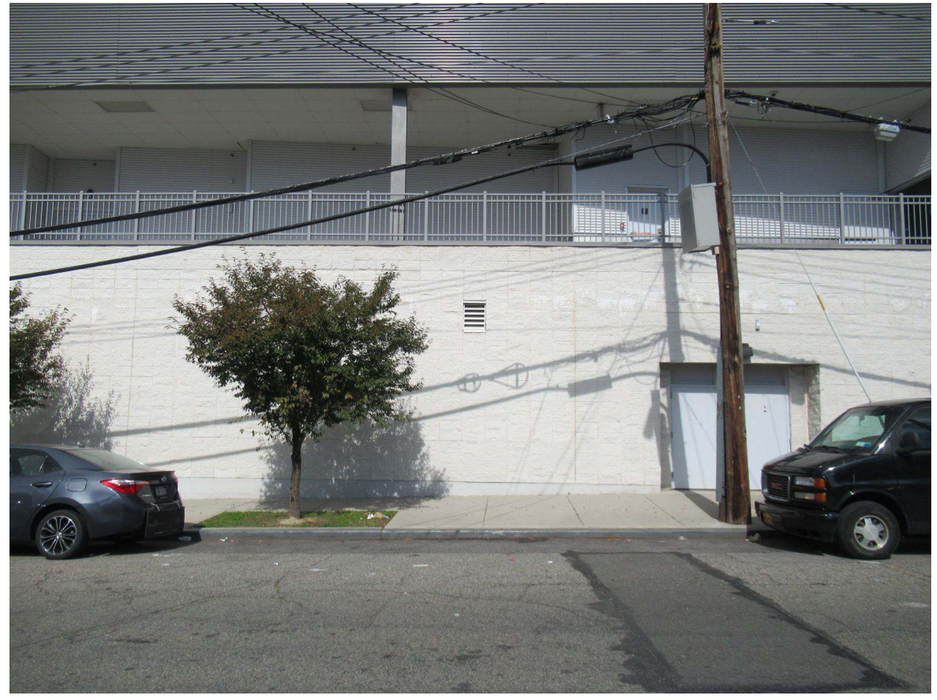



27. View of Wenner Place facing east from Brush Avenue (Development Site at left).






28. View of the Development Site facing northeast from Wenner Place.



29. View of the Development Site facing north from Wenner Place.



30. View of the Development Site facing northwest from Wenner Place.






31. View of the sidewalk along the west side of Hutchinson River Parkway facing north from Wenner Place (Development Site at left).



32. View of the sidewalk along the north side of Wenner Place facing west from Hutchinson River Parkway (Development Site at right).



33. View of the east side of Hutchinson River Parkway facing southeast from the Development Site.






34. View of Hutchinson River Parkway facing north from Wenner Place (Development Site at left).




35. View of the Development Site facing northwest from the intersection of Hutchinson River Parkway and Wenner Place.




36. View of Wenner Place facing west from Hutchinson River Parkway (Development Site at right).

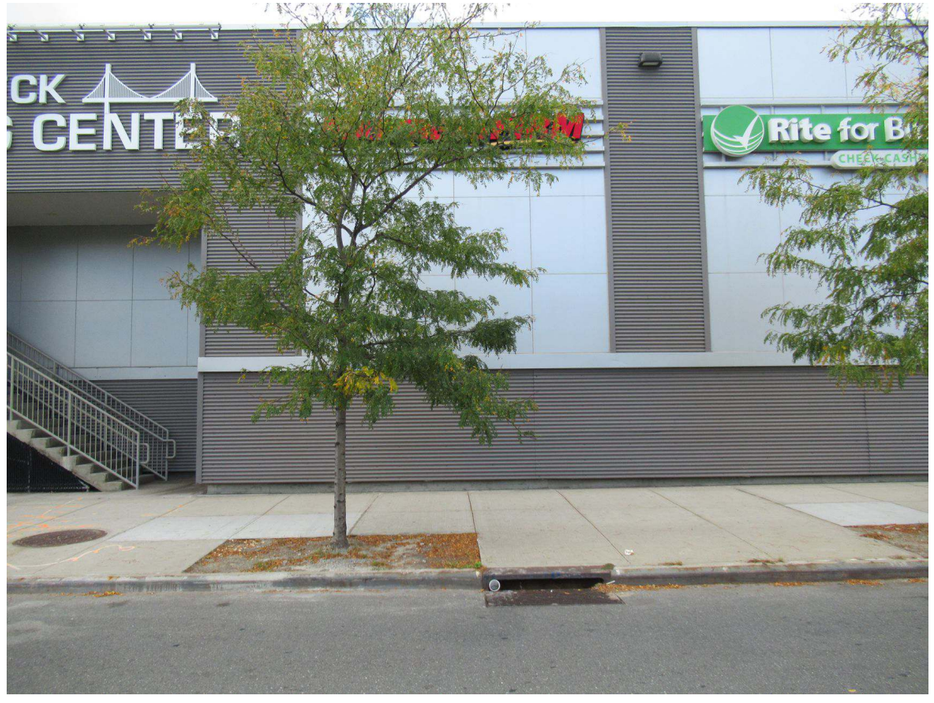




37. View of the Development Site facing northwest from Hutchinson River Parkway.




38. View of the Development Site facing west from Hutchinson River Parkway.




39. View of the Development Site facing west from Hutchinson River Parkway.






40. View of the Development Site facing west from Hutchinson River Parkway.




41.View of the Development Site facing southwest from Hutchinson River Parkway.



# Section III – Technical Analysis

- **Land Use, Zoning and Public Policy (*Chapter 1*)**
- **Historic and Cultural Resources (*Chapter 2*)**
- **Urban Design and Visual Resources (*Chapter 3*)**
- **Transportation (*Chapter 4*)**
- **Air Quality (*Chapter 5*)**
- **Noise (*Chapter 6*)**
- **Neighborhood Character (*Chapter 7*)**

# 1. Land Use, Zoning and Public Policy

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

## Land Use

### Study Area

In order to assess the potential for project related impacts, the land use study area has been defined as the area located within a 400-foot radius of the Project Area. Per the *CEQR Technical Manual,* this is the area where land use and land use trends could be affected by the proposed development. This 400-foot radius is referred to as the "study area" and is generally bounded by an area north of Lafayette Avenue to the north, an area east of the Hutchinson River Parkway to the east, an area south of Rohr Place to the south, and the Westchester Creek to the west. The Project Area includes frontage on Lafayette Avenue to the north, the Hutchinson River Parkway to the east, Brush Avenue to the west, and Wenner Place to the south. (See Figure 3 – Land Use Map).

### Existing Conditions

As discussed above, the Project Area includes Bronx Block 5559, Lot 7501 (Projected Development Site 1). This lot contains a shopping center comprised of commercial uses (destination retail and commercial office) and accessory parking (See RWCDS – Existing Conditions). The existing urgent care, physical therapy, and dental office uses in the shopping center are classified as commercial uses under UG 6 and have therefore not been classified as community facility uses.

The lots within the study area contain residential, commercial, community facility, light manufacturing, and open space uses. The land within the study area to the east of the Hutchinson River Parkway is occupied by Saint Raymond's New Cemetery. To the south there are low density residential uses and light manufacturing uses, particularly along the Westchester Creek waterfront. The west of the study area is occupied mainly by vacant land along the Westchester Creek waterfront. The north of the study area is mainly occupied by Monsignor Scanlan High School (community facility use) and additional light manufacturing uses along the Westchester Creek waterfront.

The study area contains a range of building types. There are no buildings to the east of the Hutchinson River Parkway (due to the cemetery), and there are a mix of semi-detached and detached single- and two-family residences to the south. Generally, these residences do not exceed three floors and they include side yards and/or front yards. The

buildings along the Westchester Creek waterfront to the west and north are also generally low-rise with most being single story commercial or light manufacturing buildings. The majority of lots within the study area are developed with the exception of a large vacant lot located immediately to the west of the Project Area. There are also large parking lots in the commercial/industrial areas and there is no continuous streetwall.

The study area is served by a network of streets in a semi-regular grid pattern. These streets include a multi-lane divided parkway and one- and two-way streets with either one or two travel lanes in each direction. The Hutchinson River Parkway and Brush Avenue provide north-south access while only Lafayette Avenue connects the study area to points east and west across the Hutchinson River Parkway. Wenner Place, Rohr Place, and Senger Place are short streets that only span one block and serve the residential area to the south of the Project Area.

**No-Action Conditions**

Based on reviews conducted on April 10, 2025, other than on Projected Development Site 1, no new development projects were identified for the 400-foot radius project study area on the NYC Department of City Planning's (DCP) ZAP Search of Zoning and Land Use Applications. In addition, the NYC Active Major Construction website shows no developments planned within the project study area.

Based on the above in the future without the Proposed Action, no development is expected to occur on Projected Development Site 1 or in the surrounding Project Study Area. The No-Action development scenario would mirror existing land use patterns in the study area. As such there would be no change to the land use pattern within the study area.

**With-Action Conditions**

As discussed above, with the approval of the Proposed Action, the Proposed Action would facilitate the conversion of portions of the existing commercial shopping center located on the Site, which is currently prohibited from providing individual retail establishments that exceed 10,000 zsf. No new development or additional floor area is proposed with the Proposed Action but several establishments on the Development Site would now be permited as Use Group VI general retail/office uses totaling approximately 49,560 gsf in floor area. Specifically, spaces for a Petco establishment (10,400 gsf), a TJ Maxx (28,400 gsf), a former Party City store to be converted to a supermarket (10,760 gsf), and the existing Target (162,820 gsf) would exceed 10,000 square feet. It should be noted the Target store is located below grade and is permitted as-of-right under the current zoning.

The building would contain 254,235 gsf of retail/office space comprised of 231,461 gsf of retail floor area, a 10,760 gsf supermarket, and 12,014 gsf of office space. The building would also contain 39,705 gsf of retail storage space and 19,480 gsf dedicated to a receiving area with ten loading bays as under the currently existing condition. The

building would continue to provide 875 off-street parking spaces in the cellar and on the first floor within 96,984 gsf of floor area. In total, the building would contain 410,404 gsf of building floor area as it does currently. The building would remain with a maximum height of approximately 37 feet. No new construction would occur in the Project Area with the Proposed Development which would facilitate the as-of-right conversion of existing commercial spaces throughout the building. The total FAR under the Future With-Action Scenario would be 0.286 based on a zoning floor area of 98,286 of commercial zsf.

The Proposed Action would not introduce any land uses to the study area that are not already present in the existing and No-Action conditions.

### Conclusion

The Proposed Action would not introduce new land uses compared to what currently exists and would continue in the No-Action Condition. The Proposed Action would not result in significant adverse impacts to land use within the study area.

## Zoning

### Study Area

In order to assess the potential for project related impacts, the zoning study area has been defined as the area located within a 400-foot radius of the site. Per the *CEQR Technical Manual* this area is coterminous with the land use study area.

### Existing Conditions

Projected Development Site 1 (within the Project Area) is located within an M1-2 zoning district. There are several additional zoning districts located within the 400-foot radius project study area. The M1-2 district extends west of the Hutchinson River Parkway to Westchester Creek between Wenner Place and Lafayette Avenue. The Westchester Creek waterfront area south of Wenner Place is zoned M1-1. To the east of Brush Avenue, the residential areas in the study area are zoned R4A. To the west of the Hutchinson River Parkway and north of Lafayette Avenue an M1-2 zone extends between Westchester Creek and Brush Avenue, and an R4 zone extends further to the east beyond the study area boundaries.

The Site has historically been zoned M1-2 as designated in the 1961 Zoning Resolution when the area was more industrial/manufacturing in nature with warehouse uses lining Westchester Creek. The parcel was vacant until it was improved with a shopping center in 2013, which is permitted as-of-right in the M1-2 zoning district.

The area immediately to the south of the Development Site was amended in 1987 as part of the Brush Avenue Rezoning. Originally, the area was zoned R4, and the area bound by Brush Avenue, Jay Place, the Hutchinson River Expressway, and the former boundary of Ferry Point Park was amended to M1-1. In addition to the map amendment, portions of

the Hutchinson River Parkway were removed from the City Map and city-owned parcels were acquired to facilitate the future development of industrial uses.

To the northeast, the City Planning Commission (CPC) approved an areawide rezoning of Throgs Neck in 2004 (040479 ZMX, N 040480 ZRX, N 040481 ZRY, and N 040482 ZRX). This rezoning affected a 242-block area in the Throgs Neck area and created a series of zoning text amendments specific to the Throgs Neck area (these zoning text amendments were also applicable to other areas of the city). Primarily, the areawide rezoning created a mixture of R4-1, R4A, R3-2, R3-1, R3A and C3A districts. The rezoning was sought to address inconsistencies between the built character of the area and the building type and density permitted by the previous zoning districts, and enable more parking to be provided, given the automobile-centric nature of the surrounding area and distance from mass transit.

Subsequently in 2006, the area between the Development Site and the Brush Avenue Rezoning of 1987 was amended from R4 to R4A (060109 ZMX), as a follow-up to the Throgs Neck Area Rezoning and Text Amendments. The Ferry Point area study was undertaken at the request of Community Board 10 and the Ferry Point Civic Association to extend the protection of the Lower Density Growth Management (LDGM) regulations and contextual zoning to this area. The proposal amended three blocks bound by Wenner Place to the north, the Hutchinson River Parkway to the east, Jay Place to the south, and Brush Avenue to the west. The rezoning was intended to recognize existing residential development on the blocks and facilitate its preservation. Since that time, no further private or areawide zoning actions have been sought in this area.

Subsequently in June of 2024, *City of Yes Zoning For Economic Opportunity* (COYEO) was passed by the City Council (N 240010 ZRY). According to DCP, COYEO is a comprehensive overhaul of zoning regulations that would: (1) make it easier for businesses to find space and grow by lifting barriers so businesses can be closer to their customers; (2) boost growing industries by reducing zoning impediments for emerging business types; (3) enable more business-friendly streetscapes by delivering active, safe, and walkable streets for businesses and residents; and (4) create new opportunities for local businesses to open by establishing new zoning tools to boost job growth and business expansion. COYEO would support economic growth and resiliency by allowing existing non-residential space to be repurposed for alternative non-residential uses and by providing businesses with additional flexibility to grow and thrive in New York City.

In addition to creating these new districts, the larger text amendment under COYEO modernized and condensed use groups and included other text amendments to promote economic development by ensuring that a wider range of businesses can use existing commercial spaces.

Most recently, the City of Yes for Housing Opportunity (CHO*)* text amendments were approved in December of 2024 (N 240290 ZRY). The text changes aim to facilitate the development of more housing across the city by creating floor area incentives and

removing development barriers. As a result of the text amendments, new transit zone geographies were created, with the Development Site located outside a new Greater Transit Zone, which generally eliminates parking requirements for residential and mixed-use buildings. It did not specifically affect the underlying zoning on the Development Site; however, it did affect surrounding residential districts by creating incentives for the creation of more affordable units and greater densities.

Since that time, no further private or areawide zoning actions have been sought in this area.

*Zoning District Descriptions*

The M1-2 zoning district permits Use Group I open uses, some community facility Use Group IIIB uses, and retail, office, commercial, general service and infrastructure, assembly, storage, and manufacturing Use Groups IV through X. The district is intended to accommodate light industrial uses, such as woodworking shops, repair shops, and wholesale service and storage facilities, while also permitting most retail and office uses. Some uses are subject to maximum size restrictions or other additional conditions. The maximum manufacturing and commercial FAR in M1-2 districts is 2.0 while UG 4 community facilities are permitted up to a maximum FAR of 4.8. The maximum commercial development on the Project Site would be 687,782 zsf. Building heights and setbacks are controlled by a sky exposure plane, although few buildings in M1-2 districts rise above two stories. Parking requirements vary by use with one accessory parking space required per 300 sf of building floor area for retail uses.

The M1-1 district mapped within the study area permits the same uses as the M1-2 district discussed above. The major difference between the M1-1 and M1-2 districts relates to maximum permitted FAR. The maximum manufacturing and commercial FAR in M1-1 districts is 1.0 and the maximum community facility FAR is 2.4.

The R4A district mapped within the study area is a contextual low density district permitting multiple dwellings and community facility uses (Use Groups I through IV). The R4A zone permits a residential maximum FAR of 1.0 and up to 1.50 for qualifying residential sites. For single- and two-family dwellings on interior and through lots, it permits a maximum 60 percent lot coverage and 80 percent for corner lots, while for lots with multiple dwellings the standard corresponding maximum lot coverage ranges from 80 to 100 percent. Front, rear, and two side yards are required. The R4A zoning district permits a maximum building base height of 35 feet and a maximum total building height of 45 feet. The maximum community facility FAR is 2.0 with a maximum lot coverage of 60 percent for corner lots and 55 percent for interior or through lots.

The R4 district mapped within the study area covers large swaths of Bronx CD 10. The R4 zoning district is a low density zone permitting multiple dwellings and community facility uses (Use Groups I through IV). The R4 zone permits a residential maximum FAR of 1.0 and up to 1.50 for qualifying residential sites. For single- and two-family dwellings on interior and through lots, it permits a maximum 60 percent lot coverage

and 80 percent for corner lots, while for lots with multiple dwellings the standard corresponding maximum lot coverage ranges from 80 to 100 percent. Front yards are required. The R4 zoning district permits a maximum building base height of 35 feet and a maximum total building height of 45 feet. The maximum community facility FAR is 2.0 with a maximum lot coverage of 60 percent for corner lots and 55 percent for interior or through lots.

**No-Action Conditions**

Based on reviews conducted on April 10, 2025, excepting Projected Development Site 1, no rezoning proposals were identified for the 400-foot radius project study area on DCP's ZAP Search of Zoning and Land Use Applications.

If the Proposed Action discussed above is not approved, no changes would occur to the zoning of the Project Area. The Project Area would continue to be zoned M1-2. No changes to zoning are anticipated to occur within the Project Area or the surrounding study area by the analysis year of 2027.

**With-Action Conditions**

The Proposed Action includes a zoning map amendment to rezone the Project Area from an M1-2 district to a C8-3 district. The approval of the Proposed Action would facilitate development on Projected Development Site 1 described above (see RWCDS – With Action Scenario) which would comply with the use and bulk provisions of the C8-3 zoning district.

C8-3 districts bridge commercial and manufacturing uses, and provide for automotive and other heavy commercial services (like shopping centers) that often require large amounts of land. The district permits Use Group I open uses, some community facility Use Group III uses, and most retail, office, commercial, general service and infrastructure, assembly, storage, and manufacturing Use Groups IV through X. Residential uses are not permitted. The maximum FAR for commercial uses in C8-3 districts is 2.0. The maximum FAR for community facility and mixed commercial and community facility buildings is 6.50. Building heights and setbacks are controlled by a sky exposure plane, although few buildings in C8-3 districts rise above two stories. One accessory parking space is required per 1,000 sf of building floor area.

**Conclusion**

Approval of the Proposed Action would change the underlying zoning district in the Project Area from M1-2 to C8-3. The *CEQR Technical Manual* states that an analysis of land use and zoning should "focus on the project's compatibility and consistency with surrounding uses and zoning as they would exist in the future without the project" and determine "whether the project would have the ability to generate land use change in the study area." The new zoning district introduced by the Proposed Action would not introduce any new uses on the projected development site or in the surrounding study area. Rather, additional allowed uses and modified parking regulations would be

introduced. The Proposed Action would not result in significant adverse impacts related to zoning within the study area.

# Public Policy

## Study Area

Per the *CEQR Technical Manual,* an assessment of public policy accompanies a land use assessment because such policies may help determine whether or where land uses might change as the result of a proposed project. In addition, some projects may affect other specific public planning efforts by changing land uses in the area.

In order to assess the potential for project related impacts, the public policy study area has been defined as the area located within a 400-foot radius of the site. Per the *CEQR Technical Manual* this area is coterminous with the land use study area.

## Existing Conditions

The Project Area is located in Ferry Point which is within Bronx Community District 10. Existing public policies that could affect the Rezoning Area include:

- Food Retail Expansion to Support Health (FRESH)
- Rebuild, Renew, Reinvent: A Blueprint for New York City's Economic Recovery
- NYC Waterfront Revitalization Program (WRP)

*The Food Retail Expansion to Support Health (FRESH) Program* designates areas where zoning as well as tax incentives are available for the development of grocery stores that sell fresh fruits and vegetables.

The *Rebuild, Renew, Reinvent: A Blueprint for New York City's Economic Recovery* program aims to fast-track city development plans, offer increased support to small businesses, and market the city as a tourism destination in the wake of changes to the City's economy brought by the Covid pandemic. Aspects of this program that may be relevant to the Project Area include increasing the flow of city contracts to businesses owned by minorities and women, providing a loan fund for small businesses, improving city services to small businesses, expanding worker training, cutting opening times for small businesses in half, launching an online portal for business needs, and adding a one-stop "concierge" service for people opening new businesses.

*The NYC Waterfront Revitalization Program (WRP)* applies to areas within the City's Coastal Zone Boundary. The WRP is the City's principal Coastal Zone management tool and establishes a broad range of public policies for the City's coastal areas. The guiding principle of the WRP is to maximize the benefits derived from economic development, environmental conservation, and public use of the waterfront, while minimizing the conflicts among these objectives.

No other public policies relate to the Project Area or to the surrounding 400-foot radius study area. The Project Area is not located within a Federal Empowerment Zone or covered by any 197-a Community Development Plans, and is not located within a critical environmental area, a significant coastal fish and wildlife habitat, a wildlife refuge, or a special natural waterfront area.

**No-Action Conditions**

As discussed above, if the Proposed Action is not approved, no development is anticipated to occur within the Project Area. The Project Area is anticipated to remain in its present condition. No changes to public policies relevant to the Project Area and the surrounding project study area are anticipated by the Project Build Year of 2027.

**With-Action Conditions**

*The Food Retail Expansion to Support Health (FRESH) Program*

The former 10,760 gsf Party City store is anticipated to be converted to a supermarket in the With-Action scenario. The FRESH program aims to incentivize the construction of supermarkets in areas where access to fresh produce is limited.

In the Project Area and the surrounding study area, zoning incentives from the FRESH Program are not available, however discretionary tax incentives are offered and would likely be sought by the principals associated with any new supermarket. The supermarket would likely serve many residents of the adjacent neighborhood (across the Hutchinson Parkway) which is targeted by the FRESH program as an area in need of new fresh produce retailers.

*Rebuild, Renew, Reinvent: A Blueprint for New York City's Economic Recovery*

Any new businesses that could be developed on Projected Development Site 1 under the Proposed Action and in the future would be able to take advantage of the development, loan, and assistance initiatives of this program.

*The NYC Waterfront Revitalization Program (WRP)*

The Proposed Development Site is wholly located within the NYC Coastal Zone Boundary but is not located in an AE area (1% annual flood hazard) or in a 0.2 Percent Annual Flood Hazard based on FEMA's Preliminary Flood Insurance Rate Maps (PFIRM). A WRP Consistency Assessment Form has been prepared for the Proposed Action and is included in Appendix B of this EAS. The WRP Policy Assessment and Consistency form demonstrates that the proposed development is consistent with the policies of the WRP.

**Conclusion**

The Proposed Action would advance the public policy objectives of the Rebuild, Renew, Reinvent program for future new businesses in the Project Area. The Proposed Action may also introduce new food retail options. The proposed development would be consistent with the policies of the WRP.

# 2. Historic and Cultural Resources

## Introduction

Historic and cultural resources include both architectural and archaeological resources. The 2021 *City Environmental Quality Review (CEQR) Technical Manual* identifies historic and cultural resources as districts, buildings, structures, sites, and objects of historical, aesthetic, cultural, and archaeological importance. This includes designated New York City Landmarks (NYCL); properties calendared for consideration as landmarks by the New York City Landmarks Preservation Commission (LPC); properties listed in the State/National Registers of Historic Places (S/NR) or contained within a district listed in or formally determined eligible for S/NR listing; properties recommended by the New York State Board for listing on the S/NR; National Historic Landmarks (NHL); and properties not identified by one of the programs listed above, but that meet their eligibility requirements.

An assessment of historic/archaeological resources is usually needed for projects that are located adjacent to historic or landmark structures or within historic districts, or projects that require in-ground disturbance, unless such disturbance occurs in an area that has already been excavated. As discussed in this chapter, the Project Area and the surrounding 400-foot radius project study area contain no individual landmarks and eligible resources.

Archaeological resources are considered only in those areas where new excavation or ground disturbance is likely and would result in new in-ground disturbance compared to No-Action conditions; these are limited to any area that may be developed in the Project Area and include projected as well as potential development sites. Because the Proposed Action would not induce any development that could result in new in-ground disturbance, there is no potential to affect archaeological resources.

## Study Area

According to *CEQR Technical Manual* guidance, impacts on historic architectural resources are considered on those sites affected by a proposed action and in the area surrounding identified development sites. The historic resources study area is therefore defined as the area to be rezoned plus an approximate 400-foot radius around the Project Area, which is typically adequate for the assessment of historic architectural resources, in terms of physical, visual, and historical relationships.

## Preliminary Assessment

### Archeological Resources

Archaeological resources are the physical remnants, usually buried, of past activities on a site. They can include pre-contact archaeological resources associated with the Native American populations who used or occupied a site, or archaeological resources associated with the historic period, which began with the settlement of Europeans in the New York area beginning in the 17th century. In developed areas and in urban regions,

archaeological resources are often disturbed or destroyed by grading, excavation, and the installation and improvement of infrastructure. However, some archaeological resources do survive in an urban environment and are often sealed beneath the surface and protected from further disturbance.

In accordance with *CEQR Technical Manual* guidance, archaeological resources are assessed only in areas where excavation is likely and would result in new in-ground disturbance. In-ground disturbance is any disturbance to an area not previously excavated, including new excavation that is deeper and/or wider than previous excavation on the same site. For projects that would result in new in-ground disturbance, assessment of both prehistoric and historic archaeological resources is appropriate.

As discussed above, the Proposed Action would not result in new construction or new in-ground disturbances on the Projected Development Site within the study area. As such, an assessment of archaeological resources is not necessary for the Proposed Action.

As discussed above (see Project Description), the Project Area is currently fully developed with an existing structure and parking areas, and the Proposed Action would not result in incremental excavation on the Projected Development Site. In a letter dated March 9, 2023, the LPC determined that the Projected Development site consisted of properties with no archeological or architectural significance (see Historic and Cultural Resources Appendix).

**Architectural Resources**

As discussed above, the Proposed Action would not result in any new development and the Project Site does not contain and is not near any historic landmark or historic districts. The LPC designates historically significant properties in the City as NYCLs and/or Historic Districts, following the criteria provided in the Local Laws of the City of New York, NYC Charter, Administrative Code, Title 25, Chapter 3. Buildings, properties, or objects are eligible for landmark status when a part is at least 30 years old. Landmarks have a special character or special historical or aesthetic interest or value as part of the development, heritage, or cultural characteristics of the city, state, or nation. There are four types of landmarks: individual landmark, interior landmark, scenic landmark, and historic district.

In a letter dated March 9, 2023, the LPC determined that the Projected Development site consisted of properties with no archeological or architectural significance. Further, there are no landmarks or historic districts within the study area.

**Conclusion**

No direct, indirect, or construction related impacts are anticipated as a result of the Proposed Development. The Proposed Action would not result in any significant adverse impacts to historic or cultural resources in the Project Area or the surrounding study area.

# 3. Urban Design and Visual Resources

Per the *CEQR Technical Manual*, an urban design assessment considers whether and how a project may change the experience of a pedestrian in the project area. The assessment focuses on the components of a proposed project that may have the potential to alter the arrangement, appearance, and functionality of the built environment.

A preliminary assessment is appropriate when there is the potential for a pedestrian to observe, from the street level, a physical alteration beyond that allowed by existing zoning, including the following:

1. Projects that permit the modification of yard, height, and setback requirements.
2. Projects that result in an increase in built floor area beyond what would be allowed 'as-of-right' or in the future without the Proposed Action.

The Proposed Action includes a zoning map amendment to rezone the Project Area from M1-2 to C8-3. As discussed above, with the approval of the Proposed Action, the Proposed Action would facilitate the conversion of portions of the existing commercial shopping center located on the Site, which is currently prohibited from providing individual retail establishments that exceed 10,000 zsf. No new development or additional floor area is proposed with the Proposed Action but several establishments on the Development Site would now be permited as Use Group VI general retail/office uses totaling approximately 49,560 gsf in floor area. Specifically, spaces for a Petco establishment (10,400 gsf), a TJ Maxx (28,400 gsf), a former Party City store to be converted to a supermarket (10,760 gsf), and the existing Target (162,820 gsf) would exceed 10,000 square feet. It should be noted the Target store is located below grade and is permitted as-of-right under the current zoning.

The building would contain 254,235 gsf of retail/office space comprised of 231,461 gsf of retail floor area, a 10,760 gsf supermarket, and 12,014 gsf of office space. The building would also contain 39,705 gsf of retail storage space and 19,480 gsf dedicated to a receiving area with ten loading bays as under the currently existing condition. The building would continue to provide 875 off-street parking spaces in the cellar and on the first floor within 96,984 gsf of floor area. In total, the building would contain 410,404 gsf of building floor area as it does currently. The building would remain with a maximum height of approximately 37 feet. No new construction would occur in the Project Area with the Proposed Development which would facilitate the as-of-right conversion of existing commercial spaces throughout the building.

An assessment of urban design and visual resources for the Proposed Action is not warranted. The Proposed Action would not result in the modification of yard, height, and setback requirements as these requirements are the same in both the M1-2 and C8-3 zoning districts. In addition, as no new floor area would be added to the Project Area and no changes to the existing building on the property would occur, the Proposed Action would not result in an increase in built floor beyond what would occur in the

future without the Proposed Action. Rather, additional allowed uses and modified parking regulations would be introduced.

The Proposed Action would not result in any impacts to the urban design or visual resources of the project study area, and further assessment is not warranted.

# 4. Transportation

## INTRODUCTION

Pursuant to the guidance of the *2021 City Environmental Quality Review (CEQR) Technical Manual*, this chapter examines the potential effects of the Proposed Action on the study area's transportation systems. Specifically, a reasonable worst-case development scenario (RWCDS) for future with the Proposed Action (the With-Action scenario) and future without the Proposed Action (the No-Action scenario) are analyzed to determine the potential for significant adverse transportation impacts of the Proposed Action for an analysis year of 2027. If transportation impacts are warranted, this chapter would also identify improvement measures that are appropriate to address those impacts.

## PROJECT AREA

The Project Area (Block 5559, Lot 7501) is located within the block bounded by Brush Avenue, a two-way north-southbound roadway on the west; Hutchinson River Parkway, a two-way north-southbound roadway on the east; Wenner Place, a one-way westbound roadway on the south; and Lafayette Avenue, a two-way east-westbound roadway on the north. The Project Area is in the Throgs Neck neighborhood of the Bronx, Community District 10.

## PROJECTED DEVELOPMENT SITE

The transportation analysis is based on one Projected Development Site (total of 1 lot), as described below:

- Block 5559, Lot 7501: The Applicant-owned site will be developed as Projected Development Site 1 under the With-Action condition. The applicant is seeking a Zoning Map Amendment to rezone Projected Development Site 1 from an M1-2 manufacturing district to a C8-3 commercial district.

## EXISTING CONDITIONS

Projected Development Site 1 within the Project Area currently contains a total of 242,221 gsf[3] of destination retail space, 12,014 gsf of commercial office space[4], 39,705 gsf of accessory retail storage space, and an on-site accessory parking lot with 875 spaces, as summarized in **Table 1.**

[3] Does not include accessory storage area, accessory parking, and loading gsf

[4] The physical therapy, urgent care, and dental offices, totaling 10,000 sf in floor area, and the 2,014 sf of office space accessory to the Target store are classified as Use Group VI office uses for the purposes of the transportation analysis.

## NO-ACTION SCENARIO

Absent the Proposed Action, it is assumed that the developments on Projected Development Site 1 within the Project Area would remain the same as the existing condition, as summarized in **Table 1**.

## WITH-ACTION SCENARIO

With the approval of the proposed rezoning, the Proposed Action would facilitate the conversion of portions of the existing commercial shopping center located on the Site, which is currently prohibited from providing individual retail establishments that exceed 10,000 zsf. No new development or additional floor area is proposed with the Proposed Action but several establishments on the Development Site would now be permited as Use Group VI general retail/office uses totaling approximately 49,560 gsf in floor area. Specifically, spaces for a Petco establishment (10,400 gsf), a TJ Maxx (28,400 gsf), a former Party City store to be converted to a supermarket (10,760 gsf), and the existing Target (162,820 gsf) would exceed 10,000 square feet. It should be noted the Target store is located below grade and is permitted as-of-right under the current zoning.

The building would contain 254,235 gsf of retail/office space comprised of 231,461 gsf of destination retail floor area, 10,760 gsf of supermarket space and 12,014 gsf of office space. The building would also contain 39,705 gsf of retail storage space and 19,480 gsf dedicated to a receiving area with ten loading bays as under the currently existing condition. The building would continue to provide 875 off-street parking spaces in the cellar and on the first floor within 96,984 gsf of floor area. In total, the building would contain 410,404 gsf of building floor area as it does currently. No new construction would occur in the Project Area with the Proposed Development which would facilitate the as-of-right conversion of existing commercial spaces throughout the building as summarized in **Table 1**.

**Table 1 – Existing, No-Action Scenario, With-Action Scenario, and Increment on Projected Development Site 1**

| Land Use | Existing | No-Action | With-Action | Increment |
|---|---|---|---|---|
| **Supermarket (gsf)** | **0** | **0** | **10,760** | **+ 10,760** |
| **Destination Retail (gsf)** | **242,221** | **242,221** | **231,461** | **- 10,760** |
| **Retail Storage (gsf)** | **39,705** | **39,705** | **39,705** | **0** |
| **Commercial Office (gsf)** | **12,014** | **12,014** | **12,014** | **0** |
| **Accessory Parking** | **875** | **875** | **875** | **0** |

## ANALYSIS FRAMEWORK

The transportation analyses are based on the net difference between the proposed With-Action and No-Action scenarios or build increment.

## INCREMENT AND IMPACTS

The Proposed Actions would result in a net increase of 10,760 gsf of supermarket space, and a net decrease of 10,760 gsf of destination retail space, as summarized in **Table 1**.

## PRINCIPAL CONCLUSIONS

The following trip generation (Level-One Screening) analyses have been conducted for the project increment scenario, as are summarized in **Table 1**.

The Proposed Actions would generate a total of 57, 69, 143, and 121 net person trip-ends, 32 (15 inbound and 17 outbound), 37 (18 inbound and 19 outbound), 77 (39 inbound and 38 outbound), and 44 (21 inbound and 23 outbound) net vehicle trip-ends; 0, 0, 0, and 0 net subway trip-ends; 2, 2, 4, and 4 net bus trip-ends; and 2, 4, 6, and 4 net pedestrian trip-ends, during the Weekday AM, Midday, PM, and Saturday Midday peak hours, respectively. Based on the results of trip generation (Level 1) and trip assigment (Level 2) screening analyses, as summarized in **Tables 2 through 4** and **Figure 1 (Transportation Appendix**), the Proposed Actions would generate fewer vehicle, transit (subway and bus) and pedestrian trips than the *2021 CEQR Technical Manual* thresholds. Therefore, in accordance with the threshold guidelines as detailed in the *2021 CEQR Technical Manual*, the Proposed Actions would not expect to result in significant adverse impacts related to vehicular traffic, transit (Subway and Bus) and pedestrians, and no further vehicle, transit (subway and bus) and pedestrian analyses would be warranted, as detailed below.

## TRANSPORTATION PLANNING ASSUMPTIONS

Trip generation factors for the Proposed Actions were determined based on information from the *2021 City Environmental Quality Review (CEQR) Technical Manual*, U.S. Census Data, trip generation and modal split data provided by the NYCDOT/DCP, and other approved EASs and EISs. The travel demand assumptions and trip generation sources are summarized in **Table 2** (**Transportation Appendix**) and detailed below.

Destination Retail

The *2021 CEQR Technical Manual Table 16-2* was utilized for trip generation rates, peak hour temporal distribution, and directional splits. Vehicle and taxi occupancy rates, truck trip rates and peak hour temporal distribution are based on *Jerome Avenue Rezoning FEIS (Table 13-8)*, as is summarized in **Table 2** (**Transportation Appendix**). Modal split information is based on NYCDOT/DCP surveys for local retail of other Staten Island areas.

The estimated modal split data for destination retail use found that approximately 95.0%

would travel by car, 1.5% would travel by taxi, 2.5% would travel by bus, 0% would travel by subway, and 1% would travel by foot and other mode of travel.

Supermarket

The *2021 CEQR Technical Manual Table 16-2* was utilized for trip generation rates and daily temporal distribution (peak hours). Modal split information is based on NYCDOT/DCP surveys for local retail of other Staten Island areas. Vehicle occupancy rates and truck trip rates are based on the *Innovation Queens Rezoning FEIS, Table 13-7*, as is summarized in **Table 2** (**Transportation Appendix**). A 25% linked-trip rate was applied to the supermarket trip generation.

The estimated modal split results for supermarket use found that approximately 95.0% would travel by car, 1.5% would travel by taxi, 2.5% would travel by bus, 0% would travel by subway, and 1% would travel by foot and other mode of travel.

## PRELIMINARY ANALYSIS METHODOLOGY AND SCREENING ASSESSMENTS

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

## LEVEL 1 SCREENING ASSESSMENTS

A Level 1 trip generation screening assessment was conducted for the project increment, as summarized in **Table 1**, to estimate the numbers of person and vehicle trip-ends by mode generated by the Proposed Actions during the Weekday AM, Midday, PM, and Saturday peak hours, as summarized in **Tables 3 and 4** (**Transportation Appendix**). These trip estimates were then compared to the *CEQR Technical Manual* thresholds to determine if a Level 2 screening and/or quantified operational analyses would be warranted.

Based on the results of trips generated by the Proposed Actions, as summarized in **Tables 3 and 4** (**Transportation Appendix**), a Level 2 assessment would be required for vehicular

traffic during the Weekday PM peak hour.

## LEVEL 2 SCREENING ASSESSMENTS

A Level 2 screening assessment involves the distribution and assignment of projected trips to the transportation network and the determination of whether specific locations are expected to experience incremental trips exceeding *CEQR Technical Manual* thresholds. Typically, if the results of this analysis show that the Proposed Actions would result in 50 or more peak hour vehicle trip-ends through an intersection, 50 or more peak hour bus trip-ends on a bus route in a single direction, 200 or more peak hour subway trip-ends per station, or 200 or more peak hour pedestrian trip-ends per pedestrian element, further quantified analyses may be warranted to evaluate the potential for significant adverse traffic, transit, pedestrian, and parking impacts.

## VEHICLE TRIPS

### Traffic and Parking

The Proposed Actions would generate 32 (15 inbound and 17 outbound), 37 (18 inbound and 19 outbound), 77 (39 inbound and 38 outbound), and 44 (21 inbound and 23 outbound) net vehicle trip-ends during the Weekday AM, Midday, PM, and Saturday Midday peak hours, respectively. Per the *CEQR Technical Manual* guidelines, vehicle trip-ends would exceed the 50 peak hour vehicle trip-ends thresholds during the Weekday PM peak hour, therefore, a Level 2 screening assessement (trip assignment) would be required.

Auto trips are assigned to the on-site parking entrances accessed via Hutchinson River Parkway (Service Road), Lafayette Avenue, and Brush Avenue. Taxi trips are assigned to the closest and most convenient pickup and drop-off spots on the project site. No truck trips would be generated by the Proposed Actions according to trip generation analysis, as is summarized in **Table 4 (Transportation Appendix)**. Based on trip assignments, as shown in **Figure 1 (Transportation Appendix)** for Weekday PM peak hour, none of the intersections in the study area would experience 50 or more vehicle trip-ends.

Based on the results of trip generation (Level 1) and trip assignment (Level 2) screening analyses, it is concluded that in the future with the Proposed Actions, vehicle trip-ends would not exceed the *CEQR* vehicle trip-end thresholds during any peak hour. Therefore, in accordance with the *CEQR Technical Manual* guidelines, the vehicular trip-ends generated by the Proposed Actions would not result in any conditions that would require further assessment of traffic and parking impacts.

### Parking

The Proposed Actions would provide 875 on-site parking spaces as it does currently. The Proposed Actions would screen for further quantified traffic analysis, and per the *CEQR Technical Manual*, no detailed parking assessment would be required.

## TRANSIT TRIPS

Subway

The Proposed Actions would generate 0 net subway trip-ends during the Weekday AM and PM peak hours, respectively, as summarized in **Table 3** (**Transportation Appendix**). Therefore, in accordance with the *CEQR Technical Manual* 200 subway trip-ends threshold, the subway trip-ends generated by the Proposed Actions would not result in any conditions requiring a detailed assessment of subway impacts.

Bus

The Proposed Actions would generate 2 and 4 net bus trip-ends during the Weekday AM and PM peak hours, respectively, as summarized in **Table 3** (**Transportation Appendix**). Therefore, in accordance with the *CEQR Technical Manual* 200 bus trip-ends threshold, the bus trip-ends generated by the Proposed Actions would not result in any conditions requiring a detailed assessment of bus impacts.

## PEDESTRIAN TRIPS

The Proposed Actions would generate a total of 2, 4, 6, and 4 net pedestrian trip-ends, during the Weekday AM, Midday, PM, and Saturday Midday peak hours, respectively. Therefore, in accordance with the *CEQR Technical Manual* 200-pedestrian peak hour trip threshold, the pedestrian trip-ends generated by the Proposed Actions would not result in any conditions requiring a detailed assessment of pedestrian impacts.

## CONCLUSIONS

In accordance with the threshold guidelines as detailed in the *2021 CEQR Technical Manual*, the Proposed Actions are not expected to result in significant adverse impacts related to transportation. Specifically, the Proposed Actions are unlikely to have a significant adverse impact on the neighborhood traffic, parking, transit, and pedestrian movements.

# 5. Air Quality

## INTRODUCTION

Ambient air quality, or the quality of the surrounding air, may be affected by air pollutants produced by motor vehicles, referred to as "mobile sources"; by fixed facilities, usually referenced as "stationary sources"; or by a combination of both. Under the City Environmental Review (CEQR), an air quality assessment determines both a proposed project's effects on ambient air quality and the effects of ambient air quality on the project.

The Project Area includes Block 5559, Lot 7501 in the Ferry Point neighborhood of Bronx Community District 10. The Proposed Action includes one development on the Applicant-controlled Projected Development Site 1 (Block 5559, Lot 7501).

In the future with the Proposed Action, the building would contain 254,235 gsf of retail/office space comprised of 231,461 gsf of retail floor area, a 10,760 gsf supermarket, and 12,014 gsf of office space. The building would also contain 39,705 gsf of retail storage space and 19,480 gsf dedicated to a receiving area with ten loading bays as under the currently existing condition. The building would continue to provide 875 off-street parking spaces in the cellar and on the first floor within 96,984 gsf of floor area. In total, the building would contain 410,404 gsf of building floor area as it does currently. The building would remain with a maximum height of approximately 37 feet. No new construction would occur in the Project Area with the Proposed Development which would facilitate the as-of-right conversion of existing commercial spaces throughout the building. The total FAR under the Future With-Action Scenario would be 0.286 based on a zoning floor area of 98,286 of commercial zsf.

### Air Quality Standards, Regulations, and Benchmarks

Criteria Pollutants

The US Environmental Protection Agency (EPA) has established national ambient air quality standards (NAAQS) for six of the most common air pollutants—known as "criteria" pollutants. The presence of these pollutants in ambient air is generally due to numerous diverse and widespread sources of emissions. The NAAQS primary standards are designed to protect public health with an adequate margin of safety. The NAAQS secondary standards are designed to protect the public welfare from adverse effects, including those related to effects on soils, water, vegetation, visibility, and other aspects. As required by the Clean Air Act, EPA periodically conducts comprehensive reviews of the scientific literature on health and welfare effects associated with exposure to the criteria air pollutants. The NAAQS have been adopted as the ambient air quality standards for the State of New York.

Determination of significant impacts related to criteria pollutants accounts for pollutant concentrations in the ambient air, which include background concentrations. The New York State Department of Environmental Conservation (NYSDEC) measures air

pollutant concentrations at more than 50 sites across the state. The primary NAAQS and background concentrations at the nearest federally-mandated monitoring station(s) are presented in **Table 10-1.**

**Table 10-1: NAAQS and Background Concentration**

| Pollutant | Averaging Period | National and State Standards | Background Concentration | Monitoring Station |
|---|---|---|---|---|
| $NO_2$ (1) | 1-Hour | 188 µg/m³ | 110.5 µg/m³ | IS 52 |
| | Annual | 100 µg/m³ | 31.8 µg/m³ | |
| $PM_{2.5}$ (2) | 24-Hour | 35 µg/m³ | 19.7 µg/m³ | IS 52 |
| | Annual | 9.0 µg/m³ | 7.3 µg/m³ | |
| $PM_{10}$ (2) | 24-Hour | 150 µg/m³ | 31 µg/m³ | IS 52 |
| CO (2) | 1-Hour | 35 ppm | 1.92 ppm | Botanical Garden |
| | 8-Hour | 9 ppm | 1.30 ppm | |
| $SO_2$ (2) | 1-Hour | 196 µg/m³ | 14.2 µg/m³ | IS 52 |
| | Annual (3) | 80 µg/m³ | 1.1 µg/m³ | |

1. NYSDEC (2019). New York State Ambient Air Quality Report for 2019, dec.ny.gov/chemical/8406.html#Quality.
2. NYSDEC (2020). New York State Ambient Air Quality Report for 2020, dec.ny.gov/chemical/8406.html#Quality.
3. New York State standard.
4. µg/m³ – microgram per meter cube; ppm – parts per million.

In addition to the NAAQS, the *CEQR Technical Manual* requires that projects subject to CEQR apply particulate matter with an aerodynamic diameter less than or equal to 2.5 microns ($PM_{2.5}$) and carbon monoxide (CO) significant impact criteria (based on concentration increments). The *CEQR Technical Manual de minimis* criteria set allowable incremental increases in CO and $PM_{2.5}$ concentrations that would result as a consequence of a proposed project. CO criteria set the minimum change in 8-hour average concentrations that constitute a significant environmental impact. Significant increases of CO concentrations in New York City are:

- An increase of 0.5 parts per million (ppm) or more in the maximum 8-hour average CO concentration at a location where the predicted No-Action 8-hour concentration is equal to 8 ppm or between 8 ppm and 9 ppm; or
- An increase of more than half the difference between baseline (i.e., No-Action) concentrations and the 8-hour standard, when No-Action concentrations are below 8 ppm.

$PM_{2.5}$ significant impact concentrations are evaluated as follows:

- Predicted 24-hour maximum $PM_{2.5}$ concentration increase of more than half the difference between the 24-hour background concentration and the 24-hour standard; or

- Predicted annual average $PM_{2.5}$ concentration increments greater than 0.1 $\mu g/m^3$ at ground level on a neighborhood scale (i.e., the annual increase in concentration representing the average over an area of approximately 1 square kilometer, centered on the location where the maximum ground-level impact is predicted for stationary sources; or for mobile sources, at a distance from a roadway corridor similar to the minimum distance defined for locating neighborhood scale monitoring stations).

- Predicted annual average $PM_{2.5}$ concentration increments greater than 0.3 $\mu g/m^3$ at any receptor location for stationary sources.

Accordingly, 24-hour $PM_{2.5}$ *de minimis* is a concentration increment of 7.65 $\mu g/m^3$, and annual $PM_{2.5}$ concentration increments of 0.3 $\mu g/m^3$ for stationary source and 0.1 $\mu g/m^3$ for mobile source on a neighborhood scale. Eight-hour CO *de minimis* is 3.85 parts per million.

Non-Criteria Pollutants

As mentioned, New York State has adopted the national standard, NAAQS. In addition, the NYSDEC has established guidelines for maximum allowable concentration of "noncriteria pollutants," which are potentially toxic or carcinogenic pollutants. These include 188 hazardous air pollutants (HAPs) which are also regulated by the EPA. The maximum allowable guidelines set a maximum 1-hour and annual averaging time concentrations and are published in the DAR-1 AGC/SGC Table (February 12, 2021 publication), where AGC/SGC refers to Annual and Short-term Guideline Concentrations. In addition, DAR-1 also includes standard for pollutants cumulative risk assessment.

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

**MOBILE SOURCE**

According to the *CEQR Technical Manual,* projects may result in significant mobile source air quality impacts when they increase or cause a redistribution of traffic, create any other mobile sources of pollutants (e.g., diesel trains, helicopters, boats), or add new uses near mobile sources (e.g., roadways, garages, parking lots). A detailed microscale analysis is required if the project may result in certain conditions.

## Screening Assessment

### Parking Facility

As indicated above, the building would continue to provide 875 off-street parking spaces in the cellar and on the first floor within 96,984 gsf of floor area. i.e., the Proposed Action would not facilitate incremental accessory off-street parking spaces between the No-Action and With-Action scenarios. Therefore, no detailed analysis is required.

### Project-Generated Traffic

Based on the projected traffic volumes (see Chapter "Transportation"), the maximum projected hourly incremental traffic volumes generated by the Proposed Action would be 32 (15 inbound and 17 outbound), 37 (18 inbound and 19 outbound), 77 (39 inbound and 38 outbound), and 44 (21 inbound and 23 outbound) net vehicle trip-ends during the Weekday AM, Midday, PM, and Saturday Midday peak hours, respectively. Therefore, the projected traffic volumes would not exceed the CO screening threshold defined in the 2021 *CEQR Technical Manual* (170 peak-hour vehicle trips at an intersection in the study area).

A $PM_{2.5}$ detailed analysis is required if the project-generated peak hour heavy-duty diesel vehicles ("HDDV") traffic or its equivalent in vehicular emissions, depending on the type of road, would be met or exceeded. Traffic at the intersections around the Project Site during the PM peak-hour (the peak hours that required a detailed transportation trip assignment (Level 2) analysis) period were selected for the screen. Given the low level of project-generated traffic during the AM, midday, and Saturday midday peak-hour periods, the increment in particulate matter (PM) concentration is unlikely to exceed the *de minimis* design value. The HDDV screening assessment was conducted using the New York City Department of City Planning (DCP) procedure, accounting for all traffic entering an intersection. Based on DCP's procedure, each roadway Equivalent Truck Calculation value was divided by the roadway HDDV screening threshold, and the roadway aggregated ratios were added. If the intersection score exceeds 1, the intersection fails the HDDV screen or its equivalent for vehicular emissions, and a detailed analysis is required. **Table 10-2** shows the project-generated HDDV at the most affected intersection. As shown in **Table 10-2**, the project-generated HDDV traffic screens out, and no detailed analysis is required.

**Table 10-2: PM peak-hour incremental vehicle traffic and HDDVs truck calculation matrix**

| HDDV Threshold | Total Trips | E-Trucks | HDDV Threshold | Total Trips | E-Trucks | E-Trucks Ratio |
|---|---|---|---|---|---|---|
| **Intersection of Hutchinson River Pkwy & Wenner Pl** | | | | | | |
| **Hutchinson River Pkwy** | | | **Wenner Pl** | | | |
| 23 | 17 | 0.75 | 19 | 0.00 | 0.00 | 0.03 |
| **Intersection of Brush Ave & Wenner Pl** | | | | | | |
| **Brush Ave** | | | **Wenner Pl** | | | |
| 19 | 0 | 0.00 | 19 | 10.00 | 1.99 | 0.10 |
| **Intersection of Brush Ave & Lafayette Ave** | | | | | | |
| **Brush Ave** | | | **Lafayette Ave** | | | |
| 19 | 38 | 7.55 | 19 | 0.00 | 0.00 | 0.40 |
| **Intersection of Lafayette Ave & Hutchinson River Pkwy (West)** | | | | | | |
| **Lafayette Ave** | | | **Hutchinson River Pkwy (West)** | | | |
| 19 | 31 | 6.16 | 23 | 1.00 | 0.04 | 0.33 |
| Notes:<br>1. Lafayette Avenue AADT>5,000 veh/day (a collector roadway). | | | | | | |

Existing Mobile Source of Pollutants

According to the *CEQR Technical Manual*, projects that would result in new sensitive uses within 200 feet of an atypical roadway or near other major mobile sources of pollutants may result in significant adverse mobile source air quality impacts. Projected Development Site 1 is located approximately 55 feet west of the Hutchinson River Expressway (I-678). Therefore, a detailed analysis is required and provided below.

**Atypical Roadway Detailed Analysis**

Mobile source impacts are a function of vehicular related emissions and the pollutants' dispersion. Emissions of vehicular mechanical components (exhaust, crank case, break ware, and tire wear) were generated with the latest EPA's Mobile Vehicle Emission Simulator MOVES3. Fugitive road dust emissions were added to estimate total particulate matter emissions. The pollutants' concentrations at sensitive receptors were modeled with the EPA's CAL3QHCR Gaussian dispersion model.

The Hutchinson River Expressway (I-678) southbound travelling lane is located approximately 55 feet east of Projected Development Site 1. Near Projected Development Site 1 and north of Lafayette Avenue the expressway is below grade, and south of Projected Development Site 1 the expressway is at grade. The I-95 merging lanes (southbound) were included in the analysis. Elevation points at and near the expressway,[5] approximately 1,000 feet in each direction from Projected Development Site

[5] New York City Open Data (2022). "Elevation Points." <https://data.cityofnewyork.us/Transportation/Elevation-points/szwg-xci6>

1, were used to calculate the highway's gradient(s) for the MOVES3 and CAL3QHCR dispersion model.

Hourly traffic counts and classifications were obtained from the New York State Department of Transportation (NYSDOT) for station 010053 for the I-678 and station 016085 for the traffic merging from I-95. The traffic data report included the average weekly count and classification and annual average counts. The *CEQR Technical Manual* annual background growth rate(s) was used to account for the general background traffic growth in the area. Vehicle speeds were obtained from UBER Movement for periods of the weekday.[6] The links (roadways) greatest combined peak hour period traffic was applied in the short-term (24-hour $PM_{2.5}$ and CO) analysis. Traffic conditions on the expressway, compiled for the analysis, are shown in **Table 10-3**.

**Table 10-3: Hutchinson River Expressway (I-678) Traffic Conditions**

| | Peak-Hour | | Annual Average (2) | |
|---|---|---|---|---|
| Link | (veh/hr) | Speed (mph) | (average veh/hr) | Speed (mph) |
| I-678 Northbound | 4,456 | 49 | 979, 3,992, 3,071, 3,814, 2,575 | 55, 49, 53, 49, 54 |
| I-678 Southbound | 4,761 | 34 | 1,292, 3,582, 3,515, 4,150, 2,501 | 50, 50, 46, 34, 50 |
| I-95 merging | 1,516 | 34 | 476, 1,225, 1,264, 1,508, 908 | 48, 46, 42, 34, 47 |

**Note:**
1. PM peak hour period of 4:00-5:00
2. Early morning, AM, Midday, PM, evening, respectively

The average emission of the annual $PM_{2.5}$ was calculated as the weighted average emission per period of the day.

The EPA's MOVES3 emission factor algorithm was used to compile the CO and $PM_{2.5}$ emission factors. MOVES can be used to calculate emission rates of criteria air pollutants, greenhouse gas emissions, and some hazardous air pollutants for both on-road motor vehicles and non-road equipment. MOVES models calculate emissions at the national, county, and project level by use of databases and by specifying the characteristics (Run Specification) of the scenario that is modeled. For project level analyses, MOVES require the use of site-specific input data of traffic volume and speed, vehicle types, fuel parameters, age distribution, and meteorology conditions, rather than the use of national default data. The MOVES model was run for primary total CO, $PM_{2.5}$, and $PM_{10}$ and primary $PM_{2.5}$ species running and crankcase exhaust, with primary $PM_{2.5}$ and $PM_{10}$ brake and tire wear emissions.

The NYSDEC county database (MOVES input file for the borough of the Bronx) was used to further characterize vehicle types and engine technologies. MOVES inputs of inspection/maintenance, fuel data (fuel properties, distribution, and engine technology),

[6] UBER (2022). "UBER Movement." movement.uber.com/?lang=en-US

age distribution, and meteorology, were all obtained from the NYSDEC. Links' gradients were accounted for in the MOVES model.

Peak hour emission factors were compiled for each season during the PM peak hour period. The resulting greatest emission factors, for each pollutant independently, were used in the dispersion analyses. Annual particulate emission factors were compiled for the five periods of the day (early morning, AM, Midday, PM, and evening), and the hourly weighted average calculated. Dust generated by vehicles traveling on paved roadways was added to estimate total particulate matter emissions for the short-term analysis (annual fugitive dust emission is negligible, based on similar types of projects). A silt loading factor of 0.015 g/m$^2$ (for expressways) was applied, based on the *CEQR Technical Manual*. In addition, based on DEP guidance, the conservative assumptions of "dry" road condition was used for the short-term calculation (precipitation reduced silt loading).

Dispersion analysis of the traffic emissions concentration at Projected Development Site 1 was conducted using the EPA's CAL3QHCR dispersion model version 13196. $PM_{2.5}$ concentrations were predicted with model-ready meteorology data, obtained from the DCP. One-hour CO concentration was predicted using the emulated CAL3QHC meteorology data, specifying 10-deg incremental wind vector direction, 1-meter per second wind speed, natural stability, and 285.5 Kelvin, and 1,000-meter mixing height. All models specified settling and deposition velocities of 0-meter per second, 60-minute averaging time, and urban surface roughness of 108-centimeter. A persistence factor of 0.7 was applied to the 1-hour CO concentration to predict the 8-hour CO concentration.

I-678 was modeled as a depressed type of roadway near and north of Projected Development Site 1 and at grade otherwise. Link widths were determined from satellite imagery and 6 meters were added to each of these links.

Receptors at Projected Development Site 1 were placed at the Project Area eastern lot line in 20 feet horizontal increments from 6-108 feet above grade in spaced intervals.

The predicted concentrations were evaluated with the NAAQS. **Table 10-4** shows the dispersion analysis results.

**Table 10-4: Hutchinson River Expressway (I-678) Dispersion Analysis Results**

| Pollutant | Modeled Concentration | Background Concentration | Evaluated Concentration | Threshold Concentration |
|---|---|---|---|---|
| **$PM_{2.5}$ 24-hour** | 3.02 µg/m$^3$ | 19.7 | 22.7 µg/m$^3$ | 35 µg/m$^3$ |
| **$PM_{2.5}$ Annual** | 0.23 µg/m$^3$ | 7.3 | 7.5 µg/m$^3$ | 9.0 µg/m$^3$ |
| **CO 1-hour** | 0.36 ppm | 1.92 | 2.28 ppm | 35 ppm |
| **CO 8-hour** | 0.25 ppm | 1.30 | 1.55 ppm | 9 ppm |

As seen in **Table 10-4**, pollutant concentrations are within the NAAQS. Therefore, no significant adverse air quality impacts were predicted at Projected Development Site 1 from the emissions associated with the vehicular traffic on the adjacent expressway (I-678).

## STATIONARY SOURCE

According to the *CEQR Technical Manual*, air quality analyses of stationary sources may be warranted if a project would (i) create new stationary sources of pollutants – such as emission stacks of industrial plants, hospitals, other large institutional uses, or even a building's boilers – that may affect surrounding uses; (ii) introduce certain new uses near existing or planned emissions stacks that may affect the use, or (iii) introduce structures near such stacks so that changes in the dispersion of emissions from the stacks may affect surrounding uses.

### Heating and Hot Water Systems

The heating/hot water, ventilation, and air conditioning (HVAC) systems analysis considered the potential for emissions from the HVAC system(s) of Projected Development Site 1 to significantly impact existing land uses (project-on-existing).

No new development or additional floor area is proposed with the Proposed Action, but several establishments on the Development Site would now be permitted as Use Group VI general retail/office uses. The Proposed Action would not result in any modifications to the building's HVAC system or hot water equipment. The change in uses would not significantly change the fuel type or fuel consumption and, therefore, would not result in a significant change in emissions. The stack location and height would remain unchanged from existing conditions. As such, the Proposed Action screens out of the need for an HVAC stationary source analysis.

### Existing Stationary Sources

#### Industrial Sources

Per the *CEQR Technical Manual*, projects that would result in new uses (particularly schools, hospitals, parks, and residences) within 400 feet of manufacturing processing facilities may result in potentially significant adverse impacts. The analysis first determines if there are any existing manufacturing uses within the 400-foot study area containing exhaust stacks, vents, or other emission sources that may have the potential to adversely affect the uses introduced by the project. If warranted, an air dispersion analysis is then conducted for any existing industrial source(s) located in the study area.

Existing manufacturing uses with exhaust stacks, vents, or other emission sources that may have the potential to adversely affect the uses introduced by the project were identified by reviewing the DEP online Clean Air Tracking System (CATS) database, the

NYSDEC online database (DECinfo Locator[7]), and through a fieldwork study. The fieldwork study was conducted on January 6th, 2023.

The study area encompasses all or part of Blocks 5540, 5541, 5542, 5548, 5559, and 5560, and includes properties along the Hutchinson River Parkway, Brush Avenue, Wenner Place, Rohr Place, Senger Place, and Lafayette Avenue. Land uses in the study area are a mix of residential dwellings, retail uses, schools, a cemetery, a warehouse, and commercial/light industrial uses. There were not any heavy industrial or manufacturing uses identified in the study area. The commercial/light industrial uses located in the study area include several storage yards along Brush Avenue (two contractor's yards, a New York City Department of Transportation storage yard, a truck storage yard for Grocery Haulers, Inc., a storage lot for new backhoes, and a parking lot). There is a large electrical contractor's facility with offices, a warehouse, shop, and storage yard (Hellman Electric Corp.) at 815 Brush Avenue (Block 5541, Lot 215), and a large Grocery Haulers warehouse at 733 Brush Avenue (Block 5560, Lot 62). Finally, there is a commercial equipment rental company located at 2479 Senger Place (Block 5559, Lot 104). There were not any manufacturing operations, odors, or emissions observed at any of these locations during the field survey.

No other facility in the study area was identified as having a DEP processing permit or as a business with a NYSDEC Air Facility Registration Certificate. No industrial use, such as auto-body repair shops, printing facilities, or other potential sources of toxic air emissions was identified in the study area during the fieldwork study.

Major and Large Sources

Per the *CEQR Technical Manual*, projects that would introduce new uses near major sources, large sources, or odor producing facilities may result in potentially significant adverse air quality impacts. The study area considers major sources, large sources, and odor producing facilities within 1,000 feet of the proposed project. Major emission sources are identified as those sources located at Title V facilities; large emission sources are identified as sources located at facilities which require an Air State Facility permit. Solid waste or medical waste incinerators, asphalt and concrete plants, power generating plants, large boilers of large public facilities for example, and large industrial facilities are typical types of sources requiring these permits. Odor producing facilities are operations that have the potential to cause discomfort, such as solid waste management facilities, water pollution control plants (i.e., sewage treatment plants), and incinerators.

No existing large combustion source(s), such as power plants, cogeneration facilities, etc. or odor producing facilities were identified in the study. The NYC Department of Sanitation facility, located at 850 Zerega Avenue (Block 3702, Lot 1), is a garage. The 3 tall stacks are inoperable and are associated with the former incinerator building. As no

[7] New York State Department of Environmental Conservation (2021). DECinfo Locator. <https://gisservices.dec.ny.gov/gis/dil/> (January 5, 2023).

major/large source is located within 1,000 feet of the Project Area, no analysis is warranted.

**CONCLUSION**

The project-generated traffic associated with the Proposed Action will not exceed the screening (HDDV or CO) threshold(s) that require a detailed analysis. As such, the traffic increment associated with the Proposed Action would not result in a significant adverse air quality impact.

Emissions associated with the traffic on the Hutchinson River Expressway would not result in any violations of the ambient air quality standards.

The Proposed Action would not result in changes to the building's HVAC system, and the change in uses will not significantly change fuel consumption and, thus, emissions. As such, a potential for significant impact is unlikely.

No manufacturing or processing air emission source was identified within 400 feet of the Project Area, and no large or major sources were identified within 1,000 feet of the Project Area. Therefore, no significant adverse air quality impact is predicted in the future with the Proposed Action from existing stationary sources of emissions.

# 6. Noise

## Introduction

The purpose of a noise assessment under CEQR is to determine whether an action would (1) raise noise levels significantly at existing or anticipated sensitive noise receptors (such as residences, schools, or commercial office uses) or (2) introduce new sensitive uses at locations subject to unacceptably high ambient noise levels.

The assessment is concerned with both mobile and stationary noise sources. Mobile sources are those that move in relation to a noise-sensitive receptor. They include automobiles, buses, trucks, aircraft, and trains. Stationary sources of noise do not move in relation to a noise-sensitive receptor. Typical stationary noise sources of concern include machinery or mechanical equipment associated with industrial and manufacturing operations; building heating, ventilating, and air conditioning (HVAC) systems; speakers for public address and concert systems; playground noise; and spectators at concerts or sporting events. An action could raise noise levels either by introducing new stationary noise sources (such as outdoor playgrounds or rooftop air conditioning compressors) or by increasing mobile source noise (generally by generating additional traffic). Similarly, an action could introduce new residences or other sensitive receptors that would be subject to noise from either stationary or mobile sources.

## Existing Conditions

Projected Development Site 1 within the Project Area currently contains a total of 242,221 gsf[8] of destination retail space, 12,014 gsf of commercial office space[9], 39,705 gsf of accessory retail storage space, and an on-site accessory parking lot with 875 spaces, as summarized in **Table 1.**

## No-Action Scenario

Absent the Proposed Action, it is assumed that the developments on Projected Development Site 1 within the Project Area would remain the same as the existing condition, as summarized in **Table 1**.

## With-Action Scenario

With the approval of the proposed rezoning, the Proposed Action would facilitate the conversion of portions of the existing commercial shopping center located on the Site, which is currently prohibited from providing individual retail establishments that exceed 10,000 zsf. No new development or additional floor area is proposed with the Proposed Action but several establishments on the Development Site would now be

[8] Does not include accessory storage area, accessory parking, and loading gsf

[9] The physical therapy, urgent care, and dental offices, totaling 10,000 sf in floor area, and the 2,014 sf of office space accessory to the Target store are classified as Use Group VI office uses for the purposes of the transportation analysis.

permited as Use Group VI general retail/office uses totaling approximately 49,560 gsf in floor area. Specifically, spaces for a Petco establishment (10,400 gsf), a TJ Maxx (28,400 gsf), a former Party City store to be converted to a supermarket (10,760 gsf), and the existing Target (162,820 gsf) would exceed 10,000 square feet. It should be noted the Target store is located below grade and is permitted as-of-right under the current zoning.

The building would contain 254,235 gsf of retail/office space comprised of 231,461 gsf of destination retail floor area, 10,760 gsf of supermarket space and 12,014 gsf of office space. The building would also contain 39,705 gsf of retail storage space and 19,480 gsf dedicated to a receiving area with ten loading bays as under the currently existing condition. The building would continue to provide 875 off-street parking spaces in the cellar and on the first floor within 96,984 gsf of floor area. In total, the building would contain 410,404 gsf of building floor area as it does currently. No new construction or additional floor area would occur in the Project Area with the Proposed Development which would facilitate the as-of-right conversion of existing commercial spaces throughout the building as summarized in **Table 1**. The Proposed Action would not introduce any new noise-sensitive land uses to the Project Area.

**Table 1 – Existing, No-Action Scenario, With-Action Scenario, and Increment on Projected Development Site 1**

| Land Use | Existing | No-Action | With-Action | Increment |
|---|---|---|---|---|
| Supermarket (gsf) | 0 | 0 | 10,760 | + 10,760 |
| Destination Retail (gsf) | 242,221 | 242,221 | 231,461 | - 10,760 |
| Retail Storage (gsf) | 39,705 | 39,705 | 39,705 | 0 |
| Commercial Office (gsf) | 12,014 | 12,014 | 12,014 | 0 |
| Accessory Parking | 875 | 875 | 875 | 0 |

## Mobile Source Noise

The need for a noise analysis is not determined by the incremental difference between the Existing/No-Action and With-Action scenarios. However, as the existing commercial office space will remain at the same location with the same gross square footage (12,014 gsf) under the With-Action condition, no changes to noise-sensitive receptors are anticipated, and additional noise measurements would not be required. As shown in **Table 1**, the Proposed Action would result in a net increase of 10,760 gsf of supermarket space and a net decrease of 10,760 gsf of destination retail space. Although the conversion and occupancy of a destination retail space by a supermarket would generate additional vehicular traffic (see Transportation Appendix), it would not generate sufficient traffic volumes to result in a doubling of noise passenger car equivalents (PCEs) to cause a

perceptible increase in mobile source noise. The supermarket would therefore not result in a mobile source noise impact.

The Action permitting several establishments totaling approximately 49,560 gsf in floor area on the Development Site as Use Group VI general retail/office uses and the classification of the existing 162,820 gsf Target store as a Use Group VI general retail/office use would not result in any changes in traffic generation relative to the No-Action scenario. There is no difference in traffic volumes generated by destination retail establishments that are larger than 10,000 sf in floor area relative to establishments less than 10,000 sf in size. Therefore, the Proposed Action would not result in any mobile source noise impacts in the Project Area or the surrounding project study area, and further assessment of mobile source noise is not warranted.

**Stationary Source Noise**

No changes in stationary sources of noise, such as HVAC equipment or other noise sources, would occur in the Project Area under the Proposed Action. The classification of existing and No-Action condition uses in the Project Area under the With-Action scenario as Use Group VI general retail/office uses would have no relevance to stationary source noise generation. Furthermore, it is assumed that the building mechanical systems (i.e., HVAC systems) would be designed to meet all applicable noise regulations (i.e., Subchapter 5, §24-227 of the New York City Noise Control Code, the New York City Department of Buildings Code) and to avoid producing levels that would result in any significant increase in ambient noise levels. Therefore, the Proposed Action would not result in any stationary source noise impacts in the Project Area or the surrounding project study area, and further assessment of stationary source noise is not warranted.

**Conclusion**

The Action permitting several establishments totaling approximately 49,560 gsf in floor area on the Development Site as Use Group VI general retail/office uses and the classification of the existing 162,820 gsf Target store as a Use Group VI general retail/office use would not result in any effects on mobile or stationary source noise.

The Proposed Action would not result in any significant adverse mobile or stationary source noise impacts in the Project Area or the surrounding project study area, and further assessment is not warranted.

# 7. Neighborhood Character

## Introduction

According to the *CEQR Technical Manual*, an assessment of neighborhood character considers how elements of the environment combine to create the context and feeling of a neighborhood and how a project may affect that context and feeling. The assessment focuses on how a proposed project may have the potential to alter long established characteristics of a neighborhood. Per the *CEQR Technical Manual*, if a project has the potential to result in significant adverse impacts to a neighborhood's land use, zoning, public policy, socioeconomics, community facilities, open space, historic and cultural resources, urban design and visual resources, shadows, transportation, and noise, it may have the potential to result in an impact to neighborhood character. An impact in any one of these categories, analyzed elsewhere in this EAS, does not automatically result in an impact to neighborhood character. This chapter will consider whether the potential for significant adverse impacts in the areas described above have the potential to result in an alteration to the context and feeling of a neighborhood.

The project would not have the potential to result in any significant adverse impacts to the following analysis areas related to neighborhood character as further discussed below.

A. Land Use, Zoning, and Public Policy – As stated in the conclusion to this section above, the Proposed Action would not result in significant adverse impacts related to land use, zoning or public policy. Although the Land Use, Zoning, and Public Policy technical area of the EAS provides a detailed analysis, a neighborhood character assessment is not warranted as the project does not have the potential to result in any significant adverse Land Use, Zoning, or Public Policy impacts as further discussed below.

The Project Area consists of a shopping center comprised of commercial uses (destination retail and commercial office) and accessory parking. The surrounding 400-foot radius project study area consists of a mixture of low-density residential uses, community facilities (parochial schools), light manufacturing uses, parking lots and vacant land, and open space uses (a cemetery). It also includes a section of Westchester Creek.

Approval of the Proposed Action would change the zoning of the Project Area from M1-2 to C8-3. The Proposed Action would facilitate the conversion of portions of the existing commercial shopping center located on the Site, which is currently prohibited from providing individual retail establishments that exceed 10,000 zsf. No new development or additional floor area is proposed with the Proposed Action but several establishments on the Development Site would now be permited as Use Group VI general retail/office uses totaling approximately 49,560 gsf in floor area. Specifically, spaces for a Petco establishment (10,400 gsf), a TJ Maxx (28,400 gsf), a former Party City store to be converted to a supermarket (10,760 gsf), and the existing Target (162,820 gsf)

would exceed 10,000 square feet. It should be noted the Target store is located below grade and is permitted as-of-right under the current zoning.

The Proposed Action would not introduce any new development or new land uses compared to what currently exists and would continue in the No-Action Condition. The new zoning district would instead introduce the allowance of uses greater than 10,000 square feet in size and modified parking regulations. The Proposed Action would allow large destination retail uses to continue to operate within the existing shopping center in the Project Area. The proposed Zoning Amendment would only apply to the Project Area and would not affect lots beyond this Area. The Proposed Action is not anticipated to result in significant adverse impacts related to land use and zoning in the Project Area and within the study area, and would therefore have no impact on neighborhood character.

The Proposed Action would advance several public policy objectives including those included in the City's OneNYC and FRESH programs, and the City's Waterfront Revitalization Program (WRP). The With-Action RWCDS includes the development of a supermarket replacing an existing retail store and it would comply with the provisions of the City's FRESH program which aims to incentivize the construction of supermarkets in areas where access to fresh produce is limited. The supermarket would likely serve many residents of the adjacent neighborhood which is targeted by the FRESH program as an area in need of new fresh produce retailers. The Proposed Development Site is wholly located within the NYC Coastal Zone Boundary and would comply with the provisions of the WRP as detailed in the Waterfront Consistency Assessment Form and WRP Policy Assessment narrative. The Applicant believes that the Proposed Action is appropriate for the Project Area and is a positive contribution to Bronx Community District 10 and to the surrounding neighborhood by expanding the mix of commercial uses in the area to include large destination retail uses.

B. Socioeconomic Conditions – The Proposed Action screens out for significant adverse impacts related to socioeconomic conditions. The Project Area does not contain any residential units and instead consists of a large retail shopping center. The shopping center would remain in the With-Action scenario. As such, there is no potential for direct or indirect residential displacement. The Proposed Action would not generate more than 200,000 square feet of new commercial square footage. The Proposed Action is not anticipated to introduce trends that make it difficult for business that provide products or services essential to the local economy, or businesses for which comparable goods or services may not be found within the study area to remain in the area. The Proposed Action would also not markedly increase property values and rents throughout the study area, making it difficult for some categories of businesses to remain in the area. The Proposed Action does not have the potential to result in any direct or indirect business displacement and no significant adverse socioeconomic impacts would be expected, and would therefore have no impact on neighborhood character.

C. Community Facilities – The Proposed Action screens out for significant adverse impacts related to community facilities. The Proposed Action would not result in the direct displacement of any community facilities and, as a non-residential development, would not increase demand for existing services which could result in potential indirect effects on service delivery.

D. Open Space – The Proposed Action screens out for significant adverse impacts related to open space. As no additional floor area would be added to the Project Area under the Proposed Action, no new workers would be generated and there would be no decrease in the open space ratio in the project study area. As no changes would be made to the height or bulk of the existing building in the Project Area, there would be no direct impacts such as shadows on any open space resources. The Proposed Action does not have the potential to result in significant adverse open space impacts, and would therefore have no impact on neighborhood character.

E. Historic and Cultural Resources - As stated in the conclusion to this section above, the Proposed Action would not result in any significant adverse impacts to historic or archaeological resources as it has been determined that no such resources are located within the Project Area or the surrounding 400-foot radius project study area.

F. Urban Design and Visual Resources - The Proposed Action screens out for significant adverse impacts related to urban design and visual resources. As stated in the conclusion to this section above, the Proposed Action would not result in a significant adverse impact to urban design and visual resources. A neighborhood character assessment is not warranted as the project does not have the potential to result in any significant adverse Urban Design and Visual Resources impacts as further discussed below.

The Proposed Action would not result in the modification of yard, height, and setback requirements as these requirements are the same in both the existing M1-2 zone and the proposed C8-3 zoning district. In addition, as no new floor area would be added to the Project Area and no changes to the existing building on the property would occur, the Proposed Action would not result in an increase in built floor beyond what would occur in the future without the Proposed Action. Furthermore, the Proposed Action would not affect any natural resources or public view corridors to notable features or buildings in the immediate vicinity of the Project Area. Accordingly, no impacts to the urban design and/or visual resources of the project study area are expected.

G. Shadows - The Proposed Action screens out for significant adverse impacts related to shadows. As no new development would occur in the Project Area and no changes would be made to the existing height and bulk of the building in the Project Area, the Proposed Action would not result in any significant adverse shadows impacts.

H. Transportation – The Proposed Action screens out for significant adverse impacts related to transportation. No new development or floor area would be added to the Project Area under the Proposed Action. The Proposed Action would result in a net

increase of 10,760 gsf of supermarket space and a net decrease of 10,760 gsf of destination retail space. Although the conversion and occupancy of a destination retail space by a supermarket would generate additional vehicular traffic (see Transportation Appendix), it would not generate sufficient traffic volumes to result in a significant adverse transportation impact. The Action permitting several establishments totaling approximately 49,560 gsf in floor area on the Development Site as Use Group VI general retail/office uses and the classification of the existing 162,820 gsf Target store as a Use Group VI general retail/office use would not result in any changes in traffic generation or changes to other transportation conditions. In addition, there is no difference in traffic volumes generated by destination retail establishments that are larger than 10,000 sf in floor area relative to establishments less than 10,000 sf in size. The Proposed Action does not have the potential to result in significant adverse transportation impacts and therefore would have no impact upon neighborhood character.

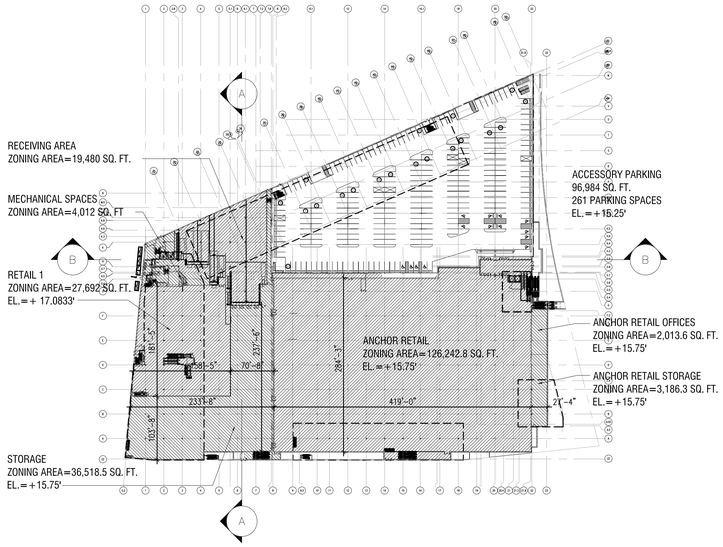
I. Noise – The Action permitting several establishments totaling approximately 49,560 gsf in floor area on the Development Site as Use Group VI general retail/office uses and the classification of the existing 162,820 gsf Target store as a Use Group VI general retail/office use would not result in any effects on mobile or stationary source noise. The Proposed Action would also result in a net increase of 10,760 gsf of supermarket space and a net decrease of 10,760 gsf of destination retail space. Although the conversion and occupancy of a destination retail space by a supermarket would generate additional vehicular traffic (see Transportation Appendix), it would not generate sufficient traffic volumes to result in a doubling of noise passenger car equivalents (PCEs) to cause a perceptible increase in mobile source noise. The supermarket would therefore not result in a mobile source noise impact. The Proposed Action would not result in any significant adverse mobile or stationary source noise impacts in the Project Area or the surrounding project study area, and would therefore have no impact on neighborhood character.

**Conclusion**

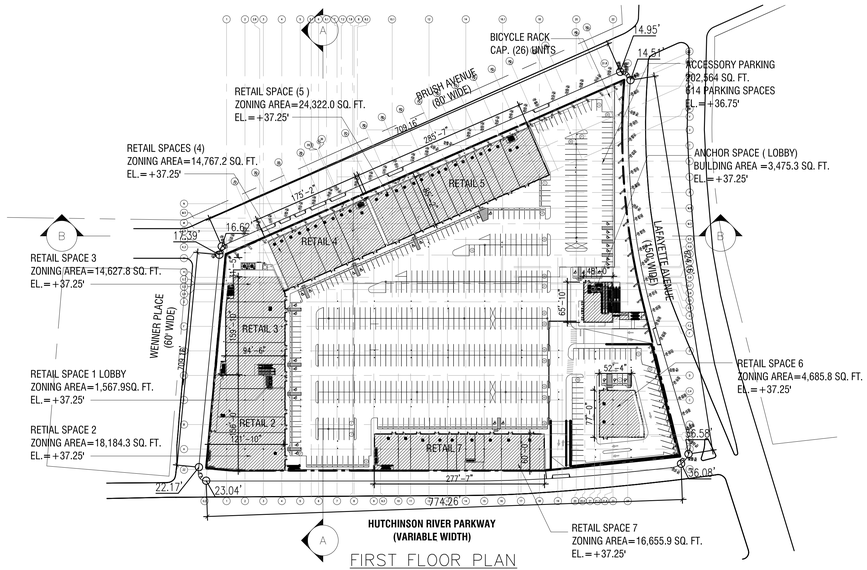
The proposed development, facilitated by the approval of the Proposed Action, does not have the potential to significantly alter long established characteristics of a neighborhood. The proposed project does not have the potential to result in significant adverse impacts to the study area's land use, zoning, public policy, socioeconomic conditions, community facilities, open space, historic and cultural resources, urban design and visual resources, shadows, transportation, or noise. When considered cumulatively, the Proposed Action does not have the potential to result in an impact to neighborhood character as it does not have the potential to result in an alteration in the context and feeling of the neighborhood.

# APPENDIX A

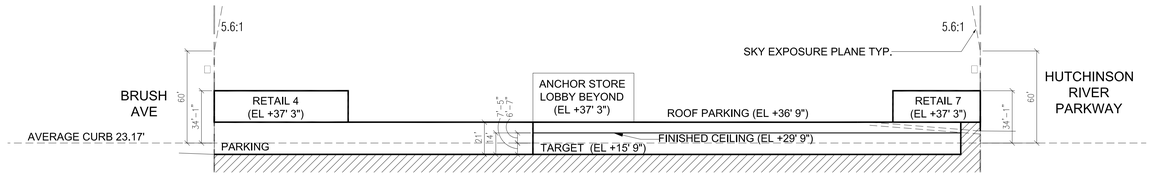
# ARCHITECTURAL PLANS



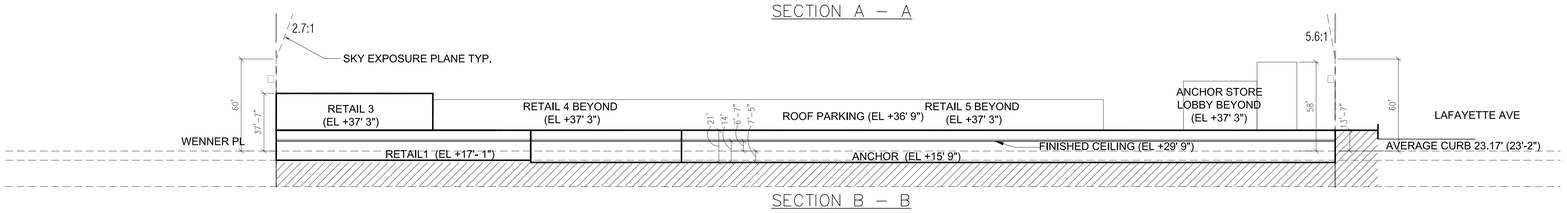

CELLAR FLOOR PLAN




FIRST FLOOR PLAN




SECTION A – A




SECTION B – B

## 1 ZONING DIAGRAMS

SCALE: NTS

**Zoning Comparison Table**

| | Existing/Proposed Zoning | | | |
|---|---|---|---|---|
| | Existing Zoning (M1-2) | | Proposed Zoning (C8-3) Under MIH Zoning | |
| | ZR Section # | M1-2 | ZR Section # | C8-3 (MIH) |
| **USE GROUPS** | 42-10 | 4-14, 16, 17 | 32-10 | 4-14, 16 |
| **Maximum FAR (Total)** | | | | |
| Residential | n/a | n/a | n/a | n/a |
| Affordable Independent Residences for Seniors ("AIRS") | n/a | n/a | n/a | n/a |
| Community Facility | 43-122 | 4.8 | 33-123 | 6.5 |
| Commercial | 43-12 | 2 | 33-122 | 2 |
| Commercial and Community Facility | 43-122 | 4.8 | 33-123 | 6.5 |
| Manufacturing | 43-12 | 2 | n/a | n/a |
| **YARDS** | | | | |
| Minimum Front Yard | n/a | n/a | n/a | n/a |
| Minimum Side Yard | 43-25 | None or 8' | 33-25 | None or 8' |
| Minimum Rear Yard | 43-26 | 20' | 33-26 | 20' |
| **HEIGHT AND SETBACKS** | | | | |
| Minimum Base Height | 43-43 | n/a | 33-432 | n/a |
| Maximum Base Height | 43-43 | 60'/4-Stories | 33-432 | 60'/4-Stories |
| Maximum Building Height | 43-43 | Sky Exposure Plane | 33-432 | Sky Exposure Plane |
| Maximum Height of Front Wall | 43-43 | 60'/4-Stories | 33-432 | 60'/4-Stories |
| Sky Exposure Plane | 43-43 | 2.7:1 (Narrow), 5.6:1 (Wide) | 33-432 | 2.7:1 Narrow / 5.6:1 Wide |
| Setbacks from Narrow Streets | 43-43 | 20' | 33-432 | 20' |
| Setbacks from Wide Streets | 43-43 | 15' | 33-432 | 15' |
| **OPEN SPACE** | | | | |
| Minimum Open Space Ratio | n/a | n/a | n/a | n/a |
| **LOT COVERAGE** | | | | |
| Max. Interior Lot Coverage | n/a | n/a | n/a | n/a |
| Maximum Lot Coverage | n/a | n/a | n/a | n/a |
| **DENSITY** | | | | |
| Maximum Dwelling Units | n/a | n/a | n/a | n/a |
| Minimum Size Dwelling Unit (AIRS) | n/a | n/a | n/a | n/a |
| **PARKING** | | | | |
| Residential | n/a | n/a | n/a | n/a |
| Commercial | 44-20 | By Use | 36-21 | By Use |
| Income - Restricted Housing | n/a | n/a | n/a | n/a |
| AIRS | n/a | n/a | n/a | n/a |
| Government Assisted Parking | n/a | n/a | n/a | n/a |
| **LOADING** | | | | |
| Commercial | 44-52 | By Use | 36-62 | By Use |
| Bicycle Parking (Residential) | 44-52 | By Use | n/a | n/a |
| Bicycle Parking (AIRS) | n/a | n/a | n/a | n/a |
| Bicycle Parking (Commercial) | 44-60 | By Use | 36-70 | By Use |

## 2 ZONING ANALYSIS

## 3 PARKING ANALYSIS

### EXISITING M1–2

REQUIRED PARKING

| | | | | |
|---|---|---|---|---|
| RETAIL: | 254,235 SF / 300 | | = | 847.5 SPACES |
| STORAGE: | 39,705 SF / 2000 | | = | 19.9 SPACES |
| RECEIVING: | [19,480 SF – 2(5X12X50 + 5X12X33)] / 2000 | | = | 4.8 SPACES |
| TOTAL PARKING REQUIRED | | | | |
| 847.5 + 19.9 + 4.8 | | = 872.2 | = | 873 SPACES |
| TOTAL PARKING PROVIDED | | | | |
| 614 + 261 | | | = | 875 SPACES |

REQUIRED ACCESSORY OFF STREET LOADING BERTHS

LOADING BERTH SIZE FOR COMMERCIAL: 13' X 50' (AS PER 44–581)

STORAGE:: AS PER 44–52/44–54,

STORAGE AREA: (253,872 + 39,705)/2 = 146,789 SF

| | | | |
|---|---|---|---|
| STORAGE: | FIRST | 8,000 | NONE |
| | NEXT | 17,000 | 1 |
| | NEXT | 15,000 | 1 |
| | NEXT | 20,000 | 1 |
| | EA ADD (2) | 80,000 | 2 |
| | | | (5) |

LOADING BERTH SIZE FOR STORAGE: 13' X 33' (AS PER 44–581)

PROPOSED ACCESSORY LOADING BERTHS:

| | | |
|---|---|---|
| RETAIL: | 146,970 SF | 5 BERTHS |
| STORAGE: | 146,970 SF | 5 BERTHS |

### PROPOSED C8–3

REQUIRED PARKING

| | | | | |
|---|---|---|---|---|
| RETAIL: | 254,235 SF / 1,000 | | = | 254.2 SPACES |
| STORAGE: | 39,705 SF / 2000 | | = | 19.9 SPACES |
| LOADING: | AS PER REQ OF STREET LOADING BERTH CALCULATIONS | | = | 3 SPACES |
| TOTAL PARKING REQUIRED | | | | |
| 254.2 + 19.9 + 3 | | = 277.1 SPACES | = | 278 SPACES |
| TOTAL PARKING PROVIDED | | | | |
| 614 + 261 | | | = | 875 SPACES |

REQUIRED ACCESSORY OFF STREET LOADING BERTHS

LOADING BERTH SIZE FOR COMMERCIAL: 13' X 12' X 14' CLEAR (AS PER 36–681)

STORAGE: 50' X 12' X 14' CLEAR (AS PER 36–62)

STORAGE AREA: (253,872 + 39,705)/2 = 146,789 SF

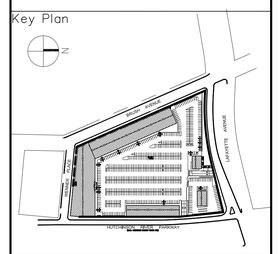
| | | | |
|---|---|---|---|
| STORAGE: | FIRST | 25,000 | NONE |
| | NEXT | 15,000 | 1 |
| | NEXT | 60,000 | 1 |
| | NEXT | 150,000 | 1 |
| | | | (3) |

LOADING BERTH SIZE FOR STORAGE: 13' X 33' (AS PER 36–681)

PROPOSED ACCESSORY LOADING BERTHS:

| | | |
|---|---|---|
| RETAIL: | 146,970 SF | 3 BERTHS |
| STORAGE: | 146,970 SF | 3 BERTHS |

Key Plan



| REV. | DATE | DESCRIPTION |
|---|---|---|
| | | |

REVISIONS:

NEWMAN DESIGN
ARCHITECTURE • URBAN PLANNING
NEWMAN DESIGN ARCHITECTS PLLC
210 West Rogues Path • Cold Spring Hills, NY 11743
TEL: 212.673.3110 • TEL: 631.673.3111 • FAX: 631.673.2031
www.ndarchitects.com

PROJECT:

**THROGS NECK SHOPPING CENTER**
**ZONING CHANGE**
**815 HUTCHINSON RIVER PARKWAY**
**BRONX, NEW YORK 10465**

TITLE:

**ZONING ANALYSIS**

STAMP:

DATE: **11-03-2020**
JOB #: **20-37**
DRAWN BY: **JNM**
SCALE: **AS NOTED**

DRAWING NO:

**Z-001.00**

FILE No. :

SHEET:

**1 OF 1**

© 2019 NEWMAN DESIGN ARCHITECTS PLLC

# APPENDIX B

# WATERFRONT REVITALIZATION PROGRAM

| FOR INTERNAL USE ONLY | WRP No. 20-199 |
|---|---|
| Date Received: _____ | DOS No. _____ |

# NEW YORK CITY WATERFRONT REVITALIZATION PROGRAM
## Consistency Assessment Form

Proposed actions that are subject to CEQR, ULURP or other local, state or federal discretionary review procedures, and that are within New York City's Coastal Zone, must be reviewed and assessed for their consistency with the *New York City Waterfront Revitalization Program (WRP)* which has been approved as part of the State's Coastal Management Program.

This form is intended to assist an applicant in certifying that the proposed activity is consistent with the WRP. It should be completed when the local, state, or federal application is prepared. The completed form and accompanying information will be used by the New York State Department of State, the New York City Department of City Planning, or other city or state agencies in their review of the applicant's certification of consistency.

### A. APPLICANT INFORMATION

Name of Applicant: MD Hutch Owner LLC

Name of Applicant Representative: Hiram Rothkrug, Environmental Studies Corp.

Address: 55 Water Mill Lane, Great Neck, NY 11021

Telephone: 718-343-0026 Email: hrothkrug@environmentalstudiescorp.com

Project site owner (if different than above): _____

### B. PROPOSED ACTIVITY

*If more space is needed, include as an attachment.*

1. Brief description of activity

The Applicant, MD Hutch Owner LLC, proposes a zoning change as follows: a rezoning from M1-2 to C8-3 to an area that includes Bronx Block 5559, Lot 7501 in the Ferry Point neighborhood of Bronx Community District 10.

2. Purpose of activity

The Proposed Action is sought to facilitate the conversion of portions of the existing commercial shopping center located on the Site, which is prohibited from providing individual retail establishments exceeding 10,000 zsf. No new development is proposed but several establishments on the Development Site would now be permitted as Use Group VI general retail/office uses totaling approximately 49,560 gsf in floor area. Specifically, spaces for Petco (10,400 gsf), TJ Maxx (28,400 gsf), a former Party City store to be converted to a supermarket, and Target (162,820 gsf) would exceed 10,000 square feet. As the Target store is located below grade, it is permitted as-of-right under the current zoning.

## C. PROJECT LOCATION

Borough: Bronx Tax Block/Lot(s): Block 5559 Lot 7501

Street Address: 815 Hutchinson River Parkway

Name of water body (if located on the waterfront): _____

## D. REQUIRED ACTIONS OR APPROVALS

*Check all that apply.*

### City Actions/Approvals/Funding

***City Planning Commission*** ☑ Yes ☐ No

- ☐ City Map Amendment
- ☑ Zoning Map Amendment
- ☐ Zoning Text Amendment
- ☐ Site Selection – Public Facility
- ☐ Housing Plan & Project
- ☐ Special Permit
  (if appropriate, specify type: ☐ Modification ☐ Renewal ☐ other) Expiration Date: _____
- ☐ Zoning Certification
- ☐ Zoning Authorizations
- ☐ Acquisition – Real Property
- ☐ Disposition – Real Property
- ☐ Other, explain: _____
- ☐ Concession
- ☐ UDAAP
- ☐ Revocable Consent
- ☐ Franchise

***Board of Standards and Appeals*** ☐ Yes ☑ No

- ☐ Variance (use)
- ☐ Variance (bulk)
- ☐ Special Permit
  (if appropriate, specify type: ☐ Modification ☐ Renewal ☐ other) Expiration Date: _____

***Other City Approvals***

- ☐ Legislation
- ☐ Rulemaking
- ☐ Construction of Public Facilities
- ☐ 384 (b) (4) Approval
- ☐ Other, explain: _____
- ☐ Funding for Construction, specify: _____
- ☐ Policy or Plan, specify: _____
- ☐ Funding of Program, specify: _____
- ☐ Permits, specify: _____

### State Actions/Approvals/Funding

- ☐ State permit or license, specify Agency: _____ Permit type and number: _____
- ☐ Funding for Construction, specify: _____
- ☐ Funding of a Program, specify: _____
- ☐ Other, explain: _____

### Federal Actions/Approvals/Funding

- ☐ Federal permit or license, specify Agency: _____ Permit type and number: _____
- ☐ Funding for Construction, specify: _____
- ☐ Funding of a Program, specify: _____
- ☐ Other, explain: _____

Is this being reviewed in conjunction with a Joint Application for Permits? ☐ Yes ☑ No

## E. LOCATION QUESTIONS

1. Does the project require a waterfront site? ☐ Yes ☑ No
2. Would the action result in a physical alteration to a waterfront site, including land along the shoreline, land under water or coastal waters? ☐ Yes ☑ No
3. Is the project located on publicly owned land or receiving public assistance? ☐ Yes ☑ No
4. Is the project located within a FEMA 1% annual chance floodplain? *(6.2)* ☐ Yes ☑ No
5. Is the project located within a FEMA 0.2% annual chance floodplain? *(6.2)* ☐ Yes ☑ No
6. Is the project located adjacent to or within a special area designation? *See Maps – Part III of the NYC WRP. If so, check appropriate boxes below and evaluate policies noted in parentheses as part of WRP Policy Assessment (Section F).* ☐ Yes ☑ No

   ☐ Significant Maritime and Industrial Area (SMIA) (*2.1*)
   ☐ Special Natural Waterfront Area (SNWA) (*4.1*)
   ☐ Priority Maritime Activity Zone (PMAZ) (*3.5*)
   ☐ Recognized Ecological Complex (REC) (*4.4*)
   ☐ West Shore Ecologically Sensitive Maritime and Industrial Area (ESMIA) (*2.2, 4.2*)

## F. WRP POLICY ASSESSMENT

*Review the project or action for consistency with the WRP policies. For each policy, check* Promote, Hinder *or* Not Applicable (N/A). *For more information about consistency review process and determination, see* ***Part I*** *of the NYC Waterfront Revitalization Program. When assessing each policy, review the full policy language, including all sub-policies, contained within* ***Part II*** *of the WRP. The relevance of each applicable policy may vary depending upon the project type and where it is located (i.e. if it is located within one of the special area designations).*

*For those policies checked* Promote *or* Hinder, *provide a written statement on a separate page that assesses the effects of the proposed activity on the relevant policies or standards. If the project or action promotes a policy, explain how the action would be consistent with the goals of the policy. If it hinders a policy, consideration should be given toward any practical means of altering or modifying the project to eliminate the hindrance. Policies that would be advanced by the project should be balanced against those that would be hindered by the project. If reasonable modifications to eliminate the hindrance are not possible, consideration should be given as to whether the hindrance is of such a degree as to be substantial, and if so, those adverse effects should be mitigated to the extent practicable.*

| | | Promote | Hinder | N/A |
|---|---|---|---|---|
| **1** | **Support and facilitate commercial and residential redevelopment in areas well-suited to such development.** | ☑ | ☐ | ☐ |
| 1.1 | Encourage commercial and residential redevelopment in appropriate Coastal Zone areas. | ☑ | ☐ | ☐ |
| 1.2 | Encourage non-industrial development with uses and design features that enliven the waterfront and attract the public. | ☐ | ☐ | ☑ |
| 1.3 | Encourage redevelopment in the Coastal Zone where public facilities and infrastructure are adequate or will be developed. | ☑ | ☐ | ☐ |
| 1.4 | In areas adjacent to SMIAs, ensure new residential development maximizes compatibility with existing adjacent maritime and industrial uses. | ☐ | ☐ | ☑ |
| 1.5 | Integrate consideration of climate change and sea level rise into the planning and design of waterfront residential and commercial development, pursuant to WRP Policy 6.2. | ☑ | ☐ | ☐ |

| | | Promote | Hinder | N/A |
|---|---|---|---|---|
| **2** | **Support water-dependent and industrial uses in New York City coastal areas that are well-suited to their continued operation.** | ☐ | ☐ | ☑ |
| 2.1 | Promote water-dependent and industrial uses in Significant Maritime and Industrial Areas. | ☐ | ☐ | ☑ |
| 2.2 | Encourage a compatible relationship between working waterfront uses, upland development and natural resources within the Ecologically Sensitive Maritime and Industrial Area. | ☐ | ☐ | ☑ |
| 2.3 | Encourage working waterfront uses at appropriate sites outside the Significant Maritime and Industrial Areas or Ecologically Sensitive Maritime Industrial Area. | ☐ | ☐ | ☑ |
| 2.4 | Provide infrastructure improvements necessary to support working waterfront uses. | ☐ | ☐ | ☑ |
| 2.5 | Incorporate consideration of climate change and sea level rise into the planning and design of waterfront industrial development and infrastructure, pursuant to WRP Policy 6.2. | ☐ | ☐ | ☑ |
| **3** | **Promote use of New York City's waterways for commercial and recreational boating and water-dependent transportation.** | ☐ | ☐ | ☑ |
| 3.1. | Support and encourage in-water recreational activities in suitable locations. | ☐ | ☐ | ☑ |
| 3.2 | Support and encourage recreational, educational and commercial boating in New York City's maritime centers. | ☐ | ☐ | ☑ |
| 3.3 | Minimize conflicts between recreational boating and commercial ship operations. | ☐ | ☐ | ☑ |
| 3.4 | Minimize impact of commercial and recreational boating activities on the aquatic environment and surrounding land and water uses. | ☐ | ☐ | ☑ |
| 3.5 | In Priority Marine Activity Zones, support the ongoing maintenance of maritime infrastructure for water-dependent uses. | ☐ | ☐ | ☑ |
| **4** | **Protect and restore the quality and function of ecological systems within the New York City coastal area.** | ☐ | ☐ | ☑ |
| 4.1 | Protect and restore the ecological quality and component habitats and resources within the Special Natural Waterfront Areas. | ☐ | ☐ | ☑ |
| 4.2 | Protect and restore the ecological quality and component habitats and resources within the Ecologically Sensitive Maritime and Industrial Area. | ☐ | ☐ | ☑ |
| 4.3 | Protect designated Significant Coastal Fish and Wildlife Habitats. | ☐ | ☐ | ☑ |
| 4.4 | Identify, remediate and restore ecological functions within Recognized Ecological Complexes. | ☐ | ☐ | ☑ |
| 4.5 | Protect and restore tidal and freshwater wetlands. | ☐ | ☐ | ☑ |
| 4.6 | In addition to wetlands, seek opportunities to create a mosaic of habitats with high ecological value and function that provide environmental and societal benefits. Restoration should strive to incorporate multiple habitat characteristics to achieve the greatest ecological benefit at a single location. | ☐ | ☐ | ☑ |
| 4.7 | Protect vulnerable plant, fish and wildlife species, and rare ecological communities. Design and develop land and water uses to maximize their integration or compatibility with the identified ecological community. | ☐ | ☐ | ☑ |
| 4.8 | Maintain and protect living aquatic resources. | ☐ | ☐ | ☑ |

| | | Promote | Hinder | N/A |
|---|---|---|---|---|
| **5** | **Protect and improve water quality in the New York City coastal area.** | ☐ | ☐ | ☑ |
| 5.1 | Manage direct or indirect discharges to waterbodies. | ☐ | ☐ | ☑ |
| 5.2 | Protect the quality of New York City's waters by managing activities that generate nonpoint source pollution. | ☐ | ☐ | ☑ |
| 5.3 | Protect water quality when excavating or placing fill in navigable waters and in or near marshes, estuaries, tidal marshes, and wetlands. | ☐ | ☐ | ☑ |
| 5.4 | Protect the quality and quantity of groundwater, streams, and the sources of water for wetlands. | ☐ | ☐ | ☑ |
| 5.5 | Protect and improve water quality through cost-effective grey-infrastructure and in-water ecological strategies. | ☐ | ☐ | ☑ |
| **6** | **Minimize loss of life, structures, infrastructure, and natural resources caused by flooding and erosion, and increase resilience to future conditions created by climate change.** | ☑ | ☐ | ☐ |
| 6.1 | Minimize losses from flooding and erosion by employing non-structural and structural management measures appropriate to the site, the use of the property to be protected, and the surrounding area. | ☑ | ☐ | ☐ |
| 6.2 | Integrate consideration of the latest New York City projections of climate change and sea level rise (as published in *New York City Panel on Climate Change 2015 Report, Chapter 2: Sea Level Rise and Coastal Storms*) into the planning and design of projects in the city's Coastal Zone. | ☑ | ☐ | ☐ |
| 6.3 | Direct public funding for flood prevention or erosion control measures to those locations where the investment will yield significant public benefit. | ☐ | ☐ | ☑ |
| 6.4 | Protect and preserve non-renewable sources of sand for beach nourishment. | ☐ | ☐ | ☑ |
| **7** | **Minimize environmental degradation and negative impacts on public health from solid waste, toxic pollutants, hazardous materials, and industrial materials that may pose risks to the environment and public health and safety.** | ☑ | ☐ | ☐ |
| 7.1 | Manage solid waste material, hazardous wastes, toxic pollutants, substances hazardous to the environment, and the unenclosed storage of industrial materials to protect public health, control pollution and prevent degradation of coastal ecosystems. | ☑ | ☐ | ☐ |
| 7.2 | Prevent and remediate discharge of petroleum products. | ☐ | ☐ | ☑ |
| 7.3 | Transport solid waste and hazardous materials and site solid and hazardous waste facilities in a manner that minimizes potential degradation of coastal resources. | ☐ | ☐ | ☑ |
| **8** | **Provide public access to, from, and along New York City's coastal waters.** | ☐ | ☐ | ☑ |
| 8.1 | Preserve, protect, maintain, and enhance physical, visual and recreational access to the waterfront. | ☐ | ☐ | ☑ |
| 8.2 | Incorporate public access into new public and private development where compatible with proposed land use and coastal location. | ☐ | ☐ | ☑ |
| 8.3 | Provide visual access to the waterfront where physically practical. | ☐ | ☐ | ☑ |
| 8.4 | Preserve and develop waterfront open space and recreation on publicly owned land at suitable locations. | ☐ | ☐ | ☑ |

| | | Promote | Hinder | N/A |
|---|---|---|---|---|
| 8.5 | Preserve the public interest in and use of lands and waters held in public trust by the State and City. | ☐ | ☐ | ☑ |
| 8.6 | Design waterfront public spaces to encourage the waterfront's identity and encourage stewardship. | ☐ | ☐ | ☑ |
| **9** | **Protect scenic resources that contribute to the visual quality of the New York City coastal area.** | ☑ | ☐ | ☐ |
| 9.1 | Protect and improve visual quality associated with New York City's urban context and the historic and working waterfront. | ☑ | ☐ | ☐ |
| 9.2 | Protect and enhance scenic values associated with natural resources. | ☐ | ☐ | ☑ |
| **10** | **Protect, preserve, and enhance resources significant to the historical, archaeological, architectural, and cultural legacy of the New York City coastal area.** | ☐ | ☐ | ☑ |
| 10.1 | Retain and preserve historic resources, and enhance resources significant to the coastal culture of New York City. | ☐ | ☐ | ☑ |
| 10.2 | Protect and preserve archaeological resources and artifacts. | ☐ | ☐ | ☑ |

## G. CERTIFICATION

The applicant or agent must certify that the proposed activity is consistent with New York City's approved Local Waterfront Revitalization Program, pursuant to New York State's Coastal Management Program. If this certification cannot be made, the proposed activity shall not be undertaken. If this certification can be made, complete this Section.

"The proposed activity complies with New York State's approved Coastal Management Program as expressed in New York City's approved Local Waterfront Revitalization Program, pursuant to New York State's Coastal Management Program, and will be conducted in a manner consistent with such program."

Applicant/Agent's Name: Hiram Rothkrug, Environmental Studies Corp

Address: 55 Water Mill Lane, Great Neck, NY 11021

Telephone: 718-343-0026 Email: hrothkrug@environmentalstudiescorp.com

Applicant/Agent's Signature: _____

Date: 11/05/25

## Submission Requirements

For all actions requiring City Planning Commission approval, materials should be submitted to the Department of City Planning.

For local actions not requiring City Planning Commission review, the applicant or agent shall submit materials to the Lead Agency responsible for environmental review. A copy should also be sent to the Department of City Planning.

For State actions or funding, the Lead Agency responsible for environmental review should transmit its WRP consistency assessment to the Department of City Planning.

For Federal direct actions, funding, or permits applications, including Joint Applicants for Permits, the applicant or agent shall also submit a copy of this completed form along with his/her application to the NYS Department of State Office of Planning and Development and other relevant state and federal agencies. A copy of the application should be provided to the NYC Department of City Planning.

The Department of City Planning is also available for consultation and advisement regarding WRP consistency procedural matters.

**New York City Department of City Planning**
Waterfront and Open Space Division
120 Broadway, 31st Floor
New York, New York 10271
212-720-3696
wrp@planning.nyc.gov
www.nyc.gov/wrp

**New York State Department of State**
Office of Planning and Development
Suite 1010
One Commerce Place, 99 Washington Avenue
Albany, New York 12231-0001
518-474-6000
www.dos.ny.gov/opd/programs/consistency

### Applicant Checklist

- ☐ Copy of original signed NYC Consistency Assessment Form
- ☐ Attachment with consistency assessment statements for all relevant policies
- ☐ For Joint Applications for Permits, one (1) copy of the complete application package
- ☐ Environmental Review documents
- ☐ Drawings (plans, sections, elevations), surveys, photographs, maps, or other information or materials which would support the certification of consistency and are not included in other documents submitted. All drawings should be clearly labeled and at a scale that is legible.
- ☐ Policy 6.2 Flood Elevation worksheet, if applicable. For guidance on applicability, refer to the WRP Policy 6.2 Guidance document available at www.nyc.gov/wrp

**WRP Policy Assessment: Written Statements**

**Policy 1:** Support and facilitate commercial and residential redevelopment in areas well-suited to such development.

A project or action would advance the policy above as it furthers sub-policies 1.1 (Encourage commercial and residential redevelopment in appropriate Coastal Zone areas), 1.3 (Encourage redevelopment in the Coastal Zone where public facilities and infrastructure are adequate or will be developed), and 1.5 (Integrate consideration of climate change and sea level rise into the planning and design of waterfront residential and commercial development, pursuant to WRP Policy 6.2). The Proposed Project is located in an area of the Coastal Zone that has recently received considerable investment to provide protection from storms and flood events. The Hutchinson River Flood Mitigation Project is an ongoing joint effort from several municipalities upstream (Westchester County) to comprehensively restore the rivershed ecosystem and mitigate flood risks. Further as discussed in detail below, the Proposed Development incorporates sea level rise into the design of the building, furthering sub-policy 1.5.

**Policy 6:** Minimize loss of life, structures, infrastructure, and natural resources caused by flooding and erosion, and increase resilience to future conditions created by climate change.

A project or action would advance the policy above as it furthers sub-policies 6.1 (Minimize losses from flooding and erosion by employing non-structural and structural management measures appropriate to the site, the use of the property to be protected, and the surrounding area) and 6.2 (Integrate consideration of the latest New York City projections of climate change and sea level rise).

**Policy 7:** Minimize environmental degradation and negative impacts on public health from solid-waste, toxic pollutants, hazardous materials, and industrial materials that may pose risks to the environment and public health and safety.

A project or action would advance the policy above as it furthers sub-policy 7.1 (Manage solid waste material, hazardous wastes, toxic pollutants, substances hazardous to the environment, and the unenclosed storage of industrial materials to protect public health, control pollution and prevent degradation of coastal ecosystems). The Proposed Project will not introduce new industrial uses to the waterfront and is not anticipated to create new toxic pollutants or hazardous materials.

**Policy 9:** Protect scenic resources that contribute to the visual quality of the New York City coastal area.

A project or action would advance the policy above as it furthers sub-policy 9.1 (Protect and improve visual quality associated with New York City's urban context and the historic and working waterfront.). The Proposed Project will have no effect on the urban context of the area as it would retain the existing development on the Site and would not add any new structures or change the height, bulk or uses in the existing building on the property. Further the Proposed Project would not alter the visual quality of the surrounding area and views to the waterfront from adjacent streets would remain. See the Urban Design and Visual Resources section of this EAS.

**NYCWRP's Climate Change Adaptation: Policy 6.2 Consistency Assessment**

**Detailed Methodology**

The existing building on Projected Development Site 1 would remain and no new buildings would be constructed on the Site. In the event of an anticipated flood event, the existing storefront/doors would need to be protected by portable flood barriers (see example below) which could be installed by building management prior to the event. Additionally, the existing concrete walls could be coated with a liquid applied waterproof membrane.

**Step 1: Identifying Vulnerabilities and Consequences**

(a): The completed Flood Elevation Worksheet is included below.

(b): The analysis below is based on the charts shown in tab 4 of the Flood Elevation Worksheet. The current 1% flood elevation at the Applicant's proposed development site is 13.0 feet. The elevation of the Applicant's proposed development site will be below the 1% flood elevation by the 2080s under the highest sea level rise projections and by the 2100s under the high-mid and mid level sea level rise projections. The property has a Design Flood Elevation (DFE) of 15.9 feet (see site plans below). Therefore, the Proposed Development has a "Design Flood Elevation" of 15.9 feet.

The Projected Development's critical systems would be located on the roof of the building. This would result in no loss of building services which could result in damage to property. The commercial lobby, commercial office space, and all of the building's retail spaces and accessory parking spaces are above the elevation of the current 1% annual floodplain. Only the cellar level retail spaces and accessory parking spaces will be within the 1% annual floodplain throughout the lifespan of the building.

c): There are no building features that are expected to be below the elevation of Mean Higher High Water at some point over its lifespan under any projection of sea level rise.

(d): Coastal storms could bring high winds in addition to the flood hazards described above. The site is not within the Coastal A, AE, V or shaded X zone.

**Step 2: Identify Adaptive Strategies**

(a): The Proposed Development is designed to meet NYC Building Code standards for flood resistant construction standards, including dry floodproofed walls, flood barriers at building openings, and a foundation system designed to resist hydrostatic pressure. If the elevation of the floodplain increases beyond the building's DFE by the 2050s or 2080s,

additional protection could be provided through temporary barriers, or subsequent retrofits to extend dry floodproofed materials to higher elevations.

(b): As discussed above, there are no building features that are expected to be below the elevation of Mean Higher High Water at some point over its lifespan under any projection of sea level rise.

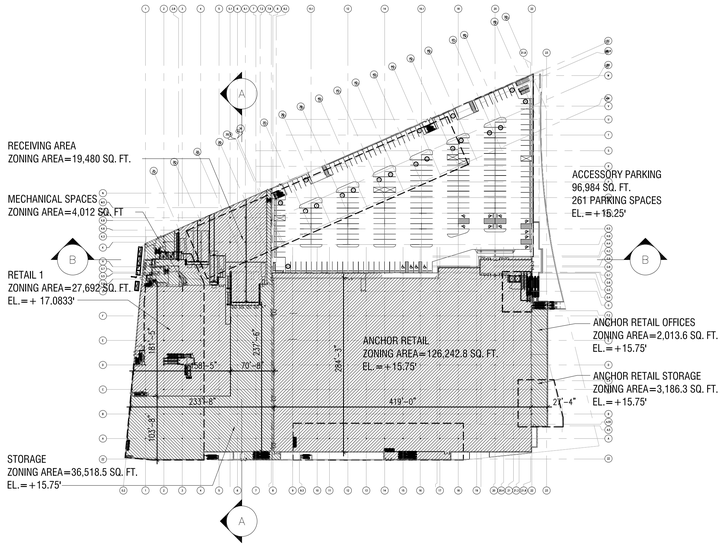
(c): The Proposed Development would be required to meet NYC Building Code standards for wind loading.

(d): The project would not make flooding on adjacent sites worse, nor would it conflict with other plans for flood protection on adjacent sites.

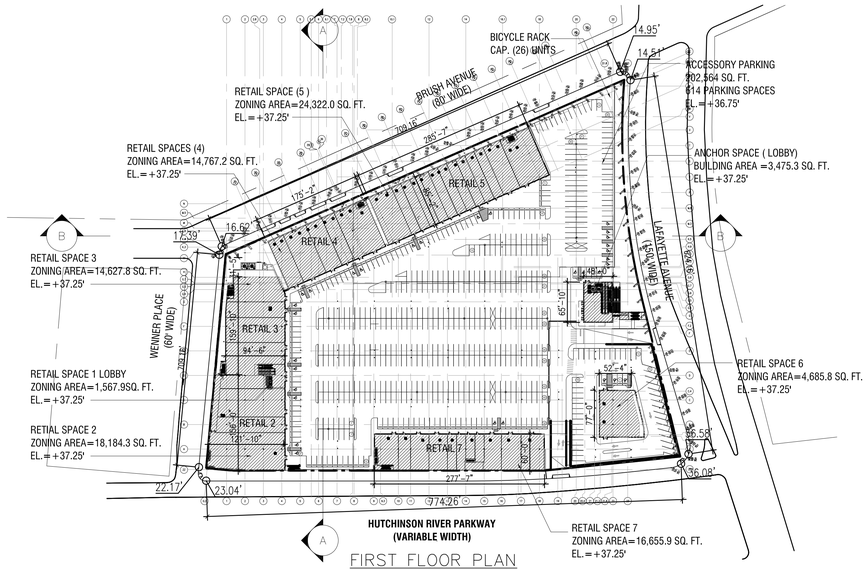
**Step 3: Assess Policy Consistency**

A project or action would advance the policy when no new vulnerable, critical, or potentially hazardous features would be located within area flooded by current or future high tide, or current or future 1% annual chance flood, over the project's lifespan, **or** all new vulnerable, critical or potentially hazardous features would be protected through flood damage reduction elements or future adaptive measures within the timeframe that they would be needed.

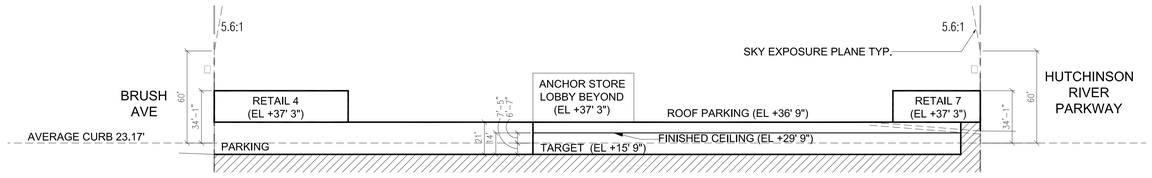
As discussed above, the Proposed Project would not introduce vulnerable features to an area currently located in a 1% annual chance flood zone. The Proposed Project would ensure that all vulnerable features are protected through flood damage reduction elements (specifically dry proofed perimeter wall and removable flood barriers) and does not preclude the possibility that future adaptive measures be installed within the timeframe that they would be needed.



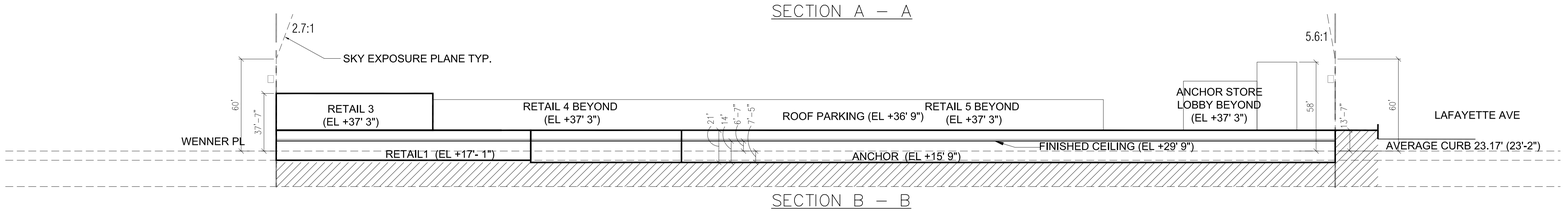

CELLAR FLOOR PLAN




FIRST FLOOR PLAN




SECTION A – A




SECTION B – B

## 1 ZONING DIAGRAMS

SCALE: NTS

**Zoning Comparison Table**

| | Existing/Proposed Zoning | | | |
|---|---|---|---|---|
| | Existing Zoning (M1-2) | | Proposed Zoning (C8-3) Under MIH Zoning | |
| | ZR Section # | M1-2 | ZR Section # | C8-3 (MIH) |
| **USE GROUPS** | 42-10 | 4-14, 16, 17 | 32-10 | 4-14, 16 |
| **Maximum FAR (Total)** | | | | |
| Residential | n/a | n/a | n/a | n/a |
| Affordable Independent Residences for Seniors ("AIRS") | n/a | n/a | n/a | n/a |
| Community Facility | 43-122 | 4.8 | 33-123 | 6.5 |
| Commercial | 43-12 | 2 | 33-122 | 2 |
| Commercial and Community Facility | 43-122 | 4.8 | 33-123 | 6.5 |
| Manufacturing | 43-12 | 2 | n/a | n/a |
| **YARDS** | | | | |
| Minimum Front Yard | n/a | n/a | n/a | n/a |
| Minimum Side Yard | 43-25 | None or 8' | 33-25 | None or 8' |
| Minimum Rear Yard | 43-26 | 20' | 33-26 | 20' |
| **HEIGHT AND SETBACKS** | | | | |
| Minimum Base Height | 43-43 | n/a | 33-432 | n/a |
| Maximum Base Height | 43-43 | 60'/4-Stories | 33-432 | 60'/4-Stories |
| Maximum Building Height | 43-43 | Sky Exposure Plane | 33-432 | Sky Exposure Plane |
| Maximum Height of Front Wall | 43-43 | 60'/4-Stories | 33-432 | 60'/4-Stories |
| Sky Exposure Plane | 43-43 | 2.7:1 (Narrow), 5.6:1 (Wide) | 33-432 | 2.7:1 Narrow / 5.6:1 Wide |
| Setbacks from Narrow Streets | 43-43 | 20' | 33-432 | 20' |
| Setbacks from Wide Streets | 43-43 | 15' | 33-432 | 15' |
| **OPEN SPACE** | | | | |
| Minimum Open Space Ratio | n/a | n/a | n/a | n/a |
| **LOT COVERAGE** | | | | |
| Max. Interior Lot Coverage | n/a | n/a | n/a | n/a |
| Maximum Lot Coverage | n/a | n/a | n/a | n/a |
| **DENSITY** | | | | |
| Maximum Dwelling Units | n/a | n/a | n/a | n/a |
| Minimum Size Dwelling Unit (AIRS) | n/a | n/a | n/a | n/a |
| **PARKING** | | | | |
| Residential | n/a | n/a | n/a | n/a |
| Commercial | 44-20 | By Use | 36-21 | By Use |
| Income - Restricted Housing | n/a | n/a | n/a | n/a |
| AIRS | n/a | n/a | n/a | n/a |
| Government Assisted Parking | n/a | n/a | n/a | n/a |
| **LOADING** | | | | |
| Commercial | 44-52 | By Use | 36-62 | By Use |
| Bicycle Parking (Residential) | 44-52 | By Use | n/a | n/a |
| Bicycle Parking (AIRS) | n/a | n/a | n/a | n/a |
| Bicycle Parking (Commercial) | 44-60 | By Use | 36-70 | By Use |

## 2 ZONING ANALYSIS

## 3 PARKING ANALYSIS

### EXISITING M1–2

REQUIRED PARKING

| | | | | |
|---|---|---|---|---|
| RETAIL: | 254,235 SF / 300 | | = | 847.5 SPACES |
| STORAGE: | 39,705 SF / 2000 | | = | 19.9 SPACES |
| RECEIVING: | [19,480 SF – 2(5X12X50 + 5X12X33)] / 2000 | | = | 4.8 SPACES |
| TOTAL PARKING REQUIRED | | | | |
| 847.5 + 19.9 + 4.8 | | = 872.2 | = | 873 SPACES |
| TOTAL PARKING PROVIDED | | | | |
| 614 + 261 | | | = | 875 SPACES |

REQUIRED ACCESSORY OFF STREET LOADING BERTHS

LOADING BERTH SIZE FOR COMMERCIAL: 13' X 50' (AS PER 44–581)

STORAGE:: AS PER 44–52/44–54,

STORAGE AREA: (253,872 + 39,705)/2 = 146,789 SF

| | | | |
|---|---|---|---|
| STORAGE: | FIRST | 8,000 | NONE |
| | NEXT | 17,000 | 1 |
| | NEXT | 15,000 | 1 |
| | NEXT | 20,000 | 1 |
| | EA ADD (2) | 80,000 | 2 |
| | | | (5) |

LOADING BERTH SIZE FOR STORAGE: 13' X 33' (AS PER 44–581)

PROPOSED ACCESSORY LOADING BERTHS:

| | | |
|---|---|---|
| RETAIL: | 146,970 SF | 5 BERTHS |
| STORAGE: | 146,970 SF | 5 BERTHS |

### PROPOSED C8–3

REQUIRED PARKING

| | | | | |
|---|---|---|---|---|
| RETAIL: | 254,235 SF / 1,000 | | = | 254.2 SPACES |
| STORAGE: | 39,705 SF / 2000 | | = | 19.9 SPACES |
| LOADING: | AS PER REQ OF STREET LOADING BERTH CALCULATIONS | | = | 3 SPACES |
| TOTAL PARKING REQUIRED | | | | |
| 254.2 + 19.9 + 3 | | = 277.1 SPACES | = | 278 SPACES |
| TOTAL PARKING PROVIDED | | | | |
| 614 + 261 | | | = | 875 SPACES |

REQUIRED ACCESSORY OFF STREET LOADING BERTHS

LOADING BERTH SIZE FOR COMMERCIAL: 13' X 12' X 14' CLEAR (AS PER 36–681)

STORAGE: 50' X 12' X 14' CLEAR (AS PER 36–62)

STORAGE AREA: (253,872 + 39,705)/2 = 146,789 SF

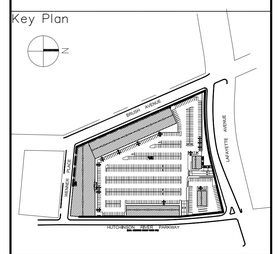
| | | | |
|---|---|---|---|
| STORAGE: | FIRST | 25,000 | NONE |
| | NEXT | 15,000 | 1 |
| | NEXT | 60,000 | 1 |
| | NEXT | 150,000 | 1 |
| | | | (3) |

LOADING BERTH SIZE FOR STORAGE: 13' X 33' (AS PER 36–681)

PROPOSED ACCESSORY LOADING BERTHS:

| | | |
|---|---|---|
| RETAIL: | 146,970 SF | 3 BERTHS |
| STORAGE: | 146,970 SF | 3 BERTHS |

Key Plan



| REV. | DATE | DESCRIPTION |
|---|---|---|
| | | |

REVISIONS:

NEWMAN DESIGN
ARCHITECTURE • URBAN PLANNING
NEWMAN DESIGN ARCHITECTS PLLC
210 West Rogues Path • Cold Spring Hills, NY 11743
TEL: 212.673.3110 • TEL: 631.673.3111 • FAX: 631.673.2031
www.ndarchitects.com

PROJECT:

**THROGS NECK SHOPPING CENTER**
**ZONING CHANGE**
**815 HUTCHINSON RIVER PARKWAY**
**BRONX, NEW YORK 10465**

TITLE:

**ZONING ANALYSIS**

STAMP:

DATE: **11-03-2020**
JOB #: **20-37**
DRAWN BY: **JNM**
SCALE: **AS NOTED**

DRAWING NO:

**Z-001.00**

FILE No. :

SHEET:

**1 OF 1**

© 2019 NEWMAN DESIGN ARCHITECTS PLLC

**NYC Waterfront Revitalization Program - Policy 6.2 Flood Elevation Workhsheet**

**COMPLETE INSTRUCTIONS ON HOW TO USE THIS WORKSHEET ARE PROVIDED IN THE "CLIMATE CHANGE ADAPTATION GUIDANCE" DOCUMENT AVAILABLE AT www.nyc.gov/wrp**

*Enter information about the project and site in highlighted cells in Tabs 1-3. Tab 4, "Summary Charts" contains primary results. Tab 5, "0.2%+SLR" produces charts to be used for critical infrastructure or facilities. Tab 6, "Calculations" contains background computations. Appendix A contains tide elevations for station across the city to be used for the elevation of MHHW if a site survey is not available. Non-highlighted cells have been locked.*

| Background Information | |
|---|---|
| Project Name | 815 Hutchinson River Parkway |
| Location | 815 Hutchinson River Parkway, Bronx, NY |
| Type(s) | ☑ Residential, Commercial, Community Facility ☐ Parkland, Open Space, and Natural Areas ☐ Tidal Wetland Restoration ☐ Critical Infrastructure or Facility ☐ Industrial Uses<br>☐ Over-water Structures ☐ Shoreline Structures ☐ Transportation ☐ Wastewater Treatment/Drainage ☐ Coastal Protection |
| Description | The Applicant proposes a rezoning from M1-2 to C8-3 to the Project Area which is sought to permit Use Group VI uses in excess of 10,000 gross square feet (gsf) within the existing building. The 254,235 gsf of commercial space on the building's two floors (cellar and first floor) would consist of Use Group VI retail and office uses. The Proposed Action would facilitate the conversion of portions of the existing commercial shopping center, which is currently prohibited from providing individual retail establishments that exceed 10,000 zoning square feet (zsf). No new development is proposed but several establishments on the Development Site would now be permitted as Use Group VI general retail/office uses totaling approximately 49,560 gsf in floor area. |
| Planned Completion Date | 2027 |
| Expected Project Lifespan | 100 years |

*The New York City Waterfront Revitalization Program Climate Change Adaptation Guidance document was developed by the NYC Department of City Planning. It is a guidance document only and is not intended to serve as a substitute for actual regulations. The City disclaims any liability for errors that may be contained herein and shall not be responsible for any damages, consequential or actual, arising out of or in connection with the use of this information. The City reserves the right to update or correct information in this guidance document at any time and without notice.*

**For technical assistance on using this worksheet, email wrp@planning.nyc.gov, using the message subject "Policy 6.2 Worksheet."**

***Last update: Sept. 7, 2018***

## Establish current tidal and flood heights.

| | FT (NAVD88) | Feet | Datum | Source |
|---|---|---|---|---|
| MHHW | 3.68 | **3.68** | **NAVD88** | *Appendix A* |
| 1% flood height | 13.00 | **13.00** | **NAVD88** | *2015 FEMA Preliminary Flood Insurance Maps* |
| Design flood elevation | 15.90 | **15.90** | **NAVD88** | *Project Plans* |
| *As relevant:* | | | | |
| 0.2% flood height | --> | | | |

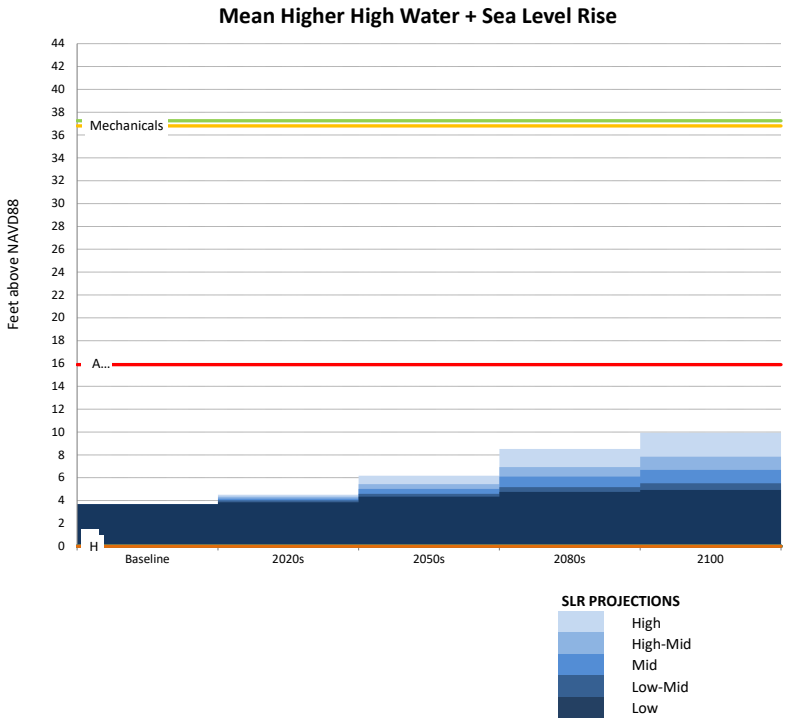
*Data will be converted based on the following datums:*

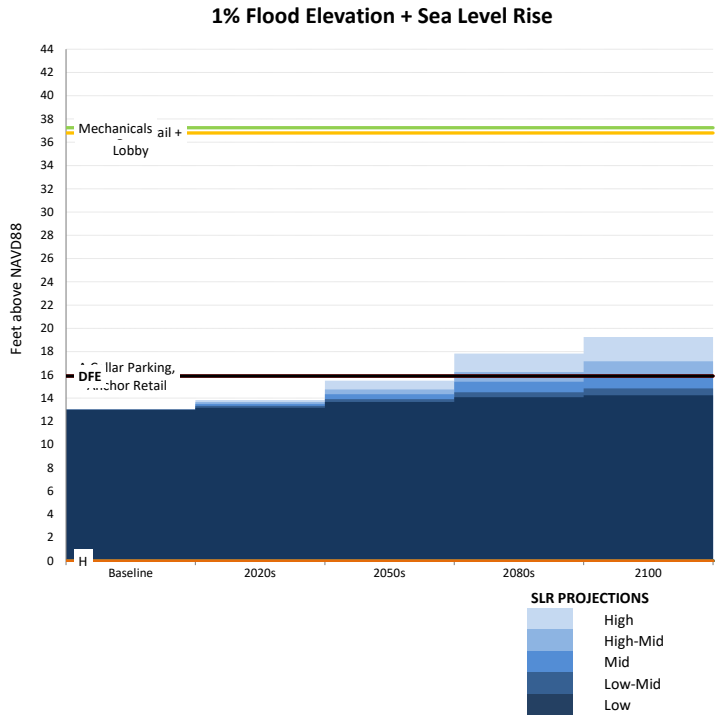
| Datum | FT (NAVD88) |
|---|---|
| NAVD88 | *0.00* |
| NGVD29 | *-1.10* |
| Manhattan Datum | *1.65* |
| Bronx Datum | *1.51* |
| Brooklyn Datum (Sewer) | *0.61* |
| Brooklyn Datum (Highway) | *1.45* |
| Queens Datum | *1.63* |
| Richmond Datum | *2.09* |

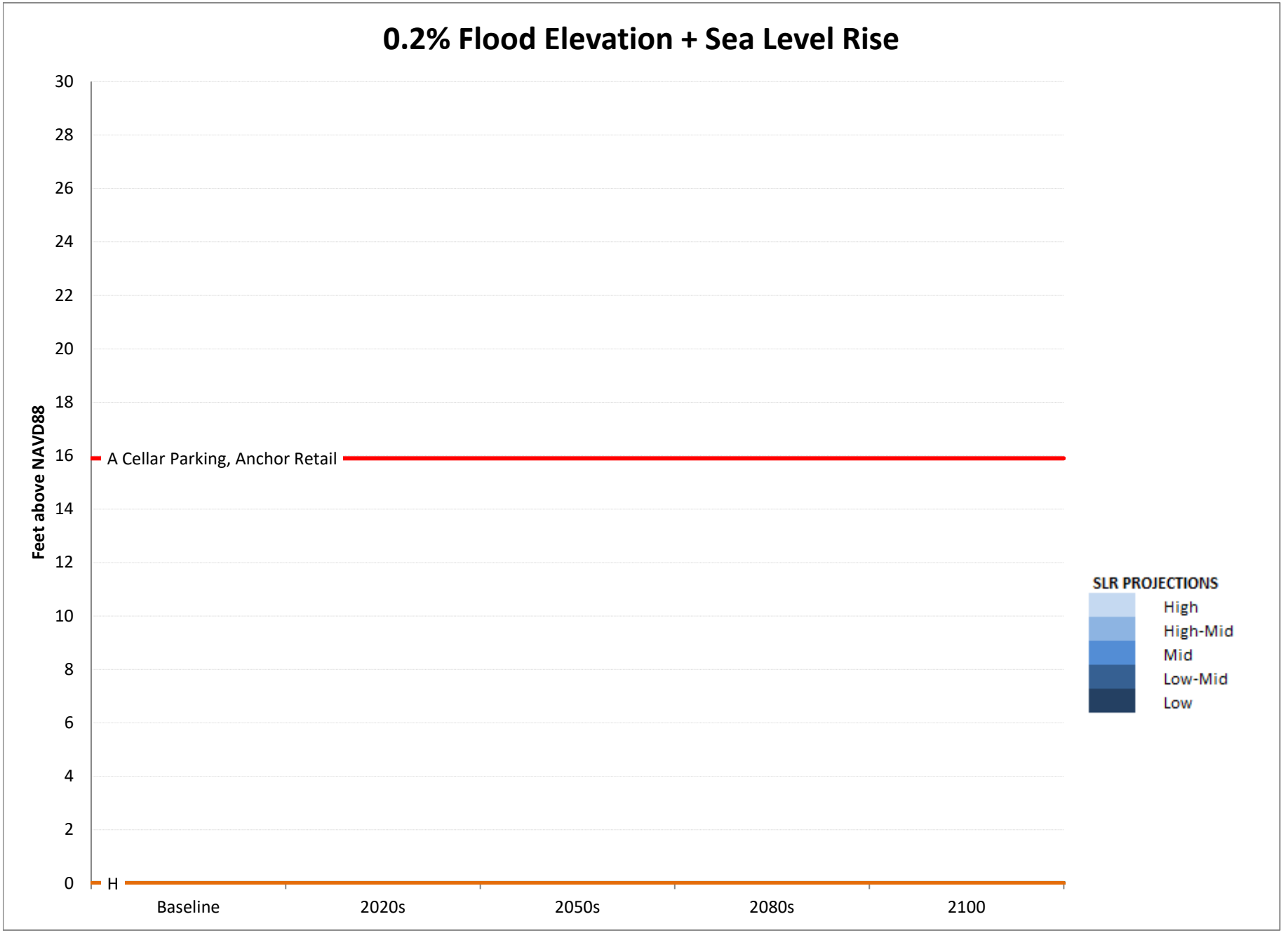
**Describe key physical features of the project.**

| Feature *(enter name)* | Feature Category | Lifespan | Elevation | Units | Datum | Ft | Ft Above NAVD88 | Ft Above MHHW | Ft Above 0.2% flood height |
|---|---|---|---|---|---|---|---|---|---|
| A Cellar Parking, Anchor Retail | ☑ Vulnerable ☐ Critical ☐ Potentially Hazardous ☐ Other | 2127 | 15.9 | Feet | NAVD88 | *15.9* | *15.9* | *12.2* | *#VALUE!* |
| *The building cellar contains accessory parking and retail space* | | | | | | | | | |
| Parking + Retail + Lobby | ☐ Vulnerable ☐ Critical ☐ Potentially Hazardous ☑ Other | 2127 | 36.8 | Feet | NAVD88 | *36.8* | *36.8* | *33.1* | *#VALUE!* |
| *The building's first floor contains a commercial lobby, accessory parking, and retail uses* | | | | | | | | | |
| Mechanicals | ☐ Vulnerable ☐ Critical ☐ Potentially Hazardous ☑ Other | 2127 | 37.3 | Feet | NAVD88 | *37.3* | *37.3* | *33.6* | *#VALUE!* |
| *Building mechanicals are located on the roof of the building* | | | | | | | | | |
| D | ☐ Vulnerable ☐ Critical ☐ Potentially Hazardous ☐ Other | | | Feet | NAVD88 | | | | |
| *Description of Planned Uses and Materials* | | | | | | | | | |
| E | ☐ Vulnerable ☐ Critical ☐ Potentially Hazardous ☐ Other | | | Feet | NAVD88 | | | | |
| *Description of Planned Uses and Materials* | | | | | | | | | |
| F | ☐ Vulnerable ☐ Critical ☐ Potentially Hazardous ☐ Other | | | Feet | NAVD88 | | | | |
| *Description of Planned Uses and Materials* | | | | | | | | | |
| G | ☐ Vulnerable ☐ Critical ☐ Potentially Hazardous ☐ Other | | | Feet | NAVD88 | | | | |
| *Description of Planned Uses and Materials* | | | | | | | | | |
| H | ☐ Vulnerable ☐ Critical ☐ Potentially Hazardous ☐ Other | | | Feet | NAVD88 | | | | |
| *Description of Planned Uses and Materials* | | | | | | | | | |

**Assess project vulnerability over a range of sea level rise projections.**




0.2% Flood Elevation + Sea Level Rise
Feet above NAVD88
30
28
26
24
22
20
18
16
14
12
10
8
6
4
2
0
A Cellar Parking, Anchor Retail
H
Baseline
2020s
2050s
2080s
2100
SLR PROJECTIONS
High
High-Mid
Mid
Low-Mid
Low

| | SLR (ft) | | | | | |
|---|---|---|---|---|---|---|
| | **Low** | **Low-Mid** | **Mid** | **High-Mid** | **High** | |
| **Baseline** | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | **2014** |
| **2020s** | 0.17 | 0.33 | 0.50 | 0.67 | 0.83 | **2020s** |
| **2050s** | 0.67 | 0.92 | 1.33 | 1.75 | 2.50 | **2050s** |
| **2080s** | 1.08 | 1.50 | 2.42 | 3.25 | 4.83 | **2080s** |
| **2100** | 1.25 | 1.83 | 3.00 | 4.17 | 6.25 | **2100** |

| | MHHW+SLR (ft above NAVD88) | | | | |
|---|---|---|---|---|---|
| | **Low** | **Low-Mid** | **Mid** | **High-Mid** | **High** |
| **Baseline** | 3.68 | 3.68 | 3.68 | 3.68 | 3.68 |
| **2020s** | 3.85 | 4.01 | 4.18 | 4.35 | 4.51 |
| **2050s** | 4.35 | 4.60 | 5.01 | 5.43 | 6.18 |
| **2080s** | 4.76 | 5.18 | 6.10 | 6.93 | 8.51 |
| **2100** | 4.93 | 5.51 | 6.68 | 7.85 | 9.93 |

| | 1%+SLR (ft above NAVD88) | | | | |
|---|---|---|---|---|---|
| | **Low** | **Low-Mid** | **Mid** | **High-Mid** | **High** |
| **Baseline** | 13.00 | 13.00 | 13.00 | 13.00 | 13.00 |
| **2020s** | 13.17 | 13.33 | 13.50 | 13.67 | 13.83 |
| **2050s** | 13.67 | 13.92 | 14.33 | 14.75 | 15.50 |
| **2080s** | 14.08 | 14.50 | 15.42 | 16.25 | 17.83 |
| **2100** | 14.25 | 14.83 | 16.00 | 17.17 | 19.25 |

| | 0.2%+SLR (ft above NAVD88) | | | | |
|---|---|---|---|---|---|
| | **Low** | **Low-Mid** | **Mid** | **High-Mid** | **High** |
| **Baseline** | #VALUE! | #VALUE! | #VALUE! | #VALUE! | #VALUE! |
| **2020s** | #VALUE! | #VALUE! | #VALUE! | #VALUE! | #VALUE! |
| **2050s** | #VALUE! | #VALUE! | #VALUE! | #VALUE! | #VALUE! |
| **2080s** | #VALUE! | #VALUE! | #VALUE! | #VALUE! | #VALUE! |
| **2100** | #VALUE! | #VALUE! | #VALUE! | #VALUE! | #VALUE! |

| | | |
|---|---|---|
| | 0 | 1 |
| A Cellar Parking, Anchor Retai | 16 | 15.9 |
| Parking + Retail + Lobby | 37 | 36.8 |
| Mechanicals | 37.25 | 37.25 |
| D | 0 | 0 |
| E | 0 | 0 |
| F | 0 | 0 |
| G | 0 | 0 |
| H | 0 | 0 |
| DFE | 15.90 | 15.90 |

| SLR (in) | | | | |
|---|---|---|---|---|
| **Low** | **Low-Mid** | **Mid** | **High-Mid** | **High** |
| 0 | 0 | 0 | 0 | 0 |
| 2 | 4 | 6 | 8 | 10 |
| 8 | 11 | 16 | 21 | 30 |
| 13 | 18 | 29 | 39 | 58 |
| 15 | 22 | 36 | 50 | 75 |

**NOAA Tide Station Data**

*(to be used only when a site survey is unavailable)*

| *Station ID* | *Station Name* | *Source MHHW (Feet, NAVD88)** | *Adjusted MHHW (Feet, NAVD88)** |
|---|---|---|---|
| 8518687 | Queensboro Bridge | 2.27 | 2.60 |
| 8530095 | Alpine | 2.11 | 2.44 |
| 8516614 | Glen Cove | 3.72 | 4.05 |
| 8516990 | Willets Point | 3.72 | 4.05 |
| 8518639 | Port Morris | 3.33 | 3.66 |
| 8518699 | Williamsburg Bridge | 2.14 | 2.47 |
| 8518750 | The Battery | 2.28 | 2.61 |
| 8531680 | Sandy Hook | 2.41 | 2.74 |
| 8518490 | New Rochelle | 3.71 | 4.04 |
| 8531545 | Keyport | 2.66 | 2.99 |
| 8516891 | Norton Point | 2.08 | 2.41 |
| 8517201 | North Channel | 2.72 | 3.05 |
| 8517137 | Beach Channel | 2.10 | 2.43 |
| 8517756 | Kingsborough | 2.13 | 2.46 |
| 8519436 | Great Kills | 2.22 | 2.55 |
| 8531142 | Port Reading | 2.82 | 3.15 |
| 8519483 | Bergen Point | 2.56 | 2.89 |
| 8519050 | USCG | 2.28 | 2.61 |
| 8518902 | Dyckman St | 2.01 | 2.34 |
| 8517251 | Worlds Fair Marina | 3.59 | 3.92 |
| 8518668 | Horns Hook | 2.54 | 2.87 |
| 8518643 | Randalls Island | 2.60 | 2.93 |
| 8518526 | Throggs Neck | 3.68 | 4.01 |

* MHHW values include an addition 0.33 feet to account for changes in sea level since the 1983-20(

| *Source* |
|---|
| NOAA Tides and Currents |
| NOAA Tides and Currents |
| NOAA Tides and Currents |
| NOAA Tides and Currents |
| NOAA Tides and Currents |
| NOAA Tides and Currents |
| NOAA Tides and Currents |
| NOAA Tides and Currents |
| NOAA Tides and Currents |
| NOAA Tides and Currents |
| NOAA VDATUM |
| NOAA Tides and Currents |
| NOAA VDATUM |
| NOAA VDATUM |
| NOAA VDATUM |
| NOAA VDATUM |
| NOAA VDATUM |
| NOAA Tides and Currents |
| NOAA Tides and Currents |
| NOAA VDATUM |
| NOAA VDATUM |
| NOAA VDATUM |
| NOAA Tides and Currents |

)1 tidal epoch.




Alpine
8530095
New
Rochelle
8518490
Dyckman St
8518902
Glen Cove
8516614
Randalls
Island
8518643
Port
Morris
8518639
Throggs
Neck
8518526
Willets
Point
8516990
Worlds Fair
Marina
8517251
Queensboro
Bridge
8518687
Horns Hook
8518668
Williamsburg
Bridge
8518699
The Battery
8518750
North
Channel
8507201
Norton
Point
8516891
CG
9050
Beach
Channel
8517137
Kingsborough
8517756
Sandy Hook
8531680

# Custom Door & Window Flood Barrier

FRA FLOOD PANEL



## A custom-engineered barrier that protects any sized opening against intrusion & flood water damage.

The Flood Risk America (FRA) Flood Panel uses sustainable flood-seal technology to protect any opening against flood water & is highly resistant to heavy impact forces. Each panel is custom-engineered to meet individual installation requirements & job-specific demands. It is easy to install, deploy, & remove.



*Storefront Protection Door & Window Barrier*

### Applications

Storefronts | Windows/Doors | Vehicle Access Points | Drain Covers



*Storefront Application*



*Single Door Barrier*



*Extended Run Barrier With Corner*

### Technical Specifications

| | |
|---|---|
| MATERIAL | High Density Foam Core, Fiberglass Skin, Structural Coating |
| SEAL | Gasket Compression |
| HARDWARE | Stainless Steel Anchors |
| WEIGHT | 4 lbs PSF |
| DESIGN | Meets FEMA & ASCE Requirements |
| WARRANTY | Lifetime (Panel Only) |



*Custom Color Application*



*Close Up of Easy-Turn Knob*

### HAND TIGHTENING TOOLLESS DEPLOYMENT





### FEATURES

**Durable**

Strong Composite Materials

**Custom Sizes**

Dimensions to Fit Your Needs

**Lightweight**

Less Than 4 Pounds Per Ft²

**Quick Deployment**

Panels Are Easy To Transport & Install

**Versatile**

Gasket Conforms To Uneven Surfaces

Florida Product Approved #FL41703

# APPENDIX C

# HISTORIC & CULTURAL RESOURCES

Landmarks Preservation Commission

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

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

# ENVIRONMENTAL REVIEW

**Project number:** LA-CEQR-X (DEPARTMENT OF CITY PLANNING)
**Project:**
**Address:** 815 HUTCHINSON RVR PKWY BBL: 2055597501
**Date Received:** 3/8/2023

---

**[**X**] No architectural significance**

**[**X**] No archaeological significance**

**[ ] Designated New York City Landmark or Within Designated Historic District**

**[ ] Listed on National Register of Historic Places**

**[ ] Appears to be eligible for National Register Listing and/or New York City Landmark Designation**

**[ ] May be archaeologically significant; requesting additional materials**

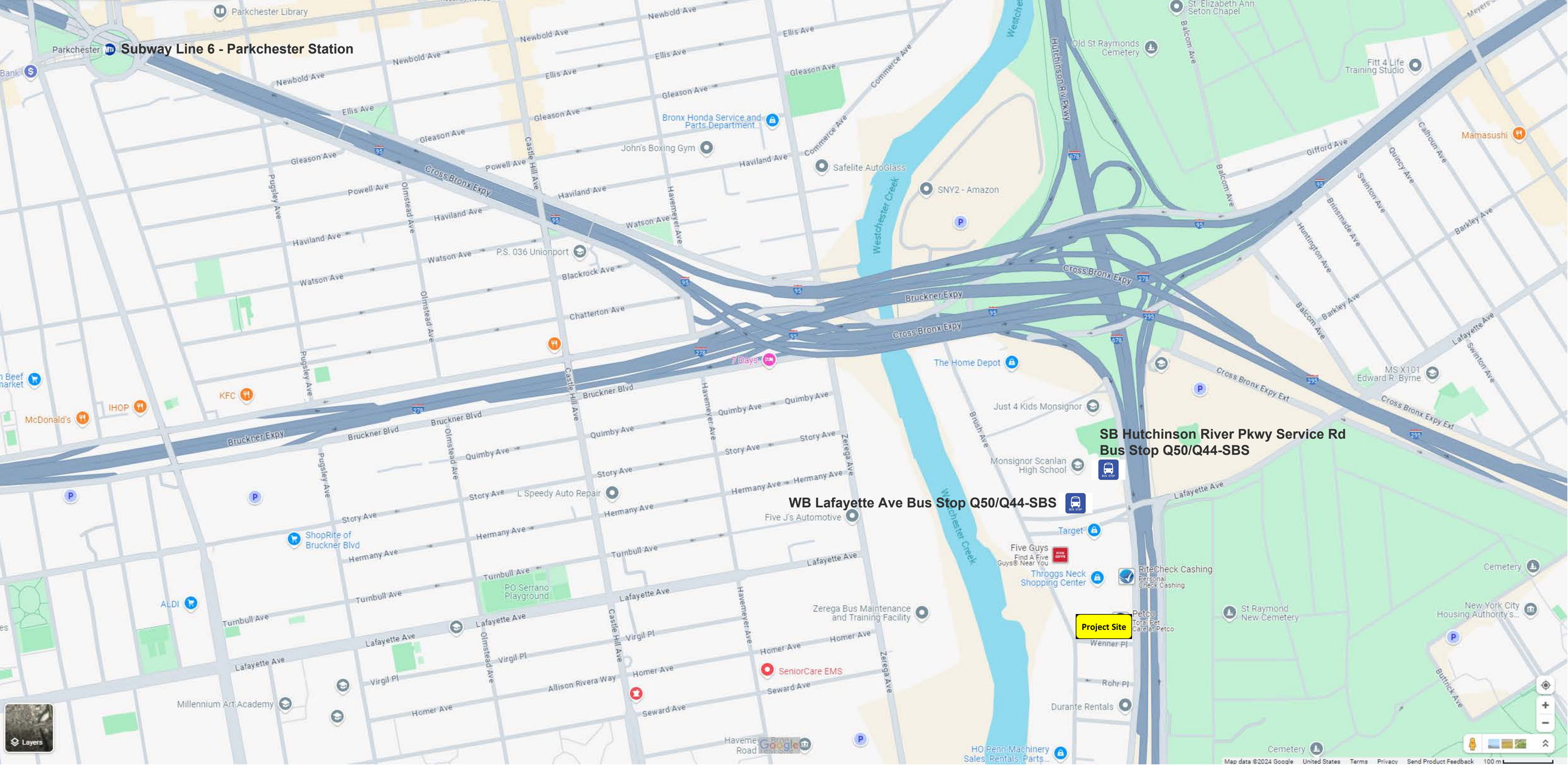
Gina Santucci 3/9/2023

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

**File Name:** 36933_FSO_DNP_03092023.docx

# APPENDIX D

# TRANSPORTATION APPENDIX


Subway Line 6 - Parkchester Station
SB Hutchinson River Pkwy Service Rd
Bus Stop Q50/Q44-SBS
WB Lafayette Ave Bus Stop Q50/Q44-SBS
Project Site
Parkchester
Parkchester Library
Bank
Newbold Ave
Ellis Ave
Gleason Ave
Powell Ave
Haviland Ave
Watson Ave
Blackrock Ave
Chatterton Ave
Bruckner Blvd
Quimby Ave
Story Ave
Hermany Ave
Turnbull Ave
Lafayette Ave
Virgil Pl
Homer Ave
Allison Rivera Way
Seward Ave
Pugsley Ave
Olmstead Ave
Castle Hill Ave
Havemeyer Ave
Zerega Ave
Commerce Ave
Bruckner Expy
Cross Bronx Expy
Cross Bronx Expy Ext
Hutchinson River Pkwy
Westchester Creek
Balcom Ave
Gifford Ave
Calhoun Ave
Quincy Ave
Swinton Ave
Barkley Ave
Lafayette Ave
Brush Ave
Buttrick Ave
Bronx Honda Service and Parts Department
John's Boxing Gym
Safelite AutoGlass
SNY2 - Amazon
P.S. 036 Unionport
7 Days
KFC
IHOP
McDonald's
L Speedy Auto Repair
Five J's Automotive
ShopRite of Bruckner Blvd
ALDI
PO Serrano Playground
Millennium Art Academy
Zerega Bus Maintenance and Training Facility
SeniorCare EMS
Havemeyer Road Test Site
The Home Depot
Just 4 Kids Monsignor
Monsignor Scanlan High School
Target
Five Guys
Throggs Neck Shopping Center
RiteCheck Cashing
Petco
Wenner Pl
Rohr Pl
Durante Rentals
HO Penn Machinery Sales, Rentals, Parts...
Old St Raymonds Cemetery
St. Elizabeth Ann Seton Chapel
Fitt 4 Life Training Studio
Mamasushi
MS X101 Edward R. Byrne
St Raymond New Cemetery
Cemetery
New York City Housing Authority's...
Layers
Google
Map data ©2024 Google
United States
Terms
Privacy
Send Product Feedback
100 m

# Population FactFinder

Selection Method | 815 HUTCHINSON RIV F | Census Tract | Neighborhood Tabulation Area (NTA) | Community District Tabulation Area (CDTA) | Community District (CD) | More Geographies

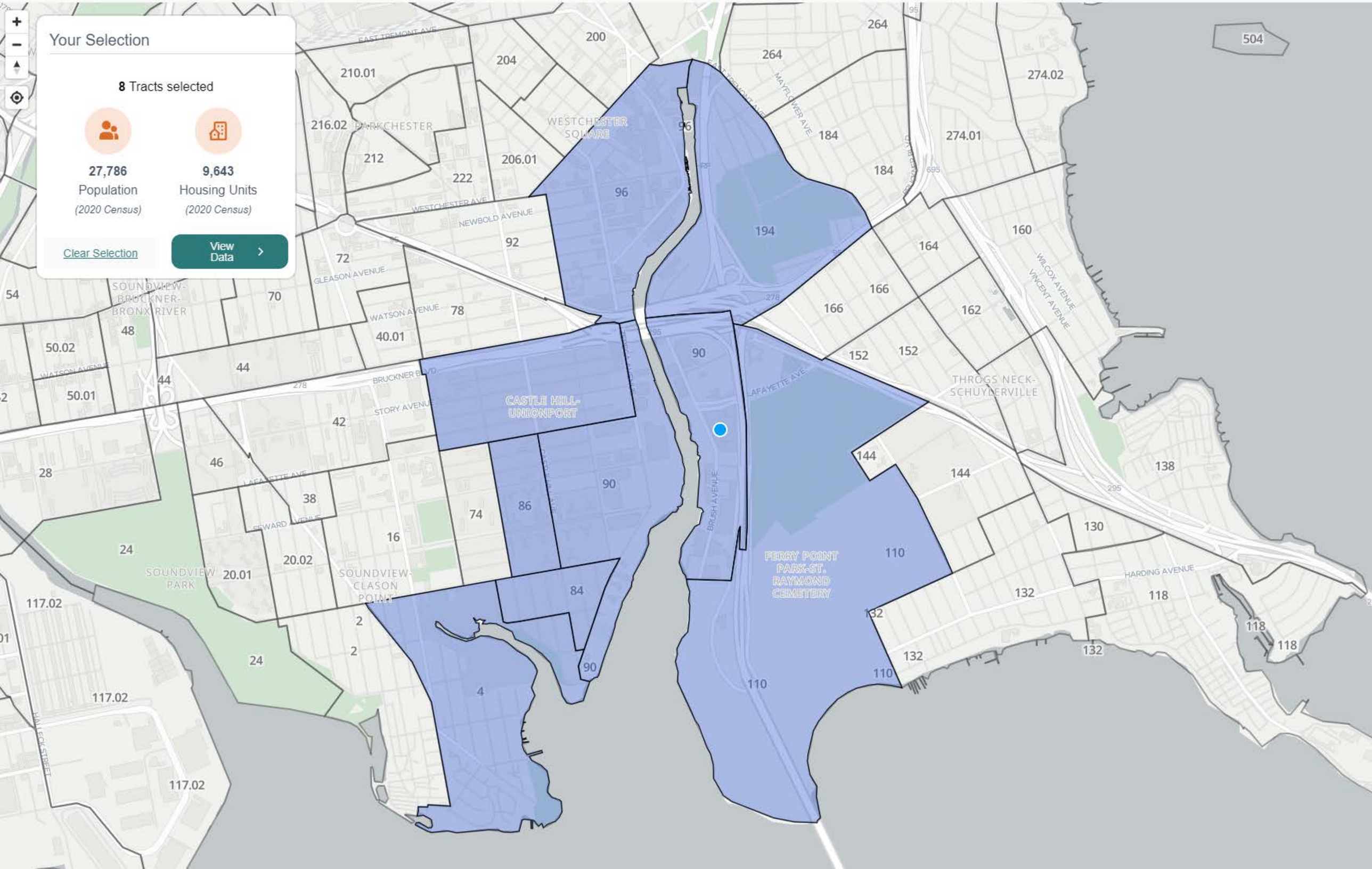
## Your Selection

**8** Tracts selected

**27,786**
Population
*(2020 Census)*

**9,643**
Housing Units
*(2020 Census)*

Clear Selection | View Data



# Table 2 : Transportation Planning Factors

*815 Hutchinson River Parkway, Bronx NY*

| *Land Use:* | *Supermarket* | | *Destination Retail* | |
|---|---|---|---|---|
| | *gsf* | | *gsf* | |
| *Size/Units:* | ***10,760*** | | ***-10,760*** | |
| | | | | |
| ***Trip Generation:*** | **(1)** | | **(1)** | |
| Weekday | 256 | | 78.2 | |
| Saturday | 300 | | 92.5 | |
| | per 1,000 gsf | | per 1,000 gsf | |
| ***Linked-Trip:*** | 25% | | | |
| ***Temporal Distribution:*** | **(1)** | | **(1)** | |
| AM Peak Hour | 4.0% | | 3.0% | |
| MD Peak Hour | 7.0% | | 9.0% | |
| PM Peak Hour | 10.6% | | 9.0% | |
| Saturday Midday Peak Hour | 9.5% | | 11.0% | |
| | **(3)** | | **(3)** | |
| ***Modal Split :*** | Weekdays | Saturdays | All Periods | |
| Auto | 95.0% | 95.0% | 95.0% | |
| Taxi | 1.5% | 1.5% | 1.5% | |
| Subway | 0.0% | 0.0% | 0.0% | |
| Bus | 2.5% | 2.5% | 2.5% | |
| Walk & Other | 1.0% | 1.0% | 1.0% | |
| Total | 100% | 100% | 100% | |
| | **(1)** | | **(1)** | |
| ***In/Out Splits:*** | In | Out | In | Out |
| AM Peak Hour | 51% | 49% | 63% | 37% |
| MD Peak Hour | 51% | 49% | 53% | 47% |
| PM Peak Hour | 50% | 50% | 49% | 51% |
| Saturday Midday Peak Hour | 50% | 50% | 52% | 48% |
| ***Vehicle Occupancy:*** | **(4)** | | **(5)** | |
| | Weekdays | Saturdays | All Periods | |
| Auto | 1.98 | 2.35 | 2.2 | |
| Taxi | 1.12 | 1.48 | 2.0 | |
| ***Truck Trip Generation:*** | **(4)** | | **(5)** | |
| Weekday | 0.35 | | 0.35 | |
| Saturday | 0.04 | | 0.35 | |
| | per 1,000 gsf | | per 1,000 gsf | |
| | **(4)** | | **(5)** | |
| AM Peak Hour | 8.0% | | 8.0% | |
| MD Peak Hour | 11.0% | | 11.0% | |
| PM Peak Hour | 2.0% | | 2.0% | |
| Saturday Midday Peak Hour | 4.0% | | 11.0% | |
| ***Truck In/Out Splits:*** | In | Out | In | Out |
| AM/MD/PM/Sat.Midday | 50% | 50% | 50% | 50% |

***Sources:***

***(1)-2021 CEQR Technical Manual, Table 16-2.***

***(2)-2012-2016 American Community Survey (ACS)-Reverse- Journey-to-Work (RJTW) Census Tract #'s 4, 84, 86, 90, 96, 98, 110, and 194 in Bronx NY-Exhibits 1 and 2.***

***(3)-Provided by NYCDOT/DCP for Local Retail (Other Staten Island areas)***

***(4)-Innovation Queens FEIS, Table 13-7.***

***(5)-Jerome Avenue Rezoning FEIS, Table 13-8.***

# Table 3 : Estimated Person Trips

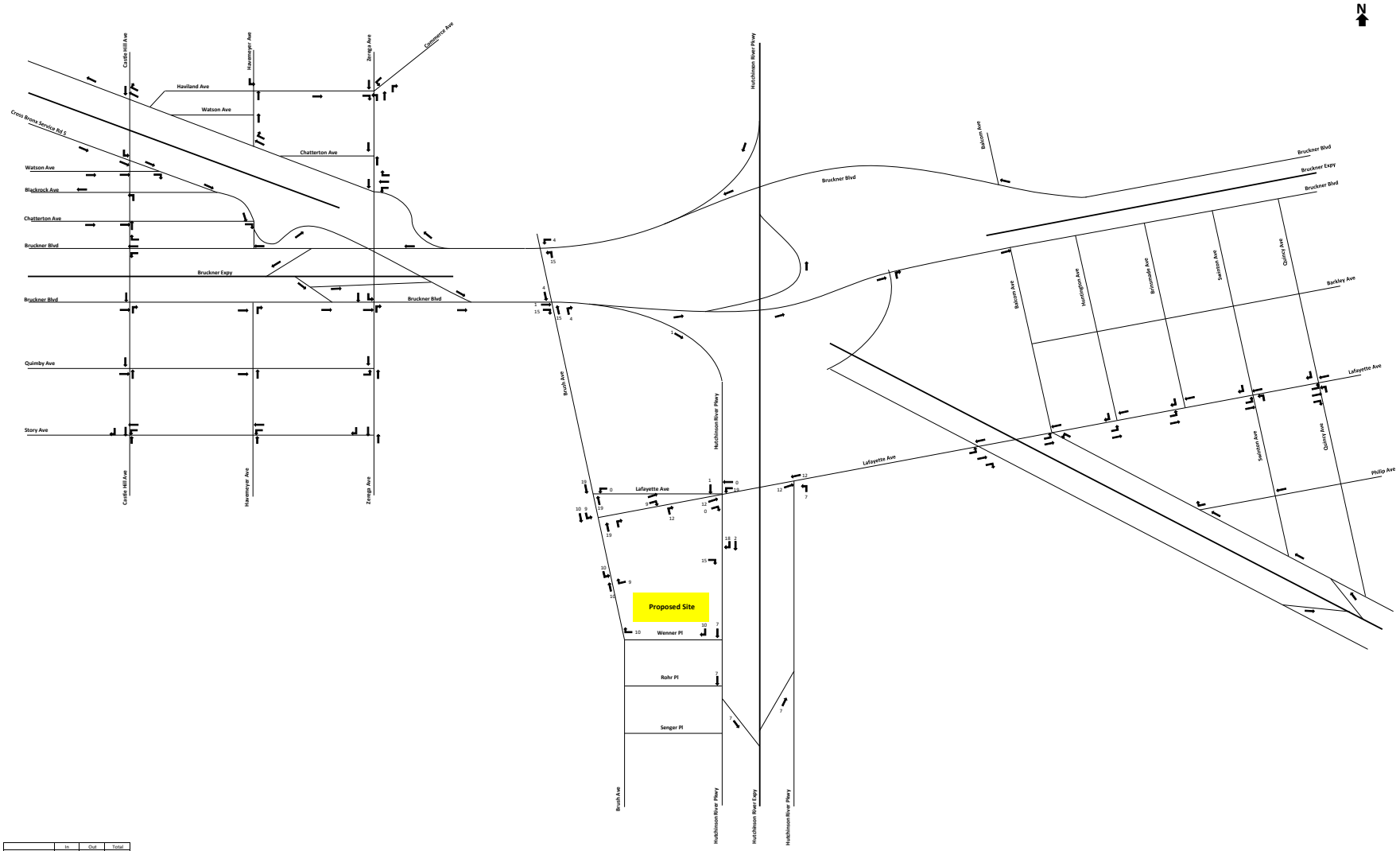
*815 Hutchinson River Parkway, Bronx NY*

| *Land Use:* | *Supermarket* | | *Destination Retail* | | Total Net Demand | | **Subway** |
|---|---|---|---|---|---|---|---|
| | *gsf* | | *gsf* | | | | **Bus** |
| *Size/Units:* | *10,760* | | *-10,760* | | | | **Walk** |
| | | | | | | | **Pedestrian Trips** |
| Peak hour Trips | | | | | | | |
| AM Peak Hour | 83 | | -25 | | 57 | | |
| Midday Peak Hour | 145 | | -76 | | 69 | | |
| PM Peak Hour | 219 | | -76 | | 143 | | |
| Saturday Midday Peak Hour | 230 | | -109 | | 121 | | |
| **Person Trips:** | | | | | | | |
| ***AM Peak Hour*** | **In** | **Out** | **In** | **Out** | **In** | **Out** | |
| Auto | 40 | 38 | -15 | -9 | 25 | 29 | |
| Taxi | 1 | 1 | 0 | 0 | 1 | 1 | |
| Subway | 0 | 0 | 0 | 0 | 0 | 0 | **0** |
| Bus | 1 | 1 | 0 | 0 | 1 | 1 | **2** |
| Walk & Other | 0 | 0 | 0 | 0 | 0 | 0 | **0** |
| Total | 42 | 40 | -15 | -9 | 27 | 31 | **2** |
| ***Midday Peak Hour*** | **In** | **Out** | **In** | **Out** | **In** | **Out** | |
| Auto | 70 | 67 | -38 | -34 | 32 | 33 | |
| Taxi | 1 | 1 | -1 | -1 | 0 | 0 | |
| Subway | 0 | 0 | 0 | 0 | 0 | 0 | **0** |
| Bus | 2 | 2 | -1 | -1 | 1 | 1 | **2** |
| Walk & Other | 1 | 1 | 0 | 0 | 1 | 1 | **2** |
| Total | 74 | 71 | -40 | -36 | 34 | 35 | **4** |
| ***PM Peak Hour*** | **In** | **Out** | **In** | **Out** | **In** | **Out** | |
| Auto | 104 | 104 | -35 | -37 | 69 | 67 | |
| Taxi | 2 | 2 | -1 | -1 | 1 | 1 | |
| Subway | 0 | 0 | 0 | 0 | 0 | 0 | **0** |
| Bus | 3 | 3 | -1 | -1 | 2 | 2 | **4** |
| Walk & Other | 1 | 1 | 0 | 0 | 1 | 1 | **2** |
| Total | 110 | 110 | -37 | -39 | 73 | 71 | **6** |
| ***Saturday Midday Peak Hour*** | **In** | **Out** | **In** | **Out** | **In** | **Out** | |
| Auto | 109 | 109 | -54 | -50 | 55 | 59 | |
| Taxi | 2 | 2 | -1 | -1 | 1 | 1 | |
| Subway | 0 | 0 | 0 | 0 | 0 | 0 | **0** |
| Bus | 3 | 3 | -1 | -1 | 2 | 2 | **4** |
| Walk & Other | 1 | 1 | -1 | -1 | 0 | 0 | **0** |
| Total | 115 | 115 | -57 | -53 | 58 | 62 | **4** |

# Table 4 : Estimated Vehicular Trips

*815 Hutchinson River Parkway, Bronx NY*

| *Land Use:* | *Supermarket* | | *Destination Retail* | | **Total Net Demand** | | |
|---|---|---|---|---|---|---|---|
| | *gsf* | | *gsf* | | | | |
| *Size/Units:* | *10,760* | | *-10,760* | | | | |
| **Vehicular Trips** | | | | | | | |
| AM Peak Hour | **In** | **Out** | **In** | **Out** | **In** | **Out** | |
| Auto (Total) | 20 | 19 | -7 | -4 | 13 | 15 | |
| Taxi | 1 | 1 | 0 | 0 | 1 | 1 | |
| Taxi (Balanced) | 2 | 2 | 0 | 0 | 2 | 2 | |
| Truck (Balanced) | 0 | 0 | 0 | 0 | 0 | 0 | |
| Total | 22 | 21 | -7 | -4 | **15** | **17** | **32** |
| Midday Peak Hour | **In** | **Out** | **In** | **Out** | **In** | **Out** | |
| Auto (Total) | 35 | 34 | -17 | -15 | 18 | 19 | |
| Taxi | 1 | 1 | -1 | -1 | 0 | 0 | |
| Taxi (Balanced) | 2 | 2 | -2 | -2 | 0 | 0 | |
| Truck (Balanced) | 0 | 0 | 0 | 0 | 0 | 0 | |
| Total | 37 | 36 | -19 | -17 | **18** | **19** | **37** |
| PM Peak Hour | **In** | **Out** | **In** | **Out** | **In** | **Out** | |
| Auto (Total) | 53 | 53 | -16 | -17 | 37 | 36 | |
| Taxi | 2 | 2 | -1 | -1 | 1 | 1 | |
| Taxi (Balanced) | 4 | 4 | -2 | -2 | 2 | 2 | |
| Truck (Balanced) | 0 | 0 | 0 | 0 | 0 | 0 | |
| Total | 57 | 57 | -18 | -19 | **39** | **38** | **77** |
| Saturay Midday Peak Hour | **In** | **Out** | **In** | **Out** | **In** | **Out** | |
| Auto (Total) | 46 | 46 | -25 | -23 | 21 | 23 | |
| Taxi | 1 | 1 | -1 | -1 | 0 | 0 | |
| Taxi (Balanced) | 2 | 2 | -2 | -2 | 0 | 0 | |
| Truck (Balanced) | 0 | 0 | 0 | 0 | 0 | 0 | |
| Total | 48 | 48 | -27 | -25 | **21** | **23** | **44** |




| | In | Out | Total |
|---|---|---|---|
| Auto | 37 | 36 | 73 |
| Taxi | 2 | 2 | 4 |
| Total Vehicles | 39 | 38 | 77 |

**Weekday PM Peak Project Generated Total Vehicle Trips**

**Figure 1**

# APPENDIX E

# DISADVANTAGED COMMUNITIES ASSESSMENT APPENDIX

**Disadvantaged Communities Assessment**

Methodology

The Disadvantaged Communities Assessment was conducted following the guidance provided by the New York State Department of Environmental Conservation (NYSDEC) and the Environmental Justice Siting Law (EJSL). The assessment is conducted pursuant to NYCDEC guidance for Project's requiring a CEQR EAS Short Form, and is structured as follows:

*1. Identification of Disadvantaged Community Status*

To determine whether the Project Site is within, or within ½ mile of a disadvantaged community, the following tools were used:

•New York State Disadvantaged Communities Assessment Tool (DACAT): This GIS-based tool identifies census tracts designated as disadvantaged communities (DAC) based on data from the Climate Justice Working Group (CJWG).

•Geospatial Analysis: The project location was mapped and measured for proximity to the nearest designated disadvantaged community, ensuing compliance with the ½-mile buffer analysis specified in the assessment requirements.

2. *Assessment of Potential Impacts*

If the Project Site is found to be within, or within ½ mile of a disadvantaged community, or if the Proposed Action(s) could affect a disadvantaged community, further assessment is required. If either of these conditions are met, potential direct and indirect impacts to nearby disadvantaged communities are evaluated to determine if the proposed actions would create any new sources of pollution or increase pollution from existing sources in the following categories:

- Air Quality Impacts or Emissions
- Noise Pollution
- Light Pollution
- Wastewater Treatment or ·wastewater Discharges
- Stormwater and Flooding Considerations
- Solid and Hazardous Waste Generation and Management
- Traffic Impacts
- Odor Impacts

3. *Assessment of Magnitude of Impacts*

If a potential impact is identified, the magnitude of these impacts must be evaluated. Considerations for magnitude of impact (Small vs. Moderate to Large) are described below:

Small Impact:

•Air emissions will occur at a level that does not require a state air pollution control permit.

•Solid or hazardous waste will be generated in an amount easily transported to and handled at a permitted disposal facility.

•Wastewater discharges will not occur or expand.

•There will be no traffic associated with the project or the traffic generated is limited to non-truck traffic and will not increase to a level causing level of service impacts.

•The disadvantaged community is identified by the Disadvantaged Community Assessment Tool as having comparatively lower burdens or vulnerabilities.

Moderate to Large Impact:

•Air emissions will occur· at a level that requires a state air pollution control permit.

•Solid or hazardous waste will be generated in an amount requiring substantial increase in truck traffic to transport to a permitted disposal facility.

•Solid or hazardous waste will be managed or disposed on site, requiring a state solid or hazardous waste management facility permit.

•Wastewater discharges will occur or expand, requiring a State Pollutant Discharge or safety impacts.

•The disadvantaged community is identified by the DCAT as having comparatively higher burdens or vulnerabilities.

•Proposed operations would potentially result in off-site pollution impacts.

•Traffic associated with the project will increase to a level or type causing level of service or safety impacts.

•The action involves a DEC permit application that requires preparation of an 'Existing Burden Report' analyzing potential pollutant impacts to a disadvantaged community.

4. *Evaluation of Moderate to Large Impacts*

Where moderate to large impacts are predicted, these impacts should be identified and assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope, and magnitude. The evaluation should consider the potential for cumulative impacts and whether impacts are expected to be short- term or long-term. Where potential impacts are identified, measures or design elements that have been included by the project sponsor to avoid or reduce impacts should be described.

**Preliminary Assessment**

The Applicant, MD Hutch Owner LLC request the following approvals (the "Proposed Actions"):

A rezoning from M1-2 to C8-3 (the Proposed Action) to the Project Area defined as Bronx Block 5559, Lot 7501 (Projected Development Site 1) in the Ferry Point neighborhood of Bronx Community District 10. The proposed development described below would be the same as the Future With-Action condition upon which all EAS analyses would be based.
The proposed zoning map amendment is primarily sought to permit Use Group VI uses in excess of 10,000 gross square feet (gsf) in size within the existing building in the Project Area. The 254,235 gsf of commercial space on the building's two floors (cellar and first floor) would consist of Use Group VI retail and office uses.

The Proposed Action is sought to facilitate the conversion of portions of the existing commercial shopping center located on the Site, which is currently prohibited from providing individual retail establishments that exceed 10,000 zoning square feet (zsf). No new development is proposed with the Proposed Action but several establishments on the Development Site would now be permitted as Use Group VI general retail/office uses totaling approximately 49,560 gsf in floor area. Specifically, spaces for a Petco establishment (10,400 gsf), a TJ Maxx (28,400 gsf), a former Party City store to be converted to a supermarket (10,760 gsf), and the existing Target (162,820 gsf) would exceed 10,000 square feet. It should be noted the Target store is located below grade and is permitted as-of-right under the current zoning.

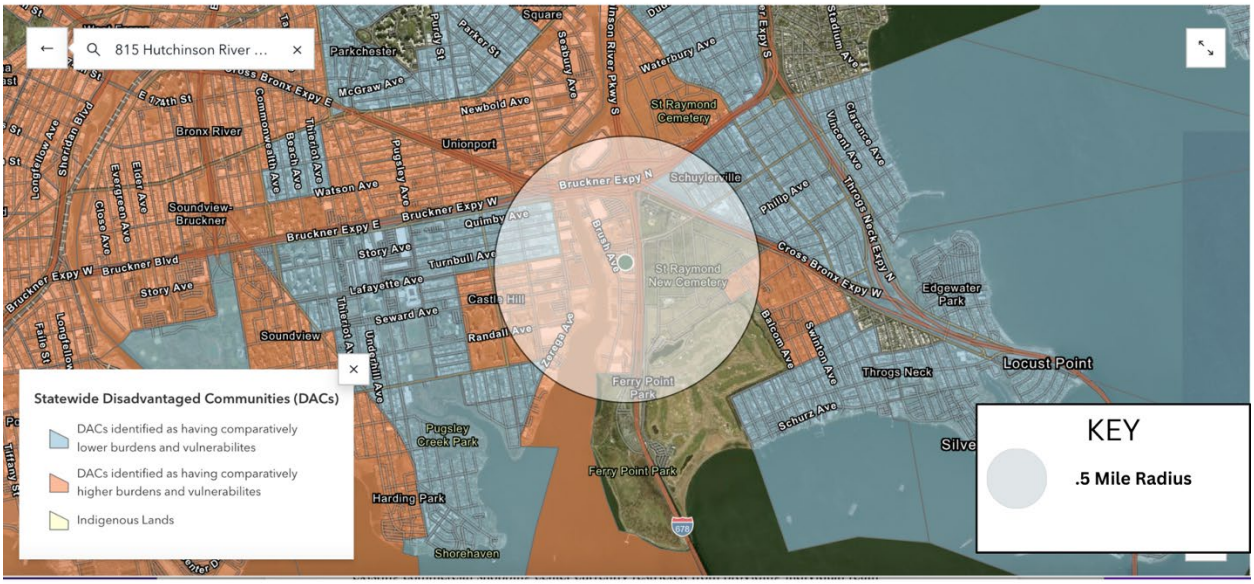
The building would contain 254,235 gsf of retail/office space comprised of 231,461 gsf of retail floor area, a 10,760 gsf supermarket, and 12,014 gsf of office space. The building would also contain 39,705 gsf of retail storage space and 19,480 gsf dedicated to a receiving area with ten loading bays as under the currently existing condition. The building would continue to provide 875 off-street parking spaces in the cellar and on the first floor within 96,984 gsf of floor area. In total, the building would contain 410,404 gsf of building floor area as it does currently. The building would remain with a maximum height of approximately 37 feet. No new construction would occur in the Project Area with the Proposed Development which would facilitate the as-of-right conversion of existing commercial spaces throughout the building. The existing M1-2 zoning does not allow additional expansion of commercial uses within the Project Area because of the high parking requirements in the district. Further, Use Group VI food stores and most retail establishments over 10,000 square feet are not permitted as-of-right in M1 districts and require a special permit from the CPC. It is the Applicant's opinion that the proposed C8-3 district would better reflect the commercial uses in the Project Area allowing for greater flexibility for the existing commercial spaces in terms of size and use.

As shown in Figure 1 below, the Project Site is located within Census tract 36005009000, which is identified as having comparatively higher burdens and vulnerabilities. The .5 mile study area has tracts with both comparatively higher and lower burdens. Accordingly, an assessment of potential impacts is provided below.

Within .5 miles of project with comparatively higher burdens and vulnerabilities
Census Tract 36005019400
Census Tract 36005009600
Census Tract 36005008600
Census Tract 36005009600
Census Tract 36005009200

Within .5 miles of project with comparatively lower burdens and vulnerabilities
Census Tract 36005016600
Census Tract 36005009800

**Figure 1**




**Hazardous Materials Analysis**

As discussed above, the Proposed Action would facilitate the conversion of portions of an existing commercial shopping center currently restricted from providing individual retail establishments exceeding 10,000 zsf. No new development, ground disturbance, or increase in floor area is proposed. The Proposed Action would only allow existing commercial spaces within the building to be converted to Use Group 6 retail and office uses, which are permitted as-of-right.

Because no new construction or subsurface disturbance would occur, there would be no potential for the exposure, release, or mobilization of hazardous materials. Therefore, a hazardous materials assessment was not required. Furthermore, the existing building and site are already

developed and in active commercial use, minimizing the potential for any unaddressed contamination.

Accordingly, the Proposed Action would not introduce any new sources of hazardous materials or increase the potential for exposure in surrounding areas. As a result, nearby disadvantaged communities would not be vulnerable to hazardous materials impacts, and the Proposed Action would not contribute to a disproportionate environmental burden.

**Noise Analysis**

Although the conversion and occupancy of a destination retail space by a supermarket would generate additional vehicular traffic (see Transportation Appendix), it would not generate sufficient traffic volumes to result in a doubling of noise passenger car equivalents (PCEs) to cause a perceptible increase in mobile source noise. The supermarket would therefore not result in a mobile source noise impact.

The Action permitting several establishments would not result in any changes in traffic generation relative to the No-Action scenario. There is no difference in traffic volumes generated by destination retail establishments that are larger than 10,000 sf in floor area relative to establishments less than 10,000 sf in size. Therefore, the Proposed Action would not result in any mobile source noise impacts in the Project Area or the surrounding project study area, and further assessment of mobile source noise is not warranted.
No changes in stationary sources of noise, such as HVAC equipment or other noise sources, would occur in the Project Area under the Proposed Action.

While disadvantaged communities often experience higher cumulative noise exposures due to nearby transportation or industrial corridors, the Proposed Actions would not introduce new noise sources or activities. Therefore, the project would not create or exacerbate a disproportionate noise burden on nearby disadvantaged communities.

**Transportation Analysis**

According to the Proposed Actions transportation analysis, the project would not exceed the CEQR Technical Manual thresholds of 200 peak-hour pedestrian, subway, or bus trip-ends and, therefore, would not require detailed assessments of these transit modes. In the future with the Proposed Action, vehicle trip-ends would not exceed the CEQR 50 peak hour vehicle trip-ends thresholds during any peak hour. Therefore, in accordance with the CEQR Technical Manual guidelines, the vehicular trip-ends generated by the Proposed Action would not result in any conditions that would require further assessment of traffic and parking impacts. The Proposed Action would provide 875 on-site parking spaces as it does currently. The Proposed Action would screen for further quantified traffic analysis, and per the CEQR Technical Manual, no detailed parking assessment would be required. In accordance with the threshold guidelines as detailed in the 2021 CEQR Technical Manual, the Proposed Action are not expected to result in significant adverse impacts related to transportation. Specifically, the Proposed Action are unlikely to have a significant adverse impact on the neighborhood traffic, parking, transit, and pedestrian movements. Therefore, the Proposed Actions would not create a new source of traffic-

related air emissions, safety concerns, or roadway congestion, nor would they contribute to disproportionate environmental or mobility burdens on nearby disadvantaged communities.

**Air Quality:** As mentioned in the air quality analysis chapter, the project increment peak hour traffic passes the transportation Level 1 screening assessment. As such, the traffic increment associated with the Proposed Action is unlikely to result in a significant adverse air quality impact. Emissions associated with the traffic on the Hutchinson River Expressway would not result in any violations of the ambient air quality standards. The Proposed Action would not result in changes to the building's HVAC system, and the change in uses will not significantly change fuel consumption and, thus, emissions. As such, a potential for significant impact is unlikely. No manufacturing or processing air emission source was identified within 400 feet of the Project Area, and no large or major sources were identified within 1,000 feet of the Project Area. Therefore, no significant adverse air quality impact to disadvantaged communities is predicted in the future with the Proposed Action from existing stationary sources of emissions.

**Light Analysis:** The project would introduce typical residential and streetscape lighting consistent with City standards. Lighting would be directed downward and shielded to minimize spillover; no significant light pollution impacts would occur. Therefore, no light-related impacts to nearby disadvantaged communities are anticipated.

**Wastewater Analysis:** The project's demand for water and generation of wastewater would be well within the capacity of the City's systems. No new treatment facilities or infrastructure upgrades would be required. Accordingly, no wastewater-related impacts would occur that could affect nearby disadvantaged communities.

**Stormwater and Flooding Analysis:** The project would comply with the NYCDEP stormwater performance standard and include on-site detention and best management practices to control runoff. The site is not expected to experience increased flood risk, and no downstream impacts would occur. Therefore, the Proposed Action would not increase flooding risks or stormwater impacts to disadvantaged communities in the surrounding area.

**Solid and Hazardous Waste Analysis:** The project would not result in unusual or large-scale solid waste generation. Standard sanitation collection services would accommodate project-generated waste. Therefore, no solid or hazardous waste-related impacts would occur that could disproportionately affect nearby disadvantaged communities.

**Odor Analysis:** The proposed uses do not include odor-generating industrial or commercial operations. Typical retail uses would not produce objectionable odors. Therefore, the Proposed Action would not create odor impacts that could adversely affect nearby disadvantaged communities.

**Stormwater and Flooding:** The Proposed Development Site is wholly located within the NYC Coastal Zone Boundary but is not located in an AE area (1% annual flood hazard) or in a 0.2 Percent Annual Flood Hazard based on FEMA's Preliminary Flood Insurance Rate Maps (PFIRM). A WRP Consistency Assessment Form has been prepared for the Proposed Action and is included in Appendix B of this EAS. The WRP Policy Assessment and Consistency Form

demonstrates that the proposed development is consistent with the policies of the WRP. As the project would not result in significant changes to coastal resources, flood hazards, or water-dependent uses, no adverse effects on nearby communities are anticipated. Therefore, the Proposed Action would not result in any disproportionate or adverse impacts to disadvantaged communities within or adjacent to the coastal zone.

**Conclusion**
As discussed above, the Proposed Action would facilitate the conversion of portions of the existing commercial shopping center located on the Site, which is currently restricted from providing individual retail establishments exceeding 10,000 zoning square feet (zsf). No new development, additional floor area, or ground disturbance is proposed. The Proposed Action would simply permit the as-of-right conversion of existing commercial spaces within the building to Use Group 6 retail and office uses.

Because the Proposed Action would not involve new construction or physical alteration of the site, no potential would exist for exposure to or mobilization of hazardous materials. The existing building and site are already fully developed and in active commercial use, minimizing the potential for unaddressed contamination. Accordingly, a hazardous materials assessment was not required, and the Proposed Action would not introduce new sources of pollution or hazardous materials exposure.

Other technical areas, including open space, shadows, natural resources, and water and sewer infrastructure, were screened out of the EAS because the Proposed Action would not exceed CEQR thresholds for further analysis. Similarly, analyses of air quality, noise, transportation, light, stormwater, and solid waste determined that the Proposed Action would not result in any significant adverse impacts.

The project would also comply with applicable City and State environmental standards, including NYCDEP stormwater management requirements and the policies of the NYC Waterfront Revitalization Program (WRP).

Accordingly, the Proposed Action would not create, exacerbate, or contribute to any new environmental burdens, nor would it increase the vulnerability of nearby disadvantaged communities.

**Assessment Conclusion**

Although the Project Site is located within a census tract identified as having comparatively higher burdens and vulnerabilities and within 0.5 miles of tracts with both higher and lower burdens, the Proposed Action would not generate new sources of pollution, increase hazardous materials exposure, or alter existing environmental conditions. The project would maintain the site's current commercial operations, and all activities would remain consistent with existing environmental performance standards. Because the Proposed Action would not result in significant adverse impacts in any technical area and would not create new environmental stressors, it would not cause or contribute to a disproportionate environmental burden on nearby disadvantaged communities.