DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Daniel R. Garodnick, *Director*
Department of City Planning

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NOTICE OF COMPLETION AND NOTICE OF AVAILABILITY OF A DRAFT ENVIRONMENTAL IMPACT STATEMENT

1460-1480 Sheridan Boulevard Rezoning

Project Identification
CEQR No. 22DCP178X
ULURP Nos. 230292ZRX, 230291ZMX, N230298ZAX, N230299ZCX, N230300ZCX, N230301LDX, N230302LDX

Lead Agency
City Planning Commission
120 Broadway, 31st Floor
New York, New York 10271

SEQRA Classification: Type I

Contact Person
Stephanie Shellooe, AICP, Director (212) 720-3328
Environmental Assessment and Review Division
New York City Department of City Planning

Pursuant to City Environmental Quality Review (CEQR), Mayoral Executive Order No. 91 of 1977, CEQR Rules of Procedure of 1991 and the regulations of Article 8 of the State Environmental Conservation Law, State Environmental Quality Review Act (SEQRA) as found in 6 NYCRR Part 617, a Draft Environmental Impact Statement (DEIS) has been prepared for the action described below. Copies of the DEIS are available for public inspection at the office of the undersigned as well as online via the 1460-1480 Sheridan Boulevard project page on ZAP: https://zap.planning.nyc.gov/projects/2021X0108. To view the 1460-1480 Sheridan Boulevard DEIS, navigate to the project page in ZAP and select Public Documents, then "DEIS_22DCP178X". The proposal involves actions by the City Planning Commission (CPC) and the New York City Council pursuant to Uniform Land Use Review Procedure (ULURP). A public hearing on the DEIS will be held at a later date to be announced, in conjunction with the City Planning Commission's citywide public hearing pursuant to ULURP. Advance notice will be given of the time and place of the hearing. Written comments on the DEIS are requested and would be received and considered by the Lead Agency until the 10th calendar day following the close of the public hearing.

A. INTRODUCTION

The Applicant, Westfarms Realty LLC and 1480 Sheridan Realty LLC, seeks a series of discretionary land use actions, including a zoning map amendment, a zoning text amendment, a waterfront zoning authorization, and waterfront zoning certifications from the CPC. Discretionary financing is also being sought for affordable housing form the New York City Department of Housing Preservation and Development (HPD), as well as waterfront actions from the New York State Department of Environmental Conservation (NYSDEC) and the US Army Corps of Engineers (USACE) (collectively, the "Proposed Actions"). The Proposed Actions would apply to the "Proposed Rezoning Area," the portion of Bronx Block 3017 bound by Sheridan Boulevard, Starlight Park, the western pierhead and bulkhead line of the Bronx River, the Amtrak right-of-way, and a line 300 feet from Westchester Avenue (see Figure 1 and Figure 2). The Proposed Rezoning Area contains Bronx Block 3017, Lots 29, 60, 65, 68, and 74, and portions of Lots 6 and 28 in the Crotona Park East neighborhood of Community District 9, the Bronx. The Proposed Actions would enable the development of approximately 866,017 gross-square-feet (gsf) of mixed-use floor area within three buildings across two Applicant-owned projected development sites (Projected Development Site 1, Block 3107, Lot 74 and Projected Development Site 2 Block 3107, Lot 29). The Proposed Actions would also provide new public access to the Bronx River's shoreline through shore public walkways, upland connections, and a connection to Starlight Park.

In addition to the Applicant's sites, the Proposed Rezoning Area includes "Potential Development Site A," which comprises Lots 60, 65, and 68 of the Proposed Rezoning Area. These three lots are not controlled or owned by the Applicant but have the potential to be merged into one zoning lot and redeveloped with adoption of the Proposed Actions. Based on the Reasonable Worst Case Development Scenario (RWCDS) established for this project, Potential Development Site A, if redeveloped, would contain an approximately 380,025-gsf mixed-use building.

B. BACKGROUND AND EXISTING CONDITIONS

Rezoning Area History

Historically, the Proposed Rezoning Area was home to industrial and transportation-related uses. Projected Development Site 1 was occupied by several railroad companies, including a powerhouse and other supportive operational facilities during the first half of the 20th century. The current building on this site was constructed in 1965, and the site was used as an iron works facility starting in the 1970s.

Projected Development Site 2 was occupied by a coal and lumberyard during the first half of the 20th century, and later used for concrete slab manufacturing, welding, and automobile repair uses. The existing buildings on Projected Development Site 2 were constructed in 1924.

Potential Development Site A has contained several uses over the last century. The industrial building on Lot 60 was constructed in 1929. It was used for steel storage and welding. Per the 1901 Sanborn Map, Lots 65 and 68 were previously used as a coal yard. The hotel on Lot 65 was constructed in 2007. In December 2018, the New York City Council adopted the M1 Hotels Text Amendment. This amendment introduced a requirement to obtain a CPC special permit before new hotels can be constructed in M1 districts. The hotel on Lot 65 was constructed before the M1 Hotel Zoning Text Amendment was approved, and is a legally compliant use. In December 2021, City Council adopted the Citywide Hotels Text Amendment, which requires CPC approval for new and enlarged hotels and motels in many areas throughout the city.

The existing M1-1 district mapped over the Rezoning Area has been in place since the passage of the 1961 Zoning Resolution. The zoning lots in the Rezoning Area have not been the subject of any site-specific discretionary land use actions from the CPC or the NYC Board of Standards and Appeals.

Proposed Rezoning Area

The Proposed Rezoning Area is currently an M1-1 zoning district. M1-1 zoning districts are light manufacturing districts that allow light industrial uses, and some commercial and community facility uses. Residential uses are not allowed as-of-right. Commercial and industrial uses are allowed up to a floor area ratio (FAR) of 1.0, and community facilities are allowed up to an FAR of 2.4.[1] The Proposed Rezoning Area is in the Transit Zone, a FRESH Zone, and the New York City Coastal Zone Boundary. The preliminary Flood Insurance Rate Map (pFIRM) published by the Federal Emergency Management Agency (FEMA) shows the majority of the Proposed Rezoning Area is within the 100-year floodplain (Zone AE), with portions in the 500-year floodplain and other portions in an area of minimal flood hazard chance.

The Proposed Rezoning Area is approximately 0.3 miles from the No. 6 subway line at the Whitlock Avenue station, which is south of Westchester Avenue and west of Sheridan Boulevard. Although outside of the Study Area, the No. 2 and No. 5 subway line also serve the area at the Freeman Street Station, which is located approximately 0.4-miles from the Proposed Rezoning Area at the intersection of Freeman Street and Southern Boulevard.

The Proposed Rezoning Area is proximate to local bus routes along Westchester Avenue, East 174th Street, and West Farms Road. The Bx35 stops at the intersection of West Farms Road and Jennings Street approximately 0.03-miles from the Proposed Rezoning Area. The Bx4, Bx4A, and the Bx27 stop at the intersection of Westchester Avenue and Whitlock Avenue 0.05-miles from the Proposed Rezoning Area. Outside of the 400-foot Study Area, the Bx11 stops at the intersection of East 174th Street and Longfellow Avenue 0.26-miles from the Proposed Rezoning Area.

The area adjacent to the Proposed Rezoning Area contains a mix of open spaces (Daniel Boone Playground, Starlight Park, and Concrete Plant Park), institutional, transportation/utility, and mixed residential and commercial uses.

To the south of the Proposed Rezoning Area is an active auto repair facility on Lot 28 and an active Amtrak rail line on Lot 6. Portions of these lots are within the Proposed Rezoning Area. Lot 6 is an approximately 97,985-sf lot that is used as right-of-way for the Amtrak rail line and fronts on Westchester Ave. Lot 28 is approximately 8,500 sf and fronts on Sheridan Boulevard. Lot 28 is a small irregularly shaped lot that is proposed to remain mostly within an M1-1 zoning district. The irregular configuration and M1-1 zoning limits its development potential, and this lot is not expected to be substantively affected by the Proposed Actions (the split lot provisions of Article VII, Chapter 7 of the New York City Zoning Resolution would allow the use, bulk, and parking provisions of the M1-1 district to apply across the zoning lot).

To the east is the Bronx River. Per the New York City Department of Parks and Recreation (NYC Parks), the once neglected Bronx River is New York City's only freshwater river. Community efforts, starting in the 1970s, have led to restoration of the river, improvement in water quality, and the creation of a system of waterfront parks.[2] The Bronx River Greenway is an effort led by the Bronx River Alliance in

[1] FAR is the principal bulk regulation that controls the size of buildings and is equal to the ratio of total building floor area to its zoning lot

[2] "The Bronx River Greenway: Then and Now." NYC Parks. https://www.nycgovparks.org/highlights/bronx-river-greenway/then-and-now

coordination with NYC Parks to develop open spaces, restore existing parks, and integrate them into a continuous series of parks and trails along the river.[3] Per NYSDEC, the portion of the Bronx River adjacent to the Proposed Rezoning Area is intertidal, and is classified as Littoral Zone wetlands. NYSDEC regulates wetland-adjacent areas and typically requires a high percentage of pervious surfaces to help absorb rainfall and reduce runoff.

To the north of the Proposed Rezoning Area, the de-mapped portion of East 172nd Street between Sheridan Boulevard and the Bronx River is under the jurisdiction of NYC Parks. The land is part of Starlight Park and is used by NYC Parks as back-of-house space for storage, horticulture staging, overflow parking, and an emergency boat launch. To the north and east is Starlight Park, a 17.06-acre City park operated by NYC Parks. Phase I – the portion of the park north of East 172nd Street and west of the Bronx River – was upgraded under a recent NYC Parks capital improvement project that installed a turf field, playgrounds, picnic area, basketball courts, kayak launch, and the Bronx River House, an environmental learning center and boathouse and the headquarters of the Bronx River Alliance. In September 2022, Phase II of Starlight Park was completed and opened to the public. Phase II expanded Starlight Park and provided new pedestrian and bicycle connections from Phase I across the Bronx River to Bronx River Avenue in the east, and to Westchester Avenue and Concrete Plant Park to the south. Both Concrete Plant Park and Starlight Park are part of the Bronx River Greenway system.

To the west of the Proposed Rezoning Area is Sheridan Boulevard, which is a north-south roadway classified by the New York State Department of Transportation (NYSDOT) as a Principal Arterial Roadway. Northbound, Sheridan Boulevard has three lanes and connects to the Bronx neighborhood of East Tremont and to the Cross Bronx Expressway. Southbound, Sheridan Boulevard has three lanes and connects to the Bruckner Expressway. The boulevard is mapped to an irregular width. At is widest point along the Proposed Rezoning Area, Sheridan Boulevard exceeds a mapped width of 190 feet. It is also classified by the New York City Department of Transportation as a Through Truck Route.

Sheridan Boulevard was the subject of a recent capital improvement project completed by NYSDOT in December 2019. This project transformed the former Sheridan Expressway into a pedestrian-friendly boulevard with improved pedestrian connections to the Bronx River waterfront and Starlight Park from upland areas. The improvements resulted in signalized intersections and pedestrian crosswalks at Sheridan Boulevard's intersections with East 172nd Street (near Projected Development Site 1) and Jennings Street (near Projected Development Site 2). Improvements were also made to the Sheridan Boulevard service road (Edgewater Road), which installed a dedicated bicycle lane, a landscaped median, reconfigured traffic lanes, and normalized the geometry of the intersections between this service road and Sheridan Boulevard.

Projected and Potential Development Sites

The RWCDS for this project established that two projected development sites and one potential development site. The two projected development sites are owned by the Applicant. Projected Development Site 1 (1460 Sheridan Boulevard) is a 41,408-square-foot (sf) (0.95-acre) lot that contains currently a one-story, approximately 14,000-gsf automobile mechanic training facility. This facility rises to an approximate height of 25 feet. Projected Development Site 2 (1480 Sheridan Boulevard) is a 97,892-sf (2.25-acre) lot currently containing an open parking facility and four connected one-story accessory office buildings and one garage totaling approximately 25,197 gsf of building area. The buildings on Project Development Site 2 vary in height from 13 feet to approximately 24 feet and are accessory to the parking facility.

[3] Bronx River Alliance website. Last accessed 25 August 2021. https://bronxriver.org/about/greenway

Projected Development Sites 1 and 2 are separated by three intervening tax lots that comprise Potential Development Site A – Lots 68, 65 and 60. Lot 68 is a 14,411-sf lot occupies by an open truck parking facility. Lot 65 is an approximately 19,070-sf lot occupied by a 26,353-gsf three-story, 39-foot-tall hotel that was developed in 2007. Lot 60 is an approximately 23,495-sf lot used by a 16,398-gsf one-story, 22-foot-tall vacant industrial building.

Waterfront Conditions

Projected Development Site 1

Projected Development Site 1 has a concrete seawall that extends from about Sta. 5+50 to 8+05 at 1460 Sheridan Boulevard. The waterfront structure appears functional but has concrete deterioration in the tidal zone and loss of timber fendering.

Projected Development Site 2

The existing waterfront structures on Projected Development Site 2 consist generally of a high-level timber platform and a gravity wall. The existing timber platform and cribbing wall are functional but show signs of deterioration. The high-level timber platform extends from about Sta. 0+00 to 0+30 and the gravity wall extends from about Sta. 0+30 to 2+35. The two waterfront structures appear functional but show signs of deterioration.

C. DESCRIPTION OF THE PROPOSED ACTIONS

To implement the Proposed Development, the Applicant seeks zoning map and text amendments, a zoning authorization, waterfront zoning certifications (ministerial actions), discretionary financing for affordable housing, and waterfront actions. Specifically, the Applicant proposes the following discretionary actions (the Proposed Actions):

- A zoning map amendment to rezone the Proposed Rezoning Area from M1-1 district to an R7-3 district with a C2-4 commercial overlay.
- A zoning text amendment to Appendix F of the Zoning Resolution (ZR) (Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas) to establish the Proposed Rezoning Area as a Mandatory Inclusionary Housing (MIH) area. At this time, the Applicant is proposing MIH Options 1, 2, and 3.
- A CPC authorization(s) pursuant to ZR Section 62-822 to modify requirements for the locations of waterfront public access areas and visual corridors. The CPC authorization(s) would modify the locational requirements of ZR Section 62-56, Requirements for Upland Connections, to allow a visual corridor at the northern property line of Development Site 2 and a visual corridor through the proposed publicly accessible private open space to accommodate the Proposed Development.
- Affordable housing financing from the Department of Housing Development and Preservation (HPD) to develop two buildings with 100% affordable residential components on the Applicants' sites. Additional agency funding from other sources may be sought.

The Proposed Development would require discretionary waterfront actions from State and Federal agencies. Environmental review of the Proposed Actions is being coordinated with HPD, NYSDEC, and USACE. A Joint Permit Application will be made to NYSDEC and USACE to address these waterfront actions. The Proposed Development would also require waterfront zoning certifications pursuant to ZR Section 62-81 (a non-discretionary, ministerial action by the CPC) to demonstrate compliance with applicable waterfront zoning regulations for Projected Development Sites 1 and 2.

D. PURPOSE AND NEED

With the Proposed Actions, the existing manufacturing district would be rezoned to a mixed-use district to allow for residential and commercial development at a similar scale to recent development in the area such as the Compass Residences affordable housing complex (on West Farms Road) across Sheridan Boulevard from the Proposed Rezoning Area. The proposed zoning map and text amendments would allow the site planning and massing of the proposed buildings to respond to the surrounding waterfront and urban context, and support a superior site plan with better urban design. The proposed authorization would allow an upland connection/visual corridor to align with the northern boundary of Projected Development Site 2 (rather than Jennings Street) and modify the location of the second required visual corridor between Buildings 2 and 3 to respond to a bend in the Bronx River and allow more efficient development. Together these actions would enable a development with new public access to the Bronx River, and opportunities for its use and enjoyment.

Relevant Planning Initiatives

The Proposed Actions intend to help achieve a larger vision for the neighborhood established in the NYC Department of City Planning's *2016 Southern Boulevard Neighborhood Study,* which sought to "explore zoning to promote affordable housing" and "improve waterfront connections". The Proposed Actions intend to help fulfill goals of other local initiatives such as the Bronx River Alliance's Bronx River Greenway Plan, and the Sheridan Expressway-Hunts Point Land Use and Transportation Study, by revitalizing a section of the Bronx River waterfront with mixed-use development comprising affordable residential, retail, and open space uses. The Proposed Actions are also intended to further policy goals by reconnecting upland areas to existing waterfront spaces – including Starlight Park and Concrete Plant Park – and by providing project-generated waterfront open space through a series of public access areas.

The Proposed Actions would introduce new affordable residential units in the Proposed Rezoning Area. All 970 units proposed as part of this project are proposed to be affordable, which would support the goals of several citywide public policies such as *OneNYC 2050*, *Where We Live NYC*, *and Housing New York 2.0. OneNYC 2050* was a policy document designed to address New York City's long-term challenges, including an increase in population and equitable access to resources for all New Yorkers. The Proposed Actions intend to support *OneNYC 2050* with new residential development in an underutilized and underdeveloped area along the Bronx River waterfront, and provide new publicly accessible open space and waterfront views, which are not currently available to residents in the area. *Where We Live NYC* is a plan led by HPD to advance fair housing, with goals to combat discrimination, provide affordable housing, and make equitable investments to address neighborhood-based segregation, discrimination, and poverty. The Proposed Actions intend to provide greater access to housing in an area with access to public transit access and local retail options, which could improve equity for both existing and future users in the neighborhood. *Housing New York 2.0* is a comprehensive housing development policy to build or preserve high-quality affordable housing in New York City. The primary component of this policy is the MIH program, which requires areas rezoned for residential growth to include 20 to 30 percent permanently affordable apartments in new developments. The Proposed Actions intend to support *Housing New York 2.0* through the proposed MIH text amendment and the development of three buildings that include fully affordable residential components.

E. DESCRIPTION OF THE PROPOSED PROJECT

The Applicant proposes to demolish the existing buildings on Projected Development Sites 1 and 2 to allow development of one mixed-use building on Projected Development Site 1 ("Building 1"), and two mixed-use buildings ("Building 2" and "Building 3") on Projected Development Site 2. The buildings would contain ground floor and cellar commercial uses and a 100 percent affordable residential

component. The Applicant would also undertake waterfront and open space improvements on Projected Development Sites 1 and 2 by constructing 60,085 sf (1.38 acres) of new publicly accessible open space comprising shore public walkways (at a minimum of 40-feet-wide), upland connections and visual corridors, supplemental public access areas, and an additional open space.

The Proposed Development would incorporate restoration measures to lessen the effects of prolonged shading on the areas adjacent to the Project Site, while improving other important ecosystem functions nearby. These commitments would be considered Project Components Related to the Environment (PCRE) to be memorialized in a Restrictive Declaration tied to the projected development sites. The following PCREs would be included as part of the Proposed Development:

- Increase the amount of vegetation along the onsite public shore walkway near the shoreline to provide a greater quantity of shade-tolerant tree species;
- Provide informational signage along the public shore walkway to educate the public on the presence of migratory American eel, blueback herring, and alewife species present, and the ongoing restoration of the Bronx River;
- Install sufficiently sized submerged reef balls or similar structures, subject to NYSDEC approval, for enhanced benthic habitat in the Bronx River to increase the habitat complexity for migratory fish and shellfish; and
- Coordinate with NYC Parks on the funding for marshland vegetation plantings, or other measure mutually agreed to by the Applicant and NYC Parks, to improve fish habitat in the vicinity of the Project Site.

These proposed measures are being developed in coordination with the New York City Department of Environmental Protection (NYCDEP) and NYC Parks and will be finalized before the Final EIS (FEIS) is issued. Implementation of the above restoration measures as part of the Proposed Development would preclude the potential for significant adverse impacts on natural resources due to incremental shading.

The Proposed Development would provide up to 970 dwelling units (DUs), all of which would be affordable. The floor area by use in the Proposed Development is shown in Table 1.

Table 1: Proposed Development - Floor Area by Use

	GSF by Use				Programming		
Building	**Residential**	**Retail**	**Parking**	**Total**	**Bldg Height (ft)***	**Parking Spaces**	**DUs**
Projected Development Site 1							
Bldg 1	258,862	5,000		263,862	240	0	304
Projected Development Site 2							
Bldg 2	292,920	9,209	10,000	312,129	240	100	345
Bldg 3	273,006	7,020	10,000	290,026	240		321
TOTAL	**824,788**	**21,229**	**20,000**	**866,017**	**Max. 240**	**100**	**970**

* The building height includes 15-foot-tall mechanical bulkheads on each building.

Projected Development Site 1

Projected Development Site 1 would be developed with an approximately 24-story, 240-foot-tall (225 feet plus a 15-foot-tall mechanical bulkhead), 263,862-gsf building containing approximately 304 affordable DUs. The building would be setback at least 15 feet from Starlight Park, at least 40 feet from the Bronx River, and at least 35 feet from the site's southern boundary along Lot 68. The U-shaped base of the building would have an interior courtyard that opens towards the Bronx River. The base would rise seven stories to a maximum height of 65 feet. Above this height, the building's tower would be set back at least

30 feet from the shore public walkway (70 feet from the Bronx River). The building's tower would be located in the southwest corner of the building's footprint near Sheridan Boulevard, away from Starlight Park and the Bronx River. The tower component would rise above the base for 13 stories to a maximum height of 185 feet. Above this height, the building would be set back an additional five feet before rising an additional 40 feet for the tower's four-story penthouse portion. Along Sheridan Boulevard, the building would have dormers on floors 8-10.

Project Development Site 1 would include amenities, as required by the Quality Housing Program. These could include laundry facilities, refuse storage and disposal, windows in corridors, recreation space, and planting areas. Bicycle parking is required by the underlying zoning and would be provided near the resident amenity space at the cellar level. Residents could access Projected Development Site 1 from Sheridan Boulevard or the shore public walkway, and commercial access would be provided along Sheridan Boulevard, the north end of Building 1, and the shore public walkway.

At the ground level, a minimum 40-foot-wide shore public walkway would be developed along the site's waterfront, and a 35-foot-wide waterfront public access would be provided along the site's southern boundary between Sheridan Boulevard and the shore public walkway. These publicly accessible areas would contain walking paths, vegetation (native and non-invasive species of both conifer and deciduous trees, shrubs, perennials, and grasses), lighting, seating and tables, benches, bicycle racks, and waste bins.

The shore public walkway on Projected Development Site 1 would connect to Starlight Park, extending public waterfront access from Starlight Park into the Proposed Rezoning Area. The shore public walkway could be accessed along the upland connection between Projected Development Site 1 and Potential Development Site A, and along the north end of Projected Development Site 1. Public open space along the northern lot line of Projected Development Site 1 – from Sheridan Boulevard to the proposed shore public walkway – would also be provided. Along this open area, a new pedestrian connection would be created along Projected Development Site 1's northern lot line to Starlight Park. This new direct connection would create an entry into the Proposed Rezoning Area's proposed open space network, allowing for continuous public access from Starlight Park to the proposed shore public walkway. Consultation with NYC Parks regarding the design of this pedestrian connection is ongoing, and final design will require approval from NYC Parks. Further details will be provided in the FEIS. In addition, up to 5,000 gsf of retail would be developed at the ground floor and the cellar level along the shore public walkway and near Starlight Park.

Projected Development Site 2

Projected Development Site 2 would be developed with two approximately 24-story, 240-foot-tall (225 feet plus 15-foot-tall mechanical bulkhead) buildings totaling 602,155 gsf. Building 2 and 3 would both have 18-story towers (including four-story penthouse portions) above 7-story bases. Building 2 would be an L-shaped building, and its tower would be sited on the north side of the building near Sheridan Boulevard, 70 feet from the site's northern lot line along Lot 60 and at least 30 feet from the proposed shore public walkway (70 feet from the Bronx River).

Building 3 would be sited in the east of the site, up to the proposed shore public walkway and 30 feet from the lot's eastern lot line along Lot 6. It would also front along Sheridan Boulevard. The proposed siting of the buildings on Projected Development Site 2 would create a minimum 60-foot-wide open area between the two buildings. This open area would be a publicly accessible open space that provides visual and physical access between Sheridan Boulevard and the proposed shore public walkway. This space would serve as a new visual corridor between Sheridan Boulevard and the Bronx River.

Building 3's 18-story tower would be constructed above the seven-story base near the center of the building. The tower would also be set back at least 15 feet from the proposed open space and visual corridor between Buildings 2 and 3, and 30 feet from the proposed shore public walkway.

The proposed replacement waterfront structures are planned to be installed inboard of the existing structures, which is expected to generate a net cut in area and volume. Since the top of bulkhead wall is several feet above the high water line, the concept plan for the shore public walkway includes three cantilevered outlooks. The outlooks would provide enhanced viewing and engagement with the Bronx River. The platform for the cantilevered outlooks are intended to be open grating to allow for direct sunlight and runoff into the Bronx River.

Combined, the two buildings on Projected Development Site 2 would contain up to 16,229 gsf of retail and 666 affordable DUs (565,926 residential gsf). Building 2 would contain approximately 9,209 gsf of retail, 345 affordable DUs (292,920 gsf residential), and 100 accessory parking spaces (approximately 20,000 gsf). Building 3 would contain approximately 7,020 gsf of retail and 321 affordable DUs (273,006 residential gsf).

Project Development Site 2 would include amenities, as required by the Quality Housing Program. These could include laundry facilities, refuse storage and disposal, windows in corridors, recreation space, and planting areas. Bicycle parking would be required as a part of the underlying zoning and would be provided in or near the residential amenity spaces on the ground floor or at the cellar level. Residents and commercial patrons would access Building 2 at its north end along Sheridan Boulevard. Building 3 would allow for residential access along the visual corridor between Buildings 2 and 3 and Sheridan Boulevard, and commercial access would be provided along the visual corridor.

The Proposed Development would include one curb cut along Sheridan Boulevard near the southern portion of Building 2. Parking spaces would be distributed across Buildings 2 and 3 and would provide two ramps and ADA-accessible parking.

A minimum 40-foot-wide shore public walkway would be developed along Projected Development Site 2's waterfront. An upland connection and visual corridor would be developed along Projected Development Site 2's northern lot line between Sheridan Boulevard and the Bronx River; the proposed CPC authorization pursuant to ZR 62-822 would allow the flexibility to align the required 50-foot-wide visual corridor and upland connection along this northern lot line instead of along the prolongation of Jennings Street. The proposed publicly accessible open space and visual corridor between Buildings 2 and 3 would be improved with an amphitheater, vegetation, lighting, and other passive recreational uses. The shore public walkway could be accessed from the visual corridor and upland connection between Building 2 and Potential Development Site A, and between Buildings 2 and 3.

All dwelling units on the Applicant-owned sites would be affordable to low-income households (for CEQR purposes, low-income is defined as households earning 80 percent or less than the AMI). Sites within the Transit Zone do not require parking for affordable units reserved for low-income households, however the Proposed Development would provide up to 100 accessory parking spaces on Projected Development Site 2. The Proposed Development would be funded in part by discretionary affordable housing financing from HPD.

Proposed Waterfront Improvements

A visual inspection and dive inspection were completed for the Projected Development Sites 1 and 2 in 2020 and 2021 respectively. These inspections found that the existing concrete seawall at Projected Development Site 1 appears to be intact. The bulkhead would be repaired with the Proposed Development.

The waterfront structures along Projected Development Site 2 are functional but show signs of deterioration. The existing timber platform and cribbing wall do not appear to have sufficient service life to support the Proposed Development. Accordingly, the Applicant proposes to replace these waterfront structures with a high-level pile-supported platform and an anchored bulkhead. These structures are planned to be installed inboard of the existing structures, which would increase the area (footprint) and volume of the Bronx River. The proposed bulkhead would also prevent untreated materials from being discharged directly into the Bronx River. Cantilevered outlooks are proposed to extend approximately five feet beyond the proposed bulkhead over portions of the Bronx River that are within the site. The cantilevered outlooks would enhance the visual and physical connection to the river. Accounting for new coverage from the proposed cantilevered overlooks, the Proposed Actions are anticipated to result in a net increase the Bronx River's footprint and volume. These proposed waterfront improvements will be subject to review and input from the NYSDEC and USACE as part of a Joint Permit Application.

F. ANALYSIS FRAMEWORK FOR ENVIRONMENTAL REVIEW

The 2021 *CEQR Technical Manual* will serve as guidance on the methodologies and impact criteria to evaluate the potential environmental effects of the Proposed Actions.

Analysis Year

The analysis year established for this project is 2028, the year when new development generated by the Proposed Actions would be complete and fully occupied. Construction of the Proposed Development would begin after the Proposed Actions have been approved and required permits obtained. Allowing for time to complete CEQR and the Uniform Land Use Review Process (ULURP) - and additional time following these approvals for HPD financing administration, environmental remediation, Department of Buildings (DOB) submissions, and NYSDEC permits - construction is expected to commence in 2025. Construction of Building 1 on Projected Development Site 1 (1460 Sheridan Boulevard) would begin first, followed by the construction of Building 2 on Projected Development Site 2 (1480 Sheridan Boulevard). Construction of Building 3 on Projected Development Site 2 would commence in 2026. Assuming some concurrent construction and approximately 24 months of construction per building, the Proposed Development would be complete and fully occupied in 2028.

Reasonable Worst-Case Development Scenario (RWCDS)

In order to assess the possible effects of the Proposed Action, a RWCDS for the Proposed Rezoning Area was established for both No-Action and With-Action Conditions. The incremental difference between the No-Action and With-Action Conditions will serve as the basis of the impact category analyses.

Potential Development Site A

The RWCDS established that in the With-Action Condition, Lots 60, 65, and 68 could reasonably be merged into one zoning lot and redeveloped. For analysis purposes, the EIS analyzed a hypothetical development scenario whereby Potential Development Site A would be developed with a 24-story, 240-foot-tall, 380,025-gsf building in the With-Action Condition.

No-Action Condition

In the No-Action Condition, existing conditions in the Proposed Rezoning Area would remain. A one-story, approximately 14,000-gsf automobile mechanic training facility would remain on Projected Development Site 1, and the buildings, garage, and open public parking facility would remain on Projected Development Site 2. Potential Site A would remain comprising a hotel, an open truck parking facility, and a vacant industrial building.

The existing uses conform to the use requirements of M1 districts. The existing hotel was developed prior to the adoption of the M1 Hotels Text Amendment in 2018, and therefore is a "grandfathered" use. This amendment, as previously described, introduced a requirement to obtain a CPC special permit before new hotels can be constructed in M1 districts. The hotel on Lot 65 was constructed before the M1 Hotel Zoning Text Amendment was approved, and is a legally compliant use. In December 2021, City Council adopted the Citywide Hotels Text Amendment, which requires CPC approval for new and enlarged hotels and motels in many areas throughout the city.

With-Action Condition

In the With-Action Condition, the Proposed Actions would be adopted, and the existing industrial buildings on the Applicant sites would be demolished and replaced with the Proposed Development. Potential Development Site A, if redeveloped, would also be demolished and redeveloped into a mixed-use waterfront building.

The With-Action Condition assumes the Applicant would construct the Proposed Development, which would nearly maximize the allowable bulk and height of the proposed R7-3/C2-4 zoning district. In the With-Action Condition, Projected Development Site 2 would remain underbuilt by 34,255 zoning sf (zsf), or approximately six percent of the proposed zoning capacity of R7-3/C2-4. Maximizing the bulk for this site would require a more expensive building configuration than is proposed or anticipated by the Applicant. To maximize the bulk allowed by the proposed zoning, two towers atop the seven-story base of Building 3 would have to be developed, leading to added costs that cannot be borne for the proposed fully affordable housing development. In a two-tower (maximum capacity) scenario, a second building core would be required, with redundancy in vertical circulation and reduced floor area efficiency making it prohibitively expensive, accordingly only one tower is proposed. Therefore, the Proposed Development is the worst-case development scenario for the Applicant's sites.

Projected Development Sites 1 and 2

In the With-Action Condition, Projected Development Sites 1 and 2 would be developed with the Proposed Development as described above.

Potential Development Site A

For analysis purposes, the EIS will analyze a hypothetical development scenario whereby Potential Development Site A would be developed with a 24-story, 240-foot-tall, 380,025-gsf building in the With-Action Condition. The building would have a seven-story base, above which two towers would rise to a roof height of 225 feet (an overall height of 240 feet when including a 15-foot-tall mechanical bulkhead). The building would comprise 349,422 gsf of residential space (349 DUs), 3,493 gsf of ground floor retail, and 27,110 gsf of accessory parking. Pursuant to the MIH program, 88 to 105 DUs would be affordable, depending on the MIH "options" made available. Based on the RWCDS established for this project, 20 percent of the DUs on Potential Development Site A (70 DUs) would be reserved for households earning up to 80 percent of the Area Median Income (AMI), and approximately 10 percent (35 DUs) would be affordable to households earning more than 80 percent of the AMI. The remaining DUs (70 percent, an estimated 244 DUs) would be market rate units. Following the underlying R7-3/C2-4 zoning requirements, 140 parking spaces would be provided at the ground floor of the building. A dwelling unit factor of 1,000 sf per unit was assumed at Potential Development Site A.

While there are no specific development plans for Potential Development Site A, if redeveloped, Potential Development Site A's waterfront would be improved with a minimum 40-foot-wide shore public walkway. Based on the underlying waterfront area requirements in an R7-3/C2-4 district, an upland connection or visual corridor on this site would not be required through this potential development site to the shore public walkway along the waterfront.

Increment

Compared to the No-Action Condition, the With-Action Condition would result in larger building envelopes and an increment of 826,820 gsf on the Projected Development Sites. The increment established in the RWCDS is shown in Table 2.

Table 2: Project Increment by Use

	No-Action	With-Action	Increment
Projected Development Sites			
DUs	0	970	970
Residents (estimated 2.82 per household)[1]	0	2,735	2,735
Employees	22	105	83
Waterfront Public Open Space (sf)	0	35,178	35,178
Projected Development Site 1	*0*	*14,705*	*14,705*
Projected Development Site 2	*0*	*20,473*	*20,473*
Other Publicly Accessible Open Space (Site 2)	0	24,907	24,907
Parking Spaces	425	100	-325
Residential gsf	0	824,788	824,788
Retail gsf	0	21,229	21,229
Industrial gsf	39,197	0	-39,197
Enclosed Parking gsf	0	20,000	20,000
Open Parking sf[2]	6,000	0	-6,000
Total gsf – Projected Development Sites[2]	**39,197**	**866,017**	**826,820**
Potential Development Site A			
DUs	0	349	349
Parking Spaces	50	140	90
Residential gsf	0	349,422	349,422
Retail gsf	26,353	3,493	-22,860
Industrial gsf	16,398	0	-16,398
Enclosed Parking gsf	0	27,110	27,110
Open Parking sf*	10,000	0	-10,000
Total gsf – Potential Development Site A	**42,751**	**380,025**	**337,274**

1 Per 2020 US Census for Bronx Community District 9
2 Open uses are excluded from gsf calculations.

G. PROBABLE IMPACTS OF THE PROPOSED ACTIONS

Land Use and Zoning, and Public Policy

The Proposed Actions would not result in significant adverse impacts on land use, zoning or public policy. The Proposed Rezoning Area is bound by Starlight Park to the north, the Bronx River and the Amtrak right-of-way to the east, a line 300 feet north of Westchester Avenue to the south, and the centerline of Sheridan Boulevard to the west. The Proposed Actions include a series of discretionary land use actions, including a zoning map amendment, zoning text amendment, a waterfront zoning authorization, waterfront zoning certifications, and discretionary financing for affordable housing from HPD. The Proposed Actions would establish a new R7-3/C2-4 zoning district in the Crotona Park East neighborhood, allowing for greater flexibility to develop residential, community facility, and commercial uses in the Proposed Rezoning Area. The Proposed Actions would require waterfront public access areas in new developments in the Proposed Rezoning Area pursuant to ZR Section 62-50. The underlying visual corridor requirements of ZR Section 62-511 would be modified at Projected Development Site 2 by a CPC authorization pursuant to ZR Section 62-822. The Proposed Actions would create new public open space including a shore public walkway along the Bronx River and additional open space with waterfront

access. The design, construction, and maintenance of the proposed open spaces on the Applicant's sites would be the responsibility of the Applicant. Additionally, the Proposed Actions would establish the Proposed Rezoning Area as an MIH area, which would require a minimum of 20 percent of new housing units in qualifying developments within the Proposed Rezoning Area to be permanently affordable units. The Applicant is seeking discretionary funding from HPD to enable all residential units on Projected Development Sites 1 and 2 to be affordable units.

Collectively, the Proposed Actions would facilitate additional residential and commercial floor area in the Proposed Rezoning Area, and would reduce industrial and parking uses over the No-Action Condition. The proposed land uses are already found within the Study Area, which contains R6- through R8-equivalent zoning districts. Accordingly, the Proposed Actions would not result in a significant adverse land use or zoning impact, and no further analysis is warranted.

The Proposed Actions would not result in a significant adverse public policy impact, and would not have the potential to conflict with citywide public policies. The actions would support the goals of: *OneNYC 2050; Housing New York 2.0; Rebuild, Renew, Reinvent: A Blueprint for New York City's Economic Recovery; Where We Live NYC;* as well as *FRESH*. The Proposed Actions would also support localized planning policies such as the *Southern Boulevard Neighborhood Study*, and the *Sheridan Expressway-Hunts Point Land Use and Transportation Study* by facilitating new affordable housing opportunities and improving connections to the Bronx River waterfront. Based the WRP consistency assessment, the Proposed Actions were found to be consistent with all applicable policies (WRP #20-147). The Proposed Actions would not conflict with applicable public policy, and, therefore, would not result in a significant adverse public policy impact.

Socioeconomic Conditions

The Proposed Actions would not result in significant adverse impacts related to socioeconomic conditions. The Proposed Actions do not warrant socioeconomic conditions analyses in the areas of business displacement, adverse impacts on specific industries, or direct residential displacement. However, an analysis of the potential for the Proposed Actions to result in indirect residential displacement was conducted because the Proposed Actions would generate more than 200 incremental DUs.

The RWCDS established for the Proposed Actions assumed the Applicant would develop up to 970 DUs across Projected Development Sites 1 and 2. It is anticipated that all of the Applicant-developed units would be affordable. The Applicant is proposing MIH Options 1, 2, and 3, and plans to apply for discretionary financing from the HPD (and potentially

other affordable housing agencies) for affordable housing.[4] For analysis purposes, the worst-case scenario for socioeconomic conditions would be MIH Option 2, which requires a minimum of 30 percent of the project-generated DUs be affordable to households earning an average of 80 percent of the Area Median Income (AMI).

Of the proposed 970 affordable DUs, 304 of would be on Projected Development Site 1 and 666 would be on Projected Development Site 2. Projected Development Site 1 would contain up to 5,000 gsf of commercial retail space and Projected Development Site 2 would contain approximately 16,229 gsf of retail space.

[4] The City's MIH Program has four MIH "Options" that each require a minimum percentage of housing units be designated as "affordable." The required affordable housing units must be provided to households with an average Area Median Income (AMI) that is dependent on the MIH Option selected. Required affordable housing under Options 1, 2, or 3 must be provided at an average below the New York City AMI. See https://www1.nyc.gov/assets/housing/downloads/pdf/mih-fact-sheet.pdf

Based on a community district-wide average of 2.82 persons per household, the Proposed Actions are projected to introduce approximately 2,735 residents in the Proposed Rezoning Area. Based on data sources used in this analysis and assumptions about the HPD-administered financing program required for the project, the proposed affordable DUs are projected to introduce a population that would have a higher average household income than the Study Area's existing residents.

The *CEQR Technical Manual* guidelines indicate a significant adverse socioeconomic conditions impact may occur if a detailed assessment identifies a vulnerable population that is potentially subject to indirect displacement and the displaced population exceeds five percent of the study area population. A preliminary analysis completed for the Proposed Actions determined that the Proposed Actions would not result in a significant adverse indirect residential displacement impact because the Study Area's population would increase by less than five percent over the No-Action Condition, and, therefore, would not be expected to substantially affect socioeconomic conditions.

Community Facilities and Services

The Proposed Actions would not result in a significant adverse impact on community facilities and services. Preliminary analyses of public high schools, health care facilities, and fire/police protection were not warranted for the Proposed Actions because the Proposed Actions would not exceed the CEQR screening thresholds for these facilities.

Public Schools

A detailed analysis was conducted for public elementary and intermediate schools because the Proposed Actions are projected to introduce more than 50 public school students at these levels. In the With-Action Condition, the Proposed Actions would generate 261 elementary school students and 114 intermediate school students. Elementary schools in the school subdistrict would operate at an 89 percent utilization rate with a surplus of 803 seats. The Proposed Actions would not generate additional elementary students beyond the 100 percent utilization rate; therefore, the Proposed Actions would not result in significant adverse impacts to elementary public schools. In the With-Action Condition, intermediate schools in the school subdistrict would operate at a utilization rate of 103 percent with a deficit of 46 seats. While the With-Action utilization rate of intermediate schools would be equal to or greater than 100 percent, the Proposed Actions would not generate more than 100 intermediate students past the 100 percent utilization rate; therefore, the Proposed Actions would not result in a significant adverse impact to intermediate public schools.

Public Libraries

A detailed analysis was conducted for public libraries because the Proposed Actions would exceed the CEQR screening threshold of 731 incremental DUs in the Bronx. In the With-Action Condition, the catchment area population of the Clason's Point Library is expected to increase by 2.58 percent over the No-Action Condition, and the holdings-per-resident ratio would decrease at Clason's Point Library from 0.38 in the No-Action Condition to 0.37. The Proposed Actions would not result in a five percent or more increase in the Study Area population over the No-Action levels; therefore, the Proposed Actions would not result in a significant adverse impact to libraries and the consideration of mitigation is not warranted.

Early Childhood Centers

A detailed analysis was conducted for publicly funded early childhood centers proximate to the Proposed Rezoning Area because the population introduced by the Proposed Actions would generate more than 20 incremental children under the age of six in low-income households, the CEQR threshold for analysis. The Proposed Actions would generate up to 135 children who may be eligible for publicly funded childcare. This increase in children eligible for publicly funded childcare would result in an approximately 5.88 percent increase in the publicly funded childcare utilization rate, from 80.04 percent

to 85.93 percent. In the With-Action Condition, the utilization rate would not exceed the 100 percent threshold; therefore, the Proposed Actions would not result in significant adverse childcare impacts.

Open Space

A detailed open space analysis for the residential study area was conducted and concluded that the Proposed Actions would not result in significant adverse direct or indirect impacts on open space resources. The Proposed Actions would introduce a new residential population and a preliminary indirect assessment on the effects of public open spaces was warranted. The preliminary assessment determined that the Proposed Actions would not result in a significant adverse indirect open space impact for residential users.

Overall, the Study Area has a variety of programmed open spaces available for a range of age groups, users, and recreational opportunities. The Proposed Actions would not alter the amount of open space available to residential users and, as discussed below, would introduce new privately developed and maintained open spaces near the waterfront. The Proposed Actions would introduce 1.38 acres of new public open space comprising waterfront public access areas (WPAAs) and additional open space. Approximately 0.828 acres would be dedicated to passive open space and 0.552 acres would be dedicated to active open space, with shore public walkways, seating, vegetation, and paved areas on Projected Development Sites 1 and 2. The proposed open spaces would introduce new waterfront open space on the Bronx River's west shore and complement recent improvements made to Starlight Park, which is one of the interconnected open spaces that comprise Bronx River Greenway.[5] Public waterfront access would be extended south from Starlight Park into the Proposed Rezoning Area, and new upland connections and shore public walkways would introduce new public access to the Bronx River waterfront from Sheridan Boulevard. These proposed open spaces would be funded, developed, and maintained by the Applicant.

The Study Area currently has an overall open space ratio (OSR) of 0.5604 acres per 1,000 residents, which is below the City's optimal OSR of 2.5 acres per 1,000 residents. Because the Rezoning Area's existing OSR is between 0.5 and 1.0, a significant adverse indirect impact could occur if the Study Area's OSR is reduced by more than two percent, per Table 7-1 of the *CEQR Technical Manual*.

Absent the Proposed Actions there would be approximately 1,362 dwelling units that would be developed and fully operational by the 2028 analysis year within the Study Area ("No-Build" projects). Assuming an average household size of 2.8 persons and a vacancy rate of 5.77 percent, the No-Build projects would increase the Study Area population by 3,593. The No-Action Condition would have an OSR of 0.5316, a decrease of 0.0288 from the existing conditions based on the additional population.

With approximately 2,735 project-generated residents, the reduction in passive open space per 1,000 residents would be partially offset by the proposed 1.38-acres of proposed open spaces on Projected Development Sites 1 and 2. In total, the With-Action Condition would result in a Study Area decrease in the overall OSR by less than two percent. The active OSR would increase by 0.044 percent (0.0001 point) and the passive OSR would decrease by 0.334 percent (0.0011 points), resulting in an overall OSR decrease of 0.192 percent (0.0010 points) compared to the No-Action Condition. Because the Proposed Actions would result in an overall OSR reduction that is less than two percent relative to the No-Action Condition, the Proposed Actions would not result in a significant adverse indirect open space impact for residential users, and detailed analysis is not warranted.

[5] The Greenway is a twenty-mile pedestrian and bike path along the Bronx River that connects waterfront open spaces from Westchester County to the East River

Shadows

A detailed shadows analysis was conducted and concluded that the Proposed Actions would not have a significant adverse shadows impact. The Tier 1 shadows screening found seven sunlight-sensitive open space resources and one sunlight-sensitive natural resource within the Study Area. The Tier 2 and 3 screenings ruled out significant adverse shadows impacts to three of the eight sunlight-sensitive resources. A detailed assessment was warranted for five resources: the Bronx River, Daniel Boone Playground, the blacktop at PS X811, the schoolyard at PS 66, and Starlight Park. The detailed analysis showed that the Proposed Actions would result in a significant adverse shadow impact on the Bronx River.

The Bronx River is a 23-mile-long river that runs south from Westchester County, along the eastern edge of the Proposed Rezoning Area, and empties into the East River. Adjacent to the Proposed Rezoning Area, the river is classified by NYSDEC as "Intertidal." The river is New York City's only freshwater river and has been significantly affected by past human activity. The portion of the river that is in the Study Area contains aquatic wildlife, some vegetation and per NYCDEP, an important spawning/juvenile habitat is present farther upstream from the Proposed Rezoning Area. The river is classified by NYSDEC as "Class I," which is a waterbody class whose best usages are secondary contact recreation (i.e., kayaking) and fishing. The Proposed Actions would reduce the availability of sunlight in the late afternoon periods in the areas near the Proposed Rezoning Area.

The portions of the Bronx River within the Study Area would largely be in sunlight throughout the mornings until the early afternoon. On the March, May, and June analysis days, incremental shadow would begin to be cast on the river in the early afternoon, and incremental shadow would span the width of the river by mid-afternoon and last through the end of the analysis period (90 minutes before sunset). The maximum coverage of incremental shadow on the Bronx River would occur at 2:53PM on the December analysis day, when approximately 134,000 square feet of incremental shadow would be cast on the river's littoral zone. This is the maximum coverage of incremental shadow across the four analysis periods, and nearby portions of the river (farther upriver between East 173rd and East 174th streets and farther downriver between Westchester Avenue and the Amtrak Bridge) would continue to be wholly in direct sunlight at this time.

Across the four analysis periods, incremental shadow would only be cast on the river's intertidal marshes in the late afternoon (after 3PM) of the June analysis period; all other incremental shadow cast on the river would be in the river's littoral zone. The Bronx River is a long, intertidal waterbody with conditions that are unfavorable for submerged aquatic vegetation near the Proposed Rezoning Area. Phytoplankton available for secondary consumers (such as fish) in this portion of the Bronx River likely would not be significantly altered in the With-Action Condition because of the availability of sunlight along other portions of the river and the river's tidal nature.

Starlight Park is a 17.06-acre park generally bounded by Sheridan Boulevard, East 174th Street, the Amtrak right-of-way, and Westchester Avenue. It was recently reconstructed and expanded as part of a capital improvement project undertaken by NYC Parks. The park contains both active uses – such as a turf soccer field, basketball courts, a kayak launch, walking paths, and a playground – and passive recreational uses such as bench seating and landscaped areas.

Incremental shadow would be cast on Starlight Park on all four CEQR analysis days throughout most of the analysis periods; however, on the March, May, and June analysis days, shading on the North Subarea is limited largely to a storage area that is inaccessible to the public. On the December analysis day – representative of cold weather conditions when demand for recreation is typically lower than warm weather months – shadow extends to other areas of the North Subarea, including the stone seating area and turf field. On the December analysis day, the stone seating area would be in shaded for 1 hour and 45

minutes and the turf field would be in shadow for 42 minutes in the midafternoon. Accordingly, the Proposed Actions would not result in a significant adverse shadows impact to Starlight Park.

Project-generated shadow would be cast on Daniel Boone Playground in the early morning period across the four analysis days. Incremental shadow would be cast on the playground for 20 minutes on the December analysis day – the analysis day of shortest incremental duration – and for approximately 2 hours on the other analysis days. All incremental shadow on the playground would be confined to the early morning period, and no incremental shadow would occur on the playground after 9:24AM on any analysis day.

PS X811's blacktop would receive incremental shadow for less than 1 hour and 40 minutes in the early morning period across the four analysis days. Except for the December analysis day – when incremental shadow would occur for 1 hour and 4 minutes between 8:51AM and 9:55AM – all incremental shadow would move off of the blacktop by 9:10AM.

PS 66's schoolyard is part of the Schoolyards to Playgrounds program. Incremental shadow would be cast on the schoolyard for less than one hour during the early morning period across the four analysis days. The incremental shadow would not affect its usability as a track and playground or completely eliminate the schoolyard's sunlight at any point during the analysis days. With the Proposed Actions, the schoolyard would continue to receive over seven hours of direct sunlight on the March, May, and June analysis days, with only shadow cast by PS 66 falling on portions of the schoolyard during this time.

Historic and Cultural Resources

A preliminary historic and cultural resources assessment was conducted and concluded that the Proposed Actions would not result in a significant adverse impact to historic and cultural resources.

Architectural Resources

According to correspondence with the New York City Landmarks Preservation Commission (LPC) dated 12/1/2021, the Proposed Rezoning Area does not contain any architectural historic or cultural resources.

Views of the Study Area's three historic architectural resources would continue to be available in the With-Action Condition. The Proposed Actions would introduce new publicly accessible space along the waterfront that would allow for views of the Study Area's historic and cultural resources. These views from the waterfront would not exist in the No-Action Condition (and do not currently exist).

EIS analyses demonstrate there would be no significant shadow impacts to historic and cultural resources in the Study Area, and that the viewing context of historic resources would not be altered in the With-Action Condition. Further, there would be no adverse construction related historic resources impacts as all projected-generated construction would occur at least 90 feet from any historic architectural resource Accordingly, the Proposed Actions would not have the potential to result in significant adverse historic and cultural resource impacts and no further assessment is warranted.

Archaeological Resources

The Proposed Rezoning Area is shown within in an "archaeological buffer area" on the New York State Office of Parks, Recreation & Historic Preservation (SHPO)'s Cultural Resource Information System (CRIS). New development on the development sites would require ground disturbance in an area where soils may have not been previously disturbed. As indicated above, LPC review found that the Proposed Rezoning Area is not archeologically sensitive. Therefore, no further consideration of archaeological resources is warranted.

Urban Design and Visual Resources

The Proposed Actions would not result in significant adverse impacts with respect to urban design and visual resources. The Urban Design Study Area encompasses a quarter-mile radius around the Proposed Rezoning Area, divided into four subareas – Bronx River Waterfront, Western, Eastern, and Southern subareas. Each subarea is characterized by distinct land uses, street patterns, and building types.

The Bronx River Waterfront Subarea contains the Proposed Rezoning Area. The urban design of this subarea centers on the Bronx River, the Amtrak right-of-way, and Starlight Park. Its visual resources include Starlight Park, the Bronx River, Daniel Boone Playground, the Amtrak Northeast Corridor Line Bascule Bridge, the IRT No. 6 Subway Truss Bridge (that also spans the Western subarea), and the Westchester Avenue Bridge. Sheridan Boulevard is the widest street in the subarea; the area immediately west of Sheridan Boulevard contains a mix of uses including the Compass Residences – the Study Area's tallest buildings – and Lou Farmer High School.

With the Proposed Actions, some long-range views of visual resources in this subarea may be obstructed either partially or fully. The view along the prolongation of Jennings Street would be partially obstructed by the Proposed Development, which would extend approximately 35 feet from the south into the street's prolongation. The obstruction of long-range views is due to the proposed location of the buildings, which requires a waterfront zoning waiver; however, the obstruction of long-range views is typical for new development in highly urbanized areas like the Bronx, and close-range views of the Study Area's resources would continue to be available from publicly accessible locations such as the street network and Starlight Park. The proposed network of open space in the Proposed Rezoning Area would also allow new publicly accessible views – particularly of the Bronx River, Starlight Park, and Amtrak Bascule Bridge – that would not be available in the No-Action Condition.

The Western Subarea is largely residential, with commercial, open space, and institutional uses in discrete locations. Its visual resources include P.S. 458 (a historic architectural resource formerly known as P.S. 50), Freeman Triangle, and Rock Garden Park. This subarea largely comprises one- and two-family residences up to three stories tall, and a mix of prewar and newer multifamily buildings generally up to six stories in discrete locations. With the Proposed Project, project-generated buildings may be visible only along a limited number of east-west streets. The effects of the project-generated buildings on the very-long range views would not result in a significant adverse urban design and visual resources impact.

Like the Western Subarea, residences – primarily along the side streets - in the Eastern Subarea comprise one- and two-family residences. The subarea's multifamily buildings are largely prewar and rise to a height of up to six stories. Westchester Avenue in the Eastern Subarea contains the Study Area's densest concentration of essential retail services. Except for East 172nd, the Eastern Subarea's street pattern does not provide opportunities for views of the Proposed Rezoning Area. As such, views of the project-generated development would be severely limited.

The Southern Subarea centers on the Bronx River, the Amtrak right-of-way, and the Whitlock Avenue subway station. The subarea's visual resources include the Bronx River, Concrete Plant Park, the IRT No. 6 Subway Truss Bridge, and the Westchester Avenue Bridge. The subarea is predominately an M1-1 light manufacturing district, but also contains portions of R7-1 districts in the northwest and southwest corners. Views along the subarea's street grid towards the Proposed Rezoning Area are limited, and views of project-generated development would be limited by intervening buildings and the elevated No. 6 subway.

The project-generated buildings would rise 24 stories to a maximum roof height of 225 feet (240 feet including the mechanical bulkheads) and would contain commercial retail uses at the ground and cellar levels. On Projected Development Site 1, the commercial use would front along the shore public walkway, northern lot line of Projected Development Site 1, and Sheridan Boulevard. On Projected

Development Site 2, the commercial uses on the ground floor would front along the shore public walkway and Sheridan Boulevard. If redeveloped, Potential Development Site A could be redeveloped into a 24-story mixed-use waterfront building.

The form of the buildings would comprise a base with a tower atop, defined by a series of setbacks that respond to both the waterfront and streetscape settings. At the ground floor, all buildings would rise to a streetwall height of up to 65 feet (plus dormers[6] up to three stories tall along Sheridan Boulevard) above the base plane (sidewalk level) to form the building's base. Above this 65-foot-tall base, a minimum 10-foot-deep setback from Sheridan Boulevard and a 30-foot-deep setback from the proposed shore public walkways would occur. Each building's tower component would then rise above the base to a maximum height of 185 feet before a second setback at the start of the 40-foot-tall, four-story penthouse portion.

With the proposed rezoning, the three development sites would be allowed a maximum floor area ratio (FAR) of 6.0. To construct the Proposed Development, waivers from the visual corridor and upland connection requirements of underlying waterfront zoning would be required to allow new development within the prolongation of Jennings Street. The same waiver would allow a second required visual corridor to be relocated between Buildings 2 and 3.

In the With-Action condition, industrial uses would be replaced with mixed-use development with a shore public walkway along the Bronx River. The proposed buildings would have active frontage along Sheridan Boulevard and the shore public walkway, and, as such, would be anticipated to result in a substantial improvement in the pedestrian experience. The redevelopment of the Proposed Rezoning Area's waterfront sites would provide an extension of waterfront access along the Bronx River and new visual and physical connections to the waterfront. It is anticipated that the Proposed Actions would result in an improvement in publicly accessible views to the Study Area's resources – particularly the Bronx River, the Amtrak Bascule Bridge, and Starlight Park – over the existing and No-Action conditions by introducing a network of open spaces on the development sites' waterfront. Accordingly, the Proposed Actions would not result in a significant adverse impact related to urban design and visual resources, and further analysis is not warranted.

Natural Resources

The Proposed Actions would not result in a significant adverse impact to natural resources. Both the terrestrial and aquatic portions of the development sites are largely developed, with little vegetation and pervious surface present. As such, the Proposed Rezoning Area is not anticipated to serve as habitat for significant populations of wildlife. All new development would occur in-board of the existing waterfront infrastructure, and would not increase the footprint of existing disturbance along the Bronx River. No freshwater wetlands are located in the Proposed Rezoning Area, and no state- or federally-listed threatened or endangered species are likely to use the Proposed Rezoning Area as a habitat. The portion of the Bronx River that runs along the Proposed Rezoning Area's eastern edge is tidal and unfavorable to support aquatic vegetation. While the Proposed Development would result in prolonged incremental shading on portions of the Bronx River, with incorporation of the proposed restoration measures discussed below, the Proposed Actions would not result in significant adverse impacts to natural resources as a result of incremental shadows.

The Proposed Actions would introduce new landscaped areas to the terrestrial portion of the Proposed Rezoning Area, expanding the diversity of flora on the development sites and potentially providing new habitat for wildlife. Additionally, the Proposed Development would include several restoration measures to lessen the effects of shading on the Bronx River. The proposed restoration measures would include

[6] A vertical extension of the street wall that is permitted within the required setback area, per ZR 23-621.

provision of shade-tolerant tree species and informational signage near the shoreline; provision of funding for marshland vegetation plantings, or other mutually agreed upon measure, to improve fish habitat in the vicinity of the Project Site (in coordination with NYC Parks); and pending NYSDEC approval, installation of sufficiently sized submerged reef balls or similar structures to increase habitat complexity for migratory fish and shellfish. Details of these proposed measures are being developed in coordination with NYCDEP and NYC Parks and will be finalized before the FEIS is issued. These commitments would be memorialized in a Restrictive Declaration tied to Projected Development Sites 1 and 2. Therefore, new development in the Proposed Rezoning Area would not have the potential to adversely affect terrestrial or aquatic resources, threatened and endangered species, or wetlands.

Hazardous Materials

With an E-Designation in place for the projected and potential development sites, the Proposed Actions would not result in significant adverse hazardous materials impacts. The December 2018 Phase I Environmental Site Assessment (ESA) identified seven Recognized Environmental Conditions (RECs) on Projected Development Sites 1 and 2. As described in the Phase I ESA, the RECs included historical use, underground and aboveground storage tanks, drainage, hydraulic lifts, vapor intrusion, straining and potentially hazardous material/debris, and potential off-site contamination. A Phase II Environmental Site Investigation (ESI) found fill material as well as SVOCs, metals, and other chemicals over the regulatory criteria. The Applicant is actively seeking to enroll Projected Development Sites 1 and 2 into the Brownfield Cleanup Program (BCP). If accepted in the BCP, the Brownfield Cleanup Agreement (BCA) would provide regulatory oversight by NYSDEC and would preclude the potential for significant adverse hazardous materials impacts.

An E-Designation would be mapped across the Projected Development Sites and Potential Development Site A as part of the Proposed Actions. If the Applicant is not accepted or withdraws from the voluntary BCP, an E-Designation mapped on the development sites would preclude significant adverse hazardous materials impacts because certain hazardous materials remediation requirements would be in place on the projected and potential development sites. If unacceptable levels of hazardous materials are present, a remedial action plan would require approval from the New York City Mayor's Office of Environmental Remediation (OER) before development can proceed. With the proposed E-Designation (E-714) in place for the development sites, the Proposed Actions would not result in significant adverse hazardous materials impacts, and no further analysis is necessary.

Water and Sewer Infrastructure

The Proposed Actions would not result in significant adverse impacts on Water and Sewer Infrastructure.

Water Supply

The Proposed Actions would not result in a significant adverse water supply impact. The *CEQR Technical Manual* indicates that a preliminary water supply analysis is warranted if the project is in an area that experiences low water pressure, and if the project would generate demand for more than one million gallons per day (mgd) of water. The Proposed Rezoning Area is located outside an area of low water pressure and is served by an existing water main in Sheridan Boulevard. The With-Action Condition would demand 422,458 gallons per day (gpd) of water, which would be 399,581 gpd more than the No-Action Condition of 22,877 gpd. Project-generated development would connect to the existing water main in Sheridan Boulevard and would not generate demand for more than 1 mgd of water. Therefore, a preliminary water supply analysis is not warranted for the Proposed Actions.

Wastewater Conveyance and Treatment

The Proposed Actions would not result in a significant adverse wastewater conveyance and treatment impact. A sewer certification is required for any new connection to a City sewer, a private sewer, a

private drain, a septic system, or an approved outlet. Project-generated development would require a connection to the City's sewer. NYCDEP is required to certify that the sewer can accept the storm or sanitary discharge through the site connection approval process; therefore, the site connection process would preclude the potential for significant adverse impacts to stormwater infrastructure or treatment facilities.

The Proposed Rezoning Area is within a combined sewer area. During heavy rainstorms, combined sewer systems receive higher than normal flows and occasionally exceed the capacity of the Hunts Point Water Resource Recovery Facility (WRRF) and the excess mixture of stormwater and untreated sewage discharges directly into the City's waterway. These occurrences are called combined sewer overflow (CSO) events. In the With-Action Condition, project-generated development would comply with Chapters 19.1 and 31 of Title 15 of the Rules of the City of New York (the "Unified Stormwater Rule"), which sets the maximum allowable discharge rate to the City sewer system. With the Unified Stormwater Rule in place, the Proposed Actions may reduce the intensity and frequency of CSO events. Accordingly, the Proposed Actions would not result in significant adverse impacts on the City's wastewater infrastructure facilities and would not increase the intensity and frequency of CSO events.

Wastewater generated at the development sites would be treated by the Hunts Point WRRF, which is operated by DEP. Per CEQR methodologies, the Proposed Actions are projected to generate an increase of 0.27 mgd of wastewater that would be directed to the Hunts Point WRRF. The Hunts Point WRRF has an excess capacity of approximately 68.7 mgd and would be able to accommodate the incremental flows without exceeding design capacity. Accordingly, the Proposed Actions would not result in a significant adverse wastewater conveyance and treatment impact, and no further analysis is warranted.

Stormwater Management

The Proposed Actions would not result in a significant adverse stormwater management impact. The projected development sites are fully developed with impervious surfaces such as roofs and pavement. In the With-Action Condition, new impervious surfaces would be introduced, and impervious cover would decrease compared to the No-Action Condition. In the With-Action Condition, approximately 23 percent of the projected development sites would be developed with grass and softscape as required by waterfront zoning. In the With-Action Condition, the projected development sites' runoff coefficient would decrease 14 percentage points from 0.91 to 0.77. This reduction in the runoff coefficient indicates the projected development sites would generate less stormwater runoff than the No-Action Condition. Like the No-Action Condition, stormwater from the development sites would continue to be discharged to the Bronx River during CSO events; however, with the Proposed Actions, stormwater outfalls would be developed or reconstructed in accordance with current NYSDEC standards. Accordingly, the Proposed Actions would not result in a significant adverse stormwater management impact, and no further analysis is warranted.

Transportation

The Proposed Actions would not result in significant adverse impacts related to transit (subway/rail, bus) or parking nor would it result in significant adverse impacts with respect to vehicular or pedestrian safety but would result in significant adverse transportation impacts related to traffic and pedestrians. Potential measures to mitigate these impacts are discussed in the "Mitigation" section below.

Traffic

The Proposed Actions would generate approximately 161, 118, 166 and 186 vehicle trips during the weekday AM, midday, PM and Saturday midday peak hours, respectively. Traffic conditions were evaluated for these four peak hours at five intersections in the general vicinity of the Proposed Rezoning Area, where the vehicle trips generated by the Proposed Actions would exceed the CEQR threshold for

conducting detailed traffic analysis. The capacity analyses indicate that five intersection approaches/lane groups in the study area would experience a potentially significant adverse traffic impact in at least one peak hour as a result of the Proposed Actions, summarized as follows:

- The westbound approach at the Sheridan Boulevard and Edgewater Road intersection, opposite Jennings Street, during the weekday AM peak hour.
- The northbound left-turn at the Sheridan Boulevard and Edgewater Road intersection, opposite Jennings Street, during the weekday AM, midday, PM and Saturday midday peak hours.
- The northbound through/right-turn at the Westchester Avenue and Edgewater Road intersection during the weekday PM peak hour.
- The southbound left-turn at the Westchester Avenue and Whitlock Avenue intersection during the weekday PM and Saturday midday peak hours.
- The southbound through and through/right-turn at the Westchester Avenue and Whitlock Avenue intersection during the weekday AM and midday peak hours.

The "Mitigation" section below discusses potential measures to mitigate these significant adverse traffic impacts.

Transit

The Proposed Actions would generate approximately 107, 73, 108 and 120 bus trips; and 8, 5, 8 and 8 railroad trips during the weekday AM, midday, PM and Saturday midday peak hours, respectively. The quantities of bus and railroad trips during the four analysis peak hours are below the CEQR Level 1 screening threshold of 200 peak hour trips. Therefore, the Proposed Actions would not result in potentially significant adverse railroad or bus transit impacts per *CEQR Technical Manual* criteria.

The Proposed Actions would generate approximately 429, 270, 407 and 449 subway trips during the weekday AM, midday, PM and Saturday midday peak hours, respectively. Specifically, the Proposed Actions would result in more than 200 project-generated subway trips at the Freeman Street Subway Station during the weekday AM, PM and Saturday midday peak hours. Per *CEQR Technical Manual* guidelines and as directed by the MTA/New York City Transit (NYCT), transit conditions were evaluated for the weekday AM and PM peak hours at the stairway and fare control elements at the Freeman Street Subway Station. The capacity analyses indicate that these stairway and fare control elements are projected to operate at acceptable service conditions in the With-Action Condition, and therefore, the Proposed Actions would not result in potentially significant adverse subway station impacts per *CEQR Technical Manual* criteria.

In addition, the Proposed Actions would result in more than 200 project-generated subway trips on the Manhattan-bound No. 2 Subway Line in the weekday AM peak hour and on the Bronx-bound No. 2 Subway Line in the weekday PM peak hour. Therefore, transit conditions were evaluated for the weekday AM and PM peak hours on the Manhattan-bound and Bronx-bound No. 2 Subway Line, respectively. Capacity analyses indicate that the Manhattan-bound and Bronx-bound trains would operate over capacity during the weekday AM and PM peak hours, respectively. However, the Proposed Actions would not generate five or more peak hour average passengers per car in either direction on the No. 2 Subway Line. Therefore, the Proposed Actions would not result in a significant adverse subway line-haul impact per *CEQR Technical Manual* criteria.

Pedestrians

The Proposed Actions would generate approximately 338, 520, 707 and 831 walk-only trips; and approximately 1,079, 1,028, 1,461 and 1,669 total person trips during the weekday AM, midday, PM and Saturday midday peak hours, respectively. Pedestrian conditions were evaluated for these 4 peak hours at

42 pedestrian elements – crosswalks, corners, and sidewalks – in the general vicinity of the Proposed Rezoning Area, where the pedestrian trips generated by the Proposed Actions would exceed the CEQR screening thresholds. The capacity analyses indicate that a total of seven pedestrian elements in the study area would experience a potentially significant adverse pedestrian impact in at least one peak hour as a result of the Proposed Actions, summarized as follows:

- The north crosswalk (across Sheridan Boulevard) at the intersection of Sheridan Boulevard and Edgewater Road, opposite Jennings Street, during the weekday midday peak hour.
- The south crosswalk (across Sheridan Boulevard) at the intersection of Sheridan Boulevard and Edgewater Road, opposite Jennings Street, during the weekday AM, midday, PM and Saturday midday peak hours.
- The north crosswalk (across Edgewater Road) at the intersection of Sheridan Boulevard and Edgewater Road, opposite Jennings Street, during the weekday PM and Saturday midday peak hours.
- The south crosswalk (across Edgewater Road) at the intersection of Sheridan Boulevard and Edgewater Road, opposite Jennings Street, during the weekday AM, midday, PM and Saturday midday peak hours.
- The northeast corner at the intersection of Longfellow Avenue and Freeman Street during the weekday AM peak hour.
- The northeast, east-west sidewalk at the intersection of Freeman Street and Hoe Avenue during the weekday AM, PM and Saturday midday peak hours.
- The northeast, north-south sidewalk at the intersection of Sheridan Boulevard and Edgewater Road, opposite Jennings Street, during the weekday AM and midday peak hours.

The "Mitigation" section below discusses potential measures to mitigate these significant adverse pedestrian impacts.

Parking

The parking analysis evaluates the on- and off-street public parking supply and utilization within a ½-mile radius of the Proposed Rezoning Area. In the With-Action Condition, 100 accessory parking spaces would be provided on Projected Development Site 2 and the Proposed Actions would generate a peak parking demand during the overnight period of approximately 315 spaces for both the typical weekday and Saturday conditions. This would generate a peak demand of approximately 215 public parking spaces during the overnight periods.

The public parking demand generated by the Proposed Actions would be accommodated by the future supply of on- and off-street public parking spaces within ½-mile of the Proposed Rezoning Area during the weekday midday, weekday overnight, Saturday midday and Saturday overnight periods. Therefore, the Proposed Actions would not result in a significant public parking shortfall in the study area per *CEQR Technical Manual* criteria.

Vehicular and Pedestrian Safety Evaluation

Crash data for the study area intersections were obtained from the New York City Department of Transportation (NYCDOT) for the January 1, 2017 to December 31, 2019 period. Based on this information, the intersection of Westchester Avenue and Whitlock Avenue is categorized as the study area's sole high-crash location because at least five total bicycle and pedestrian injury crashes occurred at this intersection within a consecutive 12-month period.

As part of the *Westchester Avenue, Southern Boulevard to Whitlock Avenue Safety Improvement Project (SIP)*, NYCDOT will implement pedestrian and bicycle safety improvement measures at the intersection of Westchester Avenue and Whitlock Avenue. The improvements include introducing a Lead Pedestrian Interval (LPI) signal phase, painting a corner extension on the east side of Whitlock Avenue, just south of Westchester Avenue, creating a parking-protected bicycle lane on the eastbound Westchester Avenue approach to Whitlock Avenue, and enhancing a Class II bicycle lane on westbound Westchester Avenue. These improvements are expected to improve overall safety for pedestrians and bicyclists at this intersection in the future conditions. Therefore, with implementation of the *Westchester Avenue, Southern Boulevard to Whitlock Avenue SIP*, the Proposed Actions are not expected to result in potentially significant vehicular and pedestrian safety concerns in the study area.

The "Mitigation" section below discusses potential measures to mitigate these significant adverse traffic impacts.

Air Quality

The Proposed Actions would not result in a significant adverse impact on air quality. The Proposed Actions would enable the development of up to four 225-foot-tall (240-foot-tall including mechanical bulkheads) buildings in the Proposed Rezoning Area. Because the Proposed Actions would facilitate four buildings of similar height, detailed air quality modeling was warranted to determine whether the proposed conditions have the potential to exceed CEQR impact criteria. The Proposed Actions also warranted detailed air quality modeling of emissions from a nearby auto repair facility that conducts spray-painting, and a detailed assessment of mobile source emissions from project-generated traffic.

Stationary Sources – HVAC

The project-generated buildings would be the tallest buildings within 400 feet of the Proposed Rezoning Area and there is no potential for project-on-existing air quality impacts. The use of electric- or steam-powered heat and hot water systems is proposed for Projected Development Site 1 and Projected Development Site 2. This commitment to electric or steam power would be specified in an E-Designation mapped at Projected Development Sites 1 and 2. Potential Development Site A may also use electric- or steam-powered heat and hot water systems; however, because Potential Development Site A is not owned by the Applicant, a detailed project-on-project air quality assessment was completed assuming natural gas-fired heat and hot water systems would be used in this building. The detailed analysis found that emissions from natural gas-powered heat and hot water systems at Potential Development Site A would not have the potential to result in significant adverse impacts. An E-Designation mapped at Potential Site A would require the emissions stack to be placed at the highest tier. With the proposed E-Designations in place (E-714), there is no potential for significant adverse air quality impacts from project-generated HVAC and hot water systems.

Stationary Sources – Large/Major Sources and Industrial Sources

There are no registered industrial sources within 400 feet, or large/major sources within 1,000 feet, of the development sites. However, on Block 3017 Lot 28 which abuts Projected Development Site 2 to the south, an unregistered autobody spray-painting facility (HMT Auto Repair) was identified that warranted detailed modeling of industrial emissions. The facility exhausts to the rear of the building, at a height approximately 5 feet above street level and at least 32 feet from Projected Development Site 2. Detailed modeling of this facility indicated that its emissions would not result in concentrations of air pollutants above CEQR impact criteria at the façades of the project-generated buildings.

Mobile Sources – Roadway and Parking Garage

The Proposed Actions would not generate 170 or more incremental passenger car equivalent trips during any peak hour at any intersection, and therefore do not warrant an analysis of CO emissions. The

Proposed Actions warranted analysis for the pollutants particulate matter $(PM)_{2.5}$ and PM_{10} because more than 12 heavy-duty diesel vehicle (HDDV)-equivalents would be generated along Edgewater Road, a local street that experiences fewer than 5,000 daily traffic trips.

Emissions from vehicular traffic are a function of vehicle composition (trucks, passenger cars, buses, etc.), delay times, and volumes. In the With-Action Condition – absent any mitigation measures – an increase in traffic volumes would result in increased traffic delays at nearby intersections.

A CEQR Tier I mobile source analysis assumes that the emissions generated by the traffic volumes and delays during the worst-case peak hour – the AM peak hour for this project – would be emitted over 24-hour and annual periods. The Tier I analysis completed in AERMOD was unable to rule out the potential for the Proposed Actions to result in significant adverse air quality impacts from project-generated $PM_{2.5}$ and PM_{10} emissions, and refined analysis was warranted.

A refined Tier I analysis was conducted for 24-hour $PM_{2.5}$, annual $PM_{2.5}$, and 24-hour PM_{10}. This refined analysis applied emission factors specific to each peak hour traffic period [i.e., AM, midday (MD), PM, overnight (ON), and Saturday (SAT)] to its respective peak hour traffic volume. The peak-hour traffic emission factors were broken down into the following periods:

- 05:00-10:00 – AM
- 10:00-15:00 (3:00PM) – MD
- 15:00-21:00 (9:00PM)– PM
- 21:00-05:00 – ON

The refined Tier I analysis found that concentrations of $PM_{2.5}$ and PM_{10} would not exceed the National Ambient Air Quality Standards (NAAQS) or *de minimis* thresholds; therefore, the Proposed Actions would not result in significant adverse air quality impacts from mobile sources.

Greenhouse Gas Emissions and Climate Change

The Proposed Actions would not result in a significant adverse impact with respect to greenhouse gas emissions and climate change. The Proposed Actions would generate an estimated 7,472.50 metric tons of carbon dioxide equivalent (CO_2e) annually under worst-case conditions. Of these annual CO_2e emissions, an estimated 5,083.28 tons would be from building operations, and an estimated 2,389.22 metric tons would result from mobile sources. Under this worst-case scenario, the project-generated GHG emissions would be less than 0.015 percent of the City's overall 2020 GHG emissions of approximately 48.4 million metric tons (the latest available data). Based on the assumption that construction-generated GHG emissions would be equivalent to between five and ten years' worth of operational GHG emissions, the estimated construction-generated GHG emissions would be between 37,362.5 and 74,725 metric tons of CO_2e.

The Proposed Actions would advance New York City's GHG reduction goals because the Proposed Rezoning Area is in a highly urbanized area with access to subway stations, local buses, and essential retail. Project-generated development would be required to comply with local laws intended to reduce the GHG emissions such as Local Law 22 of 2008 (known as the New York City Climate Protection Act); the Greener, Greater Building Plan; Local Law 66 of 2014 ("80 x 50"); Local Law 133 of 2016; Local Law 97 of 2019; New York City Conservation Code; and INT 2317-A. The new buildings would be subject to the New York City Energy Conservation Code (NYCECC), which was updated in 2020 to be one of the highest energy efficient standards nationwide for sustainability and efficiency. The Proposed Project would therefore comply with the City's emissions reduction goals by enabling new construction near existing transit and by adhering to resource- and energy-efficiency standards in new mixed-use buildings.

The Preliminary Flood Insurance Rate Maps (pFIRM) published by the Federal Emergency Management Agency (FEMA) identifies the Project Area at a Base Flood Elevation (BFE) of 13 feet, as measured in the North American Vertical Datum of 1988 (NAVD88). Therefore, the Project Area is susceptible to storm surge and coastal flooding. The Project Area is also within the future 100- and 500-year projected flood zones developed by the New York City Panel on Climate Change (NPCC) through the year 2100. Based on these findings, the Design Flood Elevation (DFE) for the Proposed Development would be 15 feet. At an elevation of 15 feet, the Proposed Development would be two feet above the current BFE, which is required in Appendix G of the New York City Building Code. Any mechanical equipment would also be dry floodproofed up to at least the DFE through waterproofed concrete walls or automatic floodgates to protect the Proposed Development against the effects of climate change and sea-level rise.

Project-generated development would not increase the potential for flooding or flooding severity. The Proposed Actions also would not preclude the implementation of adaptive solutions in the future, including any technological advancements not yet developed. Based on this information, the Proposed Actions would be consistent with the New York City policies regarding adaptation to climate change despite the Project Area's location in an area of flood risk.

Noise

Screening analyses determined that the Proposed Actions would not result in a significant adverse noise impact. The Proposed Actions would not generate sufficient traffic to result in a substantial change in traffic-generated noise. Project-generated mechanical systems would be designed to meet all applicable noise regulations and would avoid producing noise that would result in a significant increase in ambient noise levels. Therefore, the Proposed Actions would not result in significant adverse noise impacts from project-generated building mechanical equipment (stationary sources).

The Proposed Rezoning Area is proximate to Sheridan Expressway and the ambient noise sources in the area include vehicular traffic along Sheridan Expressway, the elevated number 6 subway, and Amtrak rail lines.

To achieve the CEQR-recommended interior noise criteria, an E-Designation (E-714) would be mapped across the Proposed Rezoning Area with façade-specific attenuation requirements: the proposed building on Projected Development Site 1 would be designed and constructed with a minimum 28 dB(A) OITC (Outdoor Indoor Transmission Class) along the east façade, and a minimum 31 dB(A) OITC along the west façades, 31 dB(A) OITC for the north and south façades within 50-feet of Edgewater Road, and 28 dB(A) OITC for the remaining portions of the north and south façades. Projected Development Site 2 would need to provide a minimum 31 dB(A) OITC for the west façades within 270 feet of Lot 29's northern lot line, 28 dB(A) OITC for remaining portions of the west façade, 33 dB(A) OITC for the east and south façades within 50 feet of Lot 29's southern lot line, 31 dB(A) OITC for remaining portions of the east and south façades, and 31 dB(A) OITC along the north façades. Potential Development Site A would need to provide a minimum 31 dB(A) OITC along all façades. An alternate means of ventilation (i.e., air conditioning) that does not degrade the acoustical performance of the proposed buildings' façades would also be required.

The Proposed Actions would introduce minimum attenuation requirements for noise-sensitive uses through a new E-Designation at the development sites, thereby providing additional noise protections for the With-Action Condition.

With an E-Designation in place for the development sites, the Proposed Actions do not have the potential to result in a significant adverse noise impact and no further analysis is required.

Public Health

The Proposed Actions would not result in a significant adverse public health impact. Per the *CEQR Technical Manual*, if there are no unmitigated significant adverse impacts in the CEQR analysis areas of hazardous materials, water quality, air quality, noise, or construction, a detailed public health analysis is not warranted. The Proposed Actions would not result in unmitigated significant adverse impacts in the CEQR technical areas of hazardous materials, water quality, air quality, or noise during either the operational or construction phases.

The Proposed Development has the potential to improve the Bronx River's water quality over the No-Action Condition. Like the No-Action Condition, stormwater from the development sites would continue to be discharged to the Bronx River during CSO events; however, with the Proposed Actions, stormwater outfalls would be developed or reconstructed in accordance with current NYSDEC standards. Additionally, the waterfront structure on Projected Development Site 2 would be replaced with a new structure that would prevent the discharge of in-ground hazardous materials that may be present on this site into the Bronx River.

Neighborhood Character

The Proposed Actions would not result in significant adverse impacts on neighborhood character. Overall, the technical areas that contribute to a neighborhood's character would not – either individually or in combination – result in moderate adverse impacts on neighborhood character. The Proposed Actions would not result in significant adverse impacts to land use, zoning, and public policy, socioeconomic conditions, community facilities, open space, historic and cultural resources, urban design and visual resources, shadows, or noise.

The Proposed Development would be similar to the surrounding land uses, and the new zoning district would allow for greater flexibility to develop residential, community facility, or commercial development. The Proposed Development would provide affordable residential units within the Study Area and would increase the socioeconomic diversity of the neighborhood. The Proposed Development would not result in significant adverse impacts to public open space or natural resources, and shadow cast on these resources would not significantly impact their quality or usability. While the Proposed Development would alter views of some historic and visual resources, short-range views of these resources would remain available to the public. Additionally, the Proposed Development would require a noise E-Designation, which would preclude the potential for significant adverse noise impacts.

The Proposed Development has the potential to result in a significant adverse impact in the contributing technical area of transportation in the areas of vehicular traffic and pedestrian circulation. However, because these impacts can be mitigated, the Proposed Development is not anticipated to result in a significant adverse unmitigated impact related transportation. The defining features of the neighborhood, including the Bronx River, Starlight Park, and several historic resources, would not be significantly impacted as a result of the Proposed Actions. Therefore, as discussed above, significant adverse impacts to neighborhood character would not occur in the With-Action Condition.

Construction

The Proposed Actions would not result in construction period impacts related to historic and cultural resources, hazardous materials, open space, air quality and noise; however, the analysis determined that the Proposed Actions have the potential to result in significant adverse construction period traffic impacts. Construction activities are expected to occur in one phase over a period of 36 months, with construction of the three buildings running concurrently without gaps. Significant adverse traffic impacts could occur at three intersection approaches/lane groups as a result of construction activities associated with the Proposed Development.

Transportation

The peak number of trips generated by construction of the Proposed Actions is expected to occur in the first quarter of 2027 (eighth quarter of construction [Q8]). During this peak quarter, project-generated construction would generate an average of approximately 350 workers and 90 truck deliveries per day. Therefore, Q8 was selected to assess the construction transportation conditions to identify any potentially significant adverse impacts to traffic, transit, pedestrians and parking in the study area.

Traffic

Construction of the Proposed Development would generate a maximum of approximately 248 and 167 Passenger Car Equivalent (PCE) vehicle trips during the weekday AM (6:00 AM – 7:00 AM) and PM (3:00 PM – 4:00 PM) construction peak hours, respectively. Traffic conditions were evaluated for these two peak hours at five intersections in the general vicinity of the projected development sites, where the net increase in vehicle trips due to construction of the Proposed Development would exceed the CEQR threshold for conducting detailed traffic analysis. The capacity analyses indicate that the following three intersection approaches/lane groups in the study area could experience potentially significant adverse traffic impacts in at least one peak hour as a result of construction activities associated with the Proposed Development:

- The northbound left-turn at the Sheridan Boulevard and Edgewater Road intersection, opposite East 172nd Street, during the weekday PM construction peak hour.
- The northbound left-turn at the Sheridan Boulevard and Edgewater Road intersection, opposite Jennings Street, during the weekday AM and PM construction peak hours.
- The southbound left-turn at the Westchester Avenue and Whitlock Avenue intersection during the weekday PM construction peak hour.

Potential measures to mitigate these potentially significant adverse traffic impacts are discussed below in the "Mitigation" section.

Transit

The Proposed Rezoning Area is currently served by four NYCT/MTA bus routes, which include the Bx4, Bx4A, Bx27, and Bx35. The Proposed Rezoning Area is also served by three NYCT/MTA subway lines, which include the No. 6 Subway Line at the Whitlock Avenue Station, and the No. 2 and 5 Subway Lines at the Freeman Street and 174th Street Stations. The maximum peak hour subway/rail and bus trip generation during construction would be below the CEQR threshold for conducting detailed analyses of transit conditions. Therefore, the Proposed Actions would not result in potentially significant adverse transit impacts during construction.

Pedestrians

Construction of the Proposed Actions would generate a maximum of approximately 280 construction worker pedestrian trips during the weekday AM (6:00 AM – 7:00 AM) and PM (3:00 PM – 4:00 PM) construction peak hours. Pedestrian trips would be concentrated along the site's frontage along Edgewater Road and pedestrian facilities connecting the site to study area parking and transit facilities. The net increase in trips on pedestrian elements due to project-generated construction is below the CEQR threshold for conducting detailed analyses of pedestrian conditions. Therefore, the Proposed Actions would not result in potentially significant adverse pedestrian impacts during construction.

Parking

Construction of the Proposed Development would generate a maximum parking demand of approximately 188 spaces during the weekday midday period. The operational parking analysis conducted for the Proposed Development indicates that in the No-Action Condition, the available on- and off-street public

parking within ½-mile of the projected development sites would be at approximately 94 percent utilization with approximately 407 available spaces during the weekday midday period. Furthermore, temporary on-street parking prohibitions during construction are not expected to significantly reduce available on-street parking in the vicinity of the projected development sites. Therefore, the Proposed Actions would not result in a potential public parking shortfall in the area during construction.

Air Quality

Detailed air quality modeling was completed to assess whether emissions during the construction stage would have the potential to result in significant adverse air quality impacts during construction. The worst-case construction-generated air effects would occur during construction months 10 through 17. Dispersion modeling of construction-related air emissions for both on-site and off-site sources determined that the annual-average NO_2 and 24-hour and annual $PM_{2.5}$ concentrations and 24-hour PM_{10} concentrations would be below the corresponding NAAQS and de minimis thresholds at the sensitive receptors during peak construction. Construction-related emissions would be reduced outside of the peak construction periods, and would similarly be below the NAAQS and de minimis thresholds; therefore, the Proposed Actions would not result in significant adverse construction impacts in the area of air quality.

Noise

Project-generated construction may increase noise levels by more than the CEQR screening threshold of 3 dBA or more, thus the analysis assumed a uniform worst-case condition. The highest increase in noise levels would be experienced at the existing hotel on Potential Development Site A, where noise is projected to increase by up to 19.4 dBA for one quarter and noise increases of 15 dBA or more would not occur for 12 consecutive months at this worst-case receptor. During all other quarters of construction, noise levels would be increased by less than 15 dBA over ambient conditions at all the study area's other receptors of concern. Project-generated construction does not have the potential to result in maximum quarterly noise levels exceeding the impact thresholds of 15 dBA over four consecutive quarters or 20 dBA over one quarter. Accordingly, there would be no significant adverse construction impact in the area of noise.

Other Technical Areas

Construction activities have the potential to affect other technical areas such as land use and public policy, socioeconomics, community facilities and services, open space, historic and cultural resources, natural resources, hazardous materials, neighborhood character, and infrastructure. For the Proposed Development, a preliminary analysis of construction effects was warranted for land use and public policy, socioeconomics, community facilities and services, open space, historic and cultural resources, natural resources, hazardous materials, and neighborhood character. The analyses are summarized below.

<u>Land Use and Public Policy</u>

Construction of the Proposed Development would not affect existing land uses of the surrounding area. The Proposed Actions would allow the construction of three mixed-use buildings and publicly accessible open spaces on Projected Development Sites 1 and 2. Construction of these buildings would not alter the surrounding land uses or have the potential to conflict with public policies. The nearby sensitive receptors include residences along Sheridan Boulevard, Starlight Park, Daniel Boone Playground, Fannie Mae Hamer High School, and P.S. X811.Construction staging for Projected Development Sites 1 and 2 would not extend to surrounding or other nearby lots. The Proposed Actions would allow the development of new, affordable housing that would be consistent with multiple citywide and local public policies. Therefore, the construction effects on land use and public policy would not result in a significant adverse construction impact.

Socioeconomic Conditions

Development on Projected Development Sites 1 and 2 would displace an existing automobile mechanic training facility on Projected Development Site 1 and a public parking facility, accessory office buildings, and a garage on Projected Development Site 2. Construction would not begin until after these businesses have left the property. The Proposed Development would also support the community by providing temporary construction jobs on the development sites. Throughout construction, construction workers would be expected to use some of the neighborhood's existing retail and services, such as eating and drinking establishments and convenience retail. Therefore, the construction effects on socioeconomic conditions would not result in a significant adverse construction impact.

Community Facilities and Services

Construction of the Proposed Development would not affect a community facility or service. The development sites are not adjacent to a community facility and project-generated construction would not affect nearby community facilities' ability to operate. Additionally, construction of the Proposed Development would not affect access to any community facilities or affect their service areas. Therefore, the construction effects on community facilities and services would not result in a significant adverse construction impact.

Open Space

Construction of Projected Development Site 1 would occur adjacent to Starlight Park, a public park under the jurisdiction of NYC Parks. Project-generated construction would not cause Starlight Park's soccer field, basketball courts, playground, or the Bronx River House to close and these resources are anticipated to remain open throughout construction. Construction staging would only occur on the development sites and would not impact the park's storage area or other areas farther north.

As each building opens, project-generated open space would concurrently open around each building. The OSR would decrease 0.12 percent when Building 1 opens and 0.19 percent when Building 2 opens. The OSR would be temporarily reduced, but not by more than one percent – the CEQR impact threshold – during construction. When construction completes, 1.38 acres of open space would be developed and open to the public. This project-generated open space would not be available for construction staging after the open spaces have been developed and opened to the public. Therefore, the construction effects on open space resources would not result in a significant adverse construction impact.

Historic and Cultural Resources

Project-generated construction would not result in the physical alteration or disturbance of a historic architectural or archaeological resource; however, one State-/National Register (S/NR)-eligible historic resource – the Amtrak Northeast Corridor Line Bascule Bridge – is located less than 90 feet from Project Development Site 2. Construction of the Proposed Development would be required to comply with DOB's *Technical Policy and Procedure Notice (TPPN) #10/88 Procedures for the Avoidance of Damage to Historic Structures*. With this underlying protection measure in place, construction resulting from the Proposed Actions would not result in significant adverse construction impact in the area of historic and cultural resources.

Natural Resources

Construction activities along the waterfront would result in temporary disturbances to the Bronx River. The effects of in-water and shoreline construction activities would be minimized through the permitting process, which requires oversight by multiple agencies such as NYSDEC and USACE. In-water construction would be avoided during the spring when alewife/blueback herring migrate along the Bronx River to spawn. During the interior fitout stages, newly planted native and non-invasive vegetation – trees, shrubs, and low-lying vegetation – would be planted, offering new habitat for wildlife in the

surrounding area. Therefore, the construction effects on natural resources would not result in a significant adverse construction impact.

Hazardous Materials

As previously noted, the Applicant is actively seeking to enroll Projected Development Sites 1 and 2 into the BCP, and if accepted, the BCA would provide regulatory oversight from NYSDEC to preclude the potential for significant adverse hazardous materials impacts during project-generated construction. A hazardous materials E-Designation also would be mapped across the Proposed Rezoning Area, which would require approval of a construction health and safety plan by OER prior to any onsite soil disturbance. With protections provided by the BCP and E-Designations, project-generated construction would not result in a significant adverse construction impact in the area of hazardous materials.

Neighborhood Character

Project-generated construction would not significantly affect neighborhood character. The development sites are in an urban area with a mix of uses. The development sites – heavily disturbed former industrial sites – are separated from the upland portions of the neighborhood by Sheridan Boulevard. Construction-generated noise would temporarily increase noise conditions near the development sites; however, project-generated construction noise would not exceed CEQR impact criteria. Additionally, no roadway closures would occur during the construction period. Therefore, the construction effects on neighborhood character would not result in a significant adverse construction impact.

H. MITIGATION

Based on the technical analyses presented in the EIS, the Proposed Actions have the potential to result in significant adverse impacts related to transportation (traffic and pedestrians) and construction (traffic). Measures to reduce or fully mitigate these significant adverse impacts are identified and described below. The proposed mitigation measures would be implemented by the Applicant in coordination with NYC DOT, Identified mitigation measures will be codified in a Restrictive Declaration that would be executed upon approval of the Proposed Actions. In the absence of the implementation of these mitigation measures, the impact would remain unmitigated.

Transportation

The Proposed Actions would not result in significant adverse transit or parking impacts, but would result in significant adverse traffic and pedestrian impacts. The Proposed Actions would not result in significant adverse impacts with respect to vehicular and pedestrian safety concerns.

Traffic

The Proposed Actions would have the potential to result in significant adverse traffic impacts during one or more peak hours at up to five intersection approaches/lane groups at four study area intersections. Specifically, the potential for significant adverse traffic impacts would occur at three intersections during the weekday AM peak hour, two intersections during the weekday midday peak hour, three intersections during the weekday PM peak hour, and two intersections during the Saturday midday peak hour (see Table 3).

The significant adverse traffic impacts at all five impacted intersection approaches/lane groups could be mitigated with the modification of traffic signal timings. The proposed traffic signal timing modifications would be subject to review and approval by NYCDOT.

Table 3: Summary of Potentially Significant Adverse Traffic Impacts due to the Proposed Actions

ID	Intersection Name (Direction)	Peak Hour			
		Weekday AM	Weekday MD	Weekday PM	Saturday MD
3A	Sheridan Blvd (NB/SB) & Edgewater Rd (WB) (at Jennings St)	(1) WB Approach	-	-	-
3B	Sheridan Blvd & Edgewater Rd (NB) (at Jennings St)	(1) NB Left-Turn	(1) NB Left-Turn	(1) NB Left-Turn	(1) NB Left-Turn
4	Westchester Ave (EB/WB) & Edgewater Rd/ NB Sheridan Expy Off-Ramp (NB)	-	-	(1) NB Through/ Right-Turn	-
5	Westchester Ave (EB/WB) & Whitlock Ave (SB)	(1) SB Through/ Right-Turn	(1) SB Through/ Right-Turn	(2) SB Left-Turn	(2) SB Left-Turn

EB: Eastbound; WB: Westbound; NB: Northbound; and SB: Southbound.

Sheridan Boulevard was the subject of a recent capital improvement project. In the vicinity of the Proposed Rezoning Area, the improvements include new signalized intersections and pedestrian crosswalks and the installation of a dedicated bicycle lane. In conjunction with NYCDOT's ongoing monitoring of traffic conditions along the newly constructed section of Sheridan Boulevard, the feasibility of the proposed mitigation measures will be further explored by the Applicant between the Draft and Final EIS. This will include an analysis of traffic signal coordination and progression, in consultation with NYCDOT. If the mitigation measures are deemed to be infeasible and no alternative mitigation measures can be identified, then the significant adverse traffic impacts would remain unmitigated.

Pedestrians

The Proposed Actions would have the potential to result in significant adverse pedestrian impacts during one or more peak hours at up to seven pedestrian elements at four study area intersections (see Table 4). Specifically, the potential for significant adverse pedestrian impacts would occur at four intersections during the weekday AM peak hour, two intersections during the weekday midday peak hour, three intersections during the weekday PM peak hour, and three intersections during the Saturday midday peak hour.

The significant adverse pedestrian impacts at four out of the seven impacted pedestrian elements could be mitigated with readily implementable engineering measures, including the installation of a physical corner extension, crosswalk widening, and the relocation of an existing signpost. Implementation of the recommended mitigation measures would be the responsibility of the Applicant and is subject to review and approval by NYCDOT and will be finalized between the DEIS and FEIS. If these measures are deemed infeasible and no alternative mitigation measures can be identified, then the significant adverse pedestrian impacts would be unmitigated.

Table 4: Summary of Potentially Significant Adverse Pedestrian Impacts due to the Proposed Actions

ID	Element Name (Direction)	Peak Hour			
		Weekday AM	Weekday MD	Weekday PM	Saturday MD
1	Freeman St (EB/WB) & Hoe Ave (NB/SB)	(1) NE E-W Sidewalk	-	(1) NE E-W Sidewalk	(1) NE E-W Sidewalk
4	Freeman St (EB/WB) & Longfellow Ave (NB/SB)	(1) NE Corner	-	-	-
8	Sheridan Blvd (NB/SB) & Jennings Street (EB/WB)	(1) S Crosswalk	(1) S Crosswalk (2) N Crosswalk	(1) S Crosswalk	(1) S Crosswalk
9	Edgewater Rd (NB/SB) & Jennings St (EB/WB)	(1) S Crosswalk (3) NE N-S Sidewalk	(1) S Crosswalk (3) NE N-S Sidewalk	(1) S Crosswalk (2) N Crosswalk	(1) S Crosswalk (2) N Crosswalk

EB: Eastbound; WB: Westbound; NB: Northbound; SB: Southbound; NE: Northeast; NW: Northwest; SE: Southeast; SW: Southwest; E: East; W: West; N: North; S: South; N-S: North-South; and E-W: East-West.

The significant adverse pedestrian impacts at four out of the seven impacted pedestrian elements could be mitigated with readily implementable engineering measures, including the installation of a physical corner

extension, crosswalk widening, and the relocation of an existing signpost. Implementation of the recommended mitigation measures would be the responsibility of the Applicant and is subject to review and approval by NYCDOT and will be finalized between the DEIS and FEIS. If these measures are deemed infeasible and no alternative mitigation measures can be identified, then the significant adverse pedestrian impacts would be unmitigated.

Construction

Significant adverse construction period traffic impacts could occur during construction of the Proposed Development during one or more peak hours at up to three intersection approaches/lane groups at three study area intersections (see Table 5). Specifically, the potential for significant adverse traffic impacts would occur at one intersection during the weekday AM construction peak hour and three intersections during the weekday PM construction peak hour (see Table 5).

Table 5: Summary of Potentially Significant Adverse Traffic Impacts due to Construction

		Peak Hour	
ID	**Intersection Name (Direction)**	**Weekday AM Construction**	**Weekday PM Construction**
2B	Sheridan Blvd & Edgewater Rd (NB) (at East 172nd Street)	-	NB Left-Turn
3B	Sheridan Blvd & Edgewater Rd (NB) (at Jennings St)	NB Left-Turn	NB Left-Turn
5	Westchester Ave (EB/WB) & Whitlock Ave (SB)	-	SB Left-Turn

The significant adverse traffic impacts at all three intersection approaches/lane groups could be mitigated with the modification of traffic signal timings. The feasibility of these proposed traffic signal timing modifications will be finalized by the Applicant in consultation with DCP and NYCDOT between the DEIS and the FEIS. If these measures are deemed infeasible and no alternative mitigation measures can be identified, then the significant adverse construction traffic impacts would be unmitigated.

I. ALTERNATIVES

Alternatives selected for consideration in an environmental impact statement are generally those that are feasible and have the potential to reduce, eliminate, or avoid significant adverse impacts of a proposed action while meeting some or all of the goals and objectives of the action. The purpose of an alternatives analysis is to provide the decision makers with the opportunity to consider practicable alternatives that are consistent with the action's purpose, and that could potentially reduce or eliminate significant adverse environmental impacts identified in the EIS. Two alternatives to the Proposed Actions were considered: (1) a No-Action Alternative, which assumes that the existing conditions in the Proposed Rezoning Area would remain; and (2) a No Unmitigated Significant Adverse Impacts Alternative, which considers a development scenario that would not result in any identified significant unmitigated adverse impacts.

No-Action Alternative

In the No-Action Alternative, existing conditions in the Proposed Rezoning Area are expected to remain. The technical chapters of the EIS have described the No-Action Alternative as "the Future Without the Proposed Action." Compared to the Proposed Actions, the No-Action Alternative would not provide affordable housing, publicly accessible open space, and other site improvements. There would be no additional demands for community resources such as schools, open space, and transportation. The No-Action Alternative would not result in a significant adverse impact (as defined by the *CEQR Technical Manual*); however, as detailed below, the No-Action Alternative would not achieve the purpose and need of the Proposed Actions because there would be no affordable housing, publicly-accessible open space, and other project improvements.

- The No-Action Alternative would not provide affordable housing or expand the housing supply in Crotona Park East. The No-Action Alternative would not result in any affordable residential units, as compared to the 970 affordable residential units projected with the Proposed Actions.
- The No-Action Alternative would not provide public access to the Bronx River waterfront within the Proposed Rezoning Area. The No-Action Alternative would not support the goals to "explore zoning to promote affordable housing" and "improve waterfront connections," which are goals outlined in DCP's 2016 *Southern Boulevard Neighborhood Study.*
- Privately-owned, publicly accessible open space would not be developed on Projected Development Sites 1 and 2 in the No-Action Alternative, and these sites would remain inaccessible to the public. With the Proposed Actions, new publicly accessible open space would be developed on the development sites, including a shore public walkway along the Bronx River. The design, construction, and maintenance of the open spaces on the projected development sites would be the responsibility of the Applicant.
- During CSO events, stormwater generated on the development sites would continue to be discharged directly to the Bronx River in the No-Action Alternative. These discharges may not comply with current NYSDEC standards. Stormwater discharged directly to the Bronx River with the Proposed Actions would comply with the latest NYSDEC standards, thereby improving water quality conditions for the Proposed Actions over the No-Action Alternative.
- In the No-Action Alternative, E-Designations would not be mapped on the development sites. With no E-Designations in the No-Action Alternative, there would be no oversight by OER for hazardous materials, air quality, or noise. Therefore, new development in the Proposed Rezoning Area would not have the regulatory oversight provided through the City's E-Designation program.

The significant adverse impacts related to transportation and construction anticipated for the Proposed Actions would not occur under the No-Action Alternative. However, as presented above, the No-Action Alternative would not meet the goals of the Proposed Action, nor would it result in the benefits expected to result from the Proposed Project as intended by the Applicant.

No Unmitigated Significant Adverse Impacts Alternative

The Proposed Actions would result in significant adverse impacts in the areas of transportation (traffic and pedestrian) and construction traffic. Potentially significant adverse operational and construction traffic impacts could result from the Proposed Development during one or more peak hours at up to five intersection approaches/lane groups at five study area intersections. The operational traffic and construction traffic impacts could be mitigated with signal timing changes.

The Proposed Actions also have the potential to result in significant adverse pedestrian impacts during one or more peak hours at up to seven pedestrian elements at four study area intersections. Significant adverse impacts occurring at four of the pedestrian elements can be mitigated with readily implementable engineering measures, including the installation of a physical corner extension, crosswalk widening, and the relocation of an existing signpost. However, three pedestrian elements that could experience potentially significant adverse impacts would remain unmitigated with the Proposed Actions.

To determine the No Unmitigated Impact Alternative, a sensitivity analysis was completed to determine the amount by which the project would need to be reduced to eliminate the unmitigated pedestrian impacts. The sensitivity analysis found that the development program would need to be reduced by 55 percent (to 45 percent of the total program) for the pedestrian impacts to be fully mitigated. Reducing the program by 55 percent would result in 437 dwelling units, 9,553 gsf of retail, and 0.58 acres of publicly accessible open space. Compared to the With-Action Condition, the No Unmitigated Impact Alternative

would result in a reduction of 533 dwelling units (all of which would be affordable), 11,676 gsf of retail, and 0.8 acres of publicly accessible open space. The analysis concluded that this program reduction does not meet the purpose and need of the Proposed Actions.

J. UNAVOIDABLE ADVERSE IMPACTS

Unavoidable significant adverse impacts are those that would occur if a proposed project or action is implemented regardless of the mitigation employed, or if mitigation is infeasible. The Proposed Actions would result in significant adverse impacts related to transportation (traffic and pedestrians) and construction (traffic). Mitigation measures have been proposed to the extent practicable for these significant adverse impacts. However, in some instances, no practicable mitigation has been identified to fully mitigate the significant adverse impact, and there are no reasonable alternatives that would meet the purpose and need of the Proposed Actions, eliminate potential impacts, and not cause other or similar significant adverse impacts.

The proposed mitigation measures will be implemented by the Applicant in coordination with NYC DOT. Identified mitigation measures will be codified in a Restrictive Declaration that would be executed by the Applicant upon approval of the Proposed Actions. In the absence of the implementation of these mitigation measures, the impacts would be unmitigated and would constitute an unavoidable significant adverse impact. All mitigation measures are subject to NYCDOT approval and will be finalized before the FEIS is issued.

Transportation (Traffic and Pedestrians*)*

The Proposed Actions would result in a significant adverse transportation impact in the areas of traffic and pedestrians. The analysis identified five traffic intersection/approach lanes that have the potential to experience a significant adverse impact in at least one peak hour. For the Proposed Actions, significant adverse impacts related to traffic intersection approaches/lane groups could all be mitigated with the modification of traffic signal timings.

The analysis also identified seven pedestrian elements that have the potential to experience a significant adverse impact in at least one or more peak hours. The significant adverse pedestrian impacts at four out of the seven pedestrian elements could be mitigated with readily implementable engineering measures, including the installation of a physical corner extension, crosswalk widening, and the relocation of an existing signpost.

Three pedestrian elements that could experience significant adverse impacts would remain unmitigated with the Proposed Actions and are considered unavoidable significant adverse impacts. These include the south crosswalk of Sheridan Boulevard and Jennings Street, the sidewalk on the north side of Freeman Street, between Hoe and Vyse Avenues, and the south crosswalk of Edgewater Road and Jennings Street.

Construction (Traffic)

The analysis also identified the potential for significant adverse construction period traffic impacts at up to three intersection approaches/lane groups, which could be mitigated with the modification of traffic signal timings.

If the proposed mitigation measures identified for transportation and construction impacts described above are deemed infeasible and no alternative mitigation measures can be identified, these significant adverse impacts would be unmitigated and would be unavoidable significant adverse impacts.

K. GROWTH-INDUCING ASPECTS OF THE PROPOSED ACTIONS

The Proposed Actions would allow more intensive land uses within the Proposed Rezoning Area, and would increase the demand for local neighborhood services such as community facilities, and local retail. The project-generated demand for these services would largely be satisfied by the existing nearby commercial and community facilities, as well as the project-generated commercial spaces and waterfront open space. The Proposed Actions would allow the development of ground floor local retail spaces on the development sites that would support the proposed residential uses. However, development capacity would not be increased outside of the Proposed Rezoning Area, and the Proposed Actions are not anticipated to result in new development in nearby areas that would generate significant secondary impacts. The Proposed Actions would not introduce new infrastructure (e.g., develop a sewer line in an area not currently served by sewers) or greatly increase infrastructure capacity that would induce or unlock development in secondary areas. The socioeconomic conditions assessment found that the Proposed Actions do not have the potential to adversely affect real estate market conditions. The project-generated development would occur near existing developed infrastructure, and would therefore not have significant potential to induce growth outside of the Proposed Rezoning Area.

L. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES

Both natural and manufactured resources would be used in the demolition, construction, and operation of the project-generated development. These resources include time and materials used in construction; energy (gas and electricity) consumed during the construction and operation of project-generated development; and human effort (time and labor) required to design, plan, develop, construct, and operate various components of the project-generated development. These resources very likely could not be reused and are thus considered permanently committed to future development resulting from the Proposed Actions. The Proposed Actions would facilitate a long-term commitment of land resources. This commitment of land would render the proliferation of other land uses on these development sites highly unlikely. In the With-Action Condition, the Proposed Actions would facilitate new mixed-use developments comprising residential, commercial retail, and (public and private) open space on the development sites, which are underdeveloped waterfront sites.

Under CEQR, the short-term losses are weighed against the long-term objectives of the Proposed Actions, which include the development of affordable housing as well as new publicly accessible waterfront open space. To allow new residential development proximate to transit that would be compatible with the goals of public policies, the existing industrial and public parking uses on the development sites would be lost.

Evren Ulker-Kacar, AICP, Deputy Director
Environmental Assessment and Review Division
New York City Department of City Planning

Cc:
Daniel R. Garodnick, Chair
City Planning Commissioners
Vanessa L. Gibson, Bronx Borough President
Bronx Community Board 9, Chair
Bronx Community Board 9, District Manager
Perris Straughter, City Council
Hilary Semel, OEC
Terrell Estesen, DEP
Colleen Alderson, DPR
Shakil Ahmed, DOT
Gina Santucci, LPC

Susan Amron
Ryan Singer
Shane Myers
Paul Philps
Alexandra Paty Diaz
Cesar Delgado
Steven Lenard
Ken Ramnarine
Asha Greenridge
Harun Ekinoglu
Stephanie Shellooe
Stacey Barron
Mauricio Garcia
Evan Lemonides
Susan Wong