ENVIRONMENTAL ASSESSMENT STATEMENT

261 Walton Avenue EAS

PREPARED FOR

City Planning Commission, City of New York
Marisa Lago, Chair

PREPARED BY

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November, 2020

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

FOR UNLISTED ACTIONS ONLY • *Please fill out and submit to the appropriate agency* (see instructions)

Part I: GENERAL INFORMATION

1. *Does the Action Exceed Any Type I Threshold in 6 NYCRR Part 617.4 or 43 RCNY §6-15(A) (Executive Order 91 of 1977, as amended)?* ☐ YES ☒ NO

If "yes," **STOP** and **complete the FULL EAS FORM**.

2. *Project Name* 261 Walton Avenue

3. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
20DCP156X	
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)
200286ZMX; N200287ZRX	

4a. *Lead Agency Information*			**4b. *Applicant Information***		
NAME OF LEAD AGENCY			NAME OF APPLICANT		
New York City Department of City Planning			Mott Haven Gateway LLC		
NAME OF LEAD AGENCY CONTACT PERSON			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON		
Olga Abinader, Director, Environmental Assessment and Review Division			Nora Martins		
ADDRESS 120 Broadway, 31st Floor			ADDRESS 666 Fifth Avenue, 20th Floor		
CITY New York	STATE NY	ZIP 10271	CITY New York	STATE NY	ZIP 10103
TELEPHONE 212-720-3493	EMAIL oabinad@planning.nyc.gov		TELEPHONE 212-259-6456	EMAIL nora.martins@akerman.com	

5. *Project Description*

The applicant, Mott Haven Gateway LLC, is seeking a zoning map amendment to rezone one lot located at 261 Walton Avenue (the "project site") from an M1-4/R6A (MX-13) zoning district to an R8A zoning district with a C2-4 commercial overlay and a zoning text amendment to Zoning Resolution (ZR) Appendix F to designate the project site as a Mandatory Inclusionary Housing (MIH) area to facilitate the proposed project. The proposed project is a new 12-story mixed-used building with a total floor area of 208,849 gsf (181,307 zsf) including approximately 206 dwelling units and ground-floor commercial space. The proposed building would contain 175,849 gsf (162,307 zsf) of residential space and 19,000 gsf (19,000 zsf) of retail space. The proposed building would have a height of 124 feet after a 15-foot setback above the base height of 105 feet. It is the applicant's intention to finance these units pursuant to the New York City Department of Housing Preservation and Development's ("HPD") Extremely Low and Low-Income Affordability (ELLA) program. As such, 25 percent of residential floor area (approximately 51 dwelling units) would be permanently income-restricted at an average of 60 percent of the Area Median Income ("AMI"). If financing is approved, all proposed units would be income-restricted to a household income at or below 80 percent of AMI. Refer to Section 1.0, Project Description, for further details.

Project Location

BOROUGH Bronx	COMMUNITY DISTRICT(S) 1	STREET ADDRESS 261 Walton Avenue
TAX BLOCK(S) AND LOT(S) Block 2344; Lot 60		ZIP CODE 10451
DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS East 140th Street (north); Walton Avenue (east); East 138th Street (south); Gerard Avenue (west)		
EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY MX-13 (M1-4/R6A)		ZONING SECTIONAL MAP NUMBER 6a

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

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

☐ CITY MAP AMENDMENT	☐ ZONING CERTIFICATION	☐ CONCESSION
☒ ZONING MAP AMENDMENT	☐ ZONING AUTHORIZATION	☐ UDAAP
☒ ZONING TEXT AMENDMENT	☐ ACQUISITION—REAL PROPERTY	☐ REVOCABLE CONSENT

☐ SITE SELECTION—PUBLIC FACILITY ☐ DISPOSITION—REAL PROPERTY ☐ FRANCHISE
☐ HOUSING PLAN & PROJECT ☐ OTHER, explain:
☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:
SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

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

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

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

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

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

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

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

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

Physical Setting (both developed and undeveloped areas)
Total directly affected area (sq. ft.): 25,182 Waterbody area (sq. ft) and type: 0
Roads, buildings, and other paved surfaces (sq. ft.): 25,182 Other, describe (sq. ft.):

8. *Physical Dimensions and Scale of Project* (if the project affects multiple sites, provide the total development facilitated by the action)
SIZE OF PROJECT TO BE DEVELOPED (gross square feet): 208,849
NUMBER OF BUILDINGS: 1 GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): 208,849
HEIGHT OF EACH BUILDING (ft.): 124 NUMBER OF STORIES OF EACH BUILDING: 12

Does the proposed project involve changes in zoning on one or more sites? ☒ YES ☐ NO
If "yes," specify: The total square feet owned or controlled by the applicant: 25,182
The total square feet not owned or controlled by the applicant: 0

Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? ☒ YES ☐ NO
If "yes," indicate the estimated area and volume dimensions of subsurface permanent and temporary disturbance (if known):
AREA OF TEMPORARY DISTURBANCE: sq. ft. (width x length) VOLUME OF DISTURBANCE: 98,550 cubic ft. (width x length x depth)
AREA OF PERMANENT DISTURBANCE: sq. ft. (width x length)

Description of Proposed Uses (please complete the following information as appropriate)

	Residential	***Commercial***	***Community Facility***	***Industrial/Manufacturing***
Size (in gross sq. ft.)	208,849	19,000	0	0
Type (*e.g.,* retail, office, school)	206 units	retail		

Does the proposed project increase the population of residents and/or on-site workers? ☒ YES ☐ NO
If "yes," please specify: NUMBER OF ADDITIONAL RESIDENTS: 599 NUMBER OF ADDITIONAL WORKERS: 27
Provide a brief explanation of how these numbers were determined: The number of residents is based on an average household size of 2.91 for the Neighborhood in which the project site is located (West Concourse NTA, Bronx County). The number of

retail workers was calculated by dividing total retail sf by 1/400 sf.

Does the proposed project create new open space? ☐ YES ☒ NO If "yes," specify size of project-created open space: sq. ft.

Has a No-Action scenario been defined for this project that differs from the existing condition? ☒ YES ☐ NO

If "yes," see Chapter 2, "Establishing the Analysis Framework" and describe briefly: In the No-Action Scenario, the site will be developed with 75 residential units (83,101 residential sf) and approximately 8,210 sf of commercial area. The No-Action building would have a maximum height of 70 feet and FAR of 3.0, which is the maximum permissible height and FAR in an M1-4/R6A district.

The site was identified as a projected development site (Development Site 12) as part of the Lower Concourse Rezoning and Related Actions EIS (CEQR No. 08DCP071X); in that EIS, the site was projected to be developed consistent with Inclusionary Housing requirements at a floor area ratio of 3.6. Specifically, the site was projected to be developed with 92 residential units (of which 18 would be affordable) and 7,303 square feet of commercial area. For purposes of the environmental review for the proposed 261 Walton Avenue project, it is assumed that in the No-Action condition, the site will be developed at 3.0 FAR, consisting of 2.7 FAR of residential space and 0.30 FAR of commercial space (i.e., without Inclusionary Housing, the provision of which would increase the allowable FAR by 0.6. This assumption also provides for the most conservative analysis, as it results in the greatest increment between the No-Action and With-Action conditions.

9. *Analysis Year* CEQR Technical Manual Chapter 2

ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2023

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 24

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

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE: Assuming receipt of project approvals in 2020 and a 24-month construction period, it is anticipated that proposed project would be completed and substantially occupied in 2023.

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

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

Part II: TECHNICAL ANALYSIS

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

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

	YES	NO
1. *LAND USE, ZONING, AND PUBLIC POLICY*: CEQR Technical Manual Chapter 4		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	☒	☐
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	☒	☐
(c) Is there the potential to affect an applicable public policy?	☐	☒
(d) If "yes," to (a), (b), and/or (c), complete a preliminary assessment and attach.		
(e) Is the project a large, publicly sponsored project?	☐	☒
○ If "yes," complete a PlaNYC assessment and attach.		
(f) Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries?	☐	☒
○ If "yes," complete the Consistency Assessment Form.		
2. *SOCIOECONOMIC CONDITIONS*: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
○ Generate a net increase of 200 or more residential units?	☐	☒
○ Generate a net increase of 200,000 or more square feet of commercial space?	☐	☒
○ Directly displace more than 500 residents?	☐	☒
○ Directly displace more than 100 employees?	☐	☒
○ Affect conditions in a specific industry?	☐	☒
3. *COMMUNITY FACILITIES*: CEQR Technical Manual Chapter 6		
(a) Direct Effects		
○ Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, hospitals and other health care facilities, day care centers, police stations, or fire stations?	☐	☒
(b) Indirect Effects		
○ **Child Care Centers:** Would the project result in 20 or more eligible children under age 6, based on the number of low or low/moderate income residential units? (See Table 6-1 in Chapter 6)	☒	☐
○ **Libraries:** Would the project result in a 5 percent or more increase in the ratio of residential units to library branches? (See Table 6-1 in Chapter 6)	☐	☒
○ **Public Schools:** Would the project result in 50 or more elementary or middle school students, or 150 or more high school students based on number of residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ **Health Care Facilities and Fire/Police Protection:** Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
4. *OPEN SPACE*: CEQR Technical Manual Chapter 7		
(a) Would the proposed project change or eliminate existing open space?	☐	☒
(b) Is the project located within an under-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☐	☒
○ If "yes," would the proposed project generate more than 50 additional residents or 125 additional employees?	☐	☐
(c) Is the project located within a well-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☐	☒
○ If "yes," would the proposed project generate more than 350 additional residents or 750 additional employees?	☐	☐
(d) If the project in located an area that is neither under-served nor well-served, would it generate more than 200 additional residents or 500 additional employees?	☒	☐

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

	YES	NO
(f) Would the proposed project be located in an area that is partially sewered or currently unsewered?	☐	☒
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or generate contaminated stormwater in a separate storm sewer system?	☐	☒
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	☐	☒
11. *SOLID WASTE AND SANITATION SERVICES*: CEQR Technical Manual Chapter 14		
(a) Using Table 14-1 in Chapter 14, the project's projected operational solid waste generation is estimated to be (pounds per week): (206*41)+ (79*27)= 10,597		
○ Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	☐	☒
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?	☐	☒
12. *ENERGY*: CEQR Technical Manual Chapter 15		
(a) Using energy modeling or Table 15-1 in Chapter 15, the project's projected energy use is estimated to be (annual BTUs): (126.7*208,849)+(216*19000)= 30,565,168 MBtu/sf/year		
(b) Would the proposed project affect the transmission or generation of energy?	☐	☒
13. *TRANSPORTATION*: CEQR Technical Manual Chapter 16		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16?	☒	☐
(b) If "yes," conduct the screening analyses, attach appropriate back up data as needed for each stage and answer the following questions:		
○ Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	☐	☒
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? ***It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16 for more information.*	☐	☒
○ Would the proposed project result in more than 200 subway/rail or bus trips per project peak hour?	☐	☒
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction) or 200 subway trips per station or line?	☐	☒
○ Would the proposed project result in more than 200 pedestrian trips per project peak hour?	☐	☐
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop?	☐	☐
14. *AIR QUALITY*: CEQR Technical Manual Chapter 17		
(a) *Mobile Sources*: Would the proposed project result in the conditions outlined in Section 210 in Chapter 17?	☐	☒
(b) *Stationary Sources*: Would the proposed project result in the conditions outlined in Section 220 in Chapter 17?	☒	☐
○ If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17? (Attach graph as needed)	☐	☐
(c) Does the proposed project involve multiple buildings on the project site?	☐	☒
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	☐	☒
(e) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?	☒	☐
15. *GREENHOUSE GAS EMISSIONS*: CEQR Technical Manual Chapter 18		
(a) Is the proposed project a city capital project or a power generation plant?	☐	☒
(b) Would the proposed project fundamentally change the City's solid waste management system?	☐	☒
(c) If "yes" to any of the above, would the project require a GHG emissions assessment based on the guidance in Chapter 18?	☐	☐
16. *NOISE*: CEQR Technical Manual Chapter 19		
(a) Would the proposed project generate or reroute vehicular traffic?	☒	☐
(b) Would the proposed project introduce new or additional receptors (see Section 124 in Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line?	☒	☐
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	☐	☒
(d) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?	☐	☒
17. *PUBLIC HEALTH*: CEQR Technical Manual Chapter 20		

	YES	NO
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality; Hazardous Materials; Noise?	☐	☒
(b) If "yes," explain why an assessment of public health is or is not warranted based on the guidance in Chapter 20, "Public Health." Attach a preliminary analysis, if necessary.		
18. *NEIGHBORHOOD CHARACTER*: CEQR Technical Manual Chapter 21		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; Transportation; Noise?	☐	☒
(b) If "yes," explain why an assessment of neighborhood character is or is not warranted based on the guidance in Chapter 21, "Neighborhood Character." Attach a preliminary analysis, if necessary.		
19. *CONSTRUCTION*: CEQR Technical Manual Chapter 22		
(a) Would the project's construction activities involve:		
○ Construction activities lasting longer than two years?	☐	☒
○ Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	☒	☐
○ Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, *etc.*)?	☒	☐
○ Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	☐	☒
○ The operation of several pieces of diesel equipment in a single location at peak construction?	☐	☐
○ Closure of a community facility or disruption in its services?	☐	☒
○ Activities within 400 feet of a historic or cultural resource?	☐	☒
○ Disturbance of a site containing or adjacent to a site containing natural resources?	☐	☒
○ Construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap or last for more than two years overall?	☐	☒

(b) If any boxes are checked "yes," explain why a preliminary construction assessment is or is not warranted based on the guidance in Chapter 22, "Construction." It should be noted that the nature and extent of any commitment to use the Best Available Technology for construction equipment or Best Management Practices for construction activities should be considered when making this determination.

Construction activities are expected to be standard in nature and would be up to 24 months.

Governmental oversight of construction in New York City is extensive and involves a number of City, State, and Federal agencies, each with specific areas of responsibility, including the New York City Department of Buildings, the New York City Department of Environmental Protection, the New York City Fire Department, the New York City Department of Transportation Office of Construction Mitigation and Coordination (DOT OCMC), New York City Transit, the New York City Landmarks Preservation Commission, the New York State Department of Environmental Conservation, the New York State Department of Labor, the U.S. Environmental Protection Agency, and the Occupational Safety and Health Administration. The project would comply with the requirements of the New York City Noise Control Code, which limits construction activities to weekdays between the hours of 7:00 AM and 6:00 PM (absent a permit), requires that a Construction Noise Mitigation Plan be implemented, and sets noise limits for specific pieces of construction equipment. All travel lanes would remain open during construction. There would be no impacts to resources in the area as shown in the EAS, and therefore no impacts to resources due to construction. As a result, any effects from the construction of the project would be considered short term and insignificant. In the event that any closure of any portion of sidewalk elements is needed, it would be fully addressed by a permit and a Pedestrian Access Plan as required by the New York City DOT OCMC prior to the closure so that impacts would not occur.

Based on the limited duration of project construction, the project's adherence to New York City's stringent requirements related to construction, a preliminary construction assessment is not warranted.

20. *APPLICANT'S CERTIFICATION*

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

Still under oath, I further swear or affirm that I make this statement in my capacity as the applicant or representative of the entity

that seeks the permits, approvals, funding, or other governmental action(s) described in this EAS.	
APPLICANT/REPRESENTATIVE NAME Allison Ruddock	DATE 11/11/20
SIGNATURE 	

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

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

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

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

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

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

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

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

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

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

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

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

TITLE	LEAD AGENCY
Deputy Director, Environmental Assessment and Review Division	City Planning Commission
NAME	DATE
Stephanie Shellooe	November 13, 2020

SIGNATURE

NEGATIVE DECLARATION

Statement of No Significant Effect

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

Reasons Supporting this Determination

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

Land Use, Zoning, and Public Policy

A detailed analysis of land use, zoning, and public policy is included in the EAS. The proposed actions are a Zoning Map Amendment from a Special Mixed-Use District (MX-13) to an R8A/C2-4 zoning district and zoning text amendment to Appendix F of the Zoning Resolution to establish the rezoning area as a Mandatory Inclusionary Housing (MIH) area. The proposed actions would facilitate a proposal by the applicant, Mott Haven Greenway, LLC to develop a new 12-story mixed-use building with approximately 206 affordable units and approximately 19,000 square feet of ground floor commercial space and a cellar parking garage with 12 accessory parking spaces at 261 Walton Avenue (Block 2344, Lot 60), located in the Lower Concourse neighborhood of Bronx, Community District 1. The proposed actions are anticipated to introduce new residential and commercial land uses on Lot 60, and would be compatible with the residential and commercial overlay zoning district to the west, the commercial district to the east, and the mixed-use residential district to the north. Therefore, the change in land use and zoning would not constitute a significant adverse impact.

Community Facilities

A detailed analysis related to community facilities is included in the EAS. The proposed project would introduce 29 child-care eligible children. The CEQR Technical Manual indicates that a significant adverse impact on child care centers would occur when: (1) the collective utilization rate of child care centers is greater than 100 percent in the With-Action Condition, and (2) the proposed project would result in an increase of five percentage points or more in the collective utilization rate of child care centers in the study area between the No-Action and the With-Action Condition. In the With-Action Condition, child care facilities in the study area would operate at a deficit of 109 students and would operate over capacity at 102.7 percent utilization, an increase of 0.7 percent utilization over the No-Action Condition. The future With- Action condition would have a collective utilization rate greater than 100 percent; however, the proposed project would result in an increase of only 0.7 percentage points in the collective utilization rate. As such, the proposed project would not result in significant adverse impacts to child care centers within the study area.

Open Space

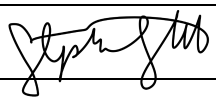
An analysis related to open space is included in the EAS. A proposed project could result in a significant adverse open space impact if it would reduce the open space ratio by more than five percent in areas that are currently below the City's median community district open space ratio of 1.5 acres per 1,000 residents. Under the With-Action condition, the total open space ratio for the residential population would decrease by 0.86 percent compared to the No-Action condition open space ratio: 0.83 to 0.82 acres per 1,000 residents, and the study area would continue to have open space ratios below the guideline of 2.5 acres per 1,000 residents and below the citywide median of 1.5 acres per 1,000 residents. The active and passive open space ratios would also decrease by 0.86 percent. The proposed project would not result in a greater than five percent decrease in the open space ratio. Furthermore, this is a conservative analysis given that there are other open space resources that were not included in the analysis, including the larger extent of Harlem River Park, community gardens throughout the study area, and an anticipated 2.5 acre park in the Lower Concourse neighborhood. Therefore no significant adverse impact to open space resources would result, and further analysis is not warranted.

Hazardous Materials, Air Quality, and Noise

An (E) designation (E-590) related to hazardous materials, air quality, and noise would be established as part of the approval of the proposed actions. Refer to "Determination of Significance Appendix: (E) designation" for the applicable (E) designation requirements. This (E) designation would supersede the (E) designation (E-227) for hazardous materials and air quality established as part of the Lower Concourse Rezoning (CEQR No. 08DCP071X). The hazardous materials, air quality, and noise analyses conclude that with the (E) designation in place, the proposed actions would not result in a significant adverse impact related to hazardous materials, air quality, or noise.

No other significant effects upon the environment that would require the preparation of a Draft Environmental Impact Statement are foreseeable. This Negative Declaration has been prepared in accordance with Article 8 of the New York State Environmental Conservation Law (SEQRA). Should you have any questions pertaining to this Negative Declaration, you may contact Stephanie Shellooe at +1 212-720-3328.

Project Name: 261 Walton Avenue
CEQR # 20DCP156X
SEQRA Classification: Unlisted

TITLE Deputy Director, Environmental Assessment and Review Division	LEAD AGENCY Department of City Planning on behalf of the City Planning Commission 120 Broadway, 31st Fl. New York, NY 10271 | 212.720.3328
NAME Stephanie Shellooe	DATE November 13, 2020
SIGNATURE 	
TITLE Chair, City Planning Commission	
NAME Marisa Lago	DATE November 16, 2020
SIGNATURE	

Project Name: 261 Walton Avenue
CEQR # 20DCP156X
SEQRA Classification: Unlisted

Determination of Significance Appendix

The Proposed Action(s) were determined to have the potential to result in changes to development on the following site(s):

Development Site	Borough	Block and Lot
Projected Development Site 1	Bronx	Block 2344, Lot 60

(E) Designation Requirements

To ensure that the proposed actions would not result in significant adverse impacts related to hazardous materials, air quality, and noise an (E) designation (**E-590**) would be established as part of approval of the proposed actions on **Projected Development Site 1** as described below. This (E) designation would supersede the (E) designation (E-227) for hazardous materials and air quality on the project site established as part of the Lower Concourse Rezoning (CEQR No. 08DCP071X).

Development Site	Hazardous Materials	Air Quality	Noise
Projected Development Site 1	X	X	X

Hazardous Materials

The (E) designation requirements applicable to **Projected Development Site 1** for hazardous materials would apply as follows:

Task 1-Sampling Protocol

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

Task 2-Remediation Determination and Protocol

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

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

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

Project Name: 261 Walton Avenue
CEQR # 20DCP156X
SEQRA Classification: Unlisted

Air Quality

The (E) designation requirements for air quality would apply as follows:

> ***Projected Development Site 1:*** *Any new residential and/or commercial development must use natural gas for heating, ventilation, and air conditioning (HVAC) systems or, if fuel oil is used, ensure that the boiler stack(s) is located at least 25 feet from the lot line facing E 138 Street to avoid any potential significant air quality impacts.*

Noise

The (E) designation requirements for noise would apply as follows:

> ***Projected Development Site 1:*** *To ensure an acceptable interior noise environment, future residential uses must provide a closed-window condition with a minimum of 35 dBA window/wall attenuation on all facades to maintain an interior noise level not greater than 45 dBA for residential uses. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.*

EAS Figures

Figure 1 Site Location Map

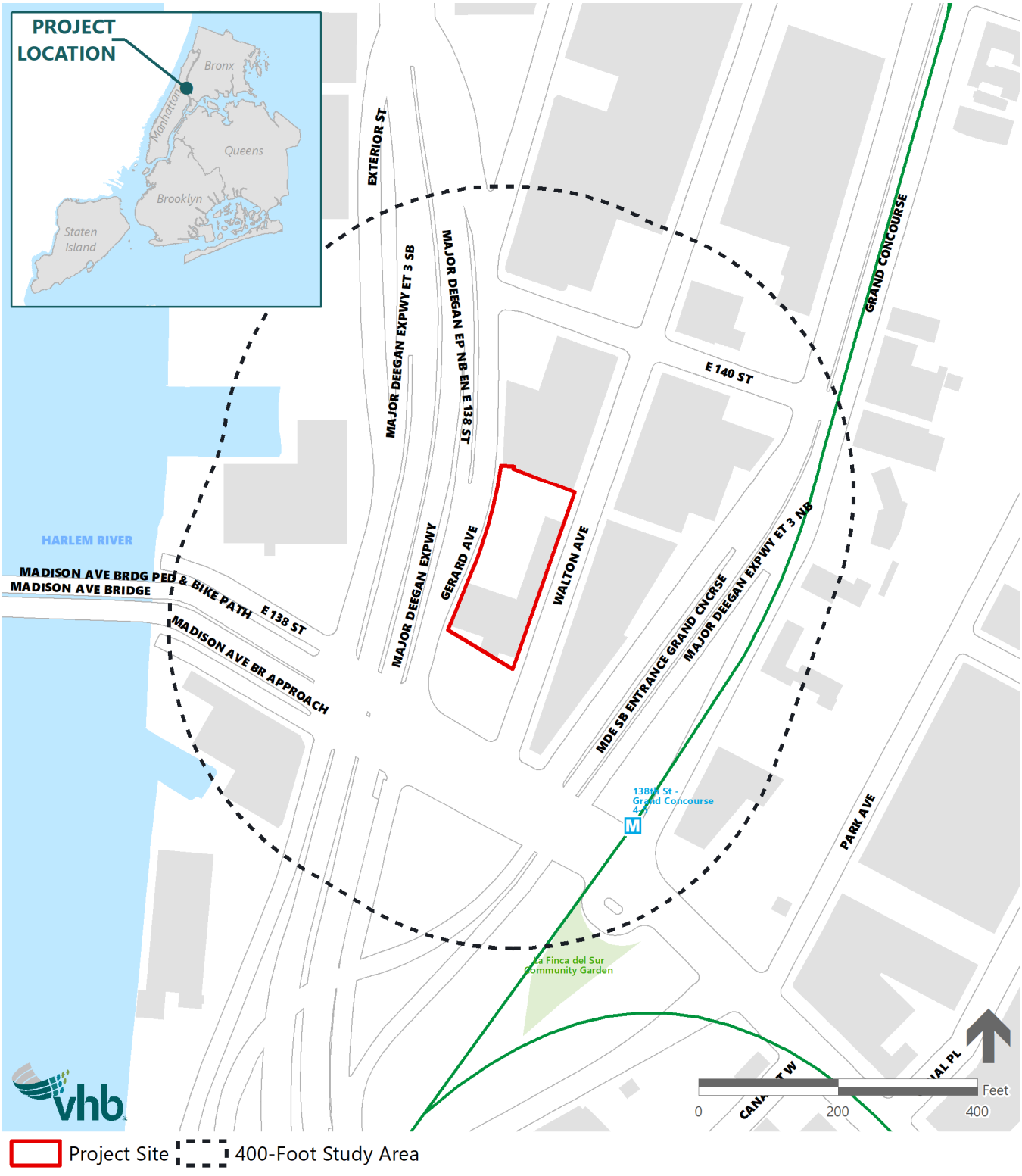


Figure 2 Tax Map

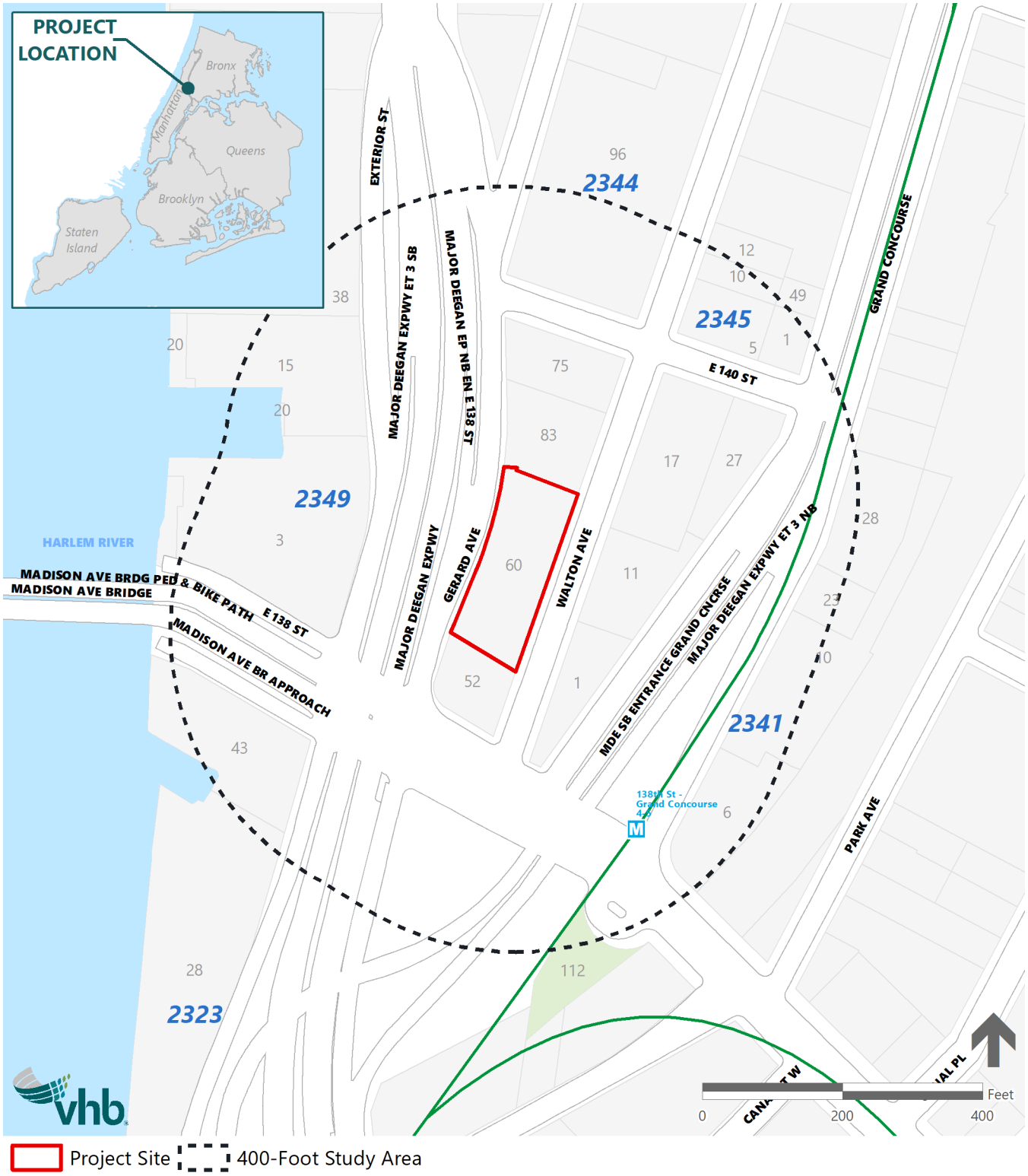


Figure 3.1 Existing Zoning Map

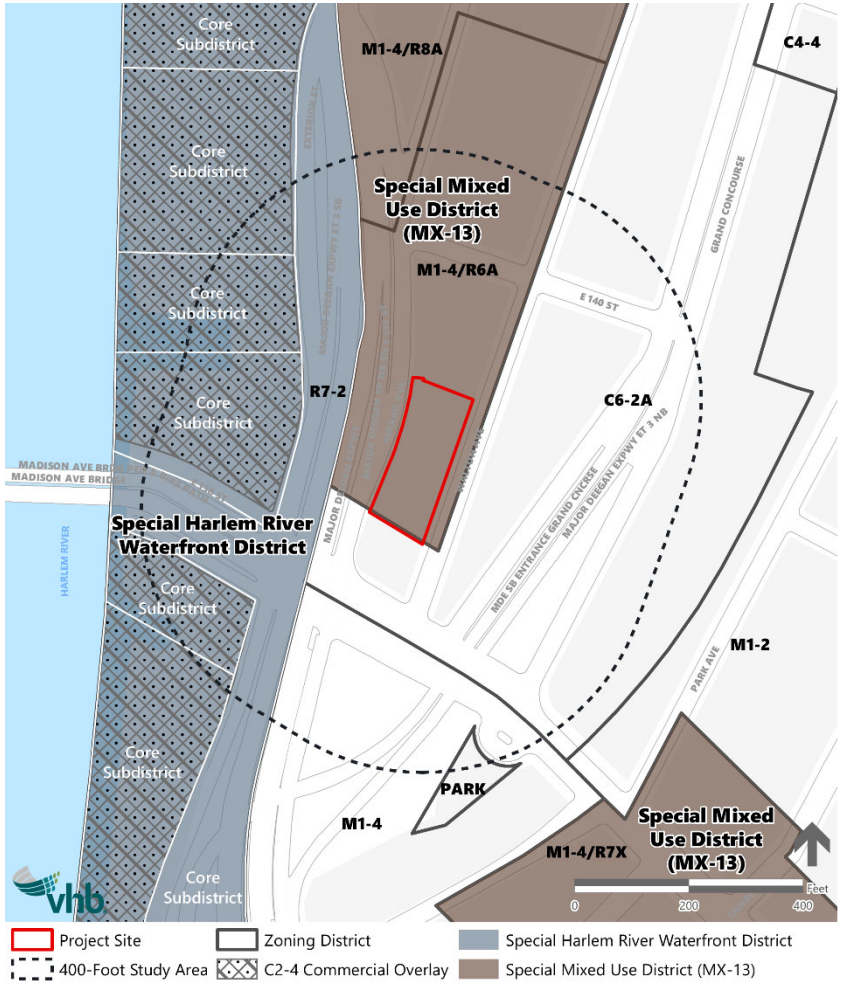


Figure 3.2 Proposed Zoning Map

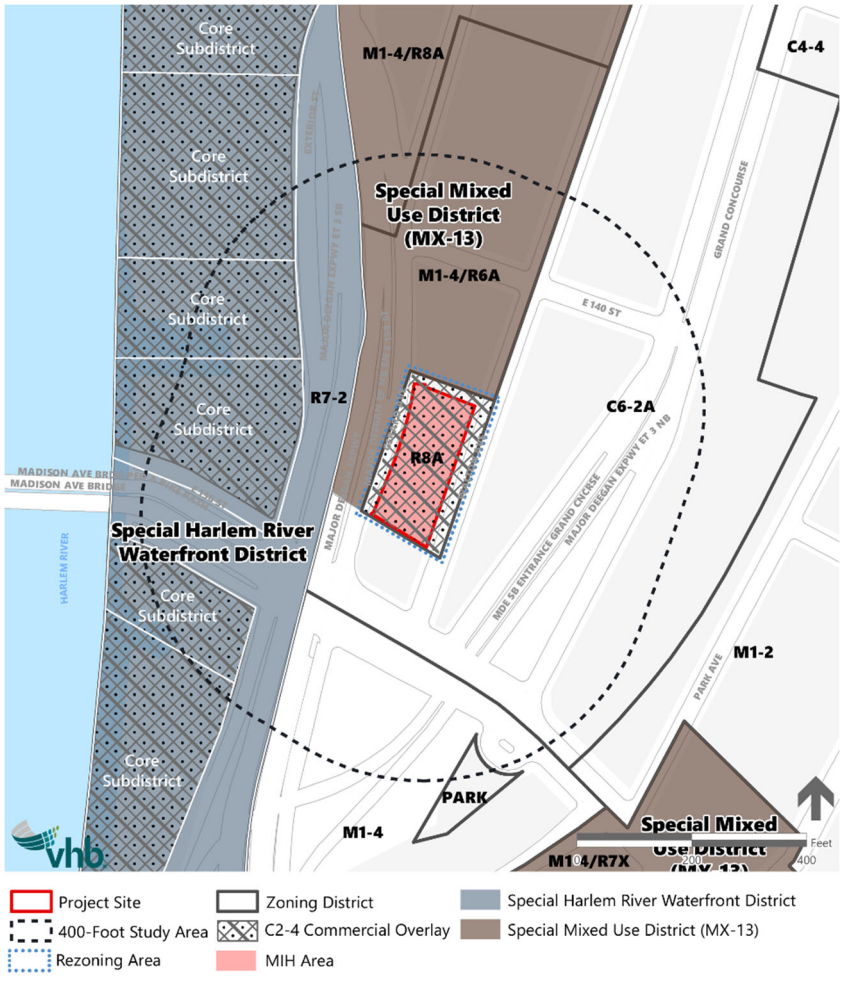


Figure 4 Existing Land Use Map

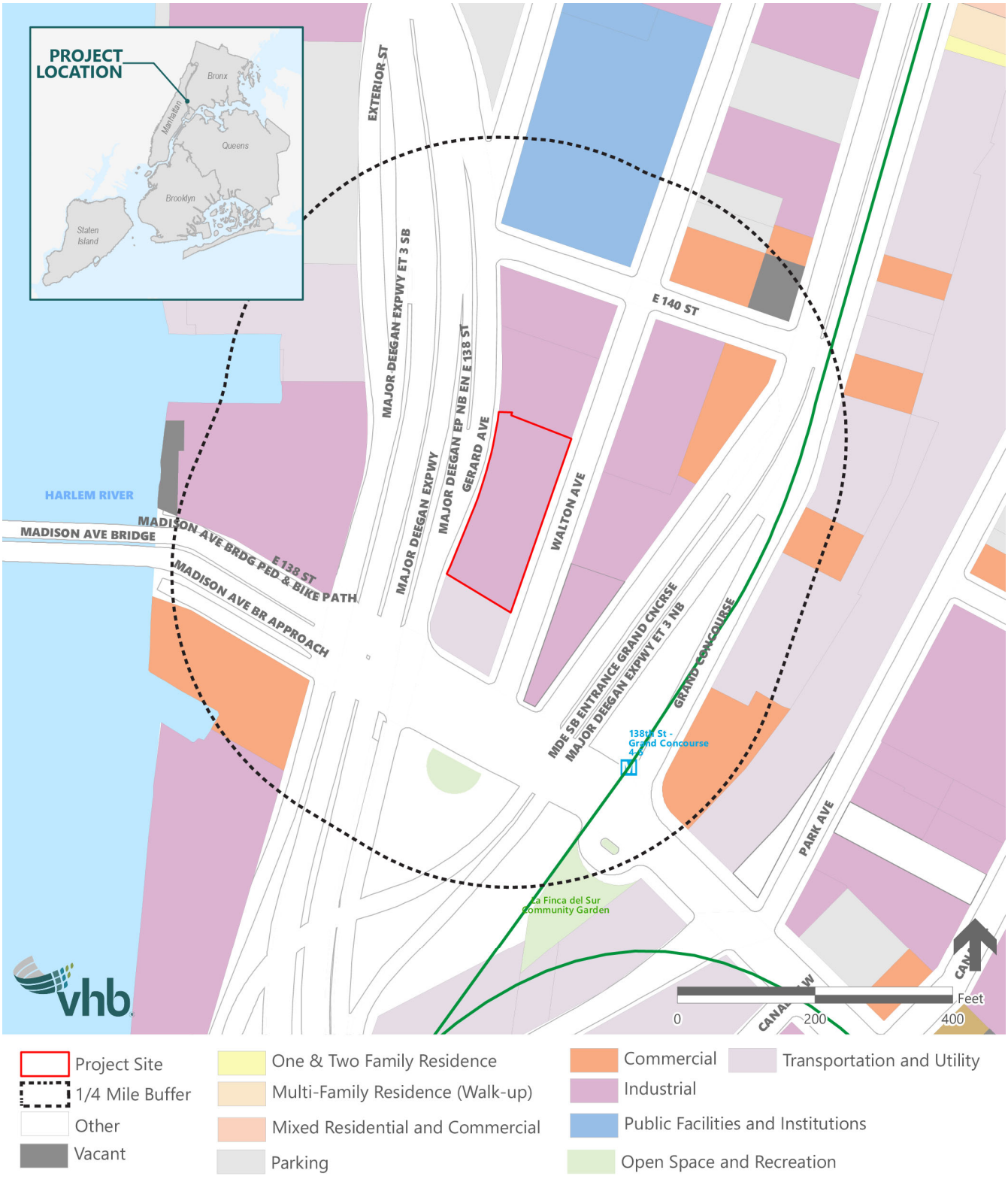


Figure 5 Photo Key Map



Photo 1 View of project site facing northwest from the corner of East 138th Street and Walton Avenue



Photo 2 View of project site facing northeast from the corner of East 138th Street and Gerard Avenue



Photo 3 View of project site facing west from Walton Avenue



Photo 4 View of project site facing southwest from Walton Avenue



Photo 5 View of project site facing south from Gerard Avenue



Part II

Technical Analysis

This section provides additional information related to analyses for potential impacts to historic and cultural resources, hazardous materials, air quality, and noise. The information presented in this section is drawn from previous analyses performed as part of the EIS for the previous Lower Concourse Rezoning.

Introduction

The project site, Block 2344, Lot 60, was identified as a projected development site (Development Site 12) as part of the Lower Concourse Rezoning and Related Actions EIS (CEQR No. 08DCP071X). That EIS contains relevant information with respect to potential impacts of the proposed project on historic and cultural resources, hazardous materials, air quality, and noise.

Historic and Cultural Resources

As part of the Lower Concourse FEIS, the New York City Landmarks Preservation Commission (LPC) reviewed the projected development site and determined it does not have the potential to contain archaeological resources (see LPC correspondence in Appendix A).

Hazardous Materials

The project site contains an (E) Designation for hazardous materials, requiring a Phase I Environmental Assessment, and, if necessary, implementation of a sampling and remediation protocol prior to issuance of a building permit, to eliminate the potential for significant adverse impacts from hazardous materials due to implementation of the proposed project.

According to Table J-1, *Hazardous Materials Screening*, of the Lower Concourse FEIS (CEQR No. 08DCP071X), the results of the preliminary hazardous materials screening indicate the potential presence of volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), heavy metals/inorganics, and poly-chlorinated biphenyl (PCBs) at the project site, which is identified as being adjacent to a gasoline service station (Site No. 45). The hazardous materials conditions warranting an (E) Designation at the project site are due to both an active underground storage tank (UST) for petroleum bulk storage, and the project site's location adjacent to a petroleum spill location.

As stated on page 3.10-5 of the Lower Concourse FEIS, "the (E) Designation provides the City with a mechanism for addressing environmental conditions so that significant adverse impacts do not occur as a result of site development."

A new (E) Designation is required for noise (see below) and it will supersede the (E) Designation established on the site as part of the Lower Concourse Rezoning (E-227). However, it will contain the same language as the prior (E) Designation as it pertains to hazardous materials. The proposed project would comply with the requirements of the (E) Designation, therefore, further analysis is not warranted.

Block 2344, Lot 60

The applicable text for the (E) Designations would be as follows:

Task 1

The fee owner(s) of the lot(s) restricted by this (E) Designation will be required to prepare a scope of work for any soil, gas, or groundwater sampling and testing needed to determine if contamination exists, the extent of the contamination, and to what extent remediation may be required. The scope of work will include all relevant supporting documentation, including site plans and sampling locations. This scope of work will be submitted to DEP for review and approval prior to implementation. It will be reviewed to ensure that an adequate number of samples will be collected and that appropriate parameters are selected for laboratory analysis.

No sampling program may begin until written approval of a work plan and sampling protocol is received from DEP. The number and location of sample sites should be selected to adequately characterize the type and extent of the contamination, and the condition of the remainder of the site. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of the sampling data. Guidelines and criteria for choosing sampling sites and performing sampling will be provided by DEP upon request.

Task 2

A written report with findings and a summary of the data must be presented to DEP after completion of the testing phase and laboratory analysis for review and approval. After receiving such test results, a determination will be provided by DEP if the results indicate that remediation is necessary.

If DEP determines that no remediation is necessary, written notice shall be given by DEP.

If remediation is necessary according to test results, a proposed remediation plan must be submitted to DEP for review and approval. The fee owner(s) of the lot(s) restricted by this (E) Designation must perform such remediation as determined necessary by DEP. After completing the remediation, the fee owner(s) of the lot restricted by this (E) Designation should provide proof that the work has been satisfactorily completed.

A DEP-approved construction-related health and safety plan would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil and/or groundwater. This Plan would be submitted to DEP for review and approval prior to implementation.

Air Quality

The project site contains an (E) Designation for air quality, which places restrictions on the type of fuel to be used or the distance that the vent stack on the building roof must be from the edge of the lot line. According to Table K, *Air Quality (E) Designations for Development Sites – HVAC Restrictions*, of the Lower Concourse FEIS (CEQR No. 08DCP071X), at the project site,

> *[a]ny new residential and/or commercial development must use natural gas for HVAC systems or, if fuel oil is used, ensure that the boiler stack(s) is located at least 25 feet from the lot line facing E 138 Street, to avoid any potential significant air quality impacts.*

A new (E) Designation is required for noise (see below) and it will supersede the (E) Designation established on the site as part of the Lower Concourse Rezoning. However, it will contain the same language as above as it pertains to air quality. If fuel oil is used, locating the boiler stack a minimum of 25 feet from the southern lot line would preclude potential significant air quality impacts on the adjacent site to the south of the project site (Block 2344, Lot 52). If natural gas is used, no mitigation would be necessary.

The proposed project would comply with the requirements of the (E) Designation; therefore, further analysis is not warranted.

Noise

The Lower Concourse FEIS identifies the project site in Table 3.18-7 (p. 3.18-19) as having a projected Build Condition Max L_{10} (dBA) of 77.3 with a required attenuation of 35 dBA. As stated in the Lower Concourse FEIS (CEQR No. 08DCP071X), on page 3.18-1,

As part of the proposed action, mixed use zoning districts would be created within the project boundaries. These mixed use districts require at least a 35 dBA level of attenuation and therefore, properties within these mixed use districts would not be subject to the above mentioned (E) Designations.

Furthermore, as discussed on page 3.18-16,

Sound attenuation of 35 dBA would be required for sites where future noise levels would be between 75 and 80 dBA, and for all residential sites in mixed-use districts. This can be achieved through installing double-glazed windows on a heavy frame in masonry structures or windows consisting of laminated glass.

Because most of the projected and potential development sites included in the proposed action are within proposed mixed use districts… the attenuation requirements for those districts specify that all residential uses will include at least 35 dBA of window-wall attenuation.

Since the proposed actions would remove the MX district from the project site, and it was identified as having a projected Build Condition Max L_{10} (dBA) of 77.3 with a required attenuation of 35 dBA in the Lower Concourse EAS, an (E) Designation is required to specify that all residential uses will include at least 35 dBA of window-wall attenuation. The following (E) Designation (E-590) is proposed to be assigned to the following project site:

Block 2344, Lot 60

In order to ensure an acceptable interior noise environment, future residential must provide a closed-window condition with a minimum of 35 dBA window/wall attenuation on all facades in order to maintain an interior noise level not greater than 45 dBA for residential uses. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning or air conditioning sleeves containing air conditioners or HUD approved fans.

This (E) Designation (E-590) will supersede the (E) Designation established on the site as part of the Lower Concourse Rezoning (E-227). The proposed project would provide at least 35 dBA of window-wall attenuation for residential uses as was the intention in the Lower Concourse FEIS, therefore, further analysis is not warranted.

1.0

Project Description

This section provides descriptive information about the requested discretionary land use actions and the development project that could be facilitated by the requested actions. The purpose of this section is to convey project information relevant to the environmental review.

1.1 Introduction

The applicant, Tuck-It-Away Associates – Deegan, LLC, is seeking the following actions from the City Planning Commission: a zoning map amendment to rezone one lot located at 261 Walton Avenue (the "project site") from a M1-4/R6A (MX-13) zoning district to an R8A zoning district with a C2-4 commercial overlay and a zoning text amendment to Zoning Resolution (ZR) Appendix F to designate the project site as a Mandatory Inclusionary Housing (MIH) area (collectively the "proposed actions").

The proposed actions would facilitate the development of a new mixed-use building with a total floor area of approximately 208,849 gross square feet (gsf), including 19,000 gsf of retail, and 189,894 gsf of residential uses (the "proposed project"). The proposed project would contain 206 dwelling units. It is the Applicant's intention that this would be a 100% affordable development.

1.2 Project Site

The project site (Bronx Block 2344, Lot 60) is an irregularly shaped parcel located at 261 Walton Avenue, in the Lower Concourse neighborhood of the Bronx, Community District 1. The project site is on the central portion of the block bounded by East 140th Street to the

north, Walton Avenue to the east, East 138th Street to the south, and Gerard Avenue to the west (see ***EAS Figure 1***). The lot area of the project site is 25,182 square feet (sf), with approximately 259 feet of frontage along Walton Avenue and 241 feet of frontage along Gerard Avenue.

As shown in ***EAS Figure 3.1***, the project site is zoned M1-4/R6A (MX-13 Special Mixed-Use District). It is occupied by a 43,820 gsf, six-story, inactive self-storage facility with associated paved areas and storage containers. The six-story self-storage facility was built in or around 1931 and ceased operation due to a fire. The project site has remained inactive since.

The project site was rezoned in 2009 as part of the Lower Concourse Rezoning from an M1-2 zoning district to the current M1-4/R6A zoning district within the MX-13 Special Mixed-Use District (See ***Figure 1-1***). The MX-13 Special Mixed-Use District was established over a 30-block area to encourage investment in and enhance the vitality of existing neighborhoods with mixed residential and industrial uses in close proximity and create expanded opportunities for new mixed-use communities and affordable housing. That rezoning identified 31 projected development sites and another 48 potential development sites within the rezoning area, including the project site, which was identified as Projected Development Site 12. Within a 400-foot radius of the project site, the Lower Concourse Rezoning identified 19 projected and potential development sites.

Since the rezoning, there has been no new development in the 400-foot study area surrounding the project site. However, of the 19 sites in the study area identified as projected or potential development sites, at least eight of them have been purchased in just the past year (see Section 2.1, "Land Use, Zoning, and Public Policy").

The project site is located in a Transit Zone, which is generally an area of the city within one-half mile of a subway station where special lower accessory parking requirements apply for affordable housing. The 138th Street 4/5 New York City Transit subway station is two blocks from the project site. Bx33 and Bx1 bus stations are also within the study area.

1.3 Proposed Actions

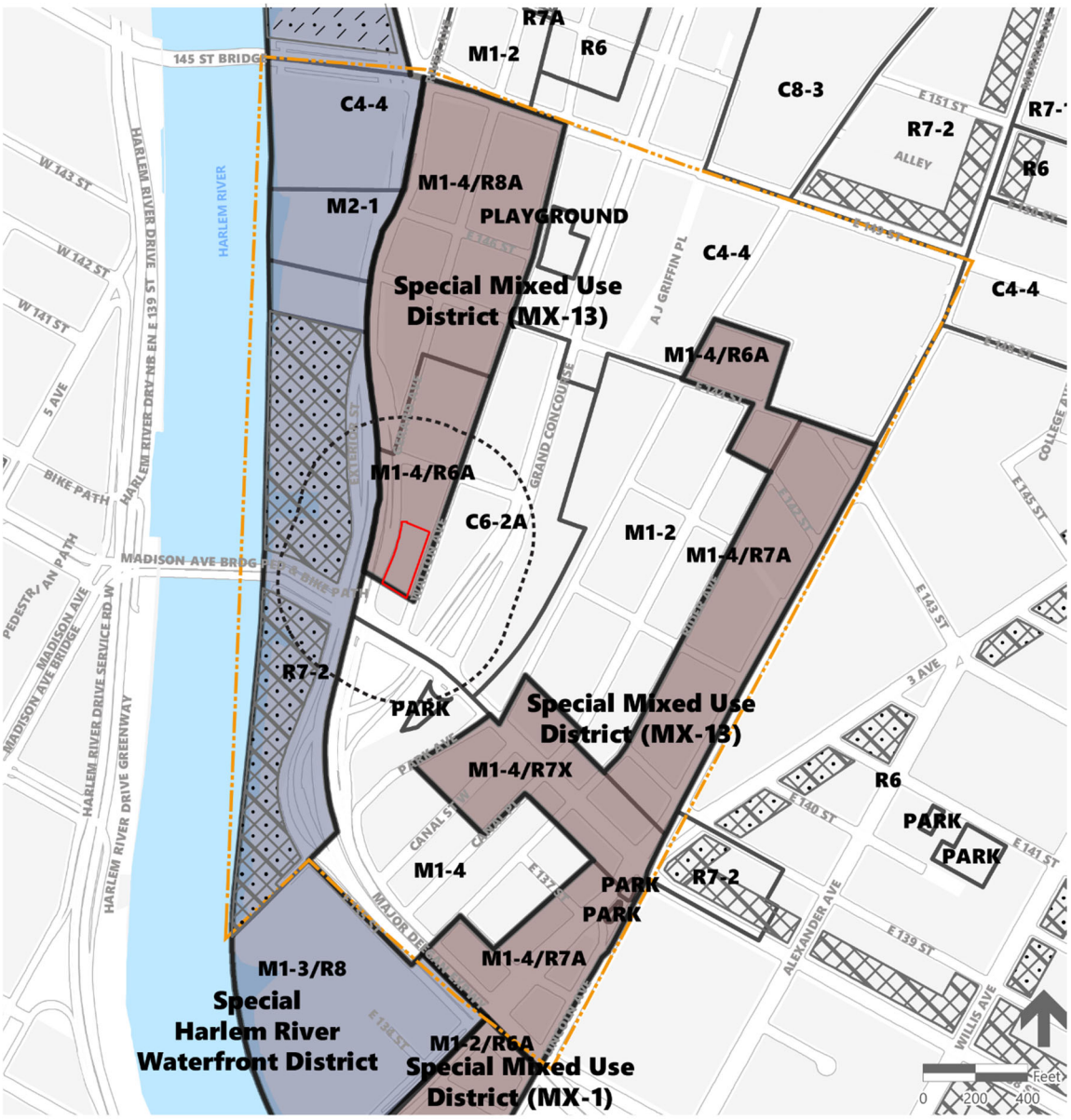
The proposed actions would consist of:

- A zoning map amendment to rezone the project site from a M1-4/R6A (MX-13) zoning district to an R8A zoning district with a C2-4 commercial overlay; and
- A zoning text amendment to designate the project site as a Mandatory Inclusionary Housing (MIH) Area, coterminous with the rezoning area, pursuant ZR Appendix F;

1.4 Proposed Project and With-Action Condition

The proposed project would consist of a new approximately 208,849-gsf mixed-use building containing 19,000 gsf of retail and 189,849 gsf of residential uses. The proposed project would contain 206 dwelling units, of which it is assumed that all units would be affordable to residents earning not more than 80 percent of the Area Median Income (AMI). The proposed project would have a total zoning floor area of 181,307 zoning square feet (zsf), with a Floor Area Ratio (FAR) of 7.2.

Figure 1-1 Lower Concourse Rezoning Area



A floor plan and rendering for the With-Action condition are provided in ***Figures 1-2*** and ***1-3***. Retail and residential lobby space would be located on the first floor. Residential apartments would be located on the upper floors, to be accessed from the main residential entrance on Walton Avenue. The first-floor retail space would be accessed by two commercial entrances on Walton Avenue.

The building would be 12 stories and 124 feet tall to the roofline along the southern and northern property boundaries and along Walton Avenue. From the tallest portion of the building along Walton Avenue, the building would step down to 11 stories and then 10 stories (105 feet tall) to the north along Walton Avenue. The central, 12-story portion of the building would step down to one story along Gerard Avenue and along Walton Avenue at the southeastern corner of the project site.

1.5 Project Purpose and Need

The rezoning to R8A/C2-4 and the establishment of an MIH area would allow for an increased number of units than what is allowed as-of-right, as well as require 56 permanently affordable units (25% at 60% AMI) pursuant to MIH Option 1[1]. However, it is the applicant's intention to finance these units pursuant to the New York City Department of Housing Preservation and Development's ("HPD") Extremely Low and Low-Income Affordability (ELLA) program. As such, all units would be income-restricted to people with incomes below 80% Area Median Income (AMI). The proposed rezoning would also facilitate the creation of new affordable housing in Bronx Community District 1, where 48.8 percent of households are rent burdened (spending 35 percent or more of their income on rent).

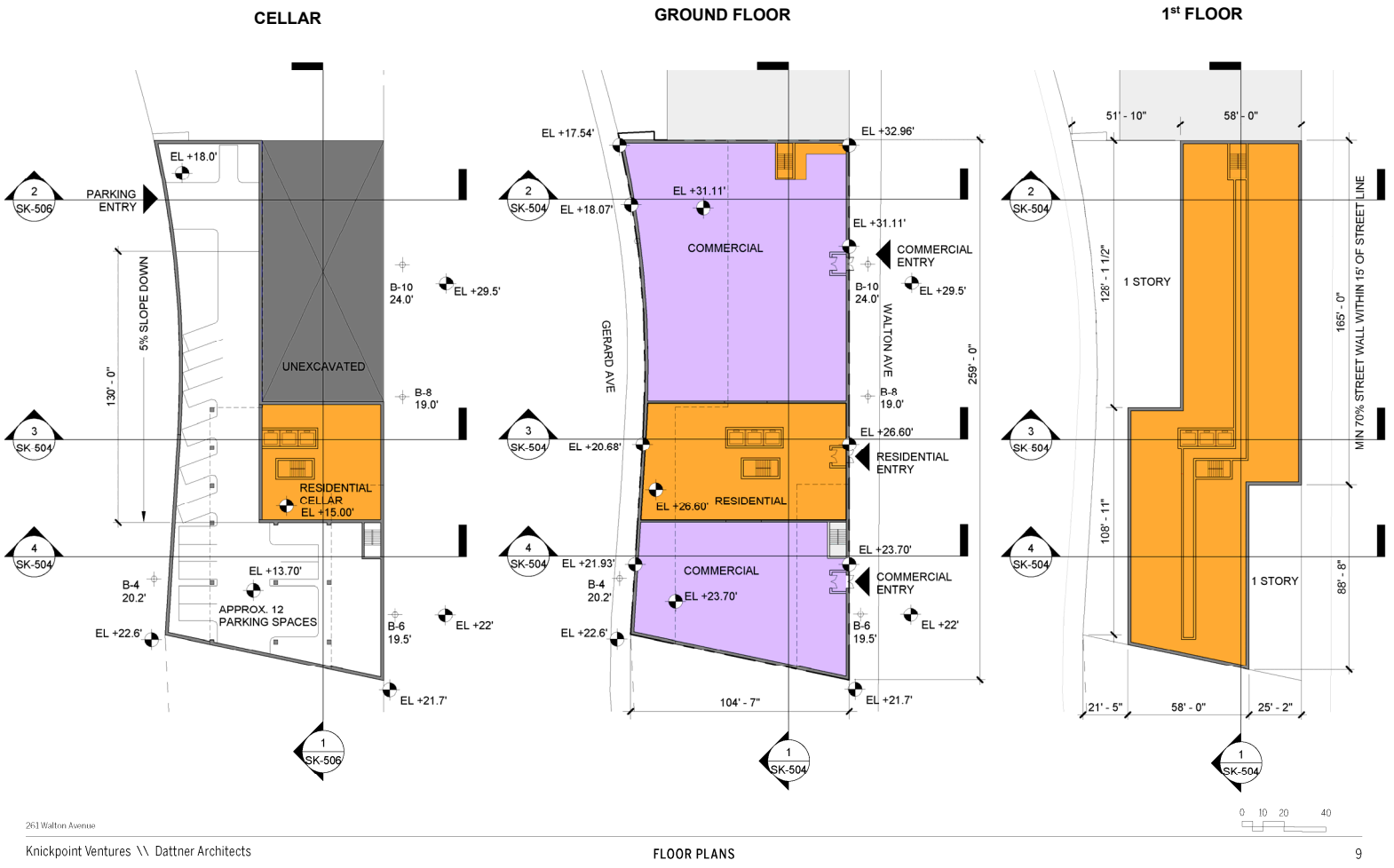
The proposed C2-4 commercial overlay would allow the project to include neighborhood retail uses on the ground floor, which would serve area residents and enliven the streetscape along the project site.

The proposed project would contribute to the Mayor's Housing New York Plan goal of building 300,000 affordable housing units by 2026. Without the proposed actions, affordable housing would not be created on the project site.

Finally, the project would replace a fire-damaged self-storage facility that is no longer an active use on the project site.

[1] MIH Option 1 is the proposed option, but the applicant acknowledges that this is subject to change based on City Planning Commission and City Council opinion.

Figure 1-2 With-Action Floor Plans



Source: Dattner Architects
For Illustrative Purposes Only

Figure 1-3 With-Action Rendering Aerial



Source: Dattner Architects
For Illustrative Purposes Only

1.6 Analysis Framework and Reasonable Worst-Case Development Scenario

Future No-Action Condition

The future No-Action condition is assumed to include the development of a 3.0 FAR, 70-foot tall, 83,101-gsf mixed-use building with 74,791 gsf of residential apartments (75 units) and 8,310 gsf of commercial uses. The future No-Action condition would be developed as-of-right within the current zoning regulations to the maximum permitted FAR and height at the project site, without the adoption of an Inclusionary Housing bonus.

As discussed above, the project site was identified as a projected development site (Development Site 12) as part of the Lower Concourse Rezoning and Related Actions EIS (CEQR No. 08DCP071X); in that EIS, the project site was projected to be developed consistent with Inclusionary Housing requirements at a floor area ratio of 3.6. Specifically, the site was projected to be developed with 92 residential units (of which 18 would be affordable) and 7,303 square feet of commercial area. For purposes of the environmental review for the proposed 261 Walton Avenue project, it is assumed that in the No-Action condition, the site would be developed as is allowed by current zoning to a bulk of 3.0 FAR, consisting of 2.7 FAR of residential space and 0.30 FAR of commercial space (i.e., without Inclusionary Housing). It is not expected that the applicant would use the Inclusionary Housing bonuses available under the current zoning, as it would only provide an additional FAR of 0.6. It is assumed that this site is likely to be developed in the No-Action condition, because it is in character with the development in the Lower Concourse and Mott Haven neighborhoods of the Bronx, including large mixed-use developments near the waterfront such as Bronx Point, 445 Gerard Avenue, and 2401 Third Avenue. This assumption also provides for the most conservative analysis, as it results in the greatest increment between the No-Action and With-Action conditions. A massing diagram for the future No-Action condition is provided in ***Figure 1-4***.

The future No-Action development would be five stories and 70 feet tall at its tallest portion.

Figure 1-4 No-Action Massing



Source: Dattner Architects
For Illustrative Purposes Only

Future With-Action Condition

As noted above, the proposed actions would facilitate the development of a 208,849-gsf mixed-use building with 19,000 gsf of retail and 189,849 gsf of residential uses. The proposed development would be 12 stories and 124 feet in height, with a proposed FAR of 7.2, maximizing the available FAR permitted by the proposed zoning.

The proposed development contains a total of approximately 206 income-restricted housing units, which the Applicant intends to finance pursuant to HPD's ELLA program. The proposed development will be located within an MIH Area, upon approval of the proposed zoning text map amendment of ZR Appendix F, and the Applicant intends to provide permanently income-restricted housing pursuant to MIH Option 1. As such, 25 percent of residential floor area (approximately 51 dwelling units) would be permanently income-restricted at an average of 60 percent of the Area Median Income ("AMI"). If financing is approved, all proposed units would be income-restricted to a household income at or below 80 percent of AMI. Therefore, for the purposes of this analysis, it is assumed that all units will be affordable units. It is anticipated that 12 accessory residential parking spaces would be provided below grade.

Increment for Analysis

In total, the future With-Action condition would result in a net increase of 125,748 gsf over the future No-Action condition, with an increase of 115,058 gsf of residential space (131 units) and an increase of 10,690 gsf of retail space (see Table 1.0-1). The total incremental increase in FAR would be 4.20, including a 3.75 residential FAR increase and a 0.45 commercial FAR increase.

Table 1.0-1 Increment for Analysis

	No-Action Condition GSF (ZSF)	With-Action Condition GSF (ZSF)	Increment GSF
Residential	74,791 (67,991)	189,849 (162,307)	+ 115,058
Number of Dwelling Units	75	206	+ 131
Low- to Moderate-Income Units	0	206	+206
Commercial - Retail	8,310 (7,555)	19,000 (19,000)	+ 10,690
Parking Spaces	0	12	+ 12
TOTAL	83,101 (75,546)	208,849 (181,307)	+ 125,748

Analysis (Build) Year

Assuming ULURP certification and approval of the project by December 2020 and then an anticipated construction period up to 24 months, the proposed project would be completed and occupied by the year 2023.

2.1

Land Use, Zoning and Public Policy

This section considers the potential for the proposed project to result in significant adverse impacts to land use, zoning, and public policy. Under the guidelines of the *2014 City Environmental Quality Review (CEQR) Technical Manual*, this analysis evaluates the uses in the area that may be affected by the proposed project and determines whether the proposed project is compatible with land use, zoning, and public policy conditions, or may otherwise affect them. The analysis also considers the proposed project's compatibility with zoning regulations and other public policies applicable to the area.

2.1-1 Introduction

This analysis of land use, zoning and public policy follows the guidelines set forth in the *2014 CEQR Technical Manual*. It characterizes the existing conditions in the area surrounding the project site and addresses potential impacts to land use, zoning, and public policy that would be associated with the proposed actions.

2.1-2 Methodology

This preliminary analysis of land use, zoning, and public policy follows the guidelines set forth in the *CEQR Technical Manual* for a preliminary assessment (Section 320). According to the *CEQR Technical Manual*, a preliminary land use and zoning assessment includes a basic description of existing and future land uses and zoning information and describes any changes in zoning that could result in changes in land use. It also characterizes the land use development trends in the area surrounding the project site that might be affected by the proposed actions and evaluate whether the proposed project is compatible with those trends or may affect them.

For public policy, the *CEQR Technical Manual* stipulates that a preliminary assessment should identify and describe any public policies (formal plans, published reports) that pertain to the study area, and should determine whether the proposed project could alter or conflict with identified policies. If so, a detailed assessment should be conducted; otherwise, no further assessment is needed.

The following land use, zoning and public policy assessment follows this guidance and provides a description of existing conditions of the project site and surrounding area. This is followed by an assessment of the future No-Action condition and the future With-Action condition, and a determination that no further analysis is needed.

The study area for this analysis is the area within 400-feet of the project site which, for the proposed project, is generally bounded by the Harlem River to the west, about 200 feet south of 138th Street to the south, midblock between Grand Concourse and Park Avenue to the east, and 175 feet north of East 140 Street to the north (see ***EAS Figure 1***). This is the area in which the proposed project would be most likely to have effects in terms of land use, zoning, and public policy.

2.1-3 Assessment

Existing Conditions

Land Use

Project Site

The project site, Bronx Block 2344, Lot 60, located at 261 Walton Avenue is a through lot located midblock on the project block, which is bounded by 140th Street to the north, Walton Avenue to the east, East 138th Street to the south, and Gerard Avenue/Major Deegan Expressway to the west. The project site has a total lot area of 25,182 square feet (sf), with approximately 259 feet of frontage along Walton Avenue and 241 feet of frontage along Gerard Avenue. The project site is developed with a 43,820 gross square foot (gsf), six story, inactive self-storage facility with associated paved areas and storage containers. The building was built in or around 1931 and ceased operation due to a fire and has been inactive since. It has multiple loading entrances along Walton Avenue and entrances to the

paved parking area from both Walton Avenue and Gerard Avenue. The proposed rezoning area is conterminous with the project site boundaries.

Study Area

The project site is located in the Lower Concourse neighborhood of the Bronx just north of the Madison Avenue Bridge on 138th Street to Manhattan along the Harlem River. As shown in ***EAS Figure 2***, the study area is predominantly characterized by industrial, transportation and utility, and commercial uses. Other than the project site, the project block contains a gas station on Lot 52 just south of the project site, and two industrial parcels to the north with shipping, manufacturing and warehousing uses. There is also a small inactive restaurant at 297 Walton Avenue. The project block is bordered by Gerard Avenue, which has an entrance to the Major Deegan Expressway, a six-lane arterial highway that connects the Bronx to the other City boroughs and the Hudson Valley.

Industrial uses are prevalent within the study area beyond the project block and are located along the Harlem River and Walton Avenue. These include two large self-storage facilities on either side of the Madison Avenue Bridge, the southern of which appears inactive. Just north of the study area there is another 12-story public self-storage along Gerard Avenue, and a U-Haul self-storage and parking facility (the parking portion of which falls within the study area) on the eastern side of Walton Avenue. The block immediately to the east of the project block also contains several industrial uses, including warehousing, automotive, and wholesale supply businesses.

Besides the gas station located to the south of the project site, the study area also contains a prevalence of transportation and utility uses. Along the Harlem River in the northern portion of the study area there is a Con-Edison lot and a Verizon Warehouse with associated parking. There is also a corridor of automotive and shipping businesses along the eastern side of Grand Concourse.

Commercial uses in the study area are largely automotive in character. A large commercial car wash fronts Grand Concourse on the northeastern side of the block to the east of the project site. A car sales showroom is located just south of the entrance to the Madison Avenue Bridge. Other commercial uses include a two-story commercial and office building to the northeast of the project block on Walton Avenue and a housing and addiction program facility on Grand Concourse next to the entrance to the New York City Transit (NYCT) 4/5 subway. There are also small medical and law offices along Grand Concourse, however upon surveying they appear to be inactive.

Park space is limited in the study area. There are two green spaces in the study area. One is a Parks property just south of the project block across East 138th Street called Deegan Rock, which lies along the tracks of the former New York Central Rail Road and contains a small memorial to William Deegan and a walking path, but with fenced off green space. On the other side of the ramps to the Deegan Expressway, there is a NYC Green Thumb community garden founded in 2009, which is open to the public for certain events. It is fronted by a small plaza containing a Greenstreet.

There are currently no residential uses in the study area.

Zoning

Project Site

In 2009, the project site was rezoned as part of the Lower Concourse Rezoning, which is comprised of 30 blocks in Community District 1 in the South Bronx (See ***Figure 2.1-1***). The Lower Concourse Rezoning area is generally bounded by East 149th Street and East 144th Street to the north, the Major Deegan Expressway and Park Avenue to the south, Morris and Lincoln Avenues to the east, and the Harlem River to the West. The overall goal of the rezoning was to create a mixed-use district that allows for residential and commercial uses, while preserving the existing light industrial uses in the area. At the time of the rezoning, the Lower Concourse neighborhood had little to no new development and many vacant warehouses due to the predominating manufacturing zoning but was surrounded by redeveloping neighborhoods. Currently, the area surrounding the site remains in a similar state with little new mixed-use development and many inactive properties. The rezoning aimed to create amenities like improved waterfront access and retail such as supermarkets. Another important goal was to address the need for affordable housing in the South Bronx and the city, by allowing voluntary Inclusionary Housing bonuses under the New Market Housing Plan (NMHP).

Through this rezoning, the project site was rezoned from an M1-2 district to a M1-4/R6A zoning district within the MX-13 Special Mixed-Use District (See ***EAS Figure 3.1***). The M1-4/R6A zoning district is bounded by the Major Deegan Expressway to the west, extends midblock between 140th and 144th Street to the north, Walton Avenue to the east, and the property line of the project site lot to the south. Of the 31 projected development sites, the Lower Concourse Rezoning EIS identified eight of the lots in the study area, including the project site, as projected development sites, and an additional 11 lots as potential development sites. The projected and potential development sites encapsulate all of the parcels in the study area besides the public school to the north of the project site. There has been no new development in the study area since the rezoning, but many of the sites within or bordering the study area have been sold since the Lower Concourse Rezoning, indicating potential development interest in the area.

The MX-13 Special Mixed-Use District was established to encourage investment in and enhance the vitality of existing neighborhoods with mixed residential and industrial uses near the waterfront and create expanded opportunities for new mixed-use communities.

The M1-4 designation of the mixed-use district allows for a maximum floor area ratio (FAR) of 2.0 for manufacturing uses and 6.5 for community facility uses. M1-4 Districts typically include light industrial uses, all of which are allowed if they meet M1 performance standards. Offices, hotels, and most retail uses are also permitted, some by special permit depending on the location. Community facilities are allowed by special permit. Rear yards are required on lots over 110 feet deep, and no side yards are required. Buildings must be 60 feet or four stories within the initial setback distance of 20 feet on a narrow street and 5 feet on a wide street, and then are governed by a sky exposure plane. One accessory parking space is required for every 300 sf of floor area.

The R6A designation of the mixed-use district is a contextual multifamily housing district where the Quality Housing bulk regulations are mandatory. These regulations typically produce high lot coverage, six-to-eight story apartment buildings set at or near the street line. These districts allow for a FAR of 3.0 if they include only market-rate housing but can achieve up to 3.6 FAR with inclusionary housing. Above a minimum base height of 40 feet, the building must set back by 10 feet on a wide street and 15 feet on a narrow street before rising to a maximum height of 70 feet, or 75 feet if providing a qualifying ground floor. The street wall of a new building must be no closer to the street line than any adjacent street wall, and the area between the street wall and street line must be planted. Parking is required for 50 percent of market-rate dwelling units and 25 percent of income-restricted housing units.

Figure 2.1-1 Lower Concourse Rezoning Potential and Projected Development Sites

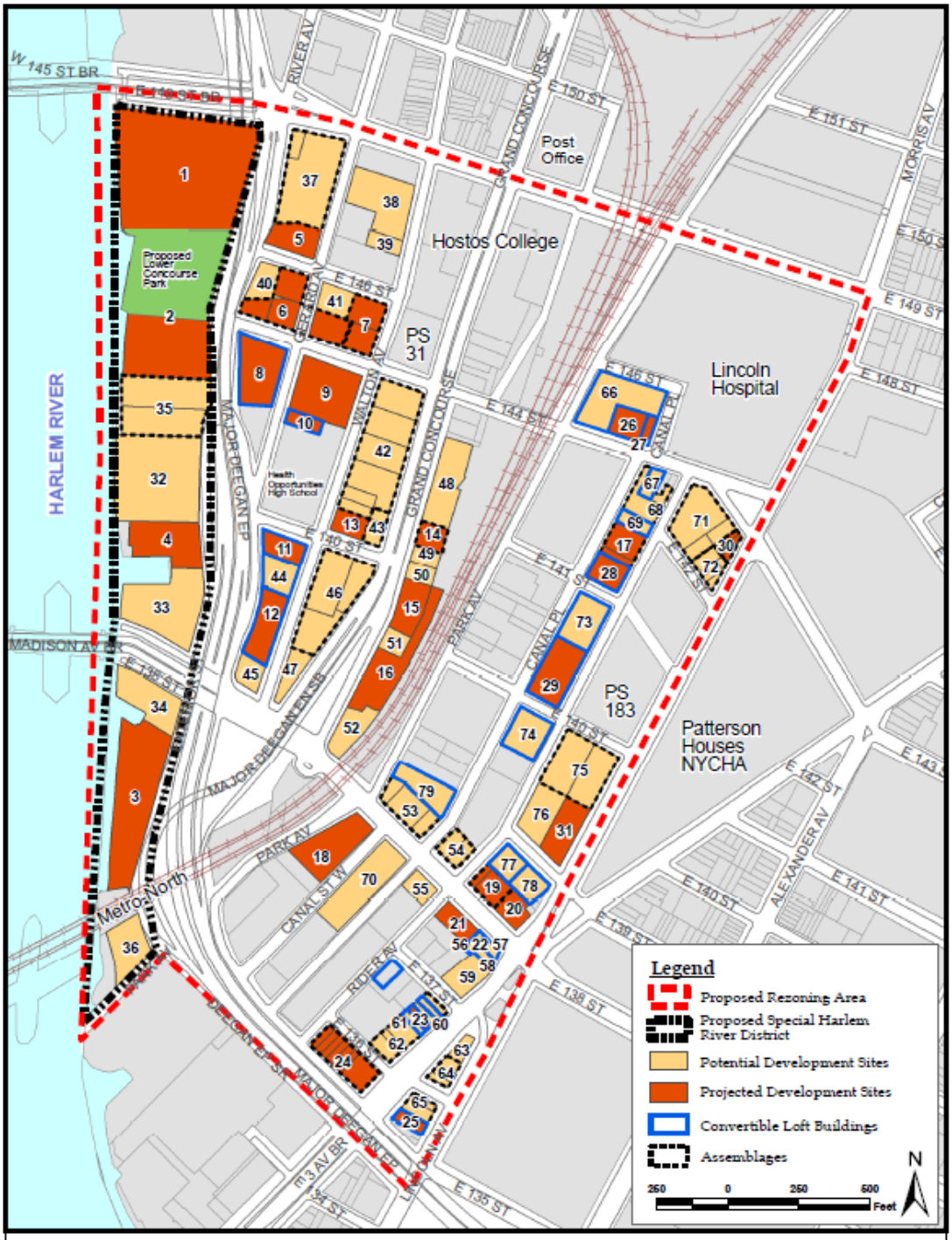


Figure 2.0-6: Projected and Potential Development Sites

Lower Concourse Rezoning and Related Actions EIS

NYC Department of City Planning

Source: NYC Department of City Planning, 2008

Study Area

As shown in ***EAS Figure 3.1***, in addition to the M1-4/R6A zoning district, the study area is also mapped with R7-2 with a C2-4 overlay to the east of the project block, C6-2A to the west and south of the project site, and M1-4 zoning districts to the south of the project block. The Special Harlem River Waterfront District also falls within the study area.

To the east of the project block along the Harlem River is an R7-2 district with C2-4 overlays. R7 districts encourage medium-density apartment house districts. The height factor regulations for R7 districts encourage lower apartment buildings on smaller zoning lots and on larger lots, taller buildings with less lot coverage. The building must be set within a sky exposure plane which begins at a height of 60 feet above the street line. Off street parking is typically required for 50 percent of dwelling units in R7-2 districts, but for only 15% of income-restricted housing units and can be further modified in transit zones.

Immediately south of and adjacent to the project site as well as across Walton Avenue to the east, a C6-2A zoning district was established as part of the same Lower Concourse Rezoning to encourage residential development. This is a contextual district with maximum building heights that allows for high bulk commercial uses. These districts allow for a commercial FAR of 6.0 and have a residential district equivalent of R8A. There are no accessory parking requirements. C2-4 commercial overlay districts are mapped along streets that serve local retail needs and include a wide range of uses from local retail to funeral homes to repair services. The maximum commercial floor area is 2.0, and 1 parking space per 1,000 sf is required.

The Special Harlem Waterfront District is located within the Lower Concourse Rezoning Area and consists of nine parcels from East 149th to East 138th Street. It encourages greater density and commercial and residential activity on vacant or underutilized industrial property. The district was expanded in 2017 in the Special Harlem River Waterfront District Expansion to include two additional blocks just south of the existing district.

There is also a M1-4 zoning district to the south of the project block, for which the regulations are the same as described above.

Public Policy

Housing New York: A Five-Borough, Ten-Year Plan

On May 5, 2014, the de Blasio administration released Housing New York: A Five-Borough, Ten-Year Housing Plan ("Housing New York"), a plan to build or preserve 200,000 affordable residential units. In 2017, Housing New York 2.0 was released as an update to the original 10-year plan, which increased this number from 200,000 to 300,000 homes. To achieve this goal, the plan aims to double the New York City Department of Housing Preservation and Development (HPD)'s capital budget, target vacant and underused land for new development, protect tenants in rent-regulated apartments, streamline rules and processes to unlock new development opportunities, contain costs, and accelerate affordable construction. The plan details the key policies and programs for implementation, including developing affordable housing on underused public and private sites.

One New York: The Plan for a Strong and Just City

In April 2007, the Mayor's Office of Long-Term Planning and Sustainability released PlaNYC: A Greener, Greater New York (PlaNYC). Since that time, updates to PlaNYC have been issued that build upon the goals set forth in 2007 and provide new objectives and strategies. In 2015, One New York: The Plan for a Strong and Just City (OneNYC) was released by the Mayor's Office of Sustainability and the Mayor's Office of Recovery and Resiliency. OneNYC builds upon the sustainability goals established by PlaNYC and focuses on growth, equity, sustainability, and resiliency. Goals outlined in the report include those related to housing (ensuring access to affordable, high-quality housing) and thriving neighborhoods (ensuring that neighborhoods will be well-served). OneNYC sets forth specific targets for the creation of new housing units.

Port Morris Industrial Business Zone/ 10-Point Industrial Action Plan

In early 2006, the City created sixteen Industrial Business Zones (IBZs) across the City where expanded business services are available for industrial and manufacturing businesses. The City's IBZs were established to protect existing manufacturing districts and encourage industrial growth citywide. In November 2015 Mayor Bill de Blasio unveiled the 10-point Industrial Action Plan, which aims to strengthen core industrial areas, invest in industrial and manufacturing businesses, and advance industrial-sector training and workforce development opportunities for New Yorkers. The Port Morris IBZ is located to the southeast of the development site, and creates an area for industrial businesses to locate where there is reduced real estate uncertainty, affordability, and an improved business environment,

No-Action Condition

In the future No-Action condition, the project site will be developed with a 3.0 FAR, 70-foot tall, 83,101-gsf mixed-use building with 74,791 gsf of market-rate residential apartments (75 units) and 8,310 gsf of local retail commercial uses. The future No-Action condition will be developed as-of-right within the current zoning regulations to the maximum permitted FAR and height at the project site.

Land Use

The future No-Action condition would introduce new land uses to the currently inactive project site: commercial and residential. The Lower Concourse Rezoning was undertaken to encourage mixed residential and manufacturing in this area, but to date, no new residential or other uses have been developed since the rezoning. There are no planned developments or active construction projects within the 400-foot study area that are expected to be completed by the analysis build year of 2023. However, as discussed above, many of the projected and potential development sites from the Lower Concourse Rezoning EIS have been recently sold, so there could be new development in the area in the near future.

The future No-Action condition would diverge from the current development pattern in the area by providing both residential and commercial uses. However, the Lower Concourse

Rezoning's creation of residential zoning districts in the area, as well as new developments just outside the area, exhibits a trend towards residential development within the study area.

Zoning

There are no anticipated zoning changes within the study area under the No-Action condition. The project site and study area will continue to be governed by the various zoning regulations found in the area, as described in the existing conditions section above. The proposed future No-Action project would be expected to comply with all existing zoning regulations.

Public Policy

In the future No-Action condition, there are no known public policy changes that are anticipated to affect the project site or study area. No affordable housing units would be provided using the Inclusionary Zoning program under the NMHP.

With-Action Condition

The proposed project would consist of a new 208,849-gsf mixed-use building containing 19,000 gsf of retail and 189,894 gsf of residential uses. The proposed project would contain 206 dwelling units (131 more in comparison to the No-Action condition), of which it is assumed that all units would be affordable to residents earning not more than 80 percent of the Area Median Income (AMI). The proposed project would have a total zoning floor area of 181,307 zoning square feet (zsf), with an FAR of 7.2.

Land Use

The proposed actions in the With-Action condition would maintain the same land uses as under the No-Action condition, at a higher density. As discussed above, the study area is characterized predominantly by industrial uses and transportation and utility uses consistent with the area's industrial past and not reflective of the development anticipated as a result of the Lower Concourse Rezoning. The proposed project would introduce new residential and commercial uses to the neighborhood, whereas most existing commercial uses in the study area are automotive in nature.

Although the proposed project would differ from the existing uses in the study area, it would further the goals of the MX-13 Special Mixed-Use District and the Lower Concourse Rezoning by facilitating the introduction of a mixed-use residential development with ground floor local retail to an underutilized and inactive parcel in the Lower Concourse neighborhood. It would also bring a use to a currently inactive and fire-damaged property. Therefore, the proposed project would have no adverse land use impacts to the area.

Zoning

As detailed in Section 1.0, "Project Description," the applicant is seeking a zoning map amendment to rezone the project site from M1-4/R6A (MX-13) to R8A with a C2-4

commercial overlay and a zoning text amendment to Appendix F to designate the project site as a MIH Area (See ***EAS Figure 3.2***).

The proposed actions would allow for an increased number of units than what is allowed as-of-right, as well as require 56 permanently affordable units (anticipated to be consistent with MIH Option 1, or 25% at 60% AMI). However, the applicant is pursuing financing from HPD to provide units at affordability levels designated in the ELLA program, meaning all units would be affordable to people with incomes 80% AMI. In the No-Action condition, no affordable housing would be provided on the site. The proposed C2-4 commercial overlay would allow the project to provide neighborhood retail uses on the ground floor, which would serve area residents and enliven the streetscape along the project site. This would be consistent with the goals of the overall Lower Concourse Rezoning and the nearby Special Harlem Waterfront District that strives to bring housing and commercial uses to underutilized industrial parcels on the Bronx waterfront.

The proposed actions include the following zoning changes:

- Proposed Zoning Map Amendment. A zoning map amendment to Zoning Map 6A would change the zoning of the project site from a M1-4/R6A (MX-13) to an R8A zoning district with a C2-4 commercial overlay. The proposed R8A district is a high-density residential district that allows residential (Use Groups 1 and 2) and community facility uses (Use Groups 3 and 4) with a maximum residential FAR of 6.02 (7.2 with inclusionary allowances).

  The proposed C2-4 commercial overlay is typically mapped along streets in residential districts to serve local retail needs; it allows a variety of neighborhood-serving commercial uses including Use Groups 5-9 and 14. C2-4 commercial overlays have a maximum FAR of 2.0 when mapped in an R6 or higher district. Commercial parking requirements in a C2-4 are 1 space per 1,000 square feet of floor area, which can be waived if the total number of spaces required for all uses is below 40.

- Proposed Zoning Text Amendment. A zoning text amendment to Appendix F of the Zoning Resolution, "Mandatory Inclusionary Housing Areas," would establish an MIH Area that is coterminous with the project site.

-

The proposed actions would be compatible with the residential and commercial overlay zoning district to the west, the commercial district to the east, and the mixed-use residential district to the north. It would further the goals of the 2009 Lower Concourse Rezoning. Waiving the parking requirements to facilitate affordable housing development is also appropriate, since the project is in a Transit Zone, an area within a half mile of a subway station and would provide sufficient parking for the community facility uses. The With-Action condition would also introduce affordable housing, whereas the No-Action condition would not. In addition, under the With-Action condition, the proposed project would conform to the proposed zoning in full. Therefore, the proposed actions would not result in a significant adverse impact to zoning.

Public Policy

Housing New York: A Five-Borough, Ten-Year Plan

The proposed actions would be consistent with the Housing New York plan and would result in at least 44 new affordable housing units affordable to residents earning not more than 60 percent of the AMI in the Lower Concourse neighborhood of the Bronx, as is required with Option 1 of MIH. The Lower Concourse Rezoning was completed before Mandatory Inclusionary Housing, so this level of affordable housing could not be provided under the No-Action Condition. Therefore, the proposed actions would be supportive of this public policy goal.

One New York: The Plan for a Strong and Just City

The proposed actions would be consistent with OneNYC by increasing access to affordable, high quality housing by creating new affordable housing units. Therefore, the proposed actions would be supportive of this public policy goal.

Port Morris Industrial Business Zone/ 10-Point Industrial Action Plan

The development site is located outside of the Port Morris IBZ and therefore the incentives and policies of the IBZ and Action Plan do not apply to the proposed actions, and the proposed project will not impact this public policy goal.

2.1-4 Conclusions

As described above, the proposed actions would result in the redevelopment of the project site as a mixed-use commercial and residential building with an FAR of 7.2. The development resulting from the proposed actions would be consistent with broader goals of the Lower Concourse Rezoning. The proposed project would provide affordable housing that would not be provided in the No-Action Condition. The proposed neighborhood-serving retail would serve the residential population and enliven the corridor. Overall, the project would activate a vacant, fire-damaged building with new uses beneficial to the economic development of the area. Therefore, the proposed project would not result in any significant adverse impacts to land use, zoning, or public policy.

2.2

Community Facilities

This section assesses the potential impacts of the proposed actions on community facilities and services. The *City Environmental Quality Review (CEQR) Technical Manual* defines community facilities as public or publicly-funded facilities including schools, libraries, child care centers, health care facilities, and fire and police protection services.

2.2-1 Introduction

This section assesses the potential impacts of the proposed project on community facilities and services.

The proposed actions would facilitate the development of a new mixed-use residential building on Bronx Block 2344, Lot 60 (the "proposed project"), with 206 dwelling units, all of which are assumed to be affordable to residents earning not more than 80 percent of the Adjusted Median Income (AMI) under the Mandatory Inclusionary Housing (MIH) program. As discussed in Chapter 1, "Project Description," in the No Action condition, the site would be developed with a new building containing 75 market-rate units. Therefore, the proposed actions are expected to introduce 131 more units at the site in comparison to the No Action condition.

The number of residential units introduced by the proposed actions in comparison to the No Action condition (131 units) would not meet the CEQR threshold to warrant detailed analyses for libraries; public primary, intermediate, and high schools; police and fire services;

or healthcare facilities. For the analysis of child care services, which distinguishes between market-rate and affordable units, the analysis considers the introduction of 206 units, and as such, the proposed actions would meet the CEQR threshold to warrant detailed analysis with respect to childcare centers as it would introduce more than 141 affordable units (the CEQR threshold for projects in the Bronx). Therefore, this analysis focuses on the potential effects of the proposed project on childcare centers.

2.2-2 Preliminary Screening

The *CEQR Technical Manual* provides thresholds to make an initial determination of whether detailed studies are necessary to determine potential indirect impacts on public schools, libraries, child care centers, health care facilities, and fire and police protection services.

Schools

CEQR analyzes potential impacts on public schools operated and funded by the New York City Department of Education. This analysis generally relates only to public elementary and intermediate schools, which serve a local population, and rarely to high schools, which have a borough-wide or citywide population base. Schools are analyzed based on the potential for the project to cause overcrowding (i.e., a shortage of seats for an age group within the district).

For projects that introduce more than 50 primary/intermediate school students or 150 high school students, a public school analysis is warranted. The proposed project would introduce 131 units in comparison to the No Action condition. Based on SCA multipliers of 0.23 primary students, 0.08 intermediate school students, and 0.13 high school students per residential unit for Bronx Community District 1, School Distrct 7, the proposed project would introduce 30 primary, 10 intermediate, and 17 high school students[1]. The number of students introduced by the proposed project would not meet or exceed the CEQR thresholds. Therefore, no further analysis for primary/intermediate schools or high schools is warranted.

Libraries

If a proposed project would increase the average number of residential units served by library branches in the borough in which the project is located, the project may cause significant impacts on library services. The threshold in the Bronx is whether a project would introduce more than 682 total units, as provided in the *CEQR Technical Manual* and reflected in the CEQR App. With an additional 131 dwelling units proposed compared to the No-Action condition, the proposed project would be below the threshold for analysis, and no significant adverse impacts would result.

[1] SCA, 2019 Housing Multipliers, Projected Public School Ratio

Child Care

For projects that introduce more than 20 or more eligible children under age 6, a child care centers analysis is warranted. In the Bronx, 141 affordable units is the number that triggers a detailed analysis of child care centers, according to the CEQR App. The proposed actions would introduce 206 affordable units, available at 80 percent of the AMI. At a rate of 0.139 children under six years old per affordable housing unit, 29 children eligible for publicly funded childcare services would be generated as a result of the proposed project. As the threshold for analysis for child care facilities is whether a project would introduce 20 or more eligible children under age 6, these calculations indicate the proposed actions would result in six children eligible for publicly funded childcare above that threshold. Therefore, a detailed analysis of child care centers is warranted. See "Detailed Child Care Analysis," below.

Health Care Facilities and Police and Fire Protection Services

The proposed project would not exceed the minimum number of units that would trigger detailed analyses of health care facilities, and police and fire protection services. According to CEQR guidelines, a project would need to introduce a sizeable new neighborhood (e.g. a project similar to the scale of Hunters' Point South in Long Island City, Queens) to trigger further analysis of police/fire services and health care facilities.

2.2-3 Detailed Child Care Analysis

Methodology

Since 2014, the City of New York has made investments to provide free, full-day early childhood education through *Pre-K for All* and *3-K for All*, as part of a broader effort to create a continuum of education programs through childhood for all New York City children. In connection with these investments, all programs previously managed by the NYC Administration for Children's Services' (ACS) will shift to management by the NYC Department of Education (DOE). The data obtained for this analysis is conducted consistent with the *2014 CEQR Technical Manual* and is still provided by ACS.

Study Area

According to the *CEQR Technical Manual*, the study area for the analysis of child care centers is typically defined as the area within 1.5 miles of the site. Although there are no locational requirements for enrollment in child care centers and parents/guardians can choose a child care center close to their employment rather than their residence, centers closest to the site are more likely to be subject to increased demand. Therefore, a 1.5-mile study area around the site was used for the analysis.

Data Sources

The existing conditions analysis presents the most recent capacity and enrollment data of existing publicly funded child care centers within the study area. This information was

provided by ACS's Division of Child Care and Head Start. The child care enrollment in the future No-Action condition is estimated by multiplying the number of new affordable housing units expected in the study area by the CEQR multiplier for estimating the number of children under the age of six eligible for publicly-funded child care services. For the Bronx, the multiplier estimates 0.139 children under six years old per affordable housing unit. Manhattan, which is also in the study area, estimates 0.115 children under six years old per affordable housing unit.

In the With-Action condition, the child-care eligible population introduced by the proposed project (which is also estimated using the *CEQR Technical Manual* child care multiplier) is then added to the child care enrollment calculated in the future No-Action condition. As stated previously, the proposed project would introduce 206 affordable units, all of which would be available at or below 80 percent of the AMI, which results in approximately 29 children under the age of six eligible for publicly-funded child care services.

Impact Criteria

According to the *CEQR Technical Manual*, a significant adverse impact may occur if a proposed development would result in both:

- A collective utilization rate of the child care center/Head Start centers in the study area that is greater than 100 percent in the With-Action condition; and
- An increase of five percent or more in the collective utilization rate between the future No-Action and the future With-Action conditions.

Analysis

Existing Conditions

There are 52 publicly-funded child care facilities within the 1.5-mile radius study area (20 in the Bronx and 32 in Manhattan) These child care and Head Start centers have a total capacity of 3,976 seats and have 635 available slots (84.03 percent utilization). ***Table 2.2-1*** shows the current capacity and enrollment for these facilities. Family-based child care facilities and informal care arrangement provide additional seats in the study area, but these seats are not included in the quantitative analysis.

Table 2.2-1 Publicly-Funded Child Care Centers Serving the Study Area

ID	Program Name	Program Address	Borough	Capacity	Enrollment	Available Seats	Utilization Rate (%)
1	Betances Early Childhood	528 East 146th St.	BX	45	34	11	76%
2	Children'S Pride	414 Morris Ave.	BX	55	55	0	100%
3	Cmcs/Anna Lefkowitz Dcc	690 Westchester Ave.	BX	55	52	3	95%
4	East Side Sett - Mill Brook	201 St. Ann's Ave.	BX	25	25	0	100%
5	East Side Sett Mott Haven	375 East 143rd St.	BX	74	73	1	99%
6	Episcopal Hs - Pauls House	500 Bergen St.	BX	25	23	2	92%
7	Harriet Tubman Sheltering Arms	565 Morris Ave.	BX	139	85	54	61%
8	South Bronx HS 1	490 E 143rd St.	BX	53	36	17	68%
9	Winifred Wheeler	200 Alexander Ave.	BX	55	45	10	82%
10	Five Star Day Care Center	3261 Third Ave.	BX	91	89	2	98%
11	Gwendolyn B. Bland Dcc	749 East 163rd St.	BX	90	85	5	94%
12	Iola'S Jordan Dcc	421 East 161st St.	BX	154	97	57	63%
13	Salvation Army Bronx Citadel	425 East 159th St.	BX	36	30	6	83%
14	Sharon Baptist - Center 1	507-509 East 165th St.	BX	119	105	14	88%
15	Bronxworks Eclc	1130 Grand Concourse	BX	55	54	1	98%
16	Hac/Marshall England	800 Concourse Village E.	BX	84	73	11	87%
17	Highbridge Advisory Council HS	880 River Ave.	BX	77	77	0	100%
18	Mid Bronx Ccrp Childhood Ctr 1	1125 Grand Concourse	BX	240	229	11	95%
19	Mid Bronx Ccrp Ecc 4	1022 Summit Ave.	BX	40	36	4	90%
20	Richard H. Mangum Elc	383 East 162nd St.	BX	70	65	5	93%
21	Citizens Care Day Care # 3	3240 Broadway	MN	95	79	16	83%
22	Grant Day Care Center	1299 Amsterdam Ave.	MN	60	35	25	58%
23	Lssny - Early Life Ctr 14	510 West 145th St.	MN	150	111	39	74%
24	Citizens Care Day Care Ctr #1	131 Saint Nicholas Ave.	MN	37	29	8	78%
25	Community Life Center 2	15 Mt Morris Pk	MN	116	109	7	94%
26	Drew Hamilton	2672 Eighth Ave.	MN	67	58	9	87%
27	Dunlevy Milbank Campus	14-32 West 118th St.	MN	15	11	4	73%
28	East Calvary Day Care Center	1 West 112th St.	MN	55	45	10	82%
29	Ecdo Adam Clayton Powell Elc	25 W 132nd St.	MN	39	39	0	100%
30	Ecdo Childstart Center	249 West 144th St.	MN	55	33	22	60%
31	Graham Windham #2	669 Lenox Ave.	MN	84	79	5	94%
32	Harlem Children'S Zone	60 West 117th St.	MN	57	57	0	100%
33	Lssny - Early Life Ctr 11	110 West 146th St.	MN	72	67	5	93%
34	Lssny - Early Life Ctr 13	218 West 147th St.	MN	113	101	12	89%
35	Morningside Day Care Ctr	2967 Frederick Douglass	MN	55	36	19	65%
36	Prince Hall Colon Pk Dcc	159-30 Harlem Riv Dr.	MN	30	18	12	60%

Table 2.2-1 Publicly-Funded Child Care Centers Serving the Study Area

ID	Program Name	Program Address	Borough	Capacity	Enrollment	Available Seats	Utilization Rate (%)
37	Utopia Children'S Center	236 West 129th St.	MN	40	26	14	65%
38	West Harlem 1	121 West 128 St.	MN	128	104	24	81%
39	Addie Mae Collins 1	110 E 129th St.	MN	37	34	3	92%
40	Addie Mae Collins 3	2322 Third Ave.	MN	111	91	20	82%
41	Community Life Center 1	221 East 122nd St.	MN	148	46	102	31%
42	East Harlem Block Nursery 2	2112 Madison Ave.	MN	39	31	8	79%
43	East Harlem Council Hs 1	440-46 East 116th St.	MN	151	151	0	100%
44	East Harlem Council Hs 2	30 East 111 St.	MN	69	68	1	99%
45	Episcopal HS - Fifth Avenue	2289 Fifth Ave.	MN	12	10	2	83%
46	Lssny - Early Life Ctr 12	1951 Park Ave.	MN	61	51	10	84%
47	Susan Patricof Head Start Ctr	302-306 East 111th St.	MN	57	55	2	96%
48	Taft Early Childhood Ctr	1724-26 Madison Ave.	MN	49	47	2	96%
49	Union Johnson Early Learning	1829 Lexington Ave.	MN	51	47	4	92%
50	Union Settlmt Pequenos Souls	114-34 East 122nd St.	MN	59	47	12	80%
51	Northern Manhattan Perinatal	529 West 155th St.	MN	165	161	4	98%
52	Ufbco Cdc	474 West 159th St.	MN	117	97	20	83%
	Child Care Total:			**3,976**	**3,341**	**635**	**84%**

Source- ACS EarlyLearn Contractor Centers Capacity and Enrollment as of June 2018, obtained from the Department of City Planning

Future No-Action Condition

There are currently no planned changes for child care programs or centers in the study area. It is anticipated that planned or proposed No-Action development projects in the child care study area will introduce approximately 5,386 new affordable housing units by the analysis year (see ***Table 2.2-2***). Based on the CEQR generation rates for the projection of children eligible for publicly funded day care, No-Action developments would introduce approximately 732 children under the age of six who will be eligible for publicly-funded child care services.

Table 2.2-2 No-Action Developments in Study Area with Affordable Units

Address	Borough	Total Proposed Dwelling Units	Proposed Affordable Units	Multiplier[1]	Estimated Child-Care Eligible Children[2]
1074 Washington Ave.	Bronx	154	154	0.139	22
1164 River Ave.	Bronx	250	250	0.139	35
180 East 156th St.	Bronx	75	75	0.139	11
2401 Third Ave.	Bronx	458	138	0.139	20
345 St Ann's Ave.	Bronx	178	178	0.139	25
425 Grand Concourse	Bronx	277	277	0.139	39
443 East 162nd St.	Bronx	305	288	0.139	40
445 East 142nd St.	Bronx	152	152	0.139	22
556 Bergen Ave.	Bronx	215	160	0.139	23
570 East 137th St.	Bronx	159	159	0.139	23
600 Bergen Ave.	Bronx	281	213	0.139	30
600 East 156th St.	Bronx	175	175	0.139	25
972 Washington Ave.	Bronx	107	107	0.139	15
451 East 159th St.	Bronx	24	14	0.139	2
1164 River Ave.	Bronx	250	250	0.139	35
435 East 162nd St.	Bronx	305	288	0.139	40
425 East 161st St.	Bronx	59	59	0.139	9
603 Jackson Ave.	Bronx	25	25	0.139	4
880 East 147th St.	Bronx	80	80	0.139	12
569 Prospect Ave.	Bronx	45	16	0.139	3
2401 Third Ave.	Bronx	458	138	0.139	20
425 Grand Concourse	Bronx	277	276	0.139	39
101 Lincoln Ave.	Bronx	849	255	0.139	36
702 Grand Concourse	Bronx	57	26	0.139	4
198 East 135th St.	Bronx	427	128	0.139	18
445 Gerard Ave.	Bronx	300	75	0.139	11
414 Gerard Ave.	Bronx	134	34	0.139	5
11 West 118th St.	Manhattan	136	136	0.115	16
121 West 125th St.	Manhattan	171	171	0.115	20
149 East 125 St.	Manhattan	233	46	0.115	6
201 East 125 St.	Manhattan	404	300	0.115	35
251 West 117th St.	Manhattan	104	32	0.115	4
50 East 112th St.	Manhattan	350	350	0.115	41
60 East 112th St.	Manhattan	361	361	0.115	42
Total:		**7,874**	**5,386**	-	**732**

Sources- ZAP Planning, NYC Active Major Construction via Department of Buildings, NYC Dept. Housing Preservation and Development Housing New York Map

1As provided in the *CEQR Technical Manual*, the multiplier for estimating the number of children for publicly funded child care and head start is 0.139 per affordable unit inthe Bronx, and 0.115 per affordable unit in Manhattan.

2 All numbers are rounded up regardless of decimal

The No-Action development for the proposed project of 75 market-rate units, is not expected to add any childcare eligible children. As described above (see ***Table 2.2-1***), under

existing conditions, publicly-funded child care centers within the 1.5-mile study area currently operate with a surplus of 635 slots and a utilization of 84.0 percent. When the estimated 732 publicly-funded child care-eligible children are introduced by planned No-Action development projects, child care centers in the study area would operate at 102.4 percent utilization with a deficit of 97 seats (see ***Table 2.2-3*** below).

Future With-Action Condition

As stated above, the proposed project would introduce 29 child-care eligible children to an area that is anticipated to operate with a deficit of 97 seats. In the With-Action Condition, child care facilities in the study area would operate at a deficit of 126 seats and would operate over capacity at 103.2 percent utilization, an increase of 0.7 percent utilization over the No-Action Condition.

The *CEQR Technical Manual* indicates that a significant adverse impact on child care centers would occur when: (1) the collective utilization rate of public schools or child care centers and Head Start Centers in the study area is greater than 100 percent in the With-Action Condition, and (2) the proposed project would result in an increase of five percentage points or more in the collective utilization rate of child care and Head Start centers in the study area between the No-Action and the With-Action Condition. The future With- Action condition would have a collective utilization rate greater than 100 percent; however, the proposed project would result in an increase of only 0.7 percentage points in the collective utilization rate. As such, the proposed project would not result in significant adverse impacts to child care centers within the study area.

Table 2.2-3 Estimated Publicly-Funded Child Care Center Enrollment, Capacity and Utilization

	Enrollment	Capacity	Available Slots	Utilization Rate (%)	Change in Utilization
Future No-Action Condition	4,073	3,976	-97	102.44	NA
Future With Action Condition	4,102	3,976	-126	103.17	0.0071

2.2-4 Conclusion

As discussed above, the proposed project would introduce 206 affordable dwelling units, an increase of 131 units over the No Action condition. This increment would not exceed CEQR thresholds for analysis of public schools, libraries, police/fire services, and health care facilities. As such, further analysis of these areas was not warranted and no significant adverse impacts would result.

Because the proposed project would introduce 206 affordable units, assumed to be affordable to households earning below 80 percent AMI, in comparison to a No Action condition in which 75 market-rate units would be developed, a detailed analysis of child care services was undertaken.

The *CEQR Technical Manual* indicates that a significant adverse impact on child care centers would occur when: (1) the collective utilization rate of public schools or child care centers and Head Start Centers in the study area is greater than 100 percent in the With-Action

Condition, and (2) the proposed project would result in an increase of five percentage points or more in the collective utilization rate of child care and Head Start centers in the study area between the No-Action and the With-Action Condition. In the future With Action condition, there would be a collective utilization rate greater than 100 percent; however, the proposed project would not result in an increase of five percentage points or more in the collective utilization rate, and as such, the proposed project would not result in significant adverse impacts on child care facilities.

2.3

Open Space

This section assesses the potential impacts of the proposed actions on open space. The 2014 *City Environmental Quality Review (CEQR) Technical Manual* defines open space as publicly or privately-owned land that is publicly accessible and available for leisure, play, or sport, or is set aside for the protection and/or enhancement of the natural environment.

2.3-1 Introduction

The proposed project would introduce new residents and workers to the project site, creating new demands for open space in the area. Therefore, this chapter examines the potential direct and indirect impacts on open space resources from the proposed project.

2.3-2 Methodology

Direct Effects Analysis

Consistent with the *CEQR Technical Manual*, a direct effects analysis should be performed if a proposed project would directly affect open space conditions by causing the loss of public open space, changing the use of an open space so that it no longer serves the same user population, limiting public access to an open space, or increasing noise or air pollutant

emissions, odor, or shadows that would temporarily or permanently affect the usefulness of a public open space. A proposed project can also directly affect an open space by enhancing its design or increasing its accessibility to the public. The proposed project will not result in the physical loss or direct displacement of publicly accessible open space or increase access to open space. Further, as described in Section 2.4 of the EAS, the proposed project would not result in significant adverse shadow impacts on the resources in the shadows study area.

Indirect Analysis

An indirect effects analysis should be performed if a project would add sufficient population, either residents or non-residents, to noticeably diminish the capacity of open space in an area to serve the future population. The threshold for such an analysis is whether the project would introduce more than 200 residents or 500 workers to the area.[1] Compared to the future No-Action condition, the proposed actions will add more than 200 residents, but will add fewer than 500 workers to the area. Therefore, following *CEQR Technical Manual* guidance, an indirect effects open space analysis was conducted for the residential population, consistent with the following methodology.

Study Area

As described in the *CEQR Technical Manual*, an open space study area is defined by the reasonable walking distance users would travel to reach open spaces and recreational areas—typically a half-mile for residential populations. All census tracts that have at least 50 percent of their area within the half-mile radius are included in the residential study area, and all census tracts with less than 50 percent within the radius are excluded.

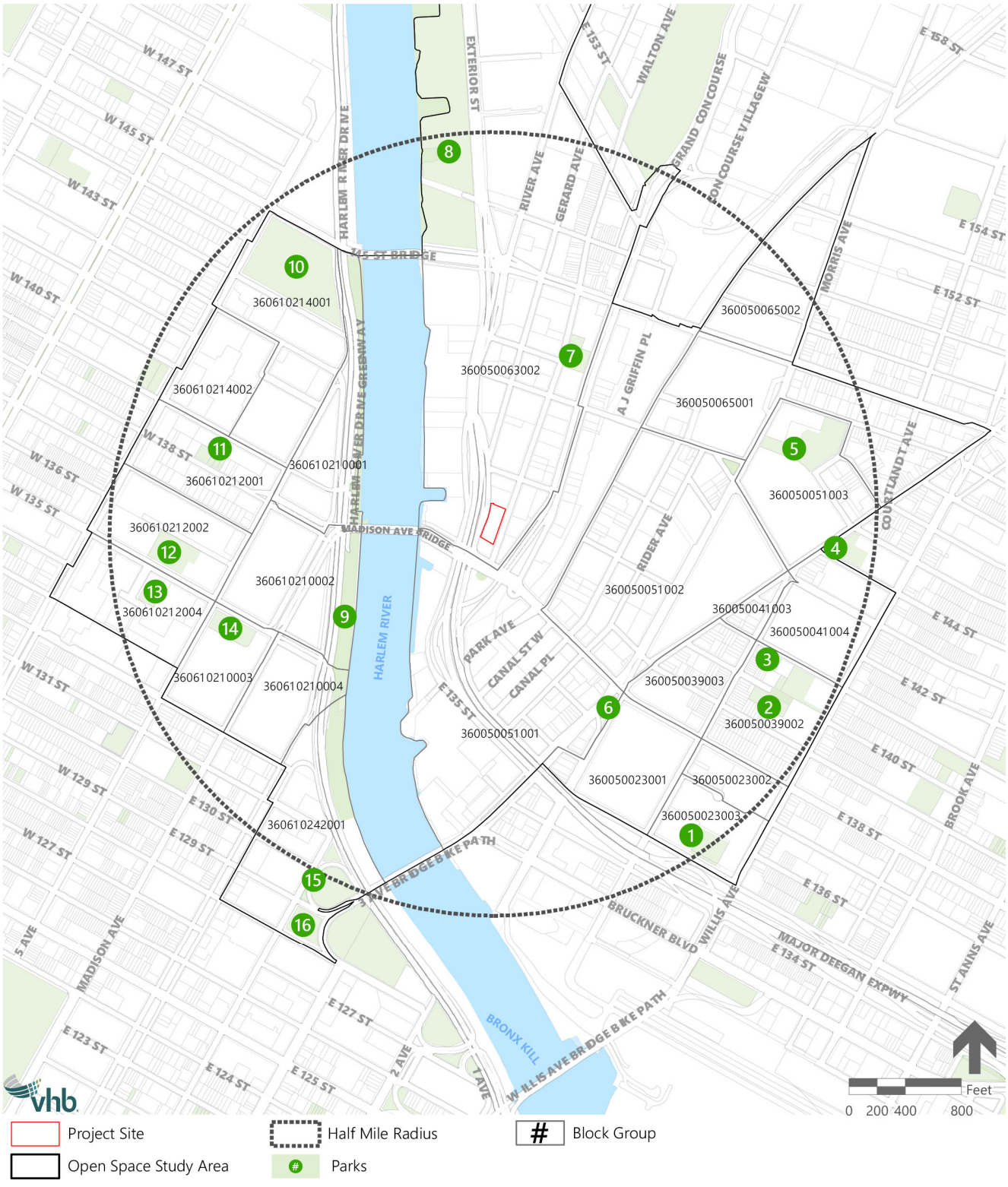
The half-mile radius includes 19 census tracts, including 9 in Bronx County and 10 in Manhattan. Of the 19 census tracts, 5 tracts have at least 50% of their area within the half-mile radius: Bronx County Census Tracts 23 and 51 and New York County Census Tracts 210, 212, and 214. The project site is located in Census Tract 63. Approximately 33 percent of Census Tract 63's area falls within the half-mile radius. Therefore, based on CEQR methodology, the residential study area would exclude the census tract in which the project site is located. Therefore, the analysis was conducted at the census block group level to ensure the project site is included in the study, which is in accordance with CEQR methodology. All census block groups that have at least 50 percent of their area within the half-mile radius are included in the study area, and all census block groups with less than 50 percent within the radius are excluded.

Based on this methodology, the residential open space study area comprises twenty-three census block groups: Bronx County Census Block Groups 360050051001, 360050051002, 360050063002, 360050023001, 360050039003, 360050023002, 360050023003, 360050039002, 360050041003, 360050041004, 360050051003, 360050065001, 360050065002 and New York County Census Block Groups 360610214001, 360610214002, 360610210001, 360610210002, 360610210003, 360610210004, 360610212001, 360610212002, 360610212004, 360610242001 (see ***Figure 2.3-1***).

[1] This is for areas identified as neither well-served nor under-served by existing open space resources. See page 7-4 of the *CEQR Technical Manual*.

The Manhattan portion of the study area is included because while it is located across the Harlem River, it is readily accessible by the Madison Avenue Bridge (closest to the project site), as well as the 145th Street Bridge to the north, and the Third Avenue Bridge to the south. As such, it is reasonable to conclude that local residents would utilize the open spaces located to the west of the Harlem River.

Figure 2.3-1 Residential Open Space Study Area



Open Space User Populations

Existing Conditions

Data from the 2013-2017 American Community Survey was used to determine the number of residents currently located within the half-mile study area.

The Future No-Action Condition

Within the half-mile study area, eleven new developments ("No-Action" projects) are anticipated to be constructed by 2023, the proposed project build year. To estimate the population in the No-Action condition, the average household size for the neighborhood (2.91 people per household) was applied to the number of new housing units projected from the No-Action projects and added to the existing study area population.[2]

The Future With-Action Condition

The residential population introduced by the proposed project was estimated by multiplying the number of units (206 units) by the average household size for the West Concourse neighborhood (2.91 people per household). The residential population introduced by the proposed project was added to the No-Action study area population to calculate the total residential population in the future with the proposed project.

Inventory of Open Space Resources

The *CEQR Technical Manual* defines public open space as open space that is publicly or privately owned and is accessible to the public on a regular basis, either constantly or for designated daily periods of time. Open spaces that are only available for limited users or are not available to the public on a regular or constant basis are not considered public open space but may be considered in a qualitative assessment of open space impacts.

Existing Conditions

Publicly accessible open space resources in the study area were inventoried through the latest available data obtained from the NYC Department of Parks and Recreation (NYC Parks) and the NYC Planimetric Database, developed by the New York Department of Information Technology and Telecommunications (NYC DoITT). Open space may be characterized as passive, active, or a mixture of active and passive. Active open space is used for exercise, sports, or active children's play. Examples include playgrounds, athletic fields or courts, pools, and greenways. Passive open spaces allow for activities such as strolling, reading, sunbathing, and people watching. Examples include plazas, walking paths, gardens, and certain lawns with restricted uses. Esplanades are an example of open space that may be used for active uses, such as running and biking, or passive uses, such as dog walking.

Playgrounds that are jointly owned by the DPR and the Department of Education (DOE) are included in the inventory of open spaces. While public use of these playgrounds is

[2] Source: NYC DCP Population Fact Finder

prohibited during school hours, they are still included in the quantitative analysis as they serve the public in the after-school hours.

The inventory does not include the area's community gardens as these gardens are restricted with limited hours of accessibility.

No-Action Condition

There are two projects planned that will add new open space to the study area, including: 101 Lincoln Avenue and 2401 Third Avenue. These open space resources are described below.

With-Action Condition

The proposed project would not provide publicly-accessible open spaces on the project site.

Adequacy of Open Space Resources

Comparison to City Guidelines

The adequacy of open space in the study area is based on ratios of usable open space acreage to the study area populations (the "open space ratios"). The *CEQR Technical Manual* outlines the following guidelines for residential assessments:

- The City attempts to achieve a ratio of 2.5 acres per 1,000 residents for large-scale proposals. Ideally, this would consist of 0.50 acres of passive space and 2.0 acres of active open space per 1,000 residents. However, these goals are often not feasible for many areas of the city and they do not constitute an impact threshold. Rather, it is a benchmark that represents how well an area is served by its open space.
- A ratio that meets the Citywide Community District median ratio of 1.5 acres of open space per 1,000 residents is also recommended.

Impact Assessment

The determination of significant adverse impacts is based on how a project would change the open space ratios in the study area, as well as qualitative factors not reflected in the quantitative assessment. According to the *CEQR Technical Manual*, if a proposed project would reduce an open space ratio and consequently result in overburdening existing facilities, or if it would substantially exacerbate an existing deficiency in open space, it may result in a significant impact on open space resources. In general, if (1) a study area's open space ratios fall below City guidelines, and (2) a proposed project would result in a decrease in the open space ratio of more than five percent, it could be considered a substantial change requiring additional analysis. However, in areas that have been determined to be extremely lacking in open space, a reduction as small as one percent may be considered significant warranting further analysis.

2.3-1 Preliminary Assessment

Existing Conditions

Study Area Population

As outlined in ***Table 2.3-1***, the estimated current residential population in the study area is 35,256 persons.

Table 2.3-1 Existing Population in the Residential Study Area

Census Block Group	Residential Population
360050051001	411
360050051002	2,837
360050063002	294
360050023001	2,625
360050039003	494
360050023002	1,614
360050023003	1,735
360050039002	644
360050041003	0
360050041004	1,995
360050051003	2,473
360050065001	1,002
360050065002	2,322
360610214001	1,745
360610214002	1,688
360610210001	1,454
360610210002	2,109
360610210003	2,158
360610210004	1,907
360610212001	1,885
360610212002	46
360610212004	1,728
360610242001	2,090
Total	**35,256**

Source: 2013-2017 ACS 5-year estimates.

Study Area Open Space Resources

The study area includes a variety of parks and playgrounds that are accessible for use by the public, as outlined in ***Table 2.3-2***.

As depicted in ***Figure 2.3-1*** and as described in ***Table 2.3-2***, there are 18 publicly accessible open spaces within the half-mile study area, totaling approximately 35 acres of passive and active open space.

Open spaces within the study area include playgrounds, neighborhood parks, and community gardens. However, as noted above, community gardens, such as the Finca Del Sur garden near the project site, were not included in the open space inventory and quantitative analysis as use of these gardens is often restricted to certain days, typically weekends, and certain times of the day.

Harlem River Park, which intersects the study area, runs alongside Harlem River Drive from 125th to 145th Streets and has a total of 46.7 acres. It contains trees, lawns, murals, and a bike lane. For conservative analysis purposes, only the 6.59 acres within the study area census block groups were included in this analysis.

Table 2.3-2 Existing Study Area Open Spaces

Map No.	Name	Owner/ Agency	Features and Amenities	Total Acres	Active (Acres)	Passive (Acres)
1	Lozada Playground	NYC Parks	Basketball courts, handball courts, playgrounds, bathrooms, spray showers	1.05	1.05	0
2	Willis Playground	NYC Parks	Basketball courts, handball courts, playgrounds, bathrooms	1.88	1.88	0
3	Alexander's Alley	NYC Parks	Trees, plantings, benches, game tables	0.11	0	0.11
4	Clark Playground	NYC Parks	Basketball courts, handball courts, playgrounds, bathrooms, spray showers	0.72	0.72	0
5	Patterson Playground	NYC Parks	Basketball courts, handball courts, football fields, playgrounds	2.37	2.13	0.24
6	Graham Triangle	NYC Parks	Benches, trees, plantings	0.13	0	0.13
7	Garrison Playground	NYC Parks	Handball courts, playgrounds	0.7	0.7	0
8	Mill Pond Park	NYC Parks	Barbecuing areas, tennis courts, bathrooms	11.57	4.63	6.94
9	Harlem River Park	NYC Parks	Bicycling and greenways, eateries	6.59	4.61	1.98
10	Colonel Charles Young Playground	NYC Parks	Baseball fields, basketball courts, handball courts, playgrounds, bathrooms	6.42	6.42	0
11	William McCray Playground	NYC Parks	Basketball courts, playgrounds, spray showers	0.46	0.46	0
12	Howard Bennett Playground	NYC Parks	Basketball courts, handball courts, playgrounds, spray showers, bathrooms	1.23	1.23	0
13	Hansborough Recreation Center	NYC Parks	Indoor pools, volleyball courts, running tracks, media labs, wi-fi hot spots	0.29	0.15	0.14
14	Abraham Lincoln Playground	NYC Parks	Outdoor pools, basketball courts, playgrounds, spray showers, bathrooms	0.99	0.99	0
15	Each One Teach One	NYC Parks	Playgrounds	0.01	0.01	0
16	Alice Kornegay Triangle	NYC Parks	Handball courts, playgrounds, spray showers, bathrooms	0.88	0.88	0
			Residential Study Area Total	35.40	25.86	9.54
			Percent of Study Area Open Space	100%	72.87%	27.13%

Source: NYC Department of Parks and Recreation

Adequacy of Open Spaces

Table 2.3-3 shows the adequacy of open space resources for the residential study area. The area has an overall open space ratio of approximately 1.00 acres per 1,000 residents, which is less than the City's guideline of 2.5 acres of open space per 1,000 residents and the citywide average of 1.5 acres per 1,000 residents. The study area's current residential passive open space ratio is 0.27 acres per 1,000 residents, which is below the City's goal of 0.5 acres per 1,000 residents. The area's residential active open space ratio is 0.73 acres per 1,000 residents, which is below the City's guideline of 2.0 acres per 1,000 residents. Despite the low open space ratio in the area, the site is not located in an area identified as underserved as indicated by a map showing Underserved Areas in Bronx Community District 7 (see page 7-4 of the *CEQR Technical Manual).* Furthermore, additional acreage in Harlem River Park is connected to that of the study area and available to residents, but not included in the quantitative analysis.

Table 2.3-3 Existing Conditions—Adequacy of Open Space Resources

Population	Open Space Acreage		Ratios*	DCP Guidelines*
Residential (Half Mile) Study Area				
35,256	Active	25.86	0.733	2.00
	Passive	9.54	0.270	0.50
	Total	35.40	1.004	2.50

*Acres per 1,000 people

No-Action Condition

As described in the "Methodology" section, the No-Action condition accounts for population growth and changes expected to the inventory of open space resources.

Study Area Population

New development in the residential study area would result in 2,968 residential units across 11 developments, increasing the residential population by 8,636 for a total residential population of 43,894 in 2023.[3] Included in the residential growth calculation above are 75 units that are assumed to be constructed at the project site by the build year in the absence of the Proposed Actions.

Study Area Open Spaces

There are two projects planned that will add new open space to the study area, resulting in an increase in total open space from 35.49 acres to 36.19 acres. The proposed park projects are as follows:

› 101 Lincoln Avenue construction to be completed by 2021 under Brookfield Properties. It would add 0.78 acres of publicly accessible open space to the study area.

[3] No-Action construction calculated using ZAP Planning and the NYC Active Major Construction Map for New Building permits.

› 2401 Third Avenue construction to be completed by 2021 under Brookfield Properties. It would add 0.01 acres of publicly accessible open space to the study area.

Both of these spaces are expected to be entirely composed of passive open space. The city is also moving forward with the planning and design for a new 2.5-acre park to be located in the Lower Concourse neighborhood. It is not yet known if this park will be completed by the 2023 analysis year, and therefore, its acreage is not considered in this analysis.

Adequacy of Open Spaces

In the No-Action condition, the open space ratios in the residential study area would decrease from existing conditions (see ***Table 2.3-4***). The total open space ratio would decrease from 1.00 acres per 1,000 residents to 0.82 acres and would remain below the guideline. The active open space ratio would also decrease from 0.73 to 0.59 acres per 1,000 residents and the passive open space ratio would decrease to from 0.27 to 0.24 acres per 1,000 residents. Active open space ratios would be well below the guidelines of 2.0 acres, and passive open space ratios would below the guideline of 0.5 acres. The additional acreage of Harlem River Park would continue to be available, although, as discussed above, it is not included in the quantitative analysis.

Table 2.3-4 No-Action Condition – Adequacy of Open Space Resources

Population	Open Space Acreage		Ratios*	DCP Guidelines*
Residential (Half Mile) Study Area				
43,894	Active	25.86	0.589	2.0
	Passive	10.33	0.235	0.5
	Total	36.19	0.824	2.5

*Acres per 1,000 people

With-Action Condition

Study Area Population

In the With-Action condition, the proposed project would result in 131 units, which is estimated to introduce approximately 381 residents for a total residential population of 44,275 in the half-mile study area.

Adequacy of Open Spaces

Under the With-Action condition, the open space ratio for the residential population would decrease only slightly from the No-Action condition open space ratio (see ***Table 2.3-5***). The total open space ratio would be reduced from 0.82acres per 1,000 residents in the No-Action condition to 0.82 acres per 1,000 residents in the With Action condition. This is an absolute change of 0.005 acres per 1,000 residents or a 0.86 percent decrease in overall open space ratio. The active and passive open space ratios would also be reduced slightly: from 0.59 acres and 0.24 acres per 1,000 residents to 0.58 and 0.23 acres per 1,000 residents, respectively.

Table 2.3-5 With-Action Condition – Adequacy of Open Space Resources

Population	Open Space Acreage		Ratios*	DCP Guidelines*
Residential (Half Mile) Study Area				
44,275	Active	25.86	0.584	2.0
	Passive	10.33	0.233	0.5
	Total	36.19	0.817	2.5

*Acres per 1,000 people

As described previously, a proposed project could result in a significant adverse open space impact if it would reduce the open space ratio by more than five percent in areas that are currently below the City's median community district open space ratio of 1.5 acres per 1,000 residents. The proposed project would not result in a decrease of the open space ratio of more than five percent. Further, the presence of the additional acreage of Harlem River Park, just outside the study area and the 2.5 acre park to be located in the Lower Concourse neighborhood by or soon after the build year would provide additional resources for study area residents. Therefore, the Proposed Actions would not result in significant adverse impacts to open space.

2.3-2 Conclusion

Under the With-Action condition, the total open space ratio for the residential population would decrease by 0.86 percent compared to the No-Action condition open space ratio: 0.824 to 0.817 acres per 1,000 residents, and the study area would continue to have open space ratios below the guideline of 2.5 acres per 1,000 residents and below the citywide median of 1.5 acres per 1,000 residents. The active and passive open space ratios would also decrease by 0.86 percent. (see ***Table 2.3-6***). The proposed project would not result in a greater than five percent decrease in the open space ratio.

Furthermore, this is a conservative analysis given that there are other open space resources that were not included in the analysis. These resources include Harlem River Park which totals 46.7 acres. There is also the Finca del Sur community garden within a couple blocks of the Development Site, and a planned 2.5-acre park in the Lower Concourse neighborhood that were not included in the quantitative analysis but have amenities that include bikeways and walkways, gardens, outdoor seating, and lawns that will be accessible to the future residents of the Development Site as well as those in the study area. Therefore, no significant adverse impact to open space resources would result, and further analysis is not warranted.

Table 2.3-6 Change in Open Space Ratios

	No Action	With Action	Percent Change
Active	0.589	0.584	0.86
Passive	0.235	0.233	0.86
Total	0.824	0.817	0.86

2.4

Shadows

A shadow is defined in the *2014 CEQR Technical Manual* as the condition that results when a building or other built structure blocks the sunlight that would otherwise directly reach a certain area, space, or feature. The purpose of this section is to assess whether new structures may cast shadows on sunlight sensitive publicly accessible resources or other resources of concern such as natural resources, and to assess the significance of their impact.

2.4-1 Introduction

According to the CEQR Technical Manual, a shadows assessment is warranted for proposed actions that would result in new structures greater than 50 feet in height or located adjacent to, or across the street from, a sunlight-sensitive resource. Such resources include publicly-accessible open spaces, important sunlight-sensitive natural features, or historic resources with sun-sensitive features. A significant adverse shadow impact occurs when the incremental shadow added by a proposed project falls on a sunlight-sensitive resource and substantially reduces or completely eliminates direct sunlight exposure, thereby significantly altering the public's use of the resource or threatening the viability of vegetation or other resources.

As described in Section 1.0, "Project Description," the proposed actions would facilitate the construction of an approximately 124-foot-tall building in the With-Action condition—a 54-foot incremental increase in building height over the No-Action condition. The No-Action condition is a 3.0 FAR building constructed to 70 feet tall as permitted by the current zoning. Therefore, further assessment is warranted.

2.4-2 Methodology

In accordance with the *CEQR Technical Manual*, a preliminary screening assessment is conducted to ascertain whether shadows resulting from a project could reach any sunlight-sensitive resource at any time of year. This preliminary screening assessment consists of two tiers of analysis:

- **Tier 1 Screening:** The first tier determines a simple radius around the proposed building representing the longest shadow that could be cast. If there are sunlight-sensitive resources within the radius, the analysis proceeds to the second tier;
- **Tier 2 Screening:** The second-tier analysis reduces the area that could be affected by project-generated shadows by accounting for a specific range of angles that can never receive shade in New York City due to the path of the sun in the northern hemisphere. According to the *CEQR Technical Manual*, shadows can only be cast within New York City within 108 degrees from True North;

For the proposed project, a preliminary assessment including analysis at Tiers 1 and 2 was undertaken.

2.4-3 Assessment

Tier 1 and Tier 2

The proposed project would consist of a building approximately 139 feet eight inches in height including the bulkhead which could cast a maximum shadow of approximately 600.5 feet. ***Table 2.4-1*** and ***Figure 2.4-1*** show the potential sunlight-sensitive resources identified in the Tier 1 and Tier 2 Screening Assessment.

Table 2.4-1 Potential Sunlight-Sensitive Resources

Map ID	Resource Name	Potential Resource Summary	Sunlight-Sensitive Elements	Tier 1-2 Screening Results
Open Space Resources				
O1	Deegan Rock	3,049 square feet of parkland on East 138th Street featuring a memorial for Major William Deegan	Passive recreation, vegetation	Screened at Tier 2
O2	La Finca Del Sur Community Garden	0.22-acre area on East 138th Street that is home to a community garden	Active recreation, garden, vegetation	Screened at Tier 2
O3	Greenstreet	392 square foot Greenstreet on East 138th Street fronting La Finca Del Sur community garden.	Open space, vegetation	Screened at Tier 2
Natural Resources				
N1	Harlem River	An 8-mile tidal strait flowing between the Hudson River and the East River and separating the island of Manhattan from the Bronx. There is no waterfront access in the study area.	Tidal resource	Screened at Tier 2

As shown in ***Figure 2.4-1*** and ***Table 2.4-1***, there are a total of three open space resources and one natural resource within the shadow study area. No historic resources were identified within the study area.

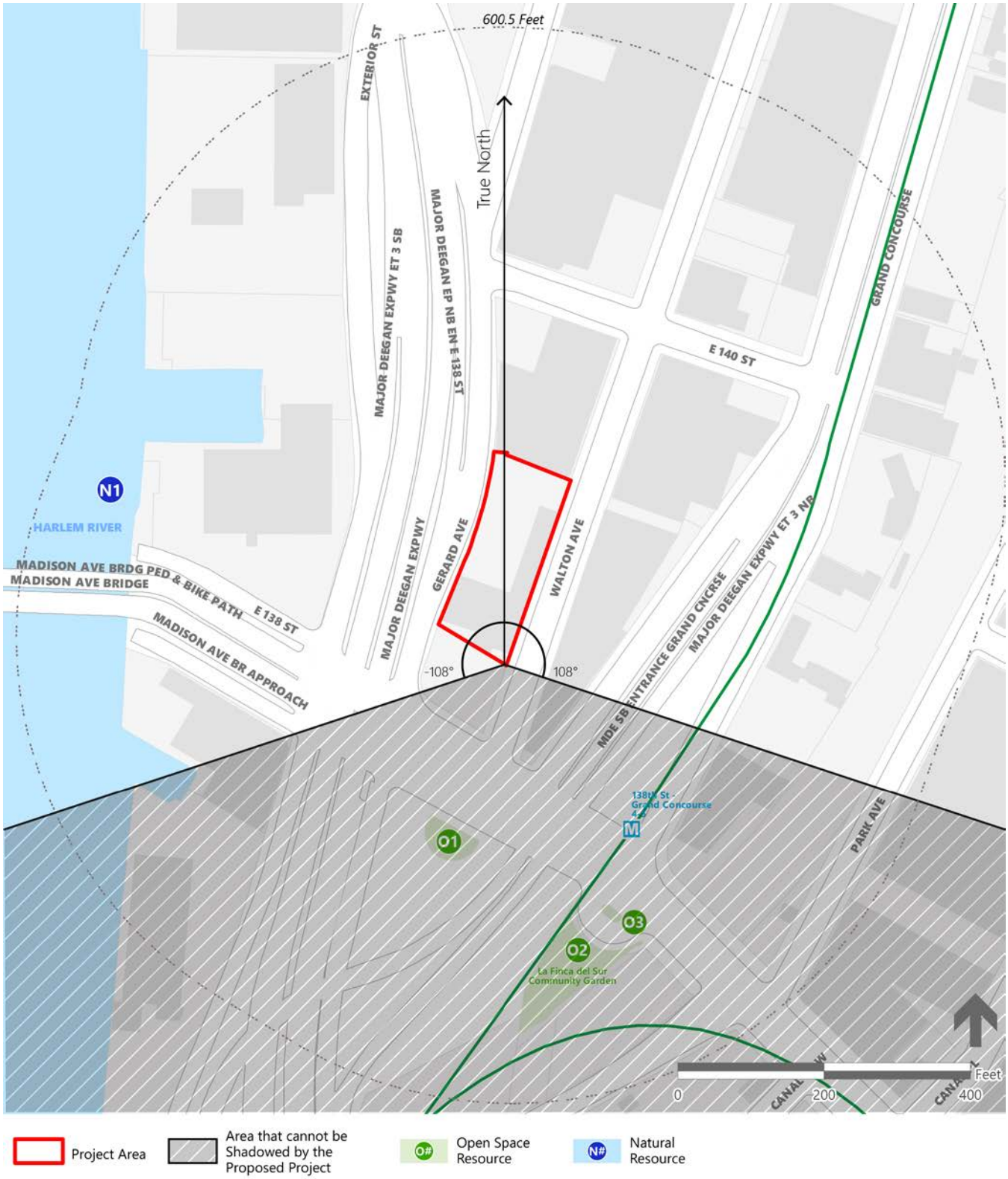
The three open space resources -- Deegan Rock Park (O1), La Finca Del Sur Community Garden (O2), and the Greenstreet on East 138th Street (O3) -- are outside the maximum shadow that could be cast by the proposed project. Refer to ***Figure 2.4.1***. Therefore, no further analysis is warranted for these resources.

The Lower Concourse Park, for which the NYCEDC has issued a request for interest from design consultants is to be completed later than the build year for this proposed action, and as such, is excluded as a future-no action project to be evaluated.

One natural resource, the Harlem River (N1), falls within the shadows study area. It is classified as estuarine and marine deepwater in the National Wetlands Inventory. However, the area that falls within the shadow screening radius is very limited and separated from the project site by more than 140 feet of highway right of way and ramps for the Major Deegan Expressway, the Madison Avenue Bridge, a five story self-storage facility, and a large fence along the waterfront. The river is also listed as impaired for priority organics, D.O./oxygen demand, esthetics, recreation, fish consumption and aquatic life, so any new shadows cast would be unlikely to change the habitat condition. Therefore, no further analysis is warranted for this resource.

Overall, the proposed project would not result in significant adverse shadows impacts on all resources.

Figure 2.4-1 Tier 1 and Tier 2 Screening



2.4-4 Conclusion

The proposed project would have a height of approximately 124 feet tall, and therefore, a preliminary shadows assessment (Tier 1 to Tier 2) was undertaken. The preliminary assessment screened the need for a Tier 3 shadows analysis for the resources in the study area for Deegan Rock, La Finca del Sur Community Garden, and the Greenstreet on East 138th Street, as these resources are located in the area that cannot be shaded by the proposed project. The Harlem River falls within the area of potential shadow, but because of the relatively small portion within the study area and location relative to the site and other characteristics of the study area (i.e. the Major Deegan and existing structures on the waterfront), a Tier 3 assessment was not warranted. Overall, the proposed project would not result in significant adverse shadow impacts on the resources in the shadows study area.

2.5

Urban Design and Visual Resources

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

2.5-1 Introduction

Urban design is the totality of components that may affect a pedestrian's experience of public space. To determine if a proposed action has the potential to change the pedestrian experience, an urban design assessment under CEQR guidelines focuses on the components of a proposed action that may alter the arrangement, appearance, and functionality of the built environment from the pedestrian's perspective. In accordance with the 2014 *CEQR Technical Manual*, a preliminary assessment of urban design is appropriate when there is the potential for a pedestrian to observe, from the street level, a physical alteration beyond that allowed by existing zoning regulations.

A visual resource is the connection from the public realm to significant natural or built features, including views of the waterfront, public parks, landmark structures or districts, otherwise distinct buildings or groups of buildings, or natural resources. As defined by the *CEQR Technical Manual*, the project site provides views to Deegan Rock Park. No natural features, as defined by the *CEQR Technical Manual*, exist within the 400-foot study area.

2.5-2 Methodology

In accordance with the *CEQR Technical Manual* guidelines, the following preliminary urban design and visual resources assessment considers a 400-foot study area where the proposed actions would be most likely to influence the built environment. As stipulated in the *CEQR Technical Manual*, because the purpose of the preliminary assessment is to determine whether any physical changes facilitated by the proposed actions would significantly impact elements of urban design and visual resources, the following information, if known, is included in a preliminary assessment:

- A concise narrative of the existing study area, and conditions under the future No-Action and With-Action conditions;
- An aerial photograph of the study area and ground-level photographs of the project site with immediate context;
- Zoning and floor area calculations of the existing and future No-Action and With-Action conditions;
- Building massing and building heights; and
- A three-dimensional representation of the future No-Action and With-Action condition streetscape.

If the preliminary assessment determines that a change to the pedestrian experience is minimal and unlikely to disturb the vitality, walkability, or visual character of the study area, then no further assessment is necessary. However, if it shows that changes to the pedestrian environment and/or visual resources are significant enough to require greater explanation and further study, then a detailed analysis may be appropriate.

The following preliminary urban design and visual resources assessment follows these guidelines and provides a characterization of existing conditions, a description of urban design and visual resources under the future No-Action and With-Action conditions, and an analysis determining the extent to which physical changes resulting from the proposed actions would alter the pedestrian experience.

Study Area

The urban design and visual resources study area is typically defined as the area within 400 feet of the project site which, for this project, is generally bounded by the Harlem River to the west, about 200 feet south of East 138th Street to the south, midblock between Grand Concourse and Park Avenue to the east, and 175 feet north of East 140 Street to the north (see ***Figure 2.5-1***).

2.5-3 Preliminary Assessment

Existing Conditions

Project Site

The project site, Bronx Block 2344, Lot 60, located at 261 Walton Avenue occupies the middle of the project block, which is bounded by 140th Street to the north, Walton Avenue to the east, East 138th Street to the south, and the Gerard Avenue/Major Deegan Expressway to the west. The project site is a 25,182 square foot (sf) through-lot located in the middle of the project block with approximately 259 feet of frontage along Walton Avenue and 241 feet of frontage along Gerard Avenue. The project site is developed with a 43,820 gross square foot (gsf), six story, inactive self-storage facility with associated paved areas and storage containers. The building was built in or around 1931 and ceased operation due to a fire. It has multiple loading entrances along Walton Avenue and entrances to the paved parking area from both Walton Avenue and Gerard Avenue. Sidewalks lining Walton Avenue are approximately 12 feet wide and those on Gerard Avenue are approximately 10 feet wide. See ***EAS Photos 1-5*** for project site photographs.

Study Area

As described above, the study area is generally bounded by the Harlem River to the west, an imaginary line about 200 feet south of 138th Street to the south, midblock between Grand Concourse and Park Avenue to the east, and 175 feet north of East 140 Street to the north (See ***Figure 2.5-1***). Study area photographs can be found in ***Photos 1-18*** below.

Figure 2.5-1 Study Area Photograph Location Map



Urban Design

The study area is dominated by major arterial highways, including a particularly dense network of ramps and crossings including the Major Deegan Expressway, west of the project site (See ***Photos 1 and 2***) and East 138th Street/Madison Avenue Bridge, which crosses into Manhattan. The Madison Avenue Bridge, a four-lane swing bridge over the Harlem River has two roadways and two sidewalks topped by ornamental iron work characteristic of early 20th century bridges (See ***Photo 3***). Also intersecting the study area is East 140th Street to the north of the project site and Walton Avenue and Grand Concourse to the east. Walton Avenue, Gerard Avenue, and East 138th Street all have dedicated bike lanes. On-street parking is available along these local roads in the study area. Gerard and Walton Avenues have street trees along most sidewalks and there are three Link NYC Wi-Fi Stations located along Walton Avenue (See ***Photo 4***). The Major Deegan and the Metro-North Railroad just east of Grand Concourse create a study area dominated by irregularly shaped blocks along Walton Avenue and Grand Concourse, south of East 138th Street, and along the waterfront.

Given these large infrastructure features, the built character is mostly transportation/utility in character, and land use is predominately industrial and automotive. The roadways, ramps, apparent rock outcroppings and built character of the study area contribute to an undulating topographic character.

Along the avenues intersecting the study area, the buildings range from one story to six stories in height, and many of the buildings have loading docks or entrances to parking lots for vehicle storage or loading purposes along the building frontage (See ***Photos 5-7***). These buildings form a consistent street wall along Walton Avenue, with the exception of a few accessory parking lots. There is also a gas station to the south of the project site (See ***Photo 8***). Across the Major Deegan expressway, along the waterfront are some large warehouse buildings with accessory parking and off-street loading that have active and inactive storage uses. Just north of the study area there is another large, 12-story Public Storage building. The building facades are colorful and there are several large advertising signs and billboards on the building or roof (See ***Photo 9***).

Transportation and utility uses are scattered throughout the study area and the development pattern consists of currently vacant one- or two-story warehouses, many of them with loading docks or parking lots fronting the street (See ***Photo 10***).

The commercial areas located along Grand Concourse and East 138th Street are characterized by low intensity automotive uses such as a car wash and showroom where much of the lot space is dedicated to car storage or movement (See ***Photo 11***). There is a vacant two-story restaurant building on Walton Avenue north of the project site (See ***Photo 12***). There are also two buildings along East 138th Street that are two-story warehouses now converted to office space (See ***Photos 13 and 14***).

There is also one community facility in the area, the 3-story public Community School for Social Justice (See ***Photo 15***). The main entrance is along Gerard Avenue. It has a brick-colored facade with continuous windows on the second and third floor. There is a five-story tower above the main entrance. The back of the building has a parking lot and a continuous street wall with loading docks (See ***Photo 16***).

Photo 1 **View of Major Deegan Expressway facing northeast from E 138th Street**



Photo 2 **View of Major Deegan Expressway facing southwest from E 138th Street**

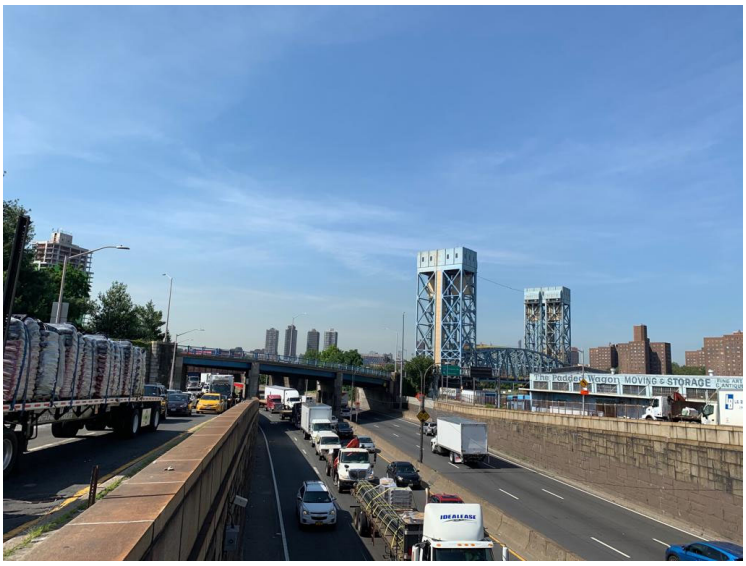


Photo 3 **View of Madison Avenue Bridge facing west from E 138th Street**



Photo 4 **West side of Walton Avenue facing north**



Photo 5 View of site facing south on Walton Avenue



Photo 6 View of site facing south on East 140th Street



Photo 7 View of UHaul site facing northeast on Walton Avenue



Photo 8 West side of Walton Avenue facing north



Photo 9 **View facing northwest from Gerard Avenue**

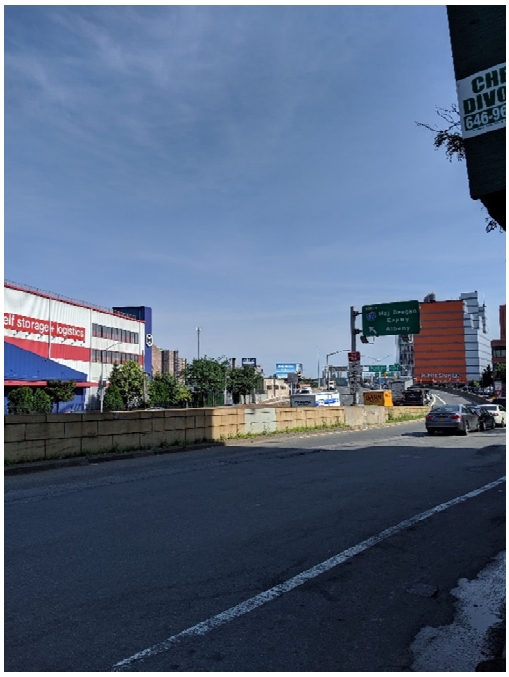


Photo 10 **View of transportation uses on east side of Grand Concourse**



Photo 11 **View of Carwash site facing north on Crand Concourse**



Photo 12 **Restaurant on northeast corner of East 140th Street and Walton Avenue**



Photo 13 **View facing northeast from intersection of East 138th Street and Grand Concourse**

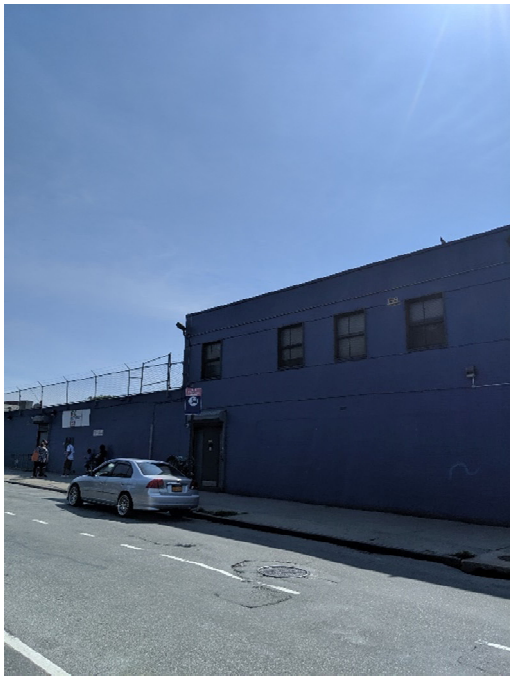


Photo 14 **View facing north from East 138th Street towards Walton Avenue**



Photo 15 **Community School for Social Justice Entrance on Gerard Avenue**



Photo 16 **Community School for Social Justice on Walton Avenue**



There are two open spaces in the study area (See ***Photos 17 and 18***). One features an active community garden on a plot between the highway ramps and the Metro-North Railroad. The entrance to the garden features a small, semicircle-shaped pedestrian only plaza with a Greenstreet island in the middle.

Photo 17 La Finca Del Sur Community Garden



Photo 18 Deegan Rock



Visual Resources

Deegan Rock is the only visual resource in the study area. There are no other historic structures in the area that could be considered a visual resource; in addition, the Harlem River is not visible from the study area.

Deegan Rock is located south of the project site across East 138th Street (See ***Photo 17***). It is managed by DPR and honors Major William Deegan, the immigrant, US Army Corps of Engineers major, architect, and politician. It is located in the abandoned track bed of the former New York Central Rail Road and was acquired by the City in 1896. While not publicly accessible, it contains a granite monument with a dedication to Major Deegan. There is a small walking pathway to view the monument, but no seating is provided. Located on the south side of the 150-foot wide East 138th Street, and obstructed by plantings and trees, there is little visual connection between the Deegan Rock Park and its surroundings, including the project site.

No-Action Condition

As described in Section 1.0, "Project Description," absent the proposed actions (the future No-Action condition), the project site would be redeveloped with mixed-use market-rate housing and commercial uses. This would be done as-of-right within the current zoning regulations.

The as-of-right No-Action development would be an approximately 83,101 gsf, five story building that includes 74,791 gsf of housing use (75 units) and 8,310 gsf of commercial uses. The building would be built to an FAR of 3.0. No parking would be provided.

In keeping with Quality Housing zoning requirements, the building would be built to the lot line on Walton Avenue and Gerard Avenue and have a qualifying ground floor. The building would be constructed to a height of 70 feet. See Figure 2.5-2A and 2.5-2B for renderings of the No-Action condition.

There are no other known developments within the study area expected to be completed by the 2023 build year. However, there are a handful of new developments outside of the study area but within the area of the Lower Concourse Rezoning. A 13-Story, 157-unit residential rental building is being built at 530 Exterior Street and a12-story 153-unit building at 491 Gerard Avenue. On the same block, a 10-story hotel with ground floor retail is proposed for 110 East 149th Street, a second 69-room hotel is under construction at 500 Exterior Street, and a third development is proposed as a 13-story story apartment building at 477 Gerard Avenue.

With-Action Condition

As described in Section 1.0, "Project Description," in the future With-Action condition, the project site would be rezoned from a MX-13 (M1-4/R6A) zoning district to an R8A zoning district with a C2-4 commercial overlay over the project site. The rezoning area would also be mapped as a Mandatory Inclusionary Housing (MIH) Area. The proposed actions would facilitate the development of a 208,849-gsf mixed-use building containing 19,000 gsf of retail and 189,849 gsf of residential uses. It would contain 206 dwelling units, of which 51 would be affordable at 60 percent of the Area Median Income (AMI). Refer to ***Figures 2.5-3*** and ***2.5-4*** for a visualization of the future No-Action and With-Action conditions (and ***Figure 2.5-2*** for visualization locations).

The tallest portion of the proposed building would reach 12 stories (124 feet tall) along the southern, northern, and eastern property boundaries. From the tallest portion of the building along Walton Avenue, the building would step down to 11 stories and then 10 stories (105 feet tall) to the north along Walton Avenue. The central, 12-story portion of the building would step down to one story along Gerard Avenue and along Walton Avenue at the southeastern corner of the project site. The project would have a total zoning floor area of 181,307 zoning square feet (zsf) and a Floor Area Ratio (FAR) of 7.2. Residential apartments would be located on the upper floors, to be accessed from the main residential entrance on Walton Avenue. The first-floor retail space would be accessed by two commercial entrances on Walton Avenue. Accessory below grade parking (12 stalls) would be accessed from Gerard Avenue. Unlike the future No-Action condition, the building would have greater bulk, retail space, and contain affordable housing units.

Figure 2.5-2 Urban Design and Visual Resource Study Map



Figure 2.5-3 Building Massing 1: View from East 138th Street facing northwest

No-Action



With-Action

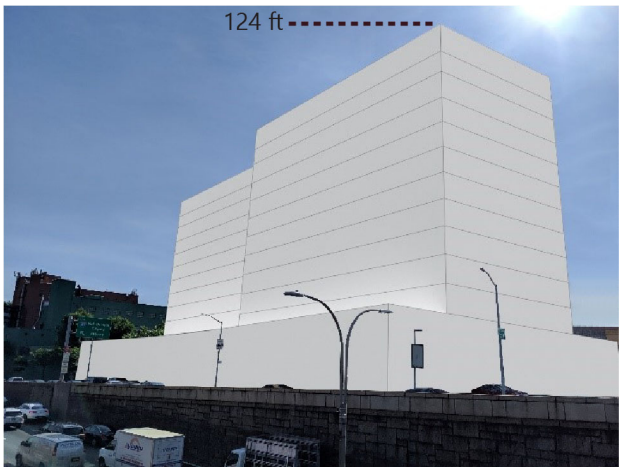


Figure 2.5-4 Building Massing 2: View from East 138th Street facing northeast

No-Action



With-Action



Urban Design

The proposed actions would allow for greater bulk and density on the project site compared to the future No-Action condition. The bases of the No-Action and With-Action conditions would be designed similarly but feature different programming because of the greater amount of retail proposed in the With-Action condition. The With-Action condition would also be taller than neighboring buildings on the project block, which are industrial and transportation/utility oriented.

However, the With-Action condition would be consistent with the urban design character of this neighborhood, and as intended for the area through the Lower Concourse Rezoning, as it would introduce residential and commercial uses to an inactive site. The With-Action condition would also be of a similar character and scale to the new commercial and residential developments within the Lower Concourse Rezoning area discussed in the No-Action condition, but feature both residential and retail uses within the same building. It would also be of a similar scale to existing buildings, such as the Public Storage building north of the project block.

Similar to the No-Action condition, the proposed project would have residential and retail uses on the project site. However, in addition to continuing the character of the development pattern arising from the Lower Concourse Rezoning, it would provide affordable housing that would otherwise not be provided on site. The With-Action condition would also improve the pedestrian experience along Walton Avenue compared to the future No-Action condition. It would do so by increasing the retail space on the ground floor, which would increase the vibrancy of the block and surrounding area and further activate the street. The retail would draw new visitors to the project block and serve any new residents from the projected developments.

Therefore, the proposed actions would not result in any adverse impacts to the urban design character of the study area.

Visual Resources

As mentioned above, the sole visual resource in the study area is Deegan Rock Park, located south of the project block across East 138th Street. The following visual resource assessment includes renderings of the No-Action and With-Action conditions from the views both from the project site to Deegan Rock and vice versa, with a subsequent evaluation of the visual impact the proposed project could have on each view (see ***Figure 2.5-2*** for visual resources photo locations). The views include the following: (1) view from Deegan Rock facing north (***Figure 2.5-5***), (2) view from Walton Avenue facing south (***Figure 2.5-6*).**

Figure 2.7-5 Building Massing 3: View from Deegan Rock facing north

No-Action



With-Action



View from Deegan Rock toward the Project Site

Figure 2.7-5 provides a view of the project site from Deegan Rock, which lies to the south of East 138th Street at the intersection with Gerard Avenue. From the perspective of a pedestrian standing in the entrance to the pedestrian walkway of the park, both the No-Action and With-Action condition would be visible. However, as discussed previously, the walkway in the park is very short, does not have any benches, and does not attract many pedestrians. The building is also across from East 138th Street, which is 150 feet wide in this section and bustling with traffic, and behind a gas station. Therefore, although the With-Action condition is clearly taller than the No-Action condition, it would not result in significant adverse impacts to this resource.

View from Gerard Avenue toward Deegan Rock

Figure 2.7-6 provides a view of the project site looking towards Deegan Rock from Walton Avenue. From the perspective of a pedestrian on this street, the view corridor in maintained when looking toward the parkland. Both the No-Action and With-Action condition would maintain the street wall with the adjacent buildings. Although the With-Action condition is bulkier than the No-Action, the With-Action condition would not significantly impact this viewpoint.

Figure 2.7-6 Building Massing 4: View from Walton Avenue facing south

No-Action



With-Action



2.5-4 Conclusion

Overall, the With-Action condition would be compatible with the vision of the mixed-use character projected for the area as part of the Lower Concourse Rezoning as well as surrounding no-action development. The proposed mixed residential and commercial use of the building would activate the street and provide affordable housing in a transit-accessible area. The With-Action condition would be of greater bulk than the No-Action condition, but this would allow for affordable housing and increased local retail in an area that is currently devoid of active neighborhood-oriented retail uses outside of automotive businesses.

In addition, as demonstrated by the graphic renderings of the With-Action condition, the development would not result in any significant adverse impacts on views to and from the prominent features of the visual resource within the study area. Therefore, the proposed actions would not result in a significant adverse impact on urban design and visual resources, and no further analysis is necessary.

2.6

Transportation

The objective of the transportation analyses is to determine whether a proposed project may result in significant adverse impacts on traffic operations and mobility, public transportation facilities and services, pedestrian elements and flow, safety of all roadway users (pedestrians, cyclists, transit users and motorists), and on- and off-street parking.

2.6-1 Introduction

The project area is located between Gerard Avenue and Walton Avenue in the Lower Concourse section of the Bronx. ***Figure 2.6-1*** shows the location of the project site. The proposed project would consist of a 12-story residential mixed-use building, with a total of 206 residential dwelling units [DU] and 19,000 square feet [sf] of ground-floor commercial space rising above below-grade parking. The proposed project would include 12 parking spaces, accessible via a proposed curb cut along Gerard Avenue. Absent the proposed project, 75 residential units and approximately 8,310 sf of commercial space could be developed as-of-right. ***Table 2.6-1*** shows the development increment analyzed.

Figure 2.6-1 Project Location

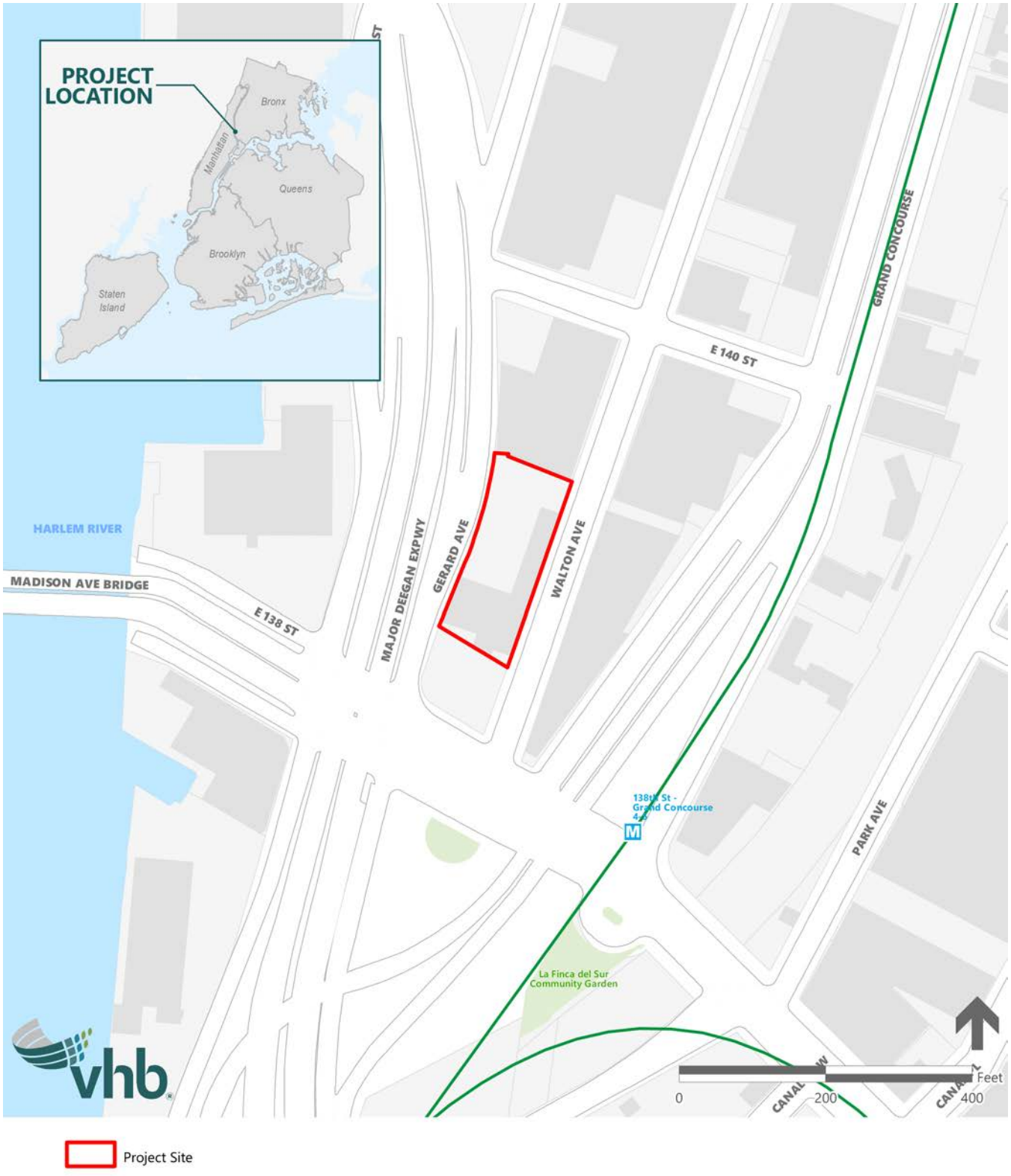


Table 2.6-1 Development Increment for Analysis

Use	No-Action Condition	With-Action Condition	Increment
Residential	75 DU	206 DU	131 DU
Local Retail	8,310 SF	19,000 SF	10,690 SF

2.6-2 Methodology

According to the 2014 CEQR Technical Manual procedures for transportation analysis, a two-tiered screening process is undertaken to determine whether a quantified analysis is necessary. The first step, the Level 1 (Trip Generation) screening, determines whether the volume of peak hour person and vehicle trips generated by the proposed project would remain below the minimum thresholds for further study. These thresholds are:

- 50 peak hour vehicle trip ends;
- 200 peak hour subway/rail or bus transit riders; and
- 200 peak hour pedestrian trips.

If the proposed project results in increments that would exceed any of these thresholds, a Level 2 (Trip Assignment) screening assessment is performed. Under this assessment, project-generated trips that exceed Level 1 thresholds are assigned to and from the site through their respective networks (streets, bus and subway lines, sidewalks, etc.) based on expected origin-destination patterns and travel routes.

Level 1 Screening Assessment

The travel demand factors used to calculate the projected number of trips were obtained primarily from the 2014 CEQR Technical Manual, American Community Survey (ACS) journey-to-work data, and from other New York City environmental impact studies and assessments such as the *Lower Concourse North FEIS (2017)*. ***Table 2.6-2*** provides the travel demand assumptions used for the weekday AM, midday, PM, and Saturday midday peak hours.

Table 2.6-2 Travel Demand Assumptions

Rates	Residential	Local Retail
Person Trip Gen Rate (Weekday/ Saturday)	8.075/9.6[1] *per DU*	205/240[1] *per 1,000 SF*
Linked Trip Credit	0%	15%
Temporal Distribution		
Weekday AM Peak	10%[1]	3%[1]
Weekday Midday Peak	5%[1]	19%[1]
Weekday PM Peak	11%[1]	10%[1]
Saturday Midday Peak	8%[1]	10%[1]
Modal Split		
Auto	9.1%[2]	11%[4]
Taxi	1.2%[2]	0%[4]
Bus	10.6%[2]	2%[4]
Subway	70.5%[2]	3%[4]
Walk	8.6%[2]	84%[4]
Vehicle Occupancy		
Auto	1.14[2]	1.60 [3]
Taxi	1.18[3]	1.20 [3]
Directional Split (In/Out)		
Weekday AM Peak	15%/85%[3]	50%/50%[3]
Weekday Midday Peak	50%/50%[3]	50%/50%[3]
Weekday PM Peak	70%/30%[3]	50%/50%[3]
Saturday Midday Peak	50%/50%[3]	50%/50%[3]
Truck Trip Gen (Weekday/ Saturday)	0.06/ 0.02[1] *per DU*	0.35/0.04[1] *Per 1,000 SF*
Truck Temporal Distribution		
Weekday AM Peak	12%[1]	8%[1]
Weekday Midday Peak	9%[1]	11%[1]
Weekday PM Peak	2%[1]	2%[1]
Saturday Midday Peak	9%[1]	11%[1]
Truck Trip Directional Split (In/Out) – 50%/50%		

Source:

(1) 2014 CEQR Technical Manual
(2) 2013-2017 American Community Survey journey to work data for Bronx Census Tracts 23,39,51,63
(3) Lower Concourse North FEIS,2017
(4) NYCDOT survey of local retail space in Bronx transit zone

Travel Demand Assumptions

Residential

For the residential use, trip generation rates of 8.075 and 9.6 daily person trips per dwelling unit for weekday and Saturday, respectively, and temporal distributions (10 percent, 5 percent, 11 percent, and 8 percent for the weekday AM, midday, PM, and Saturday midday peak hours, respectively) were obtained from the 2014 CEQR Technical Manual. The weekday modal splits of 9.1 percent by auto, 1.2 percent by taxi, 10.6 percent by bus, 70.5 percent by subway, and 8.6 percent by walk, and vehicle occupancy of 1.14 persons per auto during the peak hours were obtained from the 2013-2017 ACS journey to work data for Bronx census tracts 23, 39, 51, and 63. The taxi occupancy of 1.18 persons per taxi was obtained from the Lower Concourse North FEIS (2017). Directional distributions (15 percent "in" for the weekday AM peak hour, 50 percent "in" for the weekday midday peak hour, 70 percent "in" for the weekday PM peak hour, and 50 percent "in" for the Saturday midday peak hour) were obtained from the Lower Concourse North FEIS (2017).

For residential delivery trips, trip generation rates of 0.06 and 0.02 daily trucks per dwelling unit for the weekday and Saturday, respectively, and temporal distributions of 12 percent, 9 percent, 2 percent, and 9 percent for the weekday AM, midday, PM, and Saturday midday peak hours, respectively, were obtained from the 2014 CEQR Technical Manual.

Local Retail

For the local retail use, trip generation rates of 205 daily person trips per 1,000 sf for weekday and 240 daily person trips per 1,000 sf for Saturday were obtained from the 2014 CEQR Technical Manual, and 15 percent was assumed to account for linked trips between the local retail and other uses. Modal splits were based on New York City Department of Transportation (NYCDOT) surveys of local retail space in Bronx transit zones, vehicle occupancy and directional distributions were obtained from the Lower Concourse North EIS (2017), and the temporal distributions were obtained from the 2014 CEQR Technical Manual. The weekday AM, midday, PM, and Saturday midday peak hour modal splits of 11 percent by auto, 2 percent by bus, 3 percent by subway, and 84 percent by walk, and vehicle occupancies of 1.60 persons per auto and 1.20 persons per taxi, were used. The temporal distributions used were 3 percent, 19 percent, 10 percent, and 10 percent for the weekday AM, midday, PM, and the Saturday midday peak hours, respectively, and the directional distributions used were 50 percent "in" for all peak hours.

For retail delivery trips, daily trip generation rates of 0.35 and 0.04 daily trucks per 1,000 sf for weekday and Saturday, respectively, and a temporal distribution of 8 percent, 11 percent, 2 percent, and 11 percent for the weekday AM, midday, PM, and Saturday midday peak hours, respectively, were obtained from the 2014 CEQR Technical Manual.

Level 1 Screening Results

Transit and Pedestrian

The total number of person trips generated in the No-Action and With-Action conditions is provided in ***Table 2.6-3***. The net increment of person trips generated by the proposed project, as summarized in ***Table 2.6-3***, would be expected to exceed the 2014 CEQR Technical Manual Level 1 screening thresholds. The net increase in bus passenger trips would be 14 trips during the weekday AM peak hour, 10 trips during the weekday midday peak hour, 17 trips during the weekday PM peak hour, and 14 trips during the Saturday midday peak hour. The net increase in subway trips would be 76 trips during the weekday AM peak hour, 46 trips during the weekday midday peak hour, 88 trips during the weekday PM peak hour, and 78 trips during the Saturday midday peak hour. Since the number of peak hour subway or bus trips expected to be generated by the proposed project does not exceed the 2014 CEQR Technical Manual Level 1 threshold of 200 subway or bus riders per hour, no additional transit analysis is needed.

The net increase in pedestrian trips (walk plus bus and subway) is expected to be 147 trips during the weekday AM peak hour, 358 trips during the weekday midday peak hour, 271 trips during the weekday PM peak hour, and 286 trips during the Saturday peak hour. Since the number of peak hour pedestrian trips expected to be generated by the proposed project exceeds the CEQR thresholds of 200 pedestrian trips per hour during the weekday midday, PM, and Saturday midday peak hours, a Level 2 trip assignment is conducted to determine if a detailed pedestrian counts and level of services analyses are necessary.

Table 2.6-3 Trip Generation Summary – Person Trips

No-Action Condition (trip reduction credit)

Mode	Weekday AM			Weekday Midday			Weekday PM			Saturday		
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total
Auto	3	7	10	16	16	32	12	10	22	12	12	24
Taxi	0	1	1	0	0	0	1	0	1	0	0	0
Bus	1	5	6	5	5	10	6	3	9	5	5	10
Subway (via bus)	7	37	44	15	15	30	35	16	51	23	23	46
Walk	19	22	41	117	117	234	65	63	128	73	73	146
Total	**30**	**72**	**102**	**153**	**153**	**306**	**119**	**92**	**211**	**113**	**113**	**226**

WITH-ACTION CONDITION

Mode	Weekday AM			Weekday Midday			Weekday PM			Saturday		
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total
Auto	7	18	25	39	39	78	30	23	53	28	27	56
Taxi	0	2	2	0	0	0	2	1	3	1	1	2
Bus	3	16	20	10	10	20	17	9	26	12	12	24
Subway	19	101	120	38	38	76	95	44	139	62	62	124
Walk	44	54	98	268	268	536	150	144	294	170	170	340
Total	**74**	**191**	**265**	**355**	**355**	**710**	**294**	**221**	**515**	**273**	**273**	**546**

NET INCREMENT

Mode	Weekday AM			Weekday Midday			Weekday PM			Saturday		
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total
Auto	4	11	15	23	23	46	18	13	31	16	16	32
Taxi	0	1	1	0	0	0	1	1	2	1	1	2
Bus	3	11	14	5	5	10	11	6	17	7	7	14
Subway	12	64	76	23	23	46	60	28	88	39	39	78
Walk	25	32	57	151	151	302	85	81	166	97	97	194
Total	**44**	**119**	**163**	**202**	**202**	**404**	**175**	**129**	**304**	**160**	**160**	**320**

Traffic

Table 2.6-4 summarizes the total peak hour vehicular volumes ("ins" plus "outs") for the proposed project and the No-Action as-of-right development and provides the resulting net vehicle trip increments. The incremental hourly vehicle trips generated by the proposed project would be 16 vehicles per hour (vph) during the weekday AM peak hour, 34 vph in the weekday midday peak hour, 25 vph in weekday PM peak hour, and 24 vph in the Saturday midday peak hour. Since the incremental volume of vehicle trips generated by the With-Action condition would not exceed the 50-vehicle trip threshold during any of the peak hours, no further traffic analysis is necessary.

Table 2.6-4 Trip Generation Summary – Vehicle Trips

No-Action Condition (Trip Reduction Credit)

	Weekday AM			Weekday Midday			Weekday PM			Saturday Midday		
Mode	**In**	**Out**	**Total**	**In**	**Out**	**Total**	**In**	**Out**	**Total**	**In**	**Out**	**Total**
Auto	2	5	7	10	10	20	9	7	16	9	9	18
Taxi	1	1	2	0	0	0	1	1	2	0	0	0
Truck	0	0	0	0	0	0	0	0	0	0	0	0
Total	**3**	**6**	**9**	**10**	**10**	**20**	**10**	**8**	**18**	**9**	**9**	**18**

With-Action Condition

Mode	Weekday AM			Weekday Midday			Weekday PM			Saturday Midday		
	In	**Out**	**Total**	**In**	**Out**	**Total**	**In**	**Out**	**Total**	**In**	**Out**	**Total**
Auto	5	14	19	26	26	52	22	15	37	19	19	38
Taxi	2	2	4	0	0	0	3	3	6	2	2	4
Truck	1	1	2	1	1	2	0	0	0	0	0	0
Total	**8**	**17**	**25**	**27**	**27**	**54**	**25**	**18**	**43**	**21**	**21**	**42**

Net Increment

Mode	Weekday AM			Weekday Midday			Weekday PM			Saturday Midday		
	In	**Out**	**Total**	**In**	**Out**	**Total**	**In**	**Out**	**Total**	**In**	**Out**	**Total**
Auto	3	9	12	16	16	32	13	8	21	10	10	20
Taxi	1	1	2	0	0	0	2	2	4	2	2	4
Truck	1	1	2	1	1	2	0	0	0	0	0	0
Total	**5**	**11**	**16**	**17**	**17**	**34**	**15**	**10**	**25**	**12**	**12**	**24**

Level 2 Screening Assessment

As shown above, the number of vehicle, subway, and bus trips generated by the proposed project would not exceed the Level 1 screening thresholds but pedestrian trips would exceed the Level 1 screening thresholds during the weekday midday, PM, and Saturday midday peak hours. Project-generated pedestrian trips were assigned through the surrounding street network based on expected routes to and from the project site.

Transit and Pedestrians

Transit and pedestrian trips shown in ***Table 2.6-3*** were assigned through the pedestrian network based on logical and direct travel routes to and from the project site from neighborhood attractions, subway stations and/or bus stops, to determine if the number of additional pedestrian trips generated by the proposed project would exceed 200 peak hour pedestrian trips at any single pedestrian element (e.g. crosswalk, sidewalk, corner reservoir area) approaching the project site – the threshold for detailed pedestrian analysis. Transit and pedestrian trips were assigned to proposed project entrances located along Walton Avenue.

Bus-generated pedestrian trips were assigned to nearby bus routes travelling along East 138th Street and the Grand Concourse (Bx33 and BX1, respectively). Approximately 80 percent of the bus trips were assigned to the Bx1 bus stops along northbound and southbound Grand

Concourse at East 138th Street east of the project site. The remaining 20 percent of bus trips were assigned to the Bx33 bus stops along East 138th Street at northbound and southbound Grand Concourse, about two blocks to the east of the project site.

The closest subway station is the 138th Street Station which serves the No. 4 and No. 5 subway lines, located about two blocks from the project site. All of the subway trips were assigned to this station.

Walk-only trips were assigned based on the surrounding land uses in the area, such as surrounding residential density and areas of employment.

Level 2 Screening Results

Pedestrians

Based on the pedestrian assignments detailed above and shown in ***Figures 2.6-2 through 2.6-4***, pedestrian volumes at two locations would exceed the CEQR Level 2 screening thresholds during the weekday midday, PM, and Saturday midday peak hours. The highest number of project-generated trips would occur during the weekday midday peak hour, and surrounding background land uses within the proposed project vicinity are low trip generating uses. It is expected that the weekday PM and Saturday midday pedestrian volumes would be similar to or less than the weekday midday peak hour and thus findings for detailed pedestrian level of service analysis during the weekday midday peak hour would represent the most conservative analysis peak hour for the proposed project. Pedestrian counts and detailed level of service analyses were performed at the following pedestrian locations during the weekday midday peak hour:

1. West sidewalk of Walton Avenue between East 138th Street and East 140th Street
2. North sidewalk of East 138th Street between Walton Avenue and southbound Grand Concourse

Figure 2.6-2 With-Action Pedestrian Increment – Weekday Midday Peak Hour

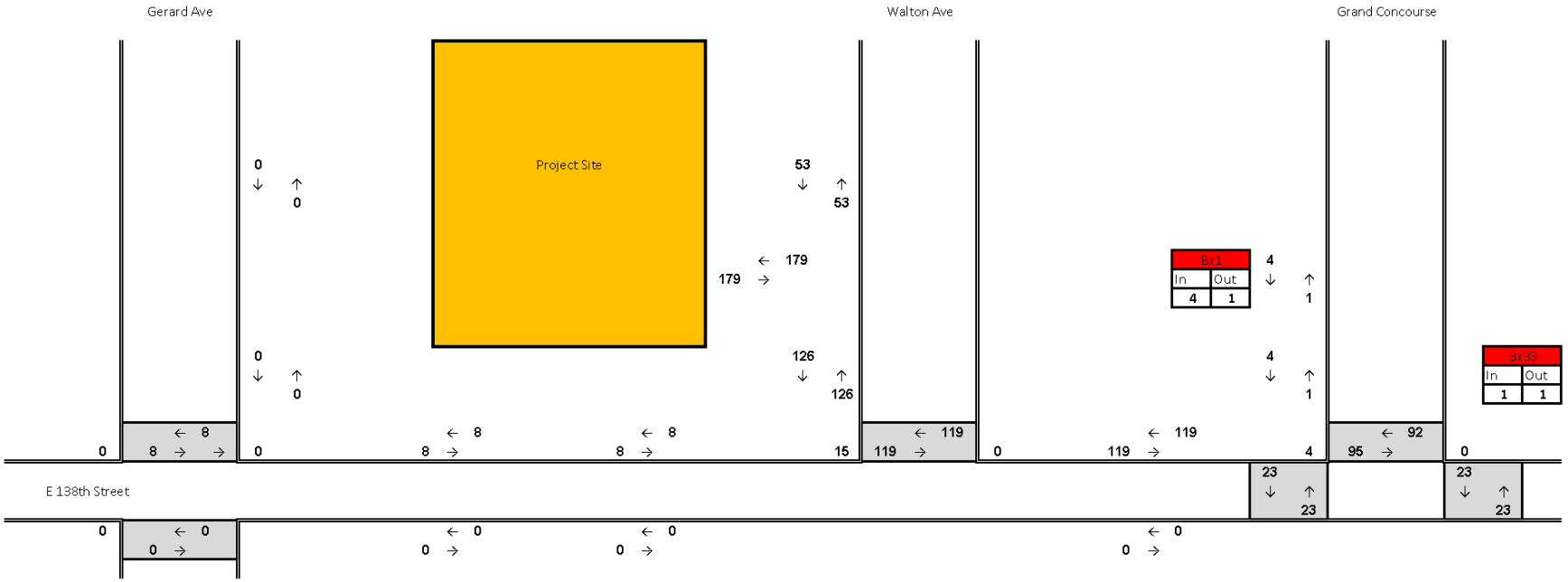


Figure 2.6-3 With-Action Pedestrian Increment – Weekday PM Peak Hour

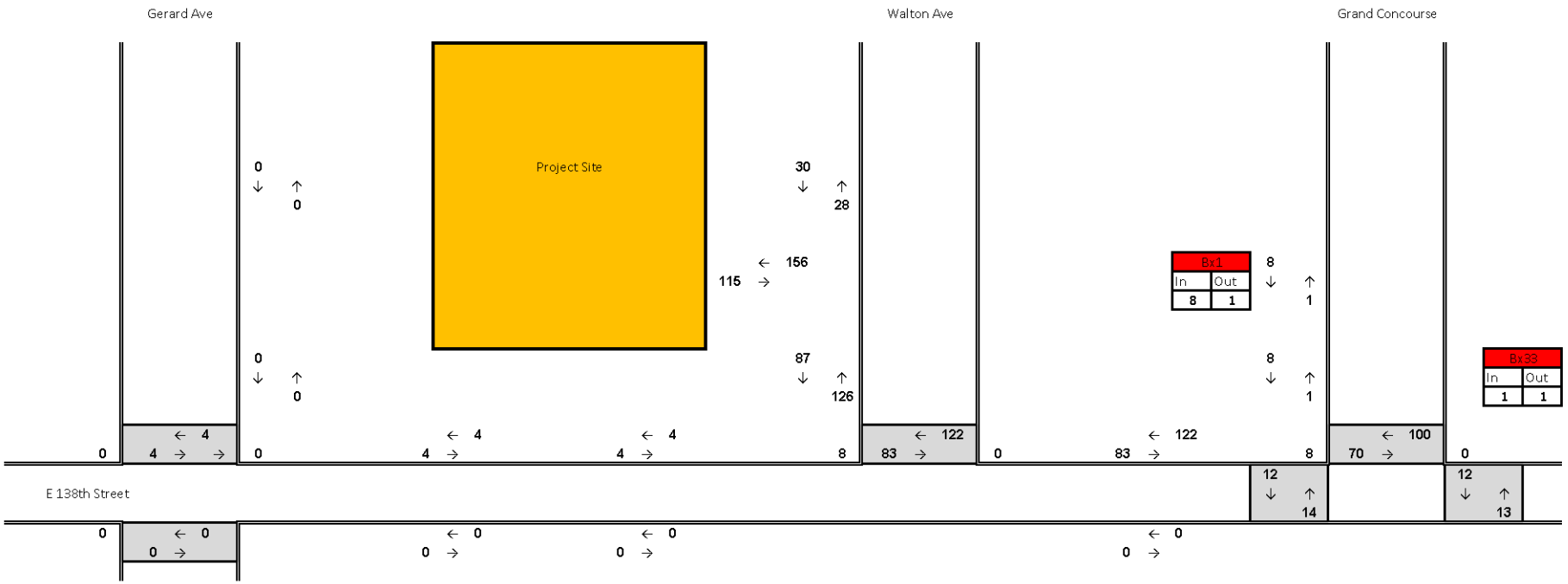
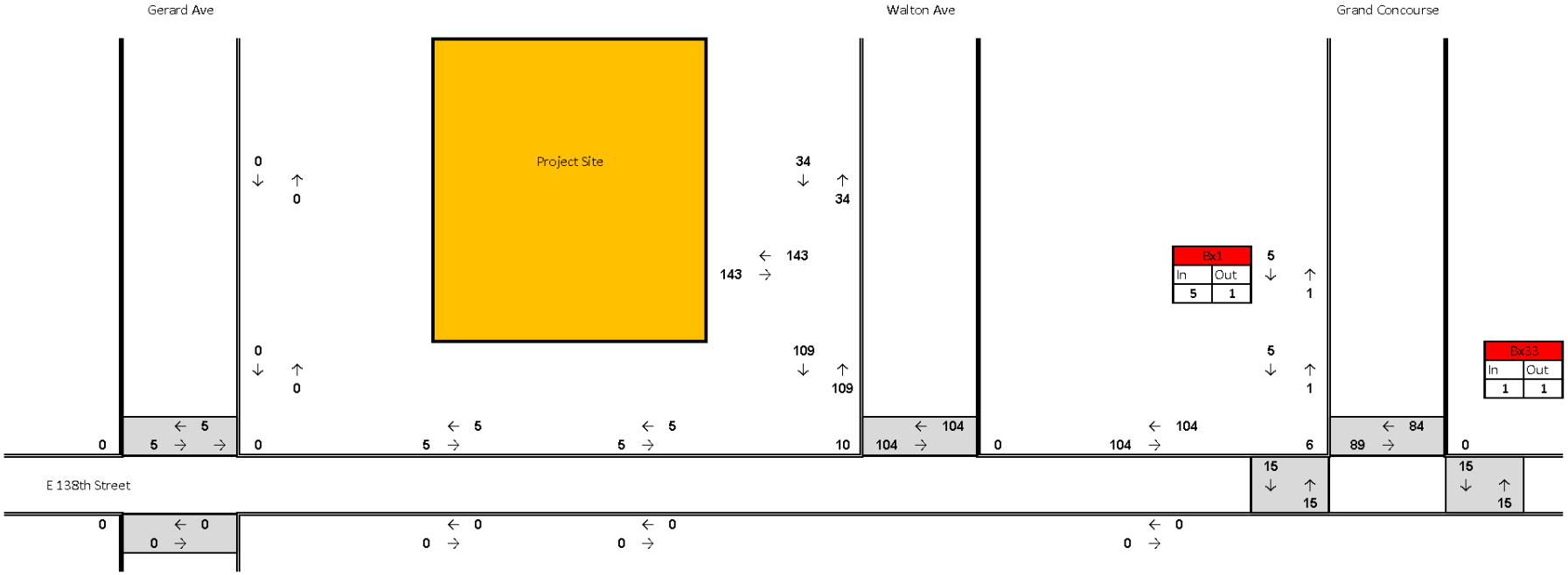


Figure 2.6-4 With-Action Pedestrian Increment – Saturday Midday Peak Hour



2.6-3 Detailed Analysis Methodologies

The Level 1 and Level 2 screening assessment shows that more detailed pedestrian analyses are needed. Further analyses were conducted using methodologies detailed in the CEQR Technical Manual and are described below.

Pedestrians

Pedestrian level of service standards are determined on the basis of walking speed, pedestrian spacing, and probabilities of pedestrian and vehicular conflict, and are assessed based on the methodologies presented in the *2010 Highway Capacity Manual* and the *CEQR Technical Manual*. These standards are primarily based on the space needs of people involved in various activities and are widely used for planning and design of facilities for pedestrians. Analysis of crosswalks, street corners, and sidewalks along key walking paths to and from the development site will be performed to assess the adequacy of these pedestrian elements.

To evaluate sidewalks, the pedestrian flow per unit width (p/ft/min) is calculated based on the pedestrian flow and the effective walkway width[1]. The analysis of sidewalk conditions should also consider if pedestrian flow is a "non-platoon" flow (pedestrian flow within the peak 15-minute period is relatively uniform) or "platoon" flow. Platooning occurs when pedestrians move in groups or "platoons" as a result of pedestrian metering from a traffic signal, or from attractions such as subway stations or bus stops. The ratio of the walking speed[2] over the pedestrian flow per unit width determines the average pedestrian space (sf/p).

Crosswalk conditions are expressed as a measurement of the area available (the area consists of the crosswalk width multiplied by the crossing distance) and available pedestrian crossing time. The pedestrian flow is compared to the "time-space" available to determine the crosswalk level of service which is expressed as square feet per pedestrian (sf/p). This analysis also takes account of pedestrian conflicts in the crosswalk with turning vehicles.

Similar to crosswalks, street corners must provide sufficient space for a mix of standing pedestrians (queued to cross a street) and circulating pedestrians (crossing the other street or passing around the corner). The analysis applies a measure of time and space availability based on the area of the corner reservoir, pedestrian crossing time available, and the estimated time used by circulating pedestrians.

The level of service standards for pedestrian elements are based on the time and space available per pedestrian during the analysis period. Level of service grades from A to F are assigned, with LOS A representative of free flow conditions without pedestrian conflicts and LOS F depicting significant capacity limitations and inconvenience. ***Table 2.6-5*** defines the level of service criteria for crosswalks, corner area, and sidewalk conditions, as per the *2010 HCM*. The *CEQR Technical Manual* identifies acceptable levels of service in non-Central

[1] The effective walkway width is the space along the walkway that pedestrians could use that is free of obstruction. This width also takes account of the "shy distance" (the space between pedestrians and the obstacle such as a wall or building façade).

[2] The typical average pedestrian walking speed specified in the *CEQR Technical Manual* is 3.5 feet per second (ft/s). For intersections with school crosswalks or that are located within the Senior Pedestrian Focus Areas, an average pedestrian walking speed of 3.0 ft/s is used.

Business District (CBD) areas (such as the area in this study) as LOS C or better, and mid-LOS D or better for CBD areas.

The proposed project is located in a non-CBD area, and the pedestrian analysis were analyzed assuming non-platoon pedestrian flow.

Table 2.6-5 Level of Service Criteria for Pedestrian Elements

LOS	Sidewalks		Corner Reservoirs and Crosswalks
	Non-Platoon Flow	Platoon Flow	
A	> 60 sf/p	> 530 sf/p	> 60 sf/p
B	> 40 and ≤ 60 sf/p	> 90 and ≤ 530 sf/p	> 40 and ≤ 60 sf/p
C	> 24 and ≤ 40 sf/p	> 40 and ≤ 90 sf/p	> 24 and ≤ 40 sf/p
D	> 15 and ≤ 24 sf/p	> 23 and ≤ 40 sf/p	> 15 and ≤ 24 sf/p
E	> 8 and ≤ 15 sf/p	> 11 and ≤ 23 sf/p	> 8 and ≤ 15 sf/p
F	≤ 8 sf/p	≤ 11 sf/p	≤ 8 sf/p

Source: CEQR Technical Manual

Significant Impact Criteria

The identification of significant pedestrian impacts is dependent on the area type (CBD or non-CBD) and is determined by the decrease of time and space available for pedestrians between the No-Action and With-Action conditions[3]. The *CEQR Technical Manual* identifies significant impacts for the pedestrian sidewalk, crosswalk, and corner elements on a sliding scale detailed below. With-Action pedestrian level of service that is considered acceptable (LOS C or better in non-CBD areas, and mid-LOS D or better in CBD areas) would not have a potential for significant impacts.

For sidewalks, the assessment of potential significant impacts is based on a sliding-scale formula provided in the *CEQR Technical Manual*. Consideration as to whether pedestrian flow along the sidewalk is platooning or non-platooning, and whether the sidewalk being analyzed is in a CBD or non-CBD condition is necessary.

For sidewalks with non-platoon pedestrian flow, the formula used to determine the decrease in pedestrian space from the No-Action to With-Action condition that would trigger a significant impact is $Y \geq (X / 9.0) - 0.31$, where Y is the decrease in pedestrian space (sf/p) to be considered a potential significant impact and X is the No-Action pedestrian space (sf/p). If the decrease in pedestrian space is greater than Y and the With-Action level of service is considered to be unacceptable, the sidewalk is considered to be significantly impacted. For sidewalks with platoon pedestrian flow, the formula to determine if the decrease in pedestrian space would trigger a significant impact is $Y \geq X / (9.5 - 0.321)$. ***Table 2.6-6*** provides a summary of the sliding-scale guidelines provided in the *CEQR Technical Manual*.

For corners and crosswalks, the assessment of potential significant impacts is also based on a sliding-scale formula provided in the *CEQR Technical Manual*. The formula used to determine the decrease in pedestrian space from the No-Action to With-Action condition that would

[3] The project area and surrounding analysis locations are located in a non-CBD area.

trigger a significant impact is Y ≥ (X / 9.0) – 0.31, where Y is the decrease in pedestrian space (sf/p) to be considered a potential significant impact and X is the No-Action pedestrian space (sf/p). If the decrease in pedestrian space is greater than Y and the With-Action level of service is considered to be unacceptable, the corner or crosswalk is considered to be significantly impacted. ***Table 2.6-7*** provides a summary of the sliding-scale guidelines provided in the *CEQR Technical Manual*.

Table 2.6-6 Significant Impact Criteria for Sidewalks

Non-Platoon Flow, Non-CBD Areas

No-Action Ped Space (sf/p)	With-Action Ped Space Reduction (sf/p)
>26.6	With-Action Condition < 24.0
25.8 to 26.6	≥ 2.6
24.9 to 25.7	≥ 2.5
24.0 to 24.8	≥ 2.4
23.1 to 23.9	≥ 2.3
22.2 to 23.0	≥ 2.2
21.3 to 22.1	≥ 2.1
20.4 to 21.2	≥ 2.0
19.5 to 20.3	≥ 1.9
18.6 to 19.4	≥ 1.8
17.7 to 18.5	≥ 1.7
16.8 to 17.6	≥ 1.6
15.9 to 16.7	≥ 1.5
15.0 to 15.8	≥ 1.4
14.1 to 14.9	≥ 1.3
13.2 to 14.0	≥ 1.2
12.3 to 13.1	≥ 1.1
11.4 to 12.2	≥ 1.0
10.5 to 11.3	≥ 0.9
9.6 to 10.4	≥ 0.8
8.7 to 9.5	≥ 0.7
7.8 to 8.6	≥ 0.6
6.9 to 7.7	≥ 0.5
6.0 to 6.8	≥ 0.4
5.1 to 5.9	≥ 0.3
< 5.1	≥ 0.2

Source: 2014 CEQR Technical Manual

Table 2.6-7 Significant Impact Criteria for Corners and Crosswalks

Non-CBD Areas	
No-Action Ped Space (sf/p)	**With-Action Ped Space Reduction (sf/p)**
>26.6	With-Action Condition < 24.0
25.8 to 26.6	≥ 2.6
24.9 to 25.7	≥ 2.5
24.0 to 24.8	≥ 2.4
23.1 to 23.9	≥ 2.3
22.2 to 23.0	≥ 2.2
21.3 to 22.1	≥ 2.1
20.4 to 21.2	≥ 2.0
19.5 to 20.3	≥ 1.9
18.6 to 19.4	≥ 1.8
17.7 to 18.5	≥ 1.7
16.8 to 17.6	≥ 1.6
15.9 to 16.7	≥ 1.5
15.0 to 15.8	≥ 1.4
14.1 to 14.9	≥ 1.3
13.2 to 14.0	≥ 1.2
12.3 to 13.1	≥ 1.1
11.4 to 12.2	≥ 1.0
10.5 to 11.3	≥ 0.9
9.6 to 10.4	≥ 0.8
8.7 to 9.5	≥ 0.7
7.8 to 8.6	≥ 0.6
6.9 to 7.7	≥ 0.5
6.0 to 6.8	≥ 0.4
5.1 to 5.9	≥ 0.3
< 5.1	≥ 0.2

Source: 2014 CEQR Technical Manual

Vehicle and Pedestrian Safety

An evaluation of vehicular and pedestrian safety is necessary for locations within the traffic and pedestrian study areas that have been identified as high-crash locations, where 48 or more total reportable and non-reportable crashes or five or more pedestrian/bicyclist injury crashes occurred in any consecutive 12 months of the most recent three-year period for which data are available. For these locations, crash trends are identified to determine whether projected vehicular and pedestrian traffic would further impact safety at these locations. The determination of potential significant safety impacts depends on the type of area where the

proposed project is located, traffic volumes, crash types and severity, and other contributing factors. Where appropriate, measures to improve traffic and pedestrian safety are identified.

2.6-4 Existing Conditions

Study Area

The project site is located at 261 Walton Avenue, which is bounded by 140th Street to the north, Walton Avenue to the east, East 138th Street to the south, and Gerard Avenue/Major Deegan Expressway to the west. Access to the project site is provided only along Walton Avenue, which is a one-way southbound street that extends from E Fordham Road in the north to East 138th Street in the south and consists of one travel lane with parking on each side. Gerard Avenue is a one-way northbound street with one travel lane and parking on each side. Gerard Avenue extends from Jerome Avenue in the north to East 138th Street in the south, and provides access to and from Major Deegan Expressway near the project site. East 138th Street is a two-way east-west street with generally one to two travel lanes and a bike lane in each direction, and parking on both sides of the roadway. It extends from Locust Ave in the east to Exterior Street/East 135th Street in the west where it transitions to Madison Avenue Bridge. Bus Routes that operate along portions of East 138th Street in the study area include BX33 and BX15. The closest subway station to the project site, the 138th Street Station which serves the No. 4 and No. 5, is located on the northwest corner of the intersection of East 138th Street and northbound Grand Concourse. East 140th Street is an east-west street that extends from Locust Avenue in the east to Gerard Avenue in the west. East 140th Street operates as a two-way street west of Grand Concourse with one travel lane per direction and parking on both sides. East of Park Avenue, it operates as a one-way street in eastbound direction with one travel and parking on both sides.

Pedestrians

Pedestrian counts were conducted in October 2019 at key locations near the project area for the weekday midday peak period when (NYC public schools were in session). The weekday peak hour of 12:15-1:15 PM was selected for analysis.

As shown in ***Table 2.6-8***, all pedestrian elements analyzed operate at acceptable LOS A during the weekday midday peak hour. Existing pedestrian volumes are shown in ***Table 2.6-8.***

Table 2.6-8 Existing Pedestrian Levels of Service

		Weekday Midday Peak Hour		
Sidewalk	Effective Width, ft	Volume, ped/hr	Avg Ped Space, SF/P	Non-Platoon LOS
Walton Avenue between East 140th Street and East 138th Street (west side)	4.8	21	2,280	A
East 138th Street between Walton Avenue and Southbound Grand Concourse (north side)	16.8	110	1,823	A

Vehicular and Pedestrian Safety

Crash data was obtained for four study area intersections from NYCDOT for the most recent three-year period (2015 through 2017). This information is based on data provided by the New York State Department of Transportation (NYSDOT), New York State Department of Motor Vehicles (NYSDMV), and New York City Police Department (NYPD).

The crash data detail reported crashes (crashes resulting in death, injury, or property damage in excess of $1,000), fatalities, injuries, and pedestrian and bicycle injuries annually. According to the *CEQR Technical Manual*, a location is considered a high-crash location when there are 48 or more total reportable and non-reportable crashes, or five or more pedestrian/bicyclist injury crashes in any consecutive 12 months during the most recent three-year period for which data are available.

Table 2.6-9 presents a summary of total crashes at the study area intersections during the three-year period of 2015 through 2017, and also shows total fatalities, injuries, and pedestrian and bicycle crashes. No high-crash locations were identified within the study area and no additional analyses is needed.

Table 2.6-9 Vehicle and Pedestrian Crash Summary

Intersection	Total Crashes					2015			2016			2017		
	2015	2016	2017	Total Fatalities	Total Injuries	Total Crashes	Pedestrian Crashes	Bike Crashes	Total Crashes	Pedestrian Crashes	Bike Crashes	Total Crashes	Pedestrian Crashes	Bike Crashes
Walton Avenue and E 138th Street	2	3	2	1	7	0	0	0	2	0	2	0	0	0
Walton Avenue and E 140th Street	1	0	1	0	2	0	0	0	0	0	0	0	0	0
NB Grand Concourse and E 138th Street	1	1	1	0	3	0	0	0	0	0	0	0	0	0
SB Grand Concourse and E 138th Street	6	9	6	0	21	0	0	0	0	0	0	1	0	1

Source: NYSDMV/DOT (2015-2017)

2.6-5 No Action Conditions

Pedestrians

This section establishes the baseline (No-Action) condition against which potential impacts of the project can be identified. Future year conditions were analyzed for the year 2023. No-Action pedestrian and transit volumes were established by applying a background growth of 0.25 percent per year for the four years (years 2019 to 2023) in accordance with CEQR Technical Manual guidelines. The 2023 No-Action pedestrian volumes were developed by increasing existing pedestrian volumes to reflect expected growth in overall travel through and within the study area.

Table 2.6-10 details the pedestrian volumes and levels of service during the peak hours analyzed. During the weekday midday peak hour, the two pedestrian elements analyzed would continue to operate at an acceptable LOS A, similar to existing conditions.

Table 2.6-10 2023 No-Action Condition Pedestrian Levels of Service

		Weekday Midday Peak Hour		
Sidewalk	Effective Width, ft	Volume, ped/hr	Avg Ped Space, SF/P	Non-Platoon LOS
Walton Avenue between East 140th Street and East 138th Street (west side)	7.4	21	3,552	A
East 138th Street between Walton Avenue and Southbound Grand Concourse (north side)	16.8	111	1,806	A

2.7-6 With-Action Conditions

Pedestrians

The project-generated pedestrian volumes were distributed through the pedestrian network and added to the 2023 No-Action volumes to develop the 2023 With-Action pedestrian volumes. Pedestrian analyses were performed based on these volumes and the With-Action pedestrian levels of services were determined for the analysis locations. Pedestrian volumes and levels of service are provided in ***Table 2.6-11***. The summary of the With-Action conditions indicates that during the weekday midday peak hour, none of the two pedestrian elements analyzed would operate at unacceptable levels of service (mid-LOS D or worse) and no significant impacts are expected to occur as a result of the project.

Table 2.6-11 2023 With-Action Condition Pedestrian Levels of Service

		Weekday Midday Peak Hour		
Sidewalk	Effective Width, ft	Volume, ped/hr	Avg Ped Space, SF/P	Non-Platoon LOS
Walton Avenue between East 140th Street and East 138th Street (west side)	7.4	265	281	A
East 138th Street between Walton Avenue and SB Grand Concourse (north side)	16.8	339	591	A

2.7-7 Conclusion

The proposed project would not generate traffic volumes exceeding transportation screening thresholds during the weekday AM, midday, PM, and Saturday midday peak hours and, as a result, detailed traffic analysis is not necessary.

The screening thresholds would be exceeded for pedestrians and, as a result, a detailed pedestrian analysis was performed at two pedestrian sidewalk elements during the weekday midday peak hour. Pedestrian improvements were not required for these elements; all pedestrian elements would operate at acceptable levels of service. The screening thresholds would not be exceeded for transit and additional analyses were not required.

Overall, the proposed project would not result in significant adverse transportation impacts.

Appendix A- NYCLPC & OPRHP Correspondence for the Lower Concourse Rezoning

(Attached)

APPENDIX E:

New York City Landmarks Preservation Commission (NYCLPC) & New York State Office of Parks Recreation & Historic Preservation (OPRHP) Correspondence

THE CITY OF NEW YORK LANDMARKS PRESERVATION COMMISSION
1 Centre Street, 9N, New York, NY 10007 (212) 669-7700 www.nyc.gov/landmarks

ENVIRONMENTAL REVIEW

DEPARTMENT OF CITY PLANNING/LA-CEQR-X 11/8/2007

Project number **Date received**

Project: LOWER CONCOURSE REZONING

The following properties possess architectural significance:

Comments: Architectural review. Archaeology review attached separately.

The LPC is in receipt of the draft EAS dated 12/10/07.

In the project area: P.S. 31, 425 Grand Concourse, LPC and S/NR listed. In the radius: Grand Concourse HD, LPC eligible and S/NR listed; Bronx Post Office, 560 Grand Concourse, LPC and S/NR listed, LPC eligible interior; Mott Ave. Control House, S/NR listed; Estey Piano Co., 112-128 Lincoln Ave., LPC listed; Mott Haven HD, LPC and S/NR listed; 341 E. 143 St., Firehouse Hook and Ladder, LPC listed; and 614 Courtlandt Ave., LPC listed.

Impacts to these historic properties as a result of this action should be identified, assessed, and disclosed in the EAS.

12/17/2007

SIGNATURE DATE

Gina Santucci

24135_FSO_GS_12172007.doc

THE CITY OF NEW YORK LANDMARKS PRESERVATION COMMISSION
1 Centre Street, 9N, New York, NY 10007 (212) 669-7700 www.nyc.gov/landmarks

ENVIRONMENTAL REVIEW

DEPARTMENT OF CITY PLANNING/LA-CEQR-X 5/27/2008

Project number **Date received**

Project: LOWER CONCOURSE REZONING

ARCHAEOLOGY COMMENTS ONLY; ARCHITECTURAL COMMENTS SENT SEPARATELY.

The LPC has previously reviewed the blocks/lots submitted to LPC on 5/23/08. The comments below are from the 11/15/07 archaeology review signed by Amanda Sutphin.

Properties with no archaeological significance:

project_unique_id	site_id	BBL	Address
24135	64604	2023180005	2472 3 AVENUE
24135	64608	2023180007	2482 3 AVENUE
24135	64609	2023180009	2486 3 AVENUE
24135	64605	2023180018	2488 3 AVENUE
24135	64607	2023180019	2490 3 AVENUE
24135	64606	2023180022	270 EAST 137 STREET
24135	64610	2023200005	240 EAST 136 STREET
24135	64611	2023200006	242 EAST 136 STREET
24135	64612	2023200007	244 EAST 136 STREET
24135	64613	2023200008	246 EAST 136 STREET
24135	64614	2023200009	248 EAST 136 STREET
24135	64615	2023200010	EAST 136 STREET
24135	64616	2023200011	2477 3 AVENUE
24135	64621	2023200041	2515 3 AVENUE
24135	64622	2023200042	2511 3 AVENUE
24135	64623	2023200043	2507 3 AVENUE
24135	64617	2023200045	2505 3 AVENUE
24135	64624	2023200046	2503 3 AVENUE
24135	64625	2023200047	2501 3 AVENUE
24135	64626	2023200050	2495 3 AVENUE
24135	64627	2023200051	2491 3 AVENUE
24135	64619	2023200066	250 EAST 138 STREET
24135	64620	2023200072	256 EAST 138 STREET
24135	64618	2023200073	258 EAST 138 STREET
24135	64628	2023200074	260 EAST 138 STREET
24135	64629	2023200077	2535 3 AVENUE
24135	64630	2023200079	2527 3 AVENUE
24135	64631	2023220028	2522 PARK AVENUE
24135	64632	2023220081	220 EAST 138 STREET
24135	64633	2023220101	236 EAST 138 STREET
24135	64634	2023230013	188 EAST 135 STREET
24135	64635	2023230018	EAST 135 STREET
24135	64636	2023230028	63 EXTERIOR STREET

24135	64637	2023230043	110 EAST 138 STREET
24135	64638	2023330001	2551 3 AVENUE
24135	64639	2023330006	245 EAST 138 STREET
24135	64640	2023330010	243 EAST 138 STREET
24135	64641	2023330012	270 RIDER AVENUE
24135	64642	2023330017	254 EAST 139 STREET
24135	64643	2023330031	289 MORRIS AVENUE
24135	64644	2023330033	286 RIDER AVENUE
24135	64645	2023330050	302 RIDER AVENUE
24135	64646	2023330054	301 MORRIS AVENUE
24135	64647	2023340038	267 EAST 142 STREET
24135	64648	2023340039	263 EAST 142 STREET
24135	64649	2023340040	261 EAST 142 STREET
24135	64650	2023340041	253 EAST 142 STREET
24135	64651	2023340043	247 EAST 142 STREET
24135	64652	2023340045	400 RIDER AVENUE
24135	64653	2023340059	262 EAST 143 STREET
24135	64654	2023340061	266 EAST 143 STREET
24135	64655	2023340062	268 EAST 143 STREET
24135	64656	2023340063	383 MORRIS AVENUE
24135	64657	2023340066	375 MORRIS AVENUE
24135	64659	2023350006	220 PARK AVENUE
24135	64658	2023350057	223 EAST 144 STREET
24135	64660	2023350058	213 EAST 144 STREET
24135	64661	2023400001	213 EAST 138 STREET
24135	64662	2023400003	205 EAST 138 STREET
24135	64663	2023400008	201 EAST 138 STREET
24135	64664	2023400011	2564 PARK AVENUE
24135	64665	2023400056	221 EAST 138 STREET
24135	64666	2023400058	225 EAST 138 STREET
24135	64667	2023400072	305 RIDER AVENUE
24135	64668	2023400186	341 RIDER AVENUE
24135	64669	2023400195	349 RIDER AVENUE
24135	64670	2023400204	371 RIDER AVENUE
24135	64671	2023400208	373 RIDER AVENUE
24135	64672	2023400209	375 RIDER AVENUE
24135	64673	2023400213	389 RIDER AVENUE
24135	64674	2023400215	391 RIDER AVENUE
24135	64675	2023400218	405 RIDER AVENUE
24135	64676	2023400221	228 EAST 144 STREET
24135	64677	2023410006	250 GRAND CONCOURSE
24135	64678	2023410010	276 GRAND CONCOURSE
24135	64679	2023410023	304 GRAND CONCOURSE
24135	64680	2023410028	310 GRAND CONCOURSE
24135	64681	2023410031	334 GRAND CONCOURSE
24135	64682	2023410034	338 GRAND CONCOURSE
24135	64683	2023410037	344 GRAND CONCOURSE
24135	64684	2023410040	346 GRAND CONCOURSE
24135	64685	2023410042	350 GRAND CONCOURSE
24135	64686	2023440001	261 GRAND CONCOURSE
24135	64687	2023440011	270 WALTON AVENUE
24135	64688	2023440017	288 WALTON AVENUE
24135	64689	2023440027	315 GRAND CONCOURSE

24135	64690	2023440052	109 EAST 138 STREET
24135	64691	2023440060	261 WALTON AVENUE
24135	64692	2023440075	301 WALTON AVENUE
24135	64693	2023440083	287 WALTON AVENUE
24135	64694	2023440110	370 GERARD AVENUE
24135	64695	2023440112	120 EAST 144 STREET
24135	64696	2023450001	335 GRAND CONCOURSE
24135	64697	2023450005	334 WALTON AVENUE
24135	64698	2023450010	WALTON AVENUE
24135	64699	2023450012	WALTON AVENUE
24135	64700	2023450014	356 WALTON AVENUE
24135	64701	2023450018	367 GRAND CONCOURSE
24135	64702	2023450022	391 GRAND CONCOURSE
24135	64703	2023450026	395 GRAND CONCOURSE
24135	64704	2023450049	349 GRAND CONCOURSE
24135	64705	2023490003	255 EXTERIOR STREET
24135	64706	2023490015	281 EXTERIOR STREET
24135	64707	2023490038	325 EXTERIOR STREET
24135	64708	2023490046	329 EXTERIOR STREET
24135	64709	2023490047	MAJOR DEEGAN EXPWY
24135	64710	2023490090	385 GERARD AVENUE
24135	64711	2023490100	333 EXTERIOR STREET
24135	64712	2023490112	60 EAST 149 STREET
24135	64713	2023500001	121 EAST 144 STREET
24135	64714	2023500005	444 GERARD AVENUE
24135	64715	2023500011	427 WALTON AVENUE
24135	64716	2023500016	135 WALTON AVENUE
24135	64717	2023500034	500 GERARD AVENUE
24135	64718	2023500063	479 WALTON AVENUE
24135	64719	2023510001	404 MAJ WM DEEGAN BLVD
24135	64720	2023510003	440 MAJ WM DEEGAN BLVD
24135	64721	2023510012	445 GERARD AVENUE
24135	64722	2023510020	417 GERARD AVENUE
24135	64723	2023510022	467 RIVER AVENUE
24135	64724	2023510025	110 EAST 149 STREET
24135	64725	2023510035	100 EAST 149 STREET

Comments:
The LPC has reviewed the lots referenced above and determined that there are no further archaeological concerns for those lots. However, we recommend that an archaeological documentary study be completed for the following: B 2334 Lots 38, 39, 40, 41, 61, 62, 63, and 66 as per the LPC Archaeological Guidelines 2002, as they may contain potentially significant 19th century resources.

5/27/2008

SIGNATURE DATE

24135_FSO_GS_05272008.doc

THE CITY OF NEW YORK LANDMARKS PRESERVATION COMMISSION
1 Centre Street, 9N, New York, NY 10007 (212) 669-7700 www.nyc.gov/landmarks

ENVIRONMENTAL REVIEW

DEPARTMENT OF CITY PLANNING/LA-CEQR-X 5/27/2008

Project number **Date received**

Project: LOWER CONCOURSE REZONING

Comments: The LPC is in receipt of the, "Draft Scope of Work for the Lower Concourse Rezoning and Related Actions EIS," dated May 14, 2008. The LPC concurs with the description of task 7 regarding archaeology, but notes that the LPC has reviewed the project as per our 11/15/07 comments. If any additional lots are added that may be impacted as a result of this action, please submit them to the LPC for review.

The text is acceptable for architectural properties.

5/29/2008

SIGNATURE DATE

Gina Santucci

24135_FSO_GS_05292008.doc

THE CITY OF NEW YORK LANDMARKS PRESERVATION COMMISSION
1 Centre Street, 9N, New York, NY 10007 (212) 669-7700 www.nyc.gov/landmarks

ENVIRONMENTAL REVIEW

DEPARTMENT OF CITY PLANNING/LA-CEQR-X 5/27/2008

Project number **Date received**

Project: LOWER CONCOURSE REZONING

Comments: The LPC is in receipt of the, "Draft Scope of Work for the Lower Concourse Rezoning and Related Actions EIS," dated May 14, 2008. The LPC concurs with the description of task 7 regarding archaeology, but notes that the LPC has reviewed the project as per our 11/15/07 comments. If any additional lots are added that may be impacted as a result of this action, please submit them to the LPC for review.

The text is acceptable for architectural properties.

5/29/2008

SIGNATURE DATE

Gina Santucci

24135_FSO_GS_05292008.doc

THE CITY OF NEW YORK LANDMARKS PRESERVATION COMMISSION
1 Centre Street, 9N, New York, NY 10007 (212) 669-7700 www.nyc.gov/landmarks

ENVIRONMENTAL REVIEW

DEPARTMENT OF CITY PLANNING/LA-CEQR-X 8/22/2008

Project number **Date received**

Project: 270 EAST 137 STREET

Properties with no archaeological significance:

2472 3 AVENUE, BBL 2023180005
2488 3 AVENUE, BBL 2023180018
270 EAST 137 STREET, BBL 2023180022
2490 3 AVENUE, BBL 2023180019
2482 3 AVENUE, BBL 2023180007
2486 3 AVENUE, BBL 2023180009
240 EAST 136 STREET, BBL 2023200005
242 EAST 136 STREET, BBL 2023200006
244 EAST 136 STREET, BBL 2023200007
246 EAST 136 STREET, BBL 2023200008
248 EAST 136 STREET, BBL 2023200009
EAST 136 STREET, BBL 2023200010
2477 3 AVENUE, BBL 2023200011
2505 3 AVENUE, BBL 2023200045
258 EAST 138 STREET, BBL 2023200073
250 EAST 138 STREET, BBL 2023200066
256 EAST 138 STREET, BBL 2023200072
2515 3 AVENUE, BBL 2023200041
2511 3 AVENUE, BBL 2023200042
2507 3 AVENUE, BBL 2023200043
2503 3 AVENUE, BBL 2023200046
2501 3 AVENUE, BBL 2023200047
2495 3 AVENUE, BBL 2023200050
2491 3 AVENUE, BBL 2023200051
260 EAST 138 STREET, BBL 2023200074
2535 3 AVENUE, BBL 2023200077
2527 3 AVENUE, BBL 2023200079
2522 PARK AVENUE, BBL 2023220028
220 EAST 138 STREET, BBL 2023220081
236 EAST 138 STREET, BBL 2023220101
188 EAST 135 STREET, BBL 2023230013
EAST 135 STREET, BBL 2023230018
63 EXTERIOR STREET, BBL 2023230028
110 EAST 138 STREET, BBL 2023230043
2551 3 AVENUE, BBL 2023330001
245 EAST 138 STREET, BBL 2023330006
243 EAST 138 STREET, BBL 2023330010
270 RIDER AVENUE, BBL 2023330012
254 EAST 139 STREET, BBL 2023330017

289 MORRIS AVENUE, BBL 2023330031
286 RIDER AVENUE, BBL 2023330033
302 RIDER AVENUE, BBL 2023330050
301 MORRIS AVENUE, BBL 2023330054
267 EAST 142 STREET, BBL 2023340038
263 EAST 142 STREET, BBL 2023340039
261 EAST 142 STREET, BBL 2023340040
253 EAST 142 STREET, BBL 2023340041
247 EAST 142 STREET, BBL 2023340043
400 RIDER AVENUE, BBL 2023340045
262 EAST 143 STREET, BBL 2023340059
266 EAST 143 STREET, BBL 2023340061
268 EAST 143 STREET, BBL 2023340062
383 MORRIS AVENUE, BBL 2023340063
375 MORRIS AVENUE, BBL 2023340066
223 EAST 144 STREET, BBL 2023350057
220 PARK AVENUE, BBL 2023350006
213 EAST 144 STREET, BBL 2023350058
213 EAST 138 STREET, BBL 2023400001
205 EAST 138 STREET, BBL 2023400003
201 EAST 138 STREET, BBL 2023400008
2564 PARK AVENUE, BBL 2023400011
221 EAST 138 STREET, BBL 2023400056
225 EAST 138 STREET, BBL 2023400058
305 RIDER AVENUE, BBL 2023400072
341 RIDER AVENUE, BBL 2023400186
349 RIDER AVENUE, BBL 2023400195
371 RIDER AVENUE, BBL 2023400204
373 RIDER AVENUE, BBL 2023400208
375 RIDER AVENUE, BBL 2023400209
389 RIDER AVENUE, BBL 2023400213
391 RIDER AVENUE, BBL 2023400215
405 RIDER AVENUE, BBL 2023400218
228 EAST 144 STREET, BBL 2023400221
250 GRAND CONCOURSE, BBL 2023410006
276 GRAND CONCOURSE, BBL 2023410010
304 GRAND CONCOURSE, BBL 2023410023
310 GRAND CONCOURSE, BBL 2023410028
334 GRAND CONCOURSE, BBL 2023410031
338 GRAND CONCOURSE, BBL 2023410034
344 GRAND CONCOURSE, BBL 2023410037
346 GRAND CONCOURSE, BBL 2023410040
350 GRAND CONCOURSE, BBL 2023410042
261 GRAND CONCOURSE, BBL 2023440001
270 WALTON AVENUE, BBL 2023440011
288 WALTON AVENUE, BBL 2023440017
315 GRAND CONCOURSE, BBL 2023440027
109 EAST 138 STREET, BBL 2023440052
261 WALTON AVENUE, BBL 2023440060
301 WALTON AVENUE, BBL 2023440075
287 WALTON AVENUE, BBL 2023440083
370 GERARD AVENUE, BBL 2023440110
120 EAST 144 STREET, BBL 2023440112

335 GRAND CONCOURSE, BBL 2023450001
334 WALTON AVENUE, BBL 2023450005
WALTON AVENUE, BBL 2023450010
WALTON AVENUE, BBL 2023450012
356 WALTON AVENUE, BBL 2023450014
367 GRAND CONCOURSE, BBL 2023450018
391 GRAND CONCOURSE, BBL 2023450022
395 GRAND CONCOURSE, BBL 2023450026
349 GRAND CONCOURSE, BBL 2023450049
255 EXTERIOR STREET, BBL 2023490003
281 EXTERIOR STREET, BBL 2023490015
325 EXTERIOR STREET, BBL 2023490038
329 EXTERIOR STREET, BBL 2023490046
MAJOR DEEGAN EXPWY, BBL 2023490047
385 GERARD AVENUE, BBL 2023490090
333 EXTERIOR STREET, BBL 2023490100
60 EAST 149 STREET, BBL 2023490112
121 EAST 144 STREET, BBL 2023500001
444 GERARD AVENUE, BBL 2023500005
427 WALTON AVENUE, BBL 2023500011
135 WALTON AVENUE, BBL 2023500016
500 GERARD AVENUE, BBL 2023500034
479 WALTON AVENUE, BBL 2023500063
404 MAJ WM DEEGAN BLVD, BBL 2023510001
440 MAJ WM DEEGAN BLVD, BBL 2023510003
445 GERARD AVENUE, BBL 2023510012
417 GERARD AVENUE, BBL 2023510020
467 RIVER AVENUE, BBL 2023510022
110 EAST 149 STREET, BBL 2023510025
100 EAST 149 STREET, BBL 2023510035

Comments: The LPC is in receipt of the, "Archaeological Documentary Study for the Lower Concourse Rezoning Project B 2334, L 38, 39, 40, 41, 61, 62, 63, and 66 Bounded by East 142nd St, East 143rd Street, Morris and Rider Avenues, Bronx, New York, " prepared by HPI, Inc and dated July 2008. The LPC concurs that there are no further archaeological concerns for the above referenced lots.



8/27/2008

SIGNATURE DATE

24135_FSO_ALS_08272008.doc

THE CITY OF NEW YORK LANDMARKS PRESERVATION COMMISSION
1 Centre Street, 9N, New York, NY 10007 (212) 669-7700 www.nyc.gov/landmarks

ENVIRONMENTAL REVIEW

DEPARTMENT OF CITY PLANNING/LA-CEQR-X 9/16/2008

Project number **Date received**

Project: Lower Concourse Rezoning

Corrected dates.

Properties with no archaeological significance:

2472 3 AVENUE, BBL 2023180005
2488 3 AVENUE, BBL 2023180018
270 EAST 137 STREET, BBL 2023180022
2490 3 AVENUE, BBL 2023180019
2482 3 AVENUE, BBL 2023180007
2486 3 AVENUE, BBL 2023180009
240 EAST 136 STREET, BBL 2023200005
242 EAST 136 STREET, BBL 2023200006
244 EAST 136 STREET, BBL 2023200007
246 EAST 136 STREET, BBL 2023200008
248 EAST 136 STREET, BBL 2023200009
EAST 136 STREET, BBL 2023200010
2477 3 AVENUE, BBL 2023200011
2505 3 AVENUE, BBL 2023200045
258 EAST 138 STREET, BBL 2023200073
250 EAST 138 STREET, BBL 2023200066
256 EAST 138 STREET, BBL 2023200072
2515 3 AVENUE, BBL 2023200041
2511 3 AVENUE, BBL 2023200042
2507 3 AVENUE, BBL 2023200043
2503 3 AVENUE, BBL 2023200046
2501 3 AVENUE, BBL 2023200047
2495 3 AVENUE, BBL 2023200050
2491 3 AVENUE, BBL 2023200051
260 EAST 138 STREET, BBL 2023200074
2535 3 AVENUE, BBL 2023200077
2527 3 AVENUE, BBL 2023200079
2522 PARK AVENUE, BBL 2023220028
220 EAST 138 STREET, BBL 2023220081
236 EAST 138 STREET, BBL 2023220101
188 EAST 135 STREET, BBL 2023230013
EAST 135 STREET, BBL 2023230018
63 EXTERIOR STREET, BBL 2023230028
110 EAST 138 STREET, BBL 2023230043
2551 3 AVENUE, BBL 2023330001
245 EAST 138 STREET, BBL 2023330006
243 EAST 138 STREET, BBL 2023330010
270 RIDER AVENUE, BBL 2023330012
254 EAST 139 STREET, BBL 2023330017
289 MORRIS AVENUE, BBL 2023330031
286 RIDER AVENUE, BBL 2023330033
302 RIDER AVENUE, BBL 2023330050
301 MORRIS AVENUE, BBL 2023330054
267 EAST 142 STREET, BBL 2023340038
263 EAST 142 STREET, BBL 2023340039
261 EAST 142 STREET, BBL 2023340040
253 EAST 142 STREET, BBL 2023340041
247 EAST 142 STREET, BBL 2023340043

400 RIDER AVENUE, BBL 2023340045
262 EAST 143 STREET, BBL 2023340059
266 EAST 143 STREET, BBL 2023340061
268 EAST 143 STREET, BBL 2023340062
383 MORRIS AVENUE, BBL 2023340063
375 MORRIS AVENUE, BBL 2023340066
223 EAST 144 STREET, BBL 2023350057
220 PARK AVENUE, BBL 2023350006
213 EAST 144 STREET, BBL 2023350058
213 EAST 138 STREET, BBL 2023400001
205 EAST 138 STREET, BBL 2023400003
201 EAST 138 STREET, BBL 2023400008
2564 PARK AVENUE, BBL 2023400011
221 EAST 138 STREET, BBL 2023400056
225 EAST 138 STREET, BBL 2023400058
305 RIDER AVENUE, BBL 2023400072
341 RIDER AVENUE, BBL 2023400186
349 RIDER AVENUE, BBL 2023400195
371 RIDER AVENUE, BBL 2023400204
373 RIDER AVENUE, BBL 2023400208
375 RIDER AVENUE, BBL 2023400209
389 RIDER AVENUE, BBL 2023400213
391 RIDER AVENUE, BBL 2023400215
405 RIDER AVENUE, BBL 2023400218
228 EAST 144 STREET, BBL 2023400221
250 GRAND CONCOURSE, BBL 2023410006
276 GRAND CONCOURSE, BBL 2023410010
304 GRAND CONCOURSE, BBL 2023410023
310 GRAND CONCOURSE, BBL 2023410028
334 GRAND CONCOURSE, BBL 2023410031
338 GRAND CONCOURSE, BBL 2023410034
344 GRAND CONCOURSE, BBL 2023410037
346 GRAND CONCOURSE, BBL 2023410040
350 GRAND CONCOURSE, BBL 2023410042
261 GRAND CONCOURSE, BBL 2023440001
270 WALTON AVENUE, BBL 2023440011
288 WALTON AVENUE, BBL 2023440017
315 GRAND CONCOURSE, BBL 2023440027
109 EAST 138 STREET, BBL 2023440052
261 WALTON AVENUE, BBL 2023440060
301 WALTON AVENUE, BBL 2023440075
287 WALTON AVENUE, BBL 2023440083
370 GERARD AVENUE, BBL 2023440110
120 EAST 144 STREET, BBL 2023440112
335 GRAND CONCOURSE, BBL 2023450001
334 WALTON AVENUE, BBL 2023450005
WALTON AVENUE, BBL 2023450010
WALTON AVENUE, BBL 2023450012
356 WALTON AVENUE, BBL 2023450014
367 GRAND CONCOURSE, BBL 2023450018
391 GRAND CONCOURSE, BBL 2023450022
395 GRAND CONCOURSE, BBL 2023450026
349 GRAND CONCOURSE, BBL 2023450049
255 EXTERIOR STREET, BBL 2023490003
281 EXTERIOR STREET, BBL 2023490015
325 EXTERIOR STREET, BBL 2023490038
329 EXTERIOR STREET, BBL 2023490046
MAJOR DEEGAN EXPWY, BBL 2023490047
385 GERARD AVENUE, BBL 2023490090
333 EXTERIOR STREET, BBL 2023490100
60 EAST 149 STREET, BBL 2023490112
121 EAST 144 STREET, BBL 2023500001
444 GERARD AVENUE, BBL 2023500005
427 WALTON AVENUE, BBL 2023500011
135 WALTON AVENUE, BBL 2023500016
500 GERARD AVENUE, BBL 2023500034

479 WALTON AVENUE, BBL 2023500063
404 MAJ WM DEEGAN BLVD, BBL 2023510001
440 MAJ WM DEEGAN BLVD, BBL 2023510003
445 GERARD AVENUE, BBL 2023510012
417 GERARD AVENUE, BBL 2023510020
467 RIVER AVENUE, BBL 2023510022
110 EAST 149 STREET, BBL 2023510025
100 EAST 149 STREET, BBL 2023510035

Comments: The LPC is in receipt of the Project Description and Historic Resource chapters of the EIS dated 9/3/08. The text is acceptable for archaeological resources. Regarding architectural resources, the text is acceptable with one correction. Page 3.6-24 states that the North Side Board of Trade Building is LPC eligible. The building is S/NR eligible only.

9/15/2008

SIGNATURE _____ DATE _____



24135_FSO_DNP_09172008.doc

McCarthy

David A. Paterson
Governor

Carol Ash
Commissioner

New York State Office of Parks, Recreation and Historic Preservation

Historic Preservation Field Services Bureau • Peebles Island, PO Box 189, Waterford, New York 12188-0189
518-237-8643
www.nysparks.com

March 16, 2009

DEPT OF CITY PLANNING
RECEIVED
2009 MAR 19 AM 11:56
ENVIRONMENTAL REVIEW DIV.

Robert Dobruskin
NYC Department of City Planning
Environmental Assessment & Review Div.
22 Reede Street, Room 4E
New York, New York 10007

Re: DEC
Lower Concourse Rezoning and Related Actions
Southwestern Bronx/BRONX, Bronx County
09PR00492

Dear Mr. Dobruskin:

Thank you for requesting the comments of the Field Services Bureau of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the project in accordance with the New York State Historic Preservation Act of 1980 (Section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the Field Services Bureau and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6 NYCRR Part 617).

Based upon this review, it is the OPRHP's opinion that your project will have No Impact upon cultural resources in or eligible for inclusion in the State and National Register of Historic Places.

If further correspondence is required regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above.

Sincerely,

Ruth L. Pierpont

Ruth L. Pierpont
Director