

THE CITY OF NEW YORK  
OFFICE OF THE MAYOR  
NEW YORK, N. Y. 10007

**POSITIVE DECLARATION**  
**NOTICE OF INTENT TO PREPARE**  
**DRAFT ENVIRONMENTAL IMPACT STATEMENT**  
**NOTICE OF PUBLIC SCOPING MEETING**

<b><u>PROJECT:</u></b> Gateway Center at Bronx Terminal Market Borough of the Bronx CEQR: 04DME017X ULURP: PENDING	<b><u>LEAD AGENCY:</u></b> Office of the Deputy Mayor for Economic Development and Rebuilding 100 Gold Street, 2 <sup>nd</sup> floor New York, New York 10038
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**DATE ISSUED:** August 5, 2004

**TYPE OF ACTION:** Type I

**NAME, LOCATION, AND DESCRIPTION OF PROPOSAL:**

Gateway Center at Bronx Terminal Market  
Community District #4, Borough of the Bronx

The Gateway Center at Bronx Terminal Market is a proposed redevelopment of a portion of the current Bronx Terminal Market site along with the Bronx Men's House of Detention with a series of retail establishments, a multi-level parking garage and at-grade parking, a hotel, and a public park and waterfront esplanade (the Proposed Project). The proposed project would be located in the West Haven neighborhood of the Bronx on Block 2356, Lot 20; Block 2357, Lots 1 and 86; and Block 2539, Lots 2 (part), 32, and 60 (part), an approximately 26-acre parcel that is bordered by Metro North Rail Road tracks to the north, River Avenue to the east, 149th Street to the south, and the Harlem River to the west. The Major Deegan Expressway and Exterior Street a/k/a Major Deegan Boulevard (the street under the expressway) bisect the project site. The parcels east of the Expressway would be merged with portions of 150th and 151st Streets and Cromwell Avenue to form the eastern section of the project site. The proposed project would involve the closing of the Bronx Terminal Market and the Bronx Men's House of Detention.

On the eastern side of Exterior Street beginning at 149<sup>th</sup> Street and moving north, the proposed project would include a series of five 1-story retail buildings of approximately 23,850 gross square foot (gsf) in size with an adjacent surface parking lot of approximately 37 spaces; a 3-story, approximately 512,431 gsf building with 413,644 gsf of retail and 262 parking spaces at the ground floor; a 6-level approximately 899,723 gsf parking garage with a capacity of approximately 2,355 spaces and 17,111 gsf of retail on Exterior Street and 8,053 gsf of retail on River Avenue; a 3-story approximately 468,636 gsf retail building; and a hotel approximately 217,500 gsf in size with 250 rooms, a 30,000 gsf banquet facility, and approximately 225 parking spaces. On the western side of Exterior Street, the proposed project would include a public park and waterfront esplanade totaling approximately 2 acres, and a 2-story, approximately 260,934 gsf building with 141,771 gsf of retail and 372 parking spaces at the ground floor. In total, the project will comprise approximately 2,383,074 gsf of new development on the site. The maximum height of the buildings would be approximately 75 feet above average curb elevation. The project would also include the development of a signage program consistent with a retail development of this size. The project is expected to be complete and operational in 2009, except for the hotel, which would not be completed until 2014.

The proposed project involves disposition of City-owned property (a long-term lease) to a private developer. Disposition will require approval through the Uniform Land Use Review Procedure (ULURP) under City Charter Section 197 (c) and separate Borough Board and Mayoral approval pursuant to City Charter Section 384(b)(4). In addition, a number of other discretionary actions will be required, as follows:

- A zoning map amendment from M2-1 to C4-4;
- A General Large-Scale District will be declared and several special permits will be required, including:
  - Special permit pursuant to ZR Section 74-743 for bulk modifications for height, setback, and yards;
  - Special permit under ZR Section 74-53 to permit an increase in accessory parking above that permitted by the Resolution;
  - Special permit under ZR Section 74-512 to permit a public parking garage in excess of 150 spaces; and
  - Special permit under ZR Section 74-744 for signs not otherwise permitted under the Zoning Resolution;
- Waivers and modifications of the waterfront regulations by:
  - Special Permit under ZR Section 62-736 for bulk waivers on waterfront blocks;
  - Authorization under ZR Section 62-722 for modification of public access and visual corridors; and
  - Certification for a zoning lot subdivision under ZR Section 62-712;
- Elimination of portions of the following City streets:
  - East 150th Street between River Avenue and Exterior Street;
  - East 151st Street between River and Cromwell Avenues; and
  - Cromwell Avenue between Exterior Street and the Metro North Rail Road Tracks.

In addition to the above, the project sponsor will seek financing for the proposed project from the New York City Industrial Development Agency (NYCIDA). The project is expected to qualify for inclusion in the Brownfield Cleanup Program of the New York State Department of

Environmental Conservation (NYSDEC), approval of which is a discretionary action requiring review under the State Environmental Quality Review Act (SEQRA), and an application to participate in that program has been submitted to NYSDEC. The project may require a NYSDEC State Pollution Discharge Elimination System (SPDES) permit for stormwater discharges associated with construction activities; however, it will not require a SPDES permit for operations, as all wastewater will be discharged through the New York City Department of Environmental Protection's (NYCDEP) permitted sewer system. The project may also require a tidal wetlands permit and/or a Protection of Waters permit(s) from NYSDEC, as well as a water quality certification, and possibly a permit from the U.S. Army Corps of Engineers (USACOE) for shoreline-related work. The project is within the boundaries of the coastal zone and will require a determination of consistency with New York City's Local Waterfront Revitalization Program. The project may also involve a land transfer from the New York State Department of Transportation (NYSDOT) to The City of New York, and a revocable consent for utility lines underneath Exterior Street.

### **STATEMENT OF SIGNIFICANT EFFECT**

In accordance with 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 (CEQR), the Office of the Deputy Mayor for Economic Development and Rebuilding, in the Office of the Mayor, lead agency for the referenced project, has determined that the proposed project may have a significant impact on the quality of the human environment. Accordingly, an Environmental Impact Statement is required to evaluate and disclose the extent to which impacts may occur. Aspects that may require evaluation of potential environmental impacts include:

- 1) The potential for substantial impacts related to land use and zoning;
- 2) The potential for substantial socioeconomic impacts;
- 3) The potential for substantial impacts related to community facilities;
- 4) The potential for substantial open space impacts;
- 5) The potential for substantial impacts as a result of shadows;
- 6) The potential for substantial impacts related to historic resources;
- 7) The potential for substantial urban design/visual resource impacts;
- 8) The potential for substantial impacts related to neighborhood character;
- 9) The potential for substantial impacts related to natural resources and water quality;
- 10) The potential for substantial impacts related to hazardous materials;
- 11) The potential for substantial impacts related to the NYC Waterfront Revitalization Program
- 12) The potential for substantial impacts related to traffic and parking;
- 13) The potential for substantial transit and pedestrian impacts;
- 14) The potential for substantial impacts related to air quality;
- 15) The potential for substantial impacts related to noise;
- 16) The potential for substantial construction impacts; and
- 17) The potential for substantial public health impacts.

**Statement in Support of Determination:**

The above determination is based on the finding that:

- 1) The project would result in the development of over one million square feet of retail space, over 3,000 parking spaces, a hotel, and a public open space and waterfront esplanade which are likely to result in major changes in land use and zoning on the project site, and therefore warrant a detailed assessment.
- 2) The proposed project would result in the direct or indirect displacement of the current uses on the site, which include wholesale food markets, parking (including seasonal parking for games at Yankee Stadium), and the Bronx House of Detention which is currently not housing an inmate population. Therefore a detailed socioeconomic conditions analysis is required. The proposed project could also impact community facilities.
- 3) The proposal anticipates over 500 employees, which could affect the utilization of open space and recreational facilities in the surrounding area and on the new public open space to be created.
- 4) The proposed project would substantially alter the project site by replacing the existing low-scale industrial buildings and the Bronx House of Detention and eliminating certain streets. A detailed assessment of urban design, visual resources, and neighborhood character is recommended.
- 5) The historical on- and off-site uses and conditions indicate the potential for adverse impacts related to hazardous materials requiring a detailed analysis.
- 6) The proposed large-scale retail project is expected to generate significant traffic and transit trips, which are expected to exceed the CEQR Technical Manual thresholds. Therefore detailed traffic, parking, transit and pedestrian analyses are warranted.
- 7) The project could have significant mobile source air quality and noise impacts warranting a detailed air quality analysis in part due to the large number of auto trips anticipated, and the site's proximity within 1,500 feet to two rail lines.
- 8) The project could have impacts on the Harlem River waterfront site during construction, which need to be assessed.

Accordingly, the Office of the Deputy Mayor for Economic Development and Rebuilding directs that a Draft Environmental Impact Statement be prepared in accordance with 6 NYCRR 617.9(b) and Sections 6-08 and 6-09 of Executive Order No. 91 of 1977, as amended.

**Public Scoping:**

Public Scoping is a process whereby the public is invited to comment on the proposed scope of analysis planned for the Draft EIS. A Scoping Document has been prepared outlining the proposed content of the Draft EIS.

The Public Scoping meeting will be held on Thursday September 9, 2004 at 6:00 P.M. in the:

Bronx Borough President's Office  
198 East 161<sup>st</sup> Street, Second Floor Hearing Room  
Bronx, NY 10451

A copy of the Scoping Document may be obtained by any member of the public from:

Ms. Meenakshi Varandani, Director, Planning  
New York City Economic Development Corporation  
110 William Street  
New York, New York 10038  
Telephone: (212) 312-3861  
Fax: (212) 312-3911

or:

NYC Office of Environmental Coordination  
100 Gold Street, 2<sup>nd</sup> floor  
New York, New York 10038  
Telephone: (212) 788-9956

Written comments will be accepted until 5:00 P.M. on Monday September 20, 2004 and may be submitted at the public scoping meeting or to Ms. Meenakshi Varandani at the above address.

The Positive Declaration has been prepared in accordance with Article 8 of the Environmental Conservation Law.



Robert R. Kulikowski, Ph.D., Assistant to the Mayor  
For the Deputy Mayor for Economic Development and Rebuilding

**NOTICE OF PUBLIC SCOPING**

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Notice is hereby given pursuant to Section 5-07(b) of the Rules of Procedure for City Environmental Quality Review (CEQR) that a public scoping meeting will be held to hear comments from the public regarding the proposed scope of work for a Draft Environmental Impact Statement (DEIS) for the Gateway Center at Bronx Terminal Market. The Public Scoping meeting will be held on Thursday, September 9, 2004 at 6:00 P.M. at:

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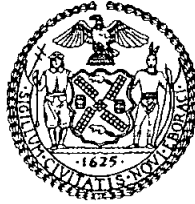
The purpose of the scoping meeting is to provide the public with the opportunity to comment on the Scope of Analysis proposed for the DEIS for the referenced project. A copy of the Scoping Document for the project may be obtained by any member of the public from:

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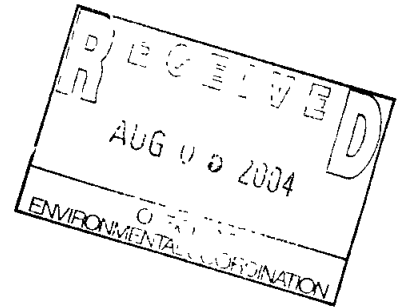
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