

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

NEGATIVE DECLARATION

CEQR No. 08DME010X

Date Issued: October 23, 2008

NAME: Broadway Plaza

LOCATION: Block 3266; Lots 13, 21, 23, 155, and 159
Bronx, Community Board 8

SEQR CLASSIFICATION: The project is classified as an Unlisted action pursuant to 6NYCRR, Part 617.4.

DESCRIPTION:

The proposed project involves several public approvals to facilitate the construction of a retail development in the Kingsbridge neighborhood of the Bronx, Community Board 8. The proposed development would consist of a single three-story, approximately 167,700 square foot (sf) retail building to be located on Block 3266, Lot 13, as well as the 100-foot long street segment of Kimberly Place that extends into the proposed project site from Broadway. Up to 168 accessory parking spaces would be on the ground floor with access from Verveelen Place and West 230th Street. The new building would have its main pedestrian entrance on Broadway. The proposed project is expected to be constructed and operational by 2011.

The project site comprises the majority of the area proposed to be rezoned. It occupies approximately 79,860 sf and consists of one tax lot (Block 3266, Lot 13), which is a City-owned property, as well as the 100 foot long street segment of Kimberly Place that extends into the proposed project site from Broadway. Lot 13 is currently an unattended public parking lot with a licensed capacity of approximately 175 vehicles. The parking lot is accessible only from Broadway via Kimberly Place and is enclosed by a chain-link fence.

The rezoning area is located at the southwest corner of a large irregularly-shaped block and is comprised of five tax lots (Block 3266; Lots 13, 21, 23, 155, & 159). The rezoning area is bound by Verveelen Place to the north, West 230th Street to the south, Broadway to the west. The

approximately 40-foot wide overgrown strip of vacant land, which is part of the Conrail Putnam Division railroad right-of-way, borders the eastern edge of the rezoning area and buffers it from Route I-87 (Major Deegan Expressway). Immediately to the west of the rezoning area is the IRT # 1 elevated subway line, which travels above Broadway in this area of the Bronx.

The proposed project requires several discretionary actions:

- An amendment to the City Zoning Map to change the zoning district of the project site (Block 3266; Lot 13), as well as four adjacent tax lots fronting on Broadway (Block 3266; Lots 21, 23, 155, & 159) from R6/C2-3 to C4-4;
- An amendment to the City Map to demap and permanently close the 100-foot long portion of Kimberly Place east of Broadway; and
- Disposition of City-owned property (Block 3266, Lot 13) by the Department of Citywide Administrative Services (DCAS). After approval, DCAS intends to dispose of the property to the New York City Economic Development Corporation (EDC). EDC intends to dispose of the property to a private developer, Kingsbridge 230th LLC.

The disposition of City-owned property requires separate Mayoral and Borough Board approval pursuant to City Charter Section 384(b)(4).

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, the Office of the Deputy Mayor for Economic Development assumed the role of lead agency for the purpose of conducting the environmental review. Based on an examination of information about the project contained in an Environmental Assessment Statement dated October 22, 2008 pursuant to Article 8 of the New York State Environmental Conservation Law and 6 NYCRR Part 617.7, the Office of the Deputy Mayor for Economic Development has determined that the proposed action will not have a significant adverse effect on the environment.

Reasons Supporting this Determination

The above determination is based on an Environmental Assessment Statement (EAS) dated October 22, 2008 and incorporated by reference herein. The EAS finds that:

1. The project as proposed would not have significant adverse impacts on land use or the character of the surrounding community, aesthetic resources or the existing neighborhood.
2. The proposed project includes the installation of a new traffic signal at the intersection of Broadway and Verveelen Place, which would be installed by the applicant and maintained by NYCDOT. In addition, four intersections would be improved in

coordination with NYCDOT by modifications to traffic signal timing as part of the proposed project: West 230th Street/Exterior Street/Broadway; West 231st Street/Broadway; West 230th Street/Major Deegan Expressway; and West 230th Street and Bailey Avenue.

3. The applicant will conduct a signal warrant analysis on Broadway and Verveelen Place when the proposed development is fully built and occupied. If the analysis of actual conditions warrants a new signal at Broadway and Verveelen Place, the applicant will be responsible for installation of the new signal. The applicant will submit all of the required drawings/designs per AASHTO and NYCDOT specifications for NYCDOT review and approval.

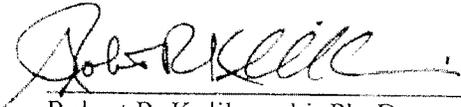
Additionally, the applicant will conduct a validation study of parking and loading operations on Broadway and Verveelen Place when the proposed development is fully built and occupied. The validation study will survey the actual conditions of parking, loading, and queuing on Verveelen Place to validate that the operations are as were projected in the EAS. The validation study will be conducted during the peak period on weekdays and weekends.

Should the validation study identify the need for improvement measures others than those identified in the EAS, the applicant will submit for NYCDOT review and approval a scope of work that will include the locations where traffic improvement measures have been identified and any locations where NYCDOT believes improvement measures will be warranted.

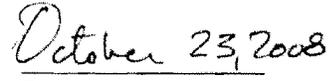
With the measures above, the project would not result in significant adverse traffic impacts.

4. The proposed project would have a required window/wall attenuation of 35 dBA and alternate means of ventilation. The proposed project would obtain this level of attenuation and therefore no significant adverse noise impacts are anticipated. (*Lot 13*)
5. The project as proposed would not result in significant adverse air quality impacts.
6. The project as proposed would not result in significant adverse impacts on cultural, archaeological, architectural, or aesthetic resources or the existing neighborhood.
7. A Memorandum of Understanding (MOU) between NYCEDC and NYCDEP has been executed to ensure that all hazardous material remediation work would be executed before construction begins. In addition, for sites not under the applicant's control within the rezoning area, an "E" designation would be placed on the subject parcels (Block 3266, Lots 21, 23, 155, & 159), which would require that the fee owner of an "E" designated site conduct a testing and sampling protocol, and remediation where appropriate, to the satisfaction of NYCDEP before issuance of a building permit. Therefore, the project will not create a hazard to human health.

8. No other significant effects upon the environment that would require the preparation of an Environmental Impact Statement are foreseeable.
9. This Negative Declaration was prepared in accordance with Article 8 of the New York State Environmental Conservation Law.



Robert R. Kulikowski, Ph. D.
Assistant to the Mayor



Date