DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Amanda M. Burden, FAICP, *Director*
Department of City Planning

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OFFICE OF
ENVIRONMENTAL COORDINATION

May 14, 2008

Dr. Robert Kulikowski, Director
Office of Environmental Coordination
253 Broadway, 14th Floor
New York, NY 10007

NOTICE OF LEAD AGENCY DETERMINATION AND REVIEW

Re: Lower Concourse Rezoning and Related Actions
CEQR No. 08DCP071X
ULURP Nos. Pending
Bronx, Community District 1
SEQRA Classification: Type I

Dear Dr. Kulikowski:

The above-referenced application involves discretionary actions subject to City Planning Commission approval. These actions are subject to review under the City Environmental Quality Review (CEQR), Executive Order No. 91, and the State Environmental Quality Review Act (SEQRA), 6 NYCRR 617.

Pursuant to Sections 5.03 and 5.05 of the Rules of Procedure for City Environmental Quality Review (CEQR) as adopted June 26, 1991, the Department of City Planning, acting on behalf of the City Planning Commission, is assuming lead agency status for this application and is initiating the CEQR review.

The New York City Department of City Planning (DCP) proposes zoning text and map amendments that would affect 30 blocks located in the Mott Haven neighborhood of Bronx Community District 1. The area proposed to be rezoned 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 Avenue to the east, and the Harlem River to the west.

The proposal includes the following public land-use actions:

Robert Dobruskin, A.I.C.P., *Director*
James P. Merani, R.A., *Deputy Director*
22 Reade Street, New York, N.Y. 10007-1216 Room 4E (212) 720-3420
FAX (212) 720-3495
rdobrus@planning.nyc.gov

Zoning Map Amendments

- Change from M1-2 to C6-2A all or portions of four blocks generally located along the Grand Concourse south of East 144th Street and north of East 138th Street between Walton Avenue and the Metro North rail right-of-way.

- Change from M2-1 to R7-2/ C2-4 and C4-4 all or portions of two blocks along the Harlem River Waterfront south of East 149th Street and north of the Metro North rail bridge.

- Change from M1-2 and C4-4 to MX (M1-4/ R8A) all or portions of six blocks generally located south of East 149th Street and north of East 140th Street, between Exterior Street and Walton Avenue.

- Change from M1-2 to MX (M1-4/ R6A) all or portions of six blocks in two areas generally located south of East 144th Street, north of East 138th Street between Gerard and Walton Avenues in one area, and located south of East 146th Street and north of East 139th Street, between Canal Place and Rider Avenue.

- Change from M1-2 and M2-1 to MX (M1-4/ R7X) all or portions of seven blocks generally located along East 138th Street between Park and Third Avenues.

- Change from M1-2 to MX (M1-4/ R7A) all or portions of ten blocks generally located along Third, Morris, and Lincoln Avenues between East 144th Street and the Major Deegan Expressway.

- Change from M1-2 and M2-1 to M1-4 portions of five blocks generally located south East 138th Street and north of the Major Deegan Expressway, between Park and Third Avenues.

- Change from M1-2 to C4-4 one block located south East 149th Street and north of East 144th Street, between Morris Avenue and the Metro North rail right-of-way.

Zoning Text Amendments

- Establish a Special Mixed Use District (MX) on all or portions of 25 blocks between Exterior St. and Walton Ave., south of East 149th St. and north of East 138th St., and between Park and Morris Avenues, south of East 146th St. and north of the Major Deegan Expressway.

- Create the Lower Concourse Waterfront Access Plan (WAP) affecting two Harlem River waterfront blocks located between the Harlem River and

Exterior Street, south of East 149th Street and north of the Metro North Railroad Bridge over the Harlem River. This area is proposed to be rezoned to R7-2/C2-4 and C4-4 from M2-1, with the exception of the proposed park, which would remain zoned M2-1. The proposed WAP would specify the location of public access areas and visual corridors and apply special bulk regulations to waterfront lots.

- Create the Special Lower Concourse Waterfront District on two Harlem River waterfront blocks extending between the Harlem River and Exterior Street, south of East 149th Street and north of the Metro North Railroad Bridge over the Harlem River. This area is proposed to be rezoned to R7-2/C2-4 and C4-4 from M2-1, with the exception of the proposed park, which would remain zoned M2-1. The special district regulations would modify the restrictions on base and tower heights, maximum tower footprints, and the location of towers. An authorization would be available to allow narrow or shallow lots to waive out of proposed height, bulk, and waterfront open space requirements. The level of the shore public walkway would be required to be raised at least to the height of the Oak Point Rail line for all waterfront properties. Screening requirements would mandate usable floor area facing all waterfront public access areas. Usable floor area would be required for the ground floor facing streets. Restrictions in C2-4 commercial overlays on the location of commercial space in mixed-use buildings would be modified to allow flexibility in locating commercial areas.

- Modify food store regulations. The proposed zoning text amendment would permit food stores of any size as-of-right within the proposed rezoning area. Currently, food stores over 10,000 square feet are only allowed within M1 districts by special permit of the City Planning Commission. Food stores of any size would be allowed as-of-right within M1-4 zoning districts in Bronx Community District 1.

- Establish inclusionary zoning in the rezoning area. The proposed zoning text amendment would apply the Inclusionary Housing program within the rezoning area in the Bronx, Community District 1. New base and bonused FARs would apply to new residential development. Base FARs would apply to developments that do not use the Inclusionary Zoning bonus. The full bonused FAR would apply to buildings that provide 20% of the total new housing floor area as affordable residential floor area in accordance with the Inclusionary Housing program.

City Map Change

- DCP, in conjunction with the Department of Parks and Recreation, is proposing changes to the City Map for the mapping of a new two-acre park located along the Harlem River Waterfront within the rezoning area. The park would be located between the Harlem River and Exterior Street;

The proposed action is intended to provide opportunities for new residential and commercial development, and the enhancement and upgrading of waterfront areas in the South Bronx. The proposed action would create opportunities for new housing development on underutilized and vacant land in this highly transit-accessible location. In addition, the proposed mixed-use districts would permit the continuation of light industrial uses as well as the development of new light industrial uses. Lifting restrictions on the size of food stores within the rezoning area would provide additional opportunities for new grocery stores in the South Bronx, which is currently underserved by such stores. Finally, the action would encourage the development of the under-utilized Harlem River waterfront, extending waterfront access from the Gateway Center area south to the Port Morris community.

The proposed actions are projected to result in development on the 31 projected development sites including an increase of 3,414 dwelling units (591 of which would be affordable pursuant to the city's Inclusionary Housing program), a total of 735,477 square feet of commercial space (571,162 square feet of retail space, 164,275 square feet of hotel space), 63,700 square feet of community facility space, a net reduction of 308,872 square feet of industrial space, and a net reduction of 598,351 of office space. In the future without the proposed action, given the current zoning and commercial and residential housing trends in the area, it is anticipated that the proposed project area would experience nominal growth in commercial and light manufacturing uses. Most of the projected growth is expected to include further development of self-storage facilities, drive-through restaurants, gasoline station and convenient stores, office uses, and warehouses.

The analysis year for the proposed action is 2018.

An Environmental Assessment Statement is attached. If you have any questions regarding this application, please contact the project manager, Adam Lynn, at (212) 720-3493.

Sincerely,

Robert Dobruskin

Robert Dobruskin, AICP, Director
Environmental Assessment and Review Division
New York City Department of City Planning

cc: Amanda Burden
City Planning Commissioners
Hon. Adolfo Carrión, Jr.
Chair of Community Board 1, Bronx
District Manager of Community Board 1, Bronx
Gail Benjamin, City Council

Colleen Alderson, DPR
Michael Bergmann, NYSDOT
Maria Canales, Office of the Deputy Mayor for Economic Development
Shampa Chanda, HPD
Terrell Estesen, DEP
Randall Fong, DCAS
Edward Helenius, MTA
Joshua Laird, DPR
Angela Licata, DEP
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